



Commonwealth of Pennsylvania  
Department of the Auditor General  
Harrisburg, PA 17120-0018  
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TIMOTHY L. DEFOOR  
AUDITOR GENERAL

October 10, 2023

Ms. Andrae Holsey  
511 Allegheny St.  
Hollidaysburg, PA 16648

*Sent Via Electronic Mail: [info@hcwatchdog.org](mailto:info@hcwatchdog.org)*

**Re: RTKL No. 2023-11**

Dear Ms. Holsey:

This letter acknowledges receipt by the Department of the Auditor General (DAG) of your request pursuant to the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.* (RTKL).

Your request was for:

All payroll and pension data acquired by the Department of the Auditor General in its Compliance Audit of the Henderson Township (Huntingdon County) Non-Uniformed Pension Plan for the period January 1, 2018 to December 31, 2022, including (but not limited to) employee names and positions, salaries and wages, deductions and contributions.

All correspondence pertaining to the audit between officials in Henderson Township and the Department of the Auditor General.

All records documenting and quantifying the disbursement of state aid for Henderson Township's non-uniform pension plan for the period January 1, 2018 and December 22, 2022.

On September 21, 2023 the DAG invoked its right to an extension of time to respond pursuant to the RTKL.

Your request is hereby **GRANTED** in part and **DENIED** in part as to any of the above records that exist within the possession of the DAG and which are disclosable pursuant to the RTKL. These documents are attached to the electronic mail delivering this correspondence.

Some portions of the responsive documents contain material that is not subject to access under the RTKL and as a result that information has been redacted in accordance with 65 P.S. §67.706.

Additionally, a portion of your request has been **DENIED** as any records that exist in the custody, care or control of the DAG that are designated as workpapers underlying an audit have not been

provided. Pursuant to 65 P.S. § 67.708(b)(17)(v) of the Pennsylvania RTKL all such records are specifically exempt from disclosure.

You have the right to appeal the response to this Right-to-Know Law request. The relevant provisions of the department's Right-to-Know Policy are excerpted below:

Procedures to Appeal the Denial of Access to Records

- A. A person whose request for access to records has been denied in whole or in part may file an appeal of the denial. The appeal must be made in writing and must be filed within 15 business days of the mailing date of the denial or within 15 business days of a deemed denial. The appeal shall be directed to:

Open Records Appeal Officer  
Department of the Auditor General  
229 Finance Building  
Harrisburg, Pennsylvania 17120-0018

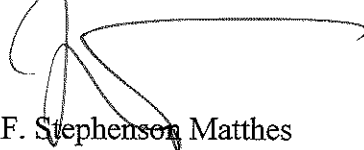
- B. The appeal shall include all factual and legal arguments that the requestor is relying upon in support of the requestor's appeal and address any grounds asserted by the Open Records Officer in denying the request. Issues not raised by the requestor in the appeal shall be deemed waived. A copy of the original completed request form shall be submitted with the appeal.
- C. The Open Records Officer shall file a written reply to the requestor's appeal within 15 business days of receipt of the appeal. The reply shall include all factual and legal arguments in support of the position of the Open Records Officer.
- D. The requestor may file a further response within 7 business days of the date of mailing of the Open Records Officer's reply. No additional pleadings will be accepted.
- E. Except for good cause shown, no live testimony shall be received. In lieu of testimony, the parties may submit unsworn written statements to establish facts in support of their respective positions. A party who provides a false unsworn statement may be subject to penalties as provided by 18 Pa.C.S. § 4904 (pertaining to criminal penalties for providing unsworn false statements to authorities).
- F. The Appeals Officer may review records *in camera* in order to ascertain whether the denial of the record should be sustained or reversed.
- G. The Appeals Officer shall issue a written determination within 30 days of receipt of the appeal. This written determination shall be the final agency decision in the matter.
- H. The Open Records Officer shall comply with the decision of the Appeals Officer or, within 30 days of the date of the final agency decision, file a Petition for Review of the decision to Commonwealth Court.

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- I. To the extent that the decision sustains the denial of the records request, the requestor may, within 30 days of the mailing date of the final agency decision, file a Petition for Review to the Commonwealth Court.

Sincerely,



F. Stephenson Matthes  
Chief Counsel

OPEN RECORDS OFFICER

FSM/pjl

Attachments

cc: Michèle Pokrifka, Deputy Chief Counsel