Wayne Economic Development Corporation

Wayne Economic Development Corporation (WEDC) Freedom of Information Law (FOIL) Policy

Introduction

The Wayne Economic Development Corporation (WEDC) is subject to New York State's Freedom of Information Law (FOIL). The purpose of this law is to allow the public access to records used in establishing public policy or decision-making.

What is a 'Record'?

A record is any information kept by the agency in any physical form whatever. In addition to paper records this includes:

- CDs, computer discs and other electronic media;
- Audio and video tape recordings; and
- Emails, charts, maps and photographs.

While the WEDC is not required to prepare new records to comply with this law, the agency is required to provide information from its existing records in the form requested if it has the ability to do so.

What Records are Accessible under FOIL?

As a practical matter, records are accessible unless they fall under one of the exclusions set out in Pubic Officers Law Article 6. Those most applicable to WEDC are:

- Disclosure would result in an unwarranted invasion of personal privacy (unless deletion of identifying information is possible, the person involved consents or the person involved seeks records relating to him/herself);
- Disclosure of trade secrets would cause substantial injury to the competitive position of the involved company; or
- Intra-agency memoranda (other than instructions to staff that affect the public) and draft/non-final determinations of the agency.

WEDC is required to maintain the following records:

- A record of any abstention or "No" vote for an action item at each meeting. As a practical matter this should be included in the minutes to each board and committee meeting.
- A list of the names, public office address, title and salary (at the present time not applicable) of every officer and staff member of the agency.
- A detailed list of the subject matter of all records in the possession of the agency.

Records Access Officer and Appeals Officer

WEDC has designated its Deputy Executive Director as the records access officer for the purposes of FOIL. WEDC has designated its Executive Director as the appeals officer. The records access officer has the duty of coordinating the agency's response to public request for records.

Wayne Economic Development Corporation

Requests for Access to WEDC Records
Records of the WEDC may be requested in writing, by fax or email from the agency's Records Access Officer as follows:

- By regular mail at: Records Access Officer WEDC, 9 Pearl Street, 2nd Floor, Lyons, NY 14489;
- By fax: 315-946-7657; or
- By electronically at: wedcny@waynecountyny.gov

The request must include the name of the contact person, the contact person's regular mailing address, and the contact person's telephone number.

Copies of WEDC documents produced pursuant to a FOIL request shall be provided upon pre-payment of $.25 per page copied for up to 8 ½ by 11 inch documents, or the actual cost of reproducing any other record, except when a different fee is otherwise prescribed by statute.
WEDC must respond in writing to requests for information within five (5) business days of receipt by either:

- Making the record available;
- Denying access, writing giving the reason(s) for the denial; or
- Acknowledge the request and state the approximate date when the request will be granted (normally within 20 days from the date of acknowledgement unless otherwise stated in writing).

Wayne Economic Development Corporation

Application for Public Access to Records

PLEASE ADDRESS ALL FOIL REQUESTS TO:
Record Access Officer
Wayne Economic Development Corporation
9 Pearl Street, 2nd Floor, Lyons, NY 14489
Fax: 315-946-7657
Email: wedcny@co.wayne.ny.us

_____:I HEREBY APPLY TO INSPECT THE FOLLOWING RECORD(S):
_____:I REQUEST COPIES OF THE FOLLOWING RECORD(S):

Sincerely,

_____ _____
Signature Printed Name and Company name

_____ _____
Company Name (if applicable) Date

_____
Mailing Address (street number, street name, town/city, state and zip code

_____
Phone Number

For Agency Use Only

[ ] Approved
[ ] 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
- [ ] Exempted by Statute other than the Freedom of Information Act
- [ ] Other: _____

_____ _____ _____
Signature Title Date