ROUND LAKE HOSE COMPANY NO. 1, INC.

FOIL POLICY

POLICY STATEMENT

It is the policy of the Round Lake Hose Company No. 1, Inc. ("Hose Company") to comply with the requirements of Article 6 of the Public Officers Law, the Freedom of Information Law ("FOIL"). The Hose Company hereby adopts this Policy as and for the rules and regulations required by Public Officers Law section 86 & 87 and otherwise.

PURPOSE

It is the intent of this Policy to enhance access to public records and compliance with the Freedom of Information Law of the State of New York.

DESIGNATION OF RECORDS ACCESS OFFICER

The Board of Directors of the Hose Company ("Board") hereby designates the Hose Company Secretary both the Records Management Officer of the Hose Company and the Records Access Officer of the Hose Company pursuant to 12 NYCRR 1401.2.

The Records Access Officer shall have such duties as described in 12 NYCRR 1401.2(b) including, but not limited to the following, together with such other duties as may be assigned by the Board:

(1) Maintain an up-to-date subject matter list.

(2) Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.

(3) Contact persons seeking records when a request is voluminous or when locating the records sought involves substantial effort, so that Hose Company personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of the records requested.

(4) Upon locating the records, take one of the following actions:

  (i) make records promptly available for inspection; or

  (ii) deny access to the records in whole or in part and explain in writing the reasons therefor.

(5) Upon request for copies of records:

  (i) make a copy available upon payment of established fees pursuant to this Policy; or

  (ii) permit the requester to copy those records. Hose Company copying equipment is not permitted to be used by non-Hose Company personnel. A requester may use a cell phone or other hand-held device to copy or scan documents.

(6) Upon request, certify that a record is a true copy.

(7) Upon failure to locate records, certify that:

(i) the Hose Company is not the custodian for such records; or

(ii) the records of which the Hose Company is a custodian cannot be found after diligent search.

Hose Company
PUBLIC DOCUMENTS DEFINED

Documents that must be made public include:

1. Minutes of meetings and hearings, including the final vote of each member on any matter.

2. Internal and external audits and financial records and statements.

3. Itemized records of names, addresses, titles and salaries of paid officers and employees.

LOCATION

Hose Company records shall be available for public inspection and copying at the office of the Hose Company Secretary Curry Road, Round Lake NY 12020.

All Hose Company records may not be maintained or stored at such location but only that they are made viewable at that location.

This Policy does not require that all requests for inspection of records be complied with upon submission, but as dictated by this Policy.

HOURS FOR PUBLIC INSPECTION OR ACCESS TO VIEWING RECORDS

Hose Company records shall be available for public inspection and copying at the office of the Hose Company Secretary during hours publicly designated by the Hose Company Secretary.

The Hose Company is an emergency response agency and does not have hours that it is regularly open for business. However, the Hose Company Secretary shall accept requests for public access to records and produce records during all hours the Hose Company Secretary is present at the Hose Company offices for the conduct of Hose Company business apart from emergency responses.

A person may request an appointment with the Hose Company Secretary to inspect and copy records. Such person may contact the Hose Company Secretary at *Round Lake Hose Company, PO Box 66, Round Lake NY 12151 or* secretary@rlfd.org to arrange an appointment.

RESPONSES TO REQUESTS FOR RECORDS

The Hose Company requires that all requests for records be made in writing.[1]

[1] Pursuant to 21 NYCRR § 1401.5(a)

The Records Access Officer or the Officer's designee shall respond to a request within five business days of the receipt of a request by:

(1) informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;

(2) granting or denying access to records in whole or in part;

(3) acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty business days after the date of acknowledgment, or if it is known that circumstances prevent disclosure within twenty business days from the date of such acknowledgement, providing a statement in writing stating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part; or

(4) if the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty business days of such acknowledgement, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgement stating the reason for the inability to do so and a date certain within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part.

In determining a reasonable time for granting or denying a request under the circumstances of a request, the Records Access Officer shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the Hose Company, and similar factors that bear on the Hose Company's ability to grant access to records promptly and within a reasonable time.

DENIAL OF ACCESS TO RECORDS

Denial of access to any Hose Company records shall be in writing made by the Record Access Officer or the Officer's designee, stating the reason therefor and advising the person denied access to their right to appeal.

All appeals shall be made in writing to the Board of Directors at PO Box 2243, Malta, NY 12020 within thirty days of any denial.

Denials shall be sent by regular mail to the address provided by the requester and shall be deemed received when mailed. The appeals period shall commence on the date of mailing of the denial when such is placed in a postage paid envelope addressed to the requester and deposited in a US Postal Service mailbox.

The Board of Directors or the Board's designee shall determine appeals regarding denial of access to records under FOIL.

The Board of Directors or the Board's designee shall cause a copy of any appeal, upon receipt, to be sent to the "Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Ave., Suite 650, Albany, N.Y. 12231."

The appeal shall be determined within ten business days upon receipt of a written appeal identifying and which shall contain:

(1) the date and location of the request for records;
(2) a description, to the extent possible, of the records that were denied; and
(3) the name and return postal address of the requester/appellant.

An appeal may be determined by either granting access to the records sought or fully explaining the reasons for further denial in writing.

The Board of Directors or the Board's designee shall inform the requester/appellant and the Committee on Open Government of the determination in writing within ten business days of the Board's receipt of the appeal.

FEES

Fees for records shall be charged as provided in 21 NYCRR 1401.8 excepting however, that records not exceeding 9 by 14 inches the fee shall be 25 cents per page for photocopies.

All fees for copying or reproducing a record shall be paid in advance of the preparation of such copy. No records shall be provided unless such fees have been paid. All fees shall be paid in cash, official bank draft, certified check or money order payable to the Hose Company.

In the event that any requester, individually or on behalf of an organization or other person, has failed to pay fees for any request for records, such person(s) or organization shall be prohibited from any further request under FOIL until such prior request fees have been paid.[2]

PUBLIC NOTICE

A notice containing the title and business address of the Records Access Officer and appeals person and the location where records can be seen or copies obtained shall be posted in a conspicuous location and/or by publication in a website, in a newspaper of general circulation, on a public board in the firehouse, or the town, or in any other manner, and shall comply substantially with the following:

[2] Committee on Open Gov't FOIL-AO-9659; FOIL-AO-16638.

PUBLIC NOTICE
YOU HAVE A RIGHT TO SEE
PUBLIC RECORDS

The Freedom of Information Law gives you access to many public records.

The Round Lake Hose Company No. 1Round Lake Hose Company No. 1Inc. has adopted a policy governing where records shall be made available for inspection and copying. The Records Access Officer for the Hose Company is the Hose Company Secretary, PO Box 66 Round Lake, New York 12151 Hose Company records may be examined during designated hours or by appointment at the Round Lake Hose Company No. 1, Round Lake, , New York 12151

Any person denied access to a record has a right to appeal, which appeal shall directed addressed to: Board of Directors, Round Lake Hose Company No. 1Inc., PO Box 66, Round Lake, NY 12151 and marked “FOIL Appeal” on the outside of the envelope.

NO REQUIREMENT TO CREATE RECORDS

The official form of all Hose Company documents is in paper format. Nothing requires the Hose Company to prepare any record not possessed or maintained by the Hose Company. If the document does not exist, the Hose Company will notify the person making the request that the Hose Company does not maintain the document.

REVIEW AND AMENDMENT

This Policy shall be reviewed annually by the Board of Directors.

The Board of Directors may amend this Policy from time to time in accordance with law.