

LUZERNE COUNTY  
OFFICE OF LAW  
ROMILDA P. CROCAMO, ESQUIRE  
CHIEF COUNTY SOLICITOR



LUZERNE COUNTY  
COUNTY MANAGER  
C. DAVID PEDRI, ESQUIRE

COUNTY of LUZERNE  
P E N N S Y L V A N I A  
ESTABLISHED 1786

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February 9, 2018

Walter Griffith  
348 Highland Avenue  
Trucksville, PA 18708  
Email: Imabaril@aol.com  
RTK # 18-18

Dear Mr. Griffith:

Thank you for writing to Luzerne County with your request for information pursuant to the Pennsylvania Right-To-Know law. My email is Jackie.Carroll@luzernecounty.org.

On January 30, 2018, the Luzerne County Office of Law received a request for documents from you described in the attached Right to Know request. We requested an extension of thirty days to respond.

Your request is denied for the following reasons pursuant to the Pennsylvania Right to Know Law ("RTKL"). It is denied pursuant to TRKL 65 P.S. Section 67.708(b)(7)(ii) which exempts from disclosure "A performance rating or review."

Luzerne County does not maintain the records requested by you, therefore, your request is denied pursuant to §705 of the RTKL. §705 of the RTKL states that "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 denial of information in writing to Office of Open Records, Commonwealth Keystone building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120.

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If you choose to file an appeal for any reason, 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 contact me. Please be advised this correspondence will serve to close this request with our office as permitted by law.

Very truly yours,



JACQUELINE MUSTO CARROLL, ESQUIRE  
Luzerne County – Open Records Officer

RTK REQUEST NUMBER

DATE RECEIVED

5 DAY RESPONSE DATE



COUNTY OF LUZERNE

**RIGHT TO KNOW LAW REQUEST FORM**

NAME OF REQUESTER: Griffith Walter L  
(PLEASE PRINT CLEARLY) LAST FIRST MI

MAILING ADDRESS: 348 Highland Ave  
STREET / P.O. BOX  
Trucksville PA 18708  
CITY STATE ZIP CODE

PHONE # 570-696-1218 FAX# 570-735-6677

EMAIL ADDRESS: lmabari1@aol.com

SIGNATURE: Walter L Griffith Jr. DATE: \_\_\_\_\_

**RECORDS REQUESTED** - Requesters MUST specify the document(s) sought. Please use additional pages if necessary.  
 I am requesting any and all documents that identify and substantiate the Merit Raises that were provided to Non Union employees. I am requesting all forms and evaluation papers, as well as any and all emails, County email accounts and Private email accounts , from County Manager to County Council. regarding the merit pay increases for County employees

- PLEASE CHECK ONE OF THE FOLLOWING:**
- I AM ONLY REQUESTING ACCESS TO THE DOCUMENT(S)
  - I AM REQUESTING A HARD COPY OF THE DOCUMENT(S) (PAPER, CD, etc...)
  - I AM REQUESTING AN E-FILE OF THE DOCUMENT(S) (IF AVAILABLE) (PDF, EXCEL SPRDSHT, etc...)

PLEASE NOTE: LUZERNE COUNTY IS NOT 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

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PENNSYLVANIA  
ESTABLISHED 1786

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Right-To-Know Response Form

Date: February 1, 2018  
Date Request Received: January 30, 2018  
Five Business Day Response Date: February 7, 2018  
RTK Request #18-18

Walter Griffith  
348 Highland Avenue  
Trucksville, PA 18708  
Email: Imabaril@aol.com

Thank you for writing to Luzerne County with your requests for information pursuant to the Pennsylvania Right-To-Know Law.

Your requests for information have been received and are under review. The Pennsylvania Right-To-Know Law requires a response within five (5) business days; however, we require a thirty (30) day extension for the following reason(s):

- \_\_\_\_\_ (1) the request for access requires redaction of a record in accordance with section 706;
- \_\_\_\_\_ (2) the request for access requires the retrieval of a record stored in a remote location;
- \_\_\_\_\_ (3) a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;
- \_\_\_\_\_ (4) a legal review is necessary to determine whether the record is a record subject to access under this act;
- \_\_\_\_\_ (5) the requester has not complied with the agency's policies regarding access to records;

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\_\_\_\_\_ (6) the requester refuses to pay applicable fees authorized by this act; or

X  (7) the extent or nature of the request precludes a response within the required time period.

You should expect a response to your requests no later than March 1, 2018

Very truly yours,

A handwritten signature in cursive script that reads "Jacqueline Musto Carroll". The signature is written in black ink and is positioned above the typed name.

JACQUELINE MUSTO CARROLL, ESQUIRE  
Luzerne County – Open Records Officer  
200 North River Street  
Wilkes-Barre, PA 18711