

From: [Geoffrey Szymanski](#)
To: [foil](#)
Subject: [EXTERNAL] FOIL Request Executive Director Candidates
Date: Monday, August 21, 2023 10:04:50 PM

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Secretary McCracken,

I was not able to find a FOIL Form on the ECWA website so I am attempting to FOIL request

- 1) the resumes and cover letters of all of the candidates that applied for the position of Executive Director.
- 2) the time and date of the interviews for any and all candidates that were considered
- 3) was/were the interview(s) held in person, on the phone, or virtually using an app such as Microsoft Teams, Zoom, Webex or another form of communication
- 4) a list of people involved on the ECWA side of the interview process
- 5) the month/week/day of the agenda in which a vote was cast in favor of appointing the new executive director
- 5) the subject header and number of the agenda item from which the appointment was voted on

As per §84. Legislative declaration

The people's right to know the process of governmental decision-making and to review the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality. The legislature therefore declares that government is the public's business and that the public, individually and collectively and represented by a free press, should have access to the records of government in accordance with the provisions of this article.

As per §87. Access to agency records

Each agency shall, in accordance with its published rules, make available for public inspection and copying all records, except that such agency may deny access to records or portions thereof that:

- (a) are specifically exempted from disclosure by state or federal statute;*
- (b) if disclosed would constitute an unwarranted invasion of personal privacy under the provisions of subdivision two of section eighty-nine of this article;*
- (c) if disclosed would impair present or imminent contract awards or collective bargaining negotiations;*
- (d) are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise;*
- (e) are compiled for law enforcement purposes and which, if disclosed, would:*

- i. interfere with law enforcement investigations or judicial proceedings;*
- ii. deprive a person of a right to a fair trial or impartial adjudication;*

iii. identify a confidential source or disclose confidential information relating to a criminal investigation; or
iv. reveal criminal investigative techniques or procedures, except routine techniques and procedures;

(f) if disclosed could endanger the life or safety of any person;
(g) are inter-agency or intra-agency materials which are not:

i. statistical or factual tabulations or data;
ii. instructions to staff that affect the public;
iii. final agency policy or determinations; or
iv. external audits, including but not limited to audits performed by the comptroller and the federal government; or

(h) are examination questions or answers which are requested prior to the final administration of such questions;

(i) if disclosed, would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures

For the purposes of information and research.

I will be satisfied with emailed copies of the requested information to save time and money for the agency.

Respectfully,

Geoffrey M. Szymanski, MPA, CPM