

Damian M. Ulatowski  
Supervisor

Joseph A. Bick  
Deputy Supervisor

Office of the Supervisor  
**Town of Clay**



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February 16, 2018

Mr. Thomas J. Parisi  
[REDACTED]

Clay, NY 13041

RE: FOIL Request

Dear Mr. Parisi;

I am writing in response to your Freedom of Information Request ("FOIL") in my capacity as the Town FOIL Appeal Officer. We consider our FOIL obligations and responsibilities very seriously in Clay, and try to properly balance our duty to the public with our duty to protect privacy rights of our citizens.

Upon receipt of your request, I interviewed the Town Clerk and Code Department personnel familiar with the matter, and further performed additional research in an effort to provide you with an informed response. We also contacted the New York State Committee on Open Government to obtain an opinion from Executive Director Robert Freeman.

Mr. Freeman reiterated the Committee's long standing and firm stance that "*if the information is not readily searchable, the request cannot be filled.*" We determined the violations you refer to in your letter are not sorted by violation-type, but are categorized in an alphabetical sequence by name. Such a record like the one requested does not exist, and the Town is not required to create a report under the rules of FOIL.

Accordingly, please allow this letter to serve as formal written notice the Town of Clay stands by the Clerk's decision to deny this request. Your appeal is denied.

Thank you.

Sincerely,

Damian M. Ulatowski, Supervisor  
Town of Clay

DMU/jr