

# **DUTCHESS COUNTY LOCAL DEVELOPMENT CORPORATION**

## **FREEDOM OF INFORMATION LAW POLICY**

In compliance with Article 6 of the New York State Public Officers Law the Board of Directors of the Dutchess County Local Development Corporation (“DCLDC”) adopts this Freedom of Information Law Policy.

### **RECORDS ACCESS OFFICER**

The Compliance Officer is the Records Access Officer of the DCLDC pursuant to Article VI, Section 7 of the DCLDC’s By-Laws.

The Records Access Officer shall:

- a. Respond to all inquiries relating to the availability to the public of the DCLDC’s records pursuant to the Freedom of Information Law within a specified five days following receipt of request;
- b. Receive and process requests for access to records in the manner prescribed by law;
- c. Maintain a record of the final vote of each member in every DCLDC proceeding in which the member votes;
- d. Maintain a record setting forth the name, public office address, title and salary of every officer or employee of the DCLDC;
- e. Maintain a current list of records, indexed according to subject matter, for public inspection; and
- f. Otherwise ensure the DCLDC’s compliance with the Freedom of Information Law.

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**SUBJECT MATTER LIST**

As enumerated in the Freedom of Information Law, the Records Access Officer shall maintain and make available for public inspection and copying a current list, by subject matter, of all records in its possession. The subject matter list shall be updated annually.

**FOIL REQUESTS**

- a. The request shall be submitted to the Records Access Officer in writing at the following address:

Dutchess County Local Development Corporation  
3 Neptune Road, Suite A21  
Poughkeepsie, New York 12601

Requests may also be submitted by email to: [info@thinkdutchess.com](mailto:info@thinkdutchess.com) (subject line: FOIL Request). The DCLDC will respond to email requests by email unless the requester specifies otherwise.

- b. The request shall specify whether the petitioner wishes to see and read the requested item or receive a copy.
- c. The request shall be acknowledged within five (5) business days (Monday through Friday) of the date the request is received. The DCLDC shall, within that period, either: (i) make the requested record available; (ii) deny the request in writing, stating the reason(s); or (iii) acknowledge receipt in writing and provide a reasonable estimated date by which the request will be granted or denied. If the record cannot be provided within twenty (20) business days of the acknowledgment date, the DCLDC shall notify the requester in writing of the reason for the delay and provide a specific date by which the request will be fulfilled.
- d. The request shall be sufficiently detailed to identify the specific document requested.

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- e. The requesting individual should include the name, mailing address, or email address and telephone number with their request.
- f. If the Records Access Officer fails to respond within the timeframes set forth above, such failure shall be deemed a denial of the request, and the requester may file an appeal as provided in the Denial of Requests section below.

**INSPECTING AND/OR COPYING RECORDS**

If access to records is granted, records may be inspected by the public at the DCLDC Office in the presence of the Records Access Officer or his/her designee during regular hours of DCLDC office operation. If the original record includes information, details and/or particulars requiring deletion, the individual requesting shall only be permitted to inspect a copy of the record with deletions.

Copying of the record will be performed by the Records Access Officer upon payment of the fee established by the Board of Directors. No original record may be removed from the DCLDC Office or other location where the record is kept.

**DENIAL OF REQUESTS**

Should the Records Access Officer deny access, said denial may be appealed to the Records Appeal Officer by the individual requesting the record. The Records Appeal Officer shall be the Chief Executive Officer and Chair of the Board. The decision to deny access shall be in writing and state the reason therefor.

The individual requesting the record may appeal a denial including a constructive denial resulting from the DCLDC's failure to respond within the required timeframes within thirty (30) days of receipt of the written denial or the expiration of the applicable response period. The Records Appeal Officer shall respond to the appeal in writing within ten (10) business days of

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receipt, either granting access or providing a full explanation for further denial. Failure to respond within ten (10) business days shall be deemed a denial of the appeal.

Denial may also be based upon any other exemption set forth in Public Officers Law §87(2), including records whose disclosure would jeopardize the security of information technology systems (§87(2)(i)).

**FEES**

Fees will be charged in accordance with the Freedom of Information Law. The following fees shall specifically apply:

- a. The fee for a copy of a record which does not exceed either 9” in width or 14” in length shall be twenty-five cents (25¢) per page.
- b. The fee for photocopies of records in excess of 9 x 14 inches shall not exceed the actual cost of reproduction; or
- c. An agency has the authority to redact portions of a paper record and does so prior to disclosure of the record by making a photocopy from which the proper redactions are made.

The fee the DCLDC may charge for a copy of any other record is based on the actual cost of reproduction and may include the following:

- a. An amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee’s time is necessary to do so; and
- b. The actual cost of the storage devices or media provided to the person making the request in complying with such request; or

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- c. The actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy.

**PUBLIC NOTICE**

The Records Access Officer shall conspicuously publish the following notice in the DCLDC office:

- a. The Records Access Officer's business address and business telephone number;
- b. The time and place records will be made available for inspection and copying;
- c. The right to appeal by any person denied access to records;
- d. The name, business address, and business telephone number of the Records Appeal's Officer.

**FREEDOM OF INFORMATION LAW**

Any details not specified in this policy should be located in the actual law, which may be found at <http://www.dos.ny.gov/coog/foil2.html>.

*Adopted 04/15/2014  
Amended & Readopted 1/19/2016  
Amended & Readopted 06/10/2026*