

Village of Brownville

Z16 Brown Blvd.
Brownville, NY 13615
Phone:315-782-7650

RESOLUTION 3 of 2026

ADOPTION OF POLICY FREEDOM OF INFORMATION LAW (FOIL)

WHEREAS, the Village Board of the Village of Brownville, New York is empowered to consider, draft, and adopt policies to address important aspects of good governance; and

WHEREAS, the Village Board has determined that a policy addressing Freedom of Information Law (FOIL) requests found at Article 6 (Sections 84-90) of the New York State Public Officer's Law is appropriate; and

WHEREAS, the Village has prepared a policy to address FOIL requests and a copy is attached as Exhibit "I".


NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Brownville, New York as follows:

- I. The foregoing recitations are incorporated herein and made a part hereof as if set forth hereafter.
2. The Village adopts the Freedom of Information Law (FOIL) Policy attached as Exhibit "I".
3. The FOIL Policy shall be filed with the Village Clerk of the Village of Brownville and posted to the Village Website.
4. This resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Mike Walrath, and seconded by Board Member, Amy Baker and upon roll call vote of the Board was duly adopted as follows:

	YES	NO
Patrick Connor, Mayor	<u>X</u> _____	_____
Steve Mott, Trustee	<u>X</u> _____	_____
Mike Walrath, Trustee	<u>X</u> _____	_____
Robert D. Goutremout, Trustee	<u>X</u> _____	_____
Amy Baker, Trustee	<u>X</u> _____	_____

Dated: March 10, 2026



Amber Klusacek, Village Clerk



PO BOX 118 • 216 BROWN BLVD • BROWNVILLE, NY 13615 • 315-782-7650
CLERK@VILLAGEOFBROWNVILLE.NY.COM • WWW.VILLAGEOFBROWNVILLE.NY.GOV

FREEDOM OF INFORMATION LAW (FOIL) POLICY

ADOPTED BY VILLAGE BOARD RESOLUTION 3 OF 2026

PURPOSE

The Village of Brownville adopts this policy to ensure compliance with the New York State Freedom of Information Law (Public Officers Law, Article 6). The purpose of FOIL is to make government records available to the public while protecting legitimate interests such as personal privacy, security, and privileged information.

RECORDS ACCESS OFFICER

- The **Village Clerk-Treasurer** and the **Deputy Clerk-Treasurer** is designated as the **Records Access Officer (RAO)**.
- The RAO is responsible for receiving, tracking, and responding to all FOIL requests.
- Duties include:
 - Coordinating responses to requests.
 - Maintaining a log of all FOIL requests and responses.
 - Ensuring timely compliance with FOIL requirements.

RECORDS SUBJECT TO FOIL

Under the New York State Freedom of Information Law, the public has the right to access **all records kept, held, filed, produced, or reproduced by, with, or for the Village of Brownville**, in any physical form, **except those records specifically exempted by law**.

Records subject to FOIL may include, but are not limited to:

- Minutes, agendas, and resolutions of Village Board and committee meetings.
- Budgets, financial reports, and audits.
- Contracts, bids, and procurement records.
- Permits, licenses, and applications.
- Policies, procedures, and administrative rules.
- Correspondence and emails concerning official business.
- Assessment rolls, zoning maps, and planning documents.
- Payroll and employment-related records (except portions protected under privacy laws).
- Reports, studies, and data maintained by the Village.

Records may exist in paper, digital, audio, or video form. The Village will provide access to such records consistent with the provisions and exemptions under **Public Officers Law §§87-89**.

SUBMISSION OF REQUESTS

- FOIL requests must be made in writing and may be submitted by mail, email, or hand delivery to the Village Clerk-Treasurer.
- Requests should be reasonably specific as to the records being sought.

RESPONSE TIME

Within five (5) business days of receiving a request, the RAO will:

- Provide the records requested, **or**
- Deny the request in writing with a reason, **or**
- Acknowledge receipt and provide a reasonable timeframe for a full response (generally not more than twenty (20) additional business days).

FEES

The Village may charge the following fees in accordance with FOIL:

- \$0.25 per page for photocopies not exceeding 9" x 14".
- The actual cost of reproducing records that cannot be photocopied (e.g., large maps, electronic data).
- The actual cost of an outside professional service, if necessary, to reproduce a record.

All fees must be paid before records are released.

RECORDS AVAILABLE FOR INSPECTION

- Records are available for public inspection at the Village Clerk-Treasurer's Office during regular business hours.
- The RAO may require appointments for inspection to ensure staff availability and document security.

DENIAL OF ACCESS

- If a request is denied, the denial must be in writing, stating the reason and citing the applicable law.
- Denials may be appealed in writing to the **FOIL Appeals Officers**, who shall be the **Mayor and the Village Board of Trustees of the Village of Brownville**.
- Appeals must be filed within thirty (30) days of the denial.
- The Appeals Officers must respond in writing within ten (10) business days of receiving the appeal, either granting access to the requested records or fully explaining the reasons for further denial.

NOTICE OF APPEALS

- Every written denial of access to records shall include **notice of the right to appeal**, clearly stating:

- That the requester has the right to appeal the denial within thirty (30) days.
- The name, titles, and mailing address of the **FOIL Appeals Officers** (Mayor and Board of Trustees, Village of Brownville).
- The timeframe within which the Appeals Officers must respond (ten (10) business days).
- The Records Access Officer shall maintain a record of all appeals and determinations in accordance with FOIL §89(4)(a).

EMPLOYEE NOTICE – DISCLOSURE OF DISCIPLINARY RECORDS

- When a FOIL request seeks **employee disciplinary records**, the Records Access Officer shall **notify the affected employee in writing** before any records are disclosed.
- The notice shall include:
 - A description of the records requested.
 - The Village's determination regarding whether the records (in whole or in part) will be released.
 - The employee's right to **object to the release** or **request redaction** of personal or identifying information as permitted by law.
- Records containing personal privacy information (e.g., home address, phone number, Social Security number, or medical details) shall be redacted prior to release, in accordance with **Public Officers Law §87(2)(b)** and **§89(2)**.
- The Village may delay disclosure of such records as reasonably necessary to provide notice and consider any objection from the employee.

EXEMPTIONS

Certain records are exempt from disclosure under FOIL, including but not limited to:

- Records that, if disclosed, would constitute an unwarranted invasion of personal privacy.
- Records that could impair contract awards or collective bargaining negotiations.
- Records specifically exempted from disclosure by state or federal statute.
- Law enforcement records that could interfere with investigations or reveal confidential sources.
- Security-related information that could endanger life or safety.
- Inter-agency or intra-agency materials that are not:
 - Statistical or factual data.
 - Instructions to staff that affect the public.
 - Final agency policy or determinations; or
 - External audits.

ANNUAL REVIEW

This policy shall be reviewed annually by the Village Board of Trustees and may be amended by resolution in accordance with New York State law.



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