



Otsego County Soil & Water Conservation District
 967 CO HWY 33 – RIVER ROAD – COOPERSTOWN, NEW YORK 13326-9222
 PHONE (607) 547-8131 ext. 4

FREEDOM OF INFORMATION LAW (FOIL) Request Form

SWCD will record and acknowledge your request within five (5) business days of receipt either via USPS or email, whichever is your preference. The acknowledgement will contain an estimated number of days SWCD will need to complete the request.

The actual time to complete a request depends on factors such as the number of records requested and the difficulty involved in locating and reviewing the records.

You will receive a letter or email (according to your preference) either granting or denying your request.

If your request is denied, you have the right to appeal the denial of your request.

Please provide information about the person making the request.

date of request _____	Do you prefer an email response? _____
first name _____	last name _____
role/title _____	
organization _____	
mailing address _____	city, state, zip _____
email address* _____	phone _____

*You will not have a pay for the cost of copying the records if you provide an email address so SWCD can send records electronically. If you do not provide an email address, the cost of duplication is 25¢ per 8 ½" x 14" page and/or the actual cost of the electronic storage medium, if requested.

Requested Documents

Use the space below to describe your request. Please provide details and specific information to help SWCD locate the records you request. Attach another page if necessary.

CONSERVATION – DEVELOPMENT – SELF-GOVERNMENT

Office use only

<i>date received</i>	<i>recorded by</i>	<i>date reply sent</i>
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I. PUBLIC RECORDS

- A. The District shall make available for public inspection, electronically transmit or copying all records, except those, or parts thereof, that:
- B. are specifically exempted from disclosure by state or federal statute;
- C. if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of Section VI of this resolution;
- D. if disclosed would impair present or imminent contract awards or collective bargaining negotiations;
- E. are trade secrets or are maintained for the regulations of commercial enterprise, which, if disclosed, would cause substantial injury to the competitive position of the subject enterprise;
- F. are compiled for law enforcement purposes and which, if disclosed, would:
 - 1. interfere with law enforcement investigations or judicial proceedings;
 - 2. deprive a person of a right to a fair or impartial adjudication;
 - 3. identify a confidential source or disclose confidential information relating to a criminal investigation; or
 - 4. reveal criminal investigative techniques or procedures, except routine techniques and procedures;
- G. if disclosed would endanger the life or safety of any person;
- H. are inter-agency materials which are not:
 - 1. statistical or factual tabulations or data;
 - 2. instructions to staff that affect the public; or
 - 3. final agency policy or determinations; or
- I. are examination questions or answers which are requested prior to the final administration of such questions.

II. WHEN AND WHERE

- A. Records shall be made available within five (5) working days of the receipt of the request.
- B. Records shall be available at the office of the District.
- C. If the agency does not provide or deny access to the record sought within five (5) business days of receipt of a request, the agency shall furnish a written acknowledgement of receipt and statement of the approximate date when the request will be granted or denied. If the agency determines to grant a request in whole or in part, or deny such request, this shall be done within twenty (20) business days from the date of the acknowledgement receipt of the request. If access to records is neither granted nor denied within ten (10) business days after the date of acknowledgement of receipt of a request, the request may be construed as a denial of access that may be appealed.
- D. In the event a requested record cannot be found, the District Manager shall certify that he/she has searched the records in his/her custody and that such record cannot be found.

III. DENIAL OF ACCESS

- A. Should access be denied, such denial shall be in writing, stating the reason therefore and advising the person denied access of his (or her) right to appeal to the Chair of the District Board of Directors or his/her designee, and that person shall be identified by name, title, business address and business telephone number.
- B. Should the District Manager deny access to any County record to anyone, such party may, within thirty (30) days, appeal such denial to the Chair of the District Board of directors, and his/her designee, who shall within five (5) days furnish the record or state in detail and in writing his/her reasons for denial thereof.
- C. The time for deciding an appeal by the individual or body designated to hear appeals shall commence upon receipt of written appeal identifying:
 - 1. The date and location of a request for records;
 - 2. The records that were denied; and
 - 3. The name and return address of the appellant.
- D. The District shall transmit to the Committee on Open Government copies of all appeals upon receipt of an appeal. Such copies shall be addressed to:
 - Department of State, Committee on Open Government
 - 1 Commerce Plaza, 99 Washington Avenue
 - Albany, NY 12231
- E. The Chair of the Board of Directors shall inform the appellant and the Committee on Open Government of his/her determination, in writing, within seven (7) business days of receipt of an appeal.