

**TOWN OF LINCKLAEN**  
**FREEDOM OF INFORMATION**  
**REQUEST FORM**

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**1. Type of Request**

- I request my own records. (**Requester must complete sections 2, 3, 4, 5, and 6**)
- I am making a request for records about someone or something other than myself. (**Requester must complete sections 2, 3, 5, 6, and 7.**)
- I wish to amend my records. In accordance with 5 C.F.R. ° 297.301, the burden of proof rests with the record subject to illustrate how his/her record is not accurate, timely, relevant, or complete. Requesters should attach additional material to this form. (**Requester must complete sections 2, 4, 5, and 6**)

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**2. Requester Information**

Full Name: \_\_\_\_\_

Organization/  
Affiliation: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Country: \_\_\_\_\_

Home phone #: \_\_\_\_\_ Cell Phone #: \_\_\_\_\_

**Preferred delivery Method:**

- email
- Snail Mail
- Fax Number: \_\_\_\_\_
- In Person

Email Address: \_\_\_\_\_

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**3. Records Requested**

Please specify the title and all details for the records you are requesting. (when applicable include dates, titles, etc.)


**4. Requester's Identifying Information (complete this section only if you are making a request for records about yourself)**

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

City of Birth: \_\_\_\_\_

State of Birth: \_\_\_\_\_

Country of Birth: \_\_\_\_\_

**5. Identity Source Documents – Show one form of photo ID (for verification purposes only)**

ID Provided: \_\_\_\_\_

ID Number: \_\_\_\_\_

**6. Verification of Requester's Identity**

**Handwritten Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**7. Complete this section only if you are requesting records about someone or something other than yourself.**

- I am related to the person on record
- I am a friend/associate
- I am affiliated with an educational or non-commercial scientific institution, and this request is made for a scholarly or scientific purpose
- I am a representative of, or affiliated with, the news media and this request is made as part of a news gathering effort.
- I am affiliated with a private corporation and am seeking information for use in the company's business for commercial purpose.
- I am affiliated with a private corporation and am seeking information for use in the company's business for non-commercial purpose.

*The forgoing information will be used for statistical purposes.*

**Below state your reason for requesting the records:**

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**8. Payment**

All Public records may be examined in the office during regular office hours. Any documents to be photocopied are \$0.25 per page, prepaid and \$10 for certified documents, prepaid. **Make check or money order payable to Lincklaen Town Clerk.**

**OFFICE USE ONLY**

**Number of Copies made:** \_\_\_\_\_ **Number of Certified Copies made:** \_\_\_\_\_  
\_\_\_ Check \_\_\_ Money Order \_\_\_ Cash **Amount Paid:** \_\_\_\_\_

# TOWN OF LINCKLAEN

## FREEDOM OF INFORMATION

### I. INTENT

- A. It is the intent of the Town of Lincklaen by the adoption of these rules to provide the public individually and collectively and represented by “free media”, the unimpaired access to its public records as herein provided.

### II. PUBLIC RECORDS

- A. The Town of Lincklaen, through its departments shall make available for public inspection and copying the following public records:
1. Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases.
  2. Those statements of policy and interpretations which have been adopted by the Town of Lincklaen and any documents, memoranda data, or other materials which led to the formulation thereof.
  3. Minutes of meetings and of public meetings held by the Town Board, its committees and agencies.
  4. Internal or external audits and statistical or factual tabulations made by or for the Town.
  5. Administrative staff manuals and instruction to staff that affect members of the public.
  6. An itemized record setting forth name, address, title and salary of every officer or employee be compiled by each fiscal officer charged with the duty of preparing payrolls and such records shall be made available for inspection by the officer charged with the duty of certifying such payrolls to bona fide members of the news media upon written notice. (In case of law enforcement, the records shall list the officials or employees' titles and salary only without identifying individual employees). Said written notice shall be made upon a form to be prescribed by the comptroller of the state and shall be reasonable and specify what records are to be requested with particularity. The records may be inspected under the supervision of the particular fiscal officer's office and only in the particular fiscal officer's office during regular working hours and regular working days or at such other place as may be convenient to the particular fiscal officers.
  7. Any other files, records, papers or documents required by any other provision of law to be made available for public inspection and copying.

**III. WHEN AND WHERE**

- A. A FOIL form (located in the clerk's office or on the town's web site) must be filled out before any records may be examined, copied or certified.
- B. That such records shall be promptly available during regular working hours and regular working days.
- C. That such records shall be available at the office of the town official or department head having jurisdiction and responsibility thereof or at such other place as may be convenient to the particular official or department head.
- D. In the event the required records are not immediately available, and a search is required therefore, the town official, department head or employee shall make such records available for inspection or copying within five (5) business days after the request.
- E. In the event a requested record cannot be found, the town official or department head shall certify that he has searched the records in his custody and that they cannot be found.
- F. The town shall make and maintain for public inspection and copying a list so as to identify available records.

**IV. FEES**

- A. The town shall make no charge for an inspection of its records.
- B. The town shall make a charge of \$0.25 for each page photocopied that its officials, department head or employees are required to make.
- C. The town shall make a charge of \$10.00 for each certified (town stamp) copies that a town official or department head attaches to the record certifying to its correctness.

**V. UNWARRANTED INVASION**

- A. The town shall not permit an unwarranted invasion of its records.
  - 1. Disclosure of personal matters as may have been reported in confidence and which are not relevant or essential to the ordinary work of the town.
  - 2. Disclosure of employment, medical or credit histories or personal references of applicants for employment, except such records may be disclosed when the applicant has provided a written release permitting such disclosure.
  - 3. Disclosure of items involving the medical or personal records of a client or patient in a hospital or medical facility.
  - 4. The sale or release of lists of names and addresses in the possession of the town if such lists would be used for private, commercial or fund-raising purposes.
  - 5. Disclosure of items of a personal nature when disclosure would result in economic or personal hardship to the subject party and records are not relevant or essential to the ordinary work of the town.

**VI. EXEMPT RECORDS**

- A. The town shall not permit the inspection or copying of the following records:
1. Specifically exempted by statute or rule to the town.
  2. Confidentially disclosed to the town and compiled and maintained for enterprise including any town business and if openly disclosed would permit an unfair advantage to competitors of the subject enterprise, but this to exemption shall not apply to records the disclosure or publication of which is directed by other statute.
  3. If disclosed, an unwarranted invasion of personal privacy, pursuant to the standards of Section V of these rules and regulations.

**VII. DENIAL OF ACCESS**

- A. Should a town official or department head deny access to any town record to anyone, such party may appeal such denial to the Town Supervisor.
- B. Should the Town Supervisor deny access, he shall state in detail and in writing his reasons therefore within ten (10) business days.
- C. The denial by the Town Supervisor shall be subject to review in the manner provided in Article 78 of the Civil Practice Laws and Rules.

**VIII. EXISTING RIGHT OF ACCESS**

- A. Nothing in these rules and regulations shall be construed to limit or abridge any existing right of access at law or in equity of any party to public records by the Town of Lincklaen.

**IX. EFFECTIVE DATE**

These rules and regulations shall take effect on 21<sup>st</sup> day of May in the yea