

## FREEDOM OF INFORMATION ACT

### How do I make a request?

Simply write your request and mail it or email to the “Town Clerk” 6011 St. Hwy 51, Burlington Flats, NY 13315

A complete form is not necessary just include as much detail as possible about the records you are requesting.

### What records are available?

All records are available, unless an exception permits an agency to deny access. Most of the exceptions are based upon common sense and the potential for harm that would arise by means of disclosure. If disclosure of records would be damaging to an individual or preclude a government agency from carrying out its duties, it is likely that some aspects of the records may be withheld. [See FOIL §87\(2\)](#)

### How long must I wait to get access to records?

When an agency receives a request, [§89\(3\)\(a\) of the Freedom of Information Law](#) states that it has five business days to grant or deny access in whole or in part, or if more time is needed, to acknowledge the receipt of the request in writing and indicate an approximate date by which the agency will respond to the request, usually not more than 20 additional business days.

### How long must I wait to get access to records if I sent my request via email?

Because an electronic request may be sent at any time, for purposes of determining the date of receipt and the required response time frame, an email request is determined to have been received on the first business day on which it was received during normal business hours. For example, if an email request is sent at 6 pm on Tuesday, it is deemed to have been received at 9 am Wednesday.

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### What happens if an agency fails to respond within five business days of receipt of my request?

A failure to comply with any of the time limitations imposed by law would constitute a denial of a request that may be appealed in accordance with [§89\(4\)\(a\) of the Freedom of Information Law](#). That provision states that an appeal must be made within thirty days of the denial. The appeal should be made to the person designated by the agency to determine appeals or the chief executive or governing body of the agency

