

Freedom of

Information Law



Freedom of Information Law applies to all units of state and local government in New York except the State Legislature and the Judiciary.

All records are available, except records or portions of records that:

- are specifically exempted from disclosure by state or federal statute;
- would if disclosed result in an unwarranted invasion of personal privacy;
- would if disclosed impair present or imminent contract awards or collective bargaining negotiations; 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;
- are compiled for law enforcement purposes and which if disclosed would:
 - interfere with law enforcement investigations or judicial proceedings;
 - deprive a person of a right to a fair trial or impartial adjudication;
 - identify a confidential source or disclose confidential information relative to a criminal investigation; or
 - reveal criminal investigative techniques or procedures, except routine techniques and procedures;
- if disclosed would endanger the life or safety of any person; are inter-agency or intra-agency communications, except to the extent that such materials consist of:
 - statistical or factual tabulations or data;
 - instructions to staff that affect the public;

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- final agency policy or determinations; or
- external audits, including but not limited to audits performed by the comptroller and the federal government.
- are examination questions or answers that are requested prior to the final administration of such questions; or
- are computer access codes.

Every agency must compile:

- a record of the final vote of each member in every agency proceeding in which the member votes;
- a record setting forth the name, public office address, title and salary of every officer or employee of the agency; and
- reasonably detailed current list by subject matter of all records in possession of an agency, whether or not the records are accessible
- rules to carry out the procedural aspects of the law

Government must:

- assist in locating records sought
- within five business days of the receipt of a request, make the record available, deny access giving the reasons for denial, or furnish a written acknowledgment of receipt of the request and a statement of the approximate date when the request will be granted or denied.
- inform person denied access of right to appeal within 30 days of denial
- send appeals and determinations on appeal to the Committee on Open Government
- provide access to records during all regular business hours

Government must post and/or publicize in a local newspaper:

- locations where records are made available;
- the name, title, business address and telephone number of the records access officer; and
- the right to appeal a denial of access and the name and business address of the person or body to whom appeals should be directed

VILLAGE OF SOUTH NYACK
ROCKLAND COUNTY, N.Y.

APPLICATION FOR PUBLIC ACCESS TO RECORDS

NAME OF AGENCY _____

ADDRESS _____

I HEREBY APPLY TO INSPECT THE FOLLOWING RECORD(S):

DATE: _____

SIGNATURE: _____

REPRESENTING: _____

ADDRESS: _____

MAILING ADDRESS: _____

FOR AGENCY USE ONLY

APPROVED

TOTAL FEE PAID, IF ANY: _____

DENIED FOR THE REASON(S) CHECKED BELOW:

CONFIDENTIAL DISCLOSURE

PART OF INVESTIGATORY FILES

UNWARRANTED INVASION OF PERSONAL PRIVACY

RECORD OF WHICH THIS AGENCY IS LEGAL CUSTODIAN CANNOT BE FOUND

RECORD IS NOT MAINTAINED BY THIS AGENCY

EXEMPTED BY STATUTE OTHER THEN THE FREEDOM OF INFORMATION

OTHER (SPECIFY) _____

RECORD RETURNED

SIGNATURE _____

TITLE _____

DATE _____

NOTICE: YOU HAVE THE RIGHT TO APPEAL A DENIAL OF THIS APPLICATION TO THE HEAD OF THIS AGENCY.

NAME _____

BUSINESS ADDRESS _____

REASON FOR DENIAL MUST BE FULLY EXPLAINED IN WRITING WITHIN 7 DAYS OF RECEIPT OF AN APPEAL.

I HEREBY APPEAL: _____

DATE: _____