

## Standard Right-to-Know Law Request Form

*Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.*

**SUBMITTED TO AGENCY NAME: Borough of Bath (Attn: AORO)**

Date of Request: November 3, 2023

Submitted via: Email

**PERSON MAKING REQUEST:**

Name: Michael Long

Company (if applicable):

Mailing Address: [REDACTED]

Email: [REDACTED]

City: Bath

State: PA

Zip: 18014

Telephone: [REDACTED]

Fax:

How do you prefer to be contacted if the agency has questions? Telephone

**RECORDS REQUESTED:** *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL request should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.*

**NARRATIVE**

Records request

**DO YOU WANT COPIES? Yes, electronic copies preferred if available.**

Do you want certified copies? Yes (may be subject to additional costs).

RTKL Requests may require payment or prepayment of fees. See the Official RTKL Fee Schedule for more details.

**Please notify me if fees associated with this request will be more than \$100? Yes**

**Please notify me if fees associated with this request will be more than (. . .)? Please specify for the Agency**

**ITEMS BELOW THIS SECTION FOR AGENCY USE ONLY**

Tracking:

Date Received:

Response Due (5 Bus. Days):

30-Day Extension Required?:

If Yes, Final Due Date:

Actual Response Date:

Request was?:

Cost to Requestor:

Appropriate third parties notified and given an opportunity to object to the release of requested records?

*NOTE: In most cases, a completed RTKL request form is public record.*

More information about the RTKL is available at <https://www.openrecords.pa.gov>

Form updated Nov. 27, 2018

November 3, 2023

Borough of Bath  
121 South Walnut Street  
Bath, PA 18014

Re: Pennsylvania Right-to-Know Law Request

To Borough of Bath AORO:

Pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, I respectfully request copies of the following additional public records:

1. Mayor's Insurance Reimbursements (Section 901):
  - Given the Borough's previous disclosure regarding the challenges in generating accurate singular reports from QuickBooks due to past incorrect data entries, I am requesting a complete and unredacted audit trail for each individual mayor's insurance reimbursement payment. This should include monthly summary and detailed reconciliation reports for any accounts where these funds were deposited, except for the BOROUGH OF BATH - OPERATING "GENERAL" FUND, Account #100.00 • CASH-UNRESTRICTED (3107) and MSW & RECY #2892 specified in Category 1, for each payment separately (RTKL Section 506(d)(1)).
  - If any records cannot be located, I request documentation of the Borough's efforts to obtain them from its financial system pursuant to Section 901.
2. Financial Interest Forms (Section 901):
  - Complete and unredacted State Ethics Commission Statements of Financial Interest submitted by Borough officials, Council members, and employees as required under the Public Official and Employee Ethics Act, January 2019 through present. Records should include names, positions, addresses, occupations, financial interests, and signatures (Retention: 5 years under Section 1105(d)).
  - If any requested forms cannot be located, I request documentation of the Borough's efforts to obtain them from its records management system pursuant to Section 901.

### 3. Request for Email Communications Regarding Specific Accounting Irregularities

- Pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, and in alignment with the standards set forth in Pennsylvania Dep't of Educ. v. Pittsburgh Post-Gazette, 119 A.3d 1121 (Pa. Commw. Ct. 2015), I respectfully request the following records concerning the identification, discussion, and correction of accounting irregularities exceeding \$1000 within the Borough's financial transactions during the specified time periods:

Time Period: January 1, 2019, through December 31, 2019

- All email communications between Borough Manager Brad Flynn, Office Manager Marena Rasmus, Office Secretary Tanya Lamparter, and any representatives of Drivelocker concerning the discovery, reporting, acknowledgment, discussion, or correction of specific accounting errors or irregularities exceeding \$1000.
- For each qualifying error, emails covering the entire lifecycle from initial discovery through implementation of corrective actions, including:
  - The accounting error or irregularity exceeding \$1000,
  - Date discovered and by whom,
  - Dates reported/discussed, with whom, and content,
  - Planned corrective actions, dates, and by whom,
  - Dates actions implemented and by whom.

#### **Subsequent Time Periods:**

- The same communications as specified above for the following time periods:
  - January 1, 2020, through December 31, 2020,
  - January 1, 2021, through December 31, 2021,
  - January 1, 2022, through December 31, 2022—with the inclusion of Mayor/Office Clerk Fiorella Mirabito, Drivelocker representatives, Filomena Silvestri of FRS, and Julia Silvestri of FRS as correspondents,
  - January 1, 2023, through present—with the same correspondents as for 2022.

Please provide all responsive records, including any nonexempt attachments to emails. Only information protected under an enumerated RTKL exemption may be redacted, with explanation/citation provided as required under Section 706.

I am requesting expedited statutory review of these records within 30 days under Section 1101(b)(1), as they relate to evidence of possible fiscal impropriety.

I am willing to pay reasonable fees up to \$100 associated with this request. Please contact me concerning any estimated fees exceeding this amount.

4. Drivelocker Right-to-Know Invoices (Section 506):

- Complete and unredacted records related to Drivelocker Invoice #4531 dated 5/31/2023 for Right-to-Know work from 4/11/2023 to 5/31/2023, including:
  - Written documentation of tasks provided by the Borough to Drivelocker as stipulated under Section 7 of the IT Consulting Agreement dated 1st January, 2017.
  - Records of work performed and tasks completed by Drivelocker.
- As a contractor providing administrative services, Drivelocker's records are subject to disclosure under Section 506(d)(1) of the RTKL. If any responsive records cannot be located, I request documentation of the Borough's efforts to obtain them from Drivelocker pursuant to Section 901.

While greater exemptions may be claimed regarding these records, I believe the public interest favors transparency. Please cite any specific exemptions claimed and redact only the minimum necessary information.

Certified Copies (Section 901):

To ensure completeness and prevent improper redaction, I am requesting certified copies of all records disclosed in response to this request.

Chain of Custody Documentation (Section 901):

To account for the lifecycle of the requested records, I am requesting documentation including:

- Name, position, and signature of the custodian(s), certifying the records.
- Dates and times of access and reviews by each custodian.
- How and by whom the records were retrieved.
- The manner of copies produced.

- Any transfers of the records.

This requirement is supported by Section 901 of the RTKL.

Please provide the requested records within 5 business days as stipulated under Section 901. I am willing to pay reasonable fees up to \$100 associated with this request. Please notify me regarding any estimated fees over \$100.

Thank you for your prompt attention. I look forward to your response.

Sincerely,

Michael Long