



# pennsylvania

OFFICE OF OPEN RECORDS

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 05/20/15

REQUEST SUBMITTED BY:     E-MAIL             U.S. MAIL             FAX             IN-PERSON

REQUEST SUBMITTED TO (Agency name & address): Berwick Township Board of Supervisors,  
85 Municipal Road, Hanover, PA 17331

NAME OF REQUESTER: Phyllis Adams

STREET ADDRESS: 63 Eagle Drive

CITY/STATE/COUNTY/ZIP(Required): Hanover, PA, Adams 17331

TELEPHONE (Optional): 717-632-5999            EMAIL (optional): adamstt@embarqmail.com

**RECORDS REQUESTED:** *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

The name and address of any Berwick Township property owner who owed debts or assessments to the township that would normally be collected by the township treasurer and whose debts/assessments were forgiven. Include the date(s) and amount(s) of the forgiveness or non-collection of any assessment (whether billed or not billed to the property owner) and the name(s) of any Berwick Township Supervisor(s) who made the decision to not pursue legal action for payment. This request includes, but is not limited to sewer charges, fines and fees as related to sewer bills, permits, ordinance violations, etc., for all calendar years 1999 to the present. This request does not include any debt turned over to the township solicitor who pursued collection by any means for recovery or for which a municipal lien was filed against the property of the owner, and which resulted in the recovery and/or lien. This request does not include any property taxes collected by the tax collector. Please provide the documentation as a PDF.

DO YOU WANT COPIES?    YES    NO

DO YOU WANT TO INSPECT THE RECORDS?    YES    NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?    YES    NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?    YES    NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

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### FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER:

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE:

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

85 Municipal Road  
Hanover, PA 17331

717-632-1829 (phone)  
717-632-2280 (fax)  
office@berwicktp.org

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June 15, 2015

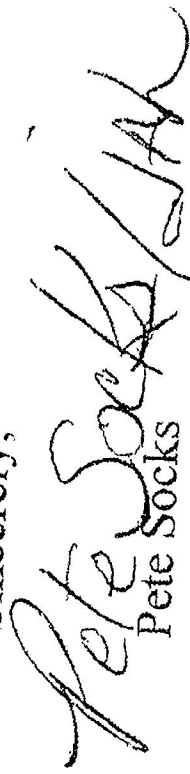
Phyllis Adams  
63 Eagle Drive  
Hanover, PA 17331

Dear Ms. Adams:

Thank you for your Right-to-know Request dated May 20, 2015. Pursuant to previous correspondence to you, we extended the time in which to respond to June 19, 2015. Based upon conversations with our Solicitor, we understand that you have since modified your request to records relating to 141 Huff Road. Please be advised that after a search of the Township's records, we were unable to find any record that is responsive to your request.

Should you have any questions regarding this response, please contact the office at 632-1829. Thank you.

Sincerely,



Pete Socks

Right-to-Know Officer

63 Eagle Drive  
Hanover, PA 17331  
June 24, 2015

Pete Socks  
Right to Know Officer  
Berwick Township  
85 Municipal Road  
Hanover, PA 17331

Dear Mr. Socks:

Thank you for your letter of June 15<sup>th</sup> regarding my previously submitted Right to Know Request. Your letter states that I modified my request in conversations with the Township Solicitor to a specific address, 141 Huff Road. Please be advised that I did not amend my original request, which was for information relating to any instances of debt forgiveness related to sewer bills, permits, ordinance violations or similar assessments, for all calendar years from 1999 to the present.

As I review my notes from my conversations with the Township Solicitor, I recall that I mentioned a Board of Supervisors' meeting where sewer bills were discussed, and in particular a residence that had not paid in a long time or perhaps ever. I told the solicitor that Chairman Foltz and Supervisor Danner had a whispered conversation where I heard them say that "the man's wife died." From that, I can only assume that your solicitor extrapolated the address of 141 Huff Road, as I was not personally aware of any addresses that have or had outstanding sewer bills.

Again, I did not modify my initial request in either of my conversations with the solicitor. It appears the solicitor may have misunderstood what I was asking for when I told him about the whispered conversation above and thought I was only interested in the home where the spouse passed away. My original request stands as stated above.

Sincerely,

Phyllis Adams

**BERWICK TOWNSHIP BOARD OF SUPERVISORS**

85 Municipal Road  
Hanover, PA 17331  
Telephone #: (717) 632-1829  
Fax #: (717) 632-2280

July 7, 2015

Phyllis Adams  
63 Eagle Drive  
Hanover, PA 17331

RE: Right-To-Know Request

Dear Ms. Adams:

We received your June 24, 2015 letter on June 29, 2015 and have the following response. First, we apologize that was an apparent miscommunication between you and the Township's Solicitor regarding your Right-To-Know Request. It was our understanding that you were specifically interested in the issue regarding the sewer bill relating to a property on Huff Road. We undertook the effort to identify that particular property and responded accordingly.

Nonetheless, regarding your request, after a good faith search, the Township does not have a record setting forth property owners, who owed debts or assessments to the Township that would normally be collected by the Township treasurer, whose debts/assessments were forgiven. Under the Right-To-Know Law, the Township is not required to conduct research to compile a record that does not otherwise exist.

As an alternative, you are certainly welcome to inspect the Township's minutes at the Township office during regular business hours. The Township's minutes for 2010 through 2015 are posted on the Township's website. All minutes from 1999 through 2015 are also available at the Township building for inspection, as aforesaid.

Should you have any questions, feel free to contact me.

Very truly yours,



Pete Socks,  
Right-To-Know Officer  
85 Municipal Road  
Hanover, PA 17331  
717-637-1829