

Freedom of Information Law Policy (FOIL)

Overview

The Freedom of Information Law ("FOIL"), [Article 6 \(Sections 84-90\)](#) of the NYS Public Officers Law, provides the public right to access to records maintained by government agencies with certain exceptions.

"Record" means any information kept, held, filed, produced or reproduced by, with, or for this agency, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or disks, rules, regulations or codes.

When Submitting a FOIL Request

1. Be as specific as possible in describing the requested records. Include relevant dates, names, descriptions, etc.
2. Specify whether you would like to inspect the records or have copies of the records sent to you.
3. If records are available, specify how you want them sent, i.e., via US mail, e-mail or fax. We will notify you of any charge for reproducing such records before they are sent to you.
4. Include your e-mail, mailing address, and fax number, as well as a telephone number where you can be reached during business hours if it is necessary to clarify your request.

FOIL Process

Within five business days of the receipt of a written request for a record reasonably described, we will send you a letter either making such record available, denying such request in writing, or furnishing a written acknowledgment of the receipt of such request. If you have not received a letter within five business days, please contact us at 518-943-4230, or director@catskillpubliclibrary.org.

This acknowledgment letter will provide you with an estimate of when the records you request will be available, which shall be reasonable per the circumstances of the request. This date is determined by the number of documents you request, their format, their availability, the time it takes to redact any information that cannot be disclosed pursuant to FOIL, the time it takes to assemble the documents, and other factors.

If the records you request require a fee to be paid, you will be notified prior to the records being released to you. Unless a different fee is otherwise prescribed by statute, Public Officers Law §87(1) authorizes the Library to charge a fee of 25¢ per copy for copies of records up to 9"x 14", or the *actual cost* of reproducing a record.

In determining the actual cost of producing a record, a Library may include only:

1. An amount equal to the hourly salary attributed to the lowest paid agency employee who has the necessary skill required to prepare the requested record(s), if at least two hours of agency employee time is needed to prepare a copy of the record requested;
2. The actual cost of the storage devices or media provided to the person making the request in complying with such request; and
3. The actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, if such service is used to prepare the copy.

Once the requested records are prepared, you may receive the records via email, fax, paper, CD/DVD, or USB. Records are available for inspection, by appointment, during regular Library hours at our Franklin Street location. You may schedule an appointment for in-person inspection of records by calling (518) 943-4230.

Right to Appeal

Under provisions of the Public Officers Law you may appeal a FOIL determination. If you desire to submit such an appeal, you must do so within 30 days of the written response to your FOIL request. Please include a copy of the original request for records and a copy of the FOIL response letter you received along with your appeal letter to:

Director
Catskill Public Library
1 Franklin St.
Catskill, NY 12414

You will be informed in writing of the decision within ten business days of our receipt of such an appeal.

Helpful Tips

For more information about FOIL, please visit the [New York State Committee on Open Government's website](https://opengovernment.ny.gov/). <https://opengovernment.ny.gov/>

Resolution: Adopted on May 18, 2022 by unanimous vote of the Board of Trustees of the Catskill Public Library.