

Chapter 116

RECORDS, PUBLIC ACCESS TO

[HISTORY: Adopted by the Town Board of the Town of Skaneateles 12-10-1985 by L.L. No. 6-1985.¹ Amendments noted where applicable.]

§ 116-1. Applicability.

The following rules and regulations shall apply to the public inspection and copying of such records of the Town of Skaneateles as are subject to public inspection by law and shall continue in effect until altered, changed, amended or superseded by further resolution of this Town Board or by action of the State Committee on Public Access to Records.

§ 116-2. Place of inspection.

Such records shall be made available for inspection at the office of the Town officer or employee charged with the custody and keeping thereof.

§ 116-3. Time of inspection.

Such records shall be made available for public inspection on regular business days between the hours of 10:00 a.m. and 12:00 noon and 2:00 p.m. and 4:00 p.m., if readily available. If not readily available, a written request specifically describing the records to which access is desired shall be filed with the Town officer or employee charged with the custody and keeping thereof, who shall produce same within 48 hours of such request. Such written request may be on the form prescribed by the State Comptroller. If the Town officer or employee charged with the custody and keeping of the record elects to refuse access, he shall submit to the requester a written statement of his reason therefor within 48 hours of such request.

§ 116-4. Fees.

- A. Copies. The Town officer or employee charged with the custody and keeping of the record shall, upon request, make a copy or copies of any record subject to such inspection upon a payment of a fee as fixed, from time to time, by resolution of the Town Board for such records as may be copied on the photocopy machine regularly maintained by the Town. If a copy or copies are desired thereof by the requester, the Town officer or employee charged with the custody and keeping of the record shall make the same and mail or deliver the same to the requester within one week depending on the volume and number of copies requested.

¹. Editor's Note: This local law was derived from a resolution of 11-26-1974.

- B. Certification. Any Town officer or employee charged with the custody and keeping of any such record shall, upon request, certify a copy of a document or record prepared pursuant to the provisions of the preceding subsection upon payment of an additional fee as fixed, from time to time, by resolution of the Town Board.

§ 116-5. Establishment of guidelines.

To prevent an unwarranted invasion of personal privacy, the Committee on Public Access to Records may promulgate guidelines for the deletion of identifying details for specified records which are to be made available. In the absence of such guidelines, an agency or municipality may delete identifying details when it makes records available. An unwarranted invasion of personal privacy includes but shall not be limited to:

- A. Disclosure of such personal matters as may have been reported in confidence to an agency or municipality and which are not relevant or essential to the ordinary work of the agency or municipality.
- B. Disclosure of employment, medical or credit histories or personal references of applicants for employment, except that such records may be disclosed when the applicant has provided a written release permitting such disclosure.
- C. Disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.
- D. The sale or release of lists of names and addresses in the possession of any department if such lists would be used for private, commercial or fund-raising purposes.
- E. Disclosure of items of a personal nature when disclosure would result in economic or personal hardship to the subject party and such records are not relevant or essential to the ordinary work of the department.

§ 116-6. List of records to be kept.

Each department shall maintain and make available for public inspection and copying, in conformity with such regulations as may be issued by the Committee on Public Access to Records, a current list, reasonably detailed, by subject matter of any records, which shall be produced, filed or first kept or promulgated after the effective date of this chapter. Such list may also provide identifying information as to any record in the possession of the department on or before the effective date of this chapter.

§ 116-7. Record of final votes.

In addition to such requirements as may be imposed by this chapter or by law, each board, commission or other group of the Town having more than one member shall maintain and make available for public inspection a record of the final votes of each member in every agency proceeding in which he votes.

§ 116-8. Records Access Officer.

The Town Clerk is hereby designated the Town Records Access Officer, whose duties shall include administration of these rules and regulations.

§ 116-9. Appeals Board.

The Town Board is hereby designated the Town Records Appeals Board to hear and determine appeals by a requester aggrieved by denial by the Records Access Officer of access to specific Town records. Any such appeal must be made in writing, with a signed copy thereof delivered to the Records Appeals Board and to the Records Access Officer no later than 72 hours after receipt by the requester of a written refusal.

§ 116-10. Privileged records.

Nothing in the foregoing procedures shall be construed to authorize or require access to records of the Town which are privileged or which are or may reasonably be expected to be the subject of or have a substantial relation to a claim against the Town, in contract or tort, by litigation or otherwise, unless required by an order of the Supreme Court issued pursuant to the Civil Practice Law and Rules.