

Schedule "A"

**ERIE COUNTY WATER AUTHORITY
HR Policies/Procedures**

Re:	FREEDOM OF INFORMATION LAW POLICY	Policy No.:	94.0
Application:	Authority Wide	Adopted:	03/22/18

PURPOSE

To establish the policy and procedures for Freedom of Information Law requests.

POLICY

The Freedom of Information Law (Public Officers Law Sections 84-90) requires that the Erie County Water Authority (Authority) make certain records available to the public. The law requires the Authority to designate a Records Access Officer. Requests for information from the Authority shall be directed to the Secretary to the Authority during business hours Monday through Friday, except holidays. All requests shall be in writing and directed to the Secretary to the Authority, Erie County Water Authority, 295 Main Street, Room 350, Buffalo, New York 14203 or electronically to foil@ecwa.org.

The Authority shall furnish to the public the information and records required to be disclosed by the Freedom of Information Law, as well as records otherwise available by law. Examples of records available include, but are not limited to: reports, minutes, resolutions, statements, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, rules, regulations or codes.

All requests for information must be acted upon within five business days. If the Authority is unable to answer an applicant's request within five days of receipt, it shall acknowledge the request and inform the applicant of the approximate and reasonable time when the request will be answered. If the Records Access Officer determines to grant a request in whole or in part, and if circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, the Authority shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.

The Authority may either grant or deny access to the records requested, or certify that it does not have or cannot find the records after a diligent search. Records involving trade secrets are subject to separate procedures and requirements under the Freedom of Information Law (FOIL). Appeals from a denial of access may be made within 30 days.

An appeal of a denial of access to records shall be to the Authority Board of Commissioners. An appeal must be made in writing and directed to the Chairman of the Board of Commissioners, Erie County Water Authority, 295 Main Street, Room 350, Buffalo, New York 14203.