

Mansfield Borough Right to Know Policy

The Borough of Mansfield, Tioga County, Pennsylvania is a political subdivision of the Commonwealth and is subject to the Commonwealth's current Right to Know (RTK) Law (Act 3 of 2008 as of the date of adoption of this Policy). The Borough intends to comply with the letter and spirit of the Open Records Law, while also preserving the integrity of Borough records and protecting documents that must be treated as confidential. To that end, the Borough Council hereby adopts the following Policy governing access to records held by the Borough.

Formal requests for documents shall be directed in writing to the Borough's Open Records Officer as designated by the Borough Council. As of the date of adoption of this Policy, the contact information for the Mansfield Borough Open Records Officer is:

Christopher M. McGann
Mansfield Borough Manager
14 S. Main Street
Mansfield PA, 16933
Phone: (570) 662-2315 ext. 4
Fax: (570) 662-3414
Email: mansfieldmanager@ptd.net

The Borough Council hereby sets the specific policies governing RTK requests.

1. All documents deemed public records shall be available for public inspection, retrieval and duplication at the Mansfield Municipal Building weekdays between 8 a.m. and 3:30 p.m., excluding Borough holidays.
2. Formal requests for information shall be made in writing via fax, email, US mail, or in person. The Open Records Officer may create a form to document such requests or use the standard form provided by the PA Office of Open Records. Additionally, the Open Records Officer shall accept RTK requests submitted via the standard form provided by the PA Office of Open Records. The Borough Reserves the right to make an electronic version of the form available on the Borough's website.
3. The Open Records Officer shall make a good-faith effort to provide the requested documentation as promptly as possible and to cooperate with the requester, while preserving the integrity of documents, both physical and electronic. The Open Records Officer shall not release documents shielded from the RTK Law and shall redact shielded personal information as appropriate.
4. The Open Records Officer is not required to create a new document in response to a RTK request nor to compile, format or organize a public record in a format that does not exist at the time of the request.
5. In accordance with Act 3 of 2008, the Open Records Officer shall provide an initial response to all RTK requests as promptly as possible, and no later than five (5) business days after the receipt of a request. A request is deemed "denied" if the Open Records Officer does not respond within the statutory five (5) days.
6. It is the responsibility of the Open Records Officer to make appropriate arrangements for the required response when he/she expects to be absent for an extended period of time.

7. The Open Records Officer may invoke the allowable 30 day extension as provided for in Act 3 of 2008.
8. The Open Records Officer is authorized to consult with the Borough Solicitor regarding any RTK request.
9. The Borough Council recognizes that the designated Open Records Officer may not have the legal right to access files held by the police department. When a request for such a records is received, the Open Records Officer shall work with the Chief of Police or his/her designee to fulfill the request or deny the request as appropriate. The Chief of Police may set such policy as necessary to comply with the RTK law while preserving the integrity of police records.
10. The Open Records Officer shall respond to all RTK requests in the statutorily specified time periods, including any extension of time. The Open Records Officer shall approve, partially approve or deny a request for records.
11. If access is granted, the Open Records Officer shall provide the record(s) in a format and delivery method agreed upon with the requester. This includes in-person acquisition, physical mail, fax, email or other method.
12. It is the responsibility of the Open Records Officer to collect all fees as set forth in the most current fee schedule. Prepayment is required for any request if total fees are estimated to exceed \$100.00. No records shall be provided to any requester currently owing outstanding fees for previous RTK requests.
13. In the event that the PA General Assembly or a court having jurisdiction in Mansfield Borough amends, reinterprets or strikes any provisions of the current Open Records Law, this Policy shall automatically change to reflect any new procedures, interpretations and statutes.
14. The Open Records Officer shall preserve RTK request records as required by the Commonwealth's records retention laws and policies.
15. In accordance with Act 3 of 2008, all appeals of RTK requests deemed denied or partially denied by the Open Records Officer shall be made to the PA Office of Open Records within 15 days of the denial. Appeals shall follow all policies of the PA Office of Open Records. Individuals requesting records are advised that certain types of records fall outside of the jurisdiction of the Office of Open Records and such appeals may be referred to other agencies. The Open Records Officer is directed in all cases to fully comply with final decisions rendered by the PA Office of Open Records. The contact information is:

Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17126-0333
<https://www.openrecords.pa.gov/>

Policy adopted by the Mansfield Borough Council this date May 12, 2021 by the Mansfield Borough Council.