



Township of Upper Pottsgrove

MONTGOMERY COUNTY, PENNSYLVANIA

1409 Farmington Avenue Pottstown, PA 19464
Phone: 610-323-8675 Fax: 610-327-1967

December 4, 2024

Sent by Email Only

Mr. Evan Foster
Propologix
2605 Maitland Center Parkway, Suite C
Maitland, FL 32751
evan.foster@proplogix.com

RE: E. Foster #1 RTK - Liens, Special Assessments, Open Code Violations, Open/Expired Permits & Open Vacant Property Registrations Violations or Fees for 100 Maugers Mill Road , Pottstown, PA 19464 (dated 11-24-2024; received 11-25-2024) - Agency Response

Dear Mr. Foster:

On November 25, 2024, the Township received your record request (dated 11-24-24) under Pennsylvania's Right-to-Know Law (the "**Request**").¹ For ease of reference, the Request is attached hereto. This letter serves as the Township's timely response.

The Request is **DENIED**. As Open Records Officer for the Township, I made a good faith and comprehensive effort to search Township records in order to respond to the Request, and my search found that no responsive records exist. Pursuant to Pennsylvania's Right-to-Know Law, the Township is not required to create records that do not exist.²

Please be aware that some of the information you have requested may be held by persons, organizations, or government entities other than the Township.

You have a right to appeal.³ If you wish to appeal, you may file an appeal with the Office of Open Records, which is located at 333 Market St., 16th Floor, Harrisburg, PA 17101-2234.⁴ Appeals may be filed at the Office of Open Records website.⁵

If you choose to file an appeal, you must do so within fifteen (15) business days from the date of this response letter.⁶ More information about how to file an appeal under Pennsylvania's Right-

¹ See 65 P.S. § 67.101 *et seq.* (Pennsylvania's Right to Know Law).

² See 65 P.S. §67.705 (indicating agency not required to create records that do not exist).

³ See 65 P.S. § 67.1101 (filing of appeal).

⁴ See <https://www.openrecords.pa.gov/ContactOOR.cfm>

⁵ See <https://www.openrecords.pa.gov/>

⁶ See 65 P.S. § 67.1101 (filing of appeal).

Webpage: uptownship.org
Email: administration@uptownship.org

to-Know Law is available at the Office of Open Records website.⁷ In accordance with applicable law, the Township reserves the right to assert additional defenses on appeal before the Office of Open Records.⁸

This correspondence will serve to close this record with our office as permitted by law. If you have additional questions, please contact me at Administration@UPTownship.org.

Sincerely,

Michelle L. Reddick

Michelle L. Reddick
Open Records Officer/Township Manager, Township of Upper Pottsgrove
1409 Farmington Avenue
Pottstown, PA 19464
manager@uptownship.org
Tel: 610-323-8675 x201
Fax: 610-327-1967

cc: Eric C. Frey, Esquire (*via Email only*)

⁷ See <https://www.openrecords.pa.gov/>

⁸ See Levy v. Senate of Pennsylvania, 65 A.3d 361 (Pa. 2013) (discussing no waiver of defenses in agency response); and *see also*, Levy v. Senate of Pennsylvania, 94 A.3d 436 (Pa. Cmwlth. 2014)(discussing no waiver of defenses in agency response).