



Right-To-Know Response Form

July 30, 2015

Ms. Kathy Dobash
65 North Sherman Ct., Apt. D
Hazleton, PA 18201
RTK REQUESTS #15-097-100

Dear Ms. Dobash,

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law ("RTKL").

On June 23, 2015, the Luzerne County Office of Law received requests for documents from you described in the attached Right-To-Know requests. Your requests are granted in part and denied in part as more fully set forth below.

Attached to this email are documents reflecting the amount of Act 13 funds disbursed to Luzerne County for the years 2011-2014 (as also accurately identified in your requests). 58 Pa.C.S. 2315(a.1)(5) states that funds received under that section need to be used for "the planning, acquisition, development, rehabilitation and repair of greenways, recreational trails, open space, natural areas, community conservation and beautification projects, community and heritage parks and water resource management. Funds may be used to acquire lands for recreational or conservation purposes and land damaged or prone to drainage by storms or flooding."

Attached to this email are documents reflecting the expenditure of 2014 funds, namely, the April 21, 2014 meeting minutes documenting approval of Council for a \$40,000 payment to the Susquehanna Trail Project, as well as, a copy of the check for the same purpose. No other documented expenditures exist for 2014.

For years 2011-2013, the funds were deposited into the General Fund. No documents exist that specifically state how the Act 13 funds were allocated in those years. Therefore, we would rely on section 705 of the RTKL in denying the request for any such related documents which states "when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record."

You have a right to appeal this response to your request for information in writing to the Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response. Section 1101. If you have further questions, please call Shannon Crake Lapsansky. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Shannon Crake Lapsansky, Esq.
Luzerne County
Open Records Officer
200 North River Street
Wilkes-Barre, PA 18711