

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

<b>Re:</b>	<b>FREEDOM OF INFORMATION LAW POLICY</b>	<b>Policy No.:</b>	<b>94.0</b>
<b>Application:</b>	<b>Authority Wide</b>	<b>Adopted:</b>	<b>03/15/90</b>
		<b>Amended</b>	<b>03/05/98</b>
			<b>03/08/18</b>

**PURPOSE**

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

**POLICY**

The Freedom on Information Law (FOIL) (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](mailto: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. All requests should reasonably describe the records sought. The Authority within five business days of receipt of a written request for a record reasonably described, shall make the record available to the person requesting it, deny the request in writing or furnish a written acknowledgment of the receipt of the request and a statement of the approximate date when such request will be granted or denied.~~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.

Reasonable reproduction costs of \$.25 a page shall be assessed before the requested documents are provided. The estimated amount must be paid in full before the requested documents are produced.

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 of receipt of the denial.

An Appeal of a denial of access to records shall be to the Authority Board of Commissioners directed to the Chairman of the Board, Erie County Water Authority, 295 Main Street, Room 350, Buffalo, New York 14203. An appeal must be made in writing, by letter (not (letter or e-mail) sent electronically to the Chairman at foil@ecwa.org or and either mailed or hand-delivered to the Office of the Chairman at the Authority's Main Street Office.

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