

Christian Sampson
Town Clerk of the Town of Ramapo
237 Route 59
Suffern, New York 10901

TOWN OF RAMAPO
TOWN CLERK'S OFFICE
2015 JUL 24 A 11:31

July 24, 2015

Re: Freedom of Information Law Appeal

Dear Mr. Sampson,

I hereby appeal the denial of access regarding my request, which was made on June 24, 2015 and sent to yourself, Christian Sampson, Town Clerk of the Town of Ramapo, 237 Route 59, Suffern NY 10901 via email with copies to Maureen Pehush, Deputy Town Clerk, with copies to the commissioners of the Rockland County Board of Elections. On July 20, 2015, after 3.5 weeks, I reiterated my request after seeing an announcement in the newspaper that the canvassing of the ballots for the Town Special Election would be scheduled for July 29, 2015.

The records that were denied include:

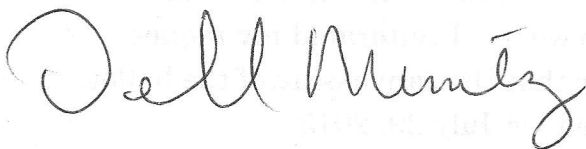
1. The canvassing plan for the Town Special Election of 9/30/14. Your stated reason was: "I'm in the process of finalizing the plan/procedures that will be implemented here at Town Hall. Once documented, I plan to make those procedures public." Even if it is being updated there must have been a pre-existing document or a draft of the plan that you could have sent with a letter stating that it would be revised on such and such a date. Yyou haven't even sent a draft plan and you have not confirmed that this plan does not exist. The resolution for the election was on 8/23/14 so there was ample time before the election and certainly ample time after the election to create this plan.
2. Access to or copies of external documents related to the Town Special Election of 9/30/14 including absentee ballot envelopes, affidavit ballot envelopes, unused ballot books, challenge reports, and the registration/signature books. Your stated reason was: "These materials will be used as part of the ballot validation process. Once that process is completed, I can make those items available to you." Although the materials

have existed since 9/30/2015 I recognize that the town has only had access to the materials since the impoundment was lifted by the Appellate Court on June 24, 2015, the date of my FOIL request. I waited 3.5 weeks to give you the opportunity to organize the records and it is my understanding that you have accessed these records in cooperation with the staff of the BOE on multiple occasions. I have not requested any actual balloting materials that are necessarily restricted therefore I am appealing this decision.

As required by the Freedom of Information Law, the head or governing body of an agency, or whomever is designated to determine appeals, is required to respond within 10 business days of the receipt of an appeal. If the records are denied on appeal, please explain the reasons for the denial fully in writing as required by law.

In addition, please be advised that the Freedom of Information Law directs that all appeals and the determinations that follow be sent to the Committee on Open Government, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, New York 12231.

Sincerely,

A handwritten signature in cursive script, reading "Deborah Munitz". The signature is written in dark ink and is positioned above the typed name and address.

Deborah Munitz

5 Rose Hill Rd.

Suffern, NY 10901

845-368-1284

deb@welcomedriver.com