

## **Chapter 34**

### **RECORDS MANAGEMENT**

#### **§ 34-1. Establishment of program; Clerk designated as officer.<sup>1</sup>**

There shall be a records management program established under the aegis of the office of the Village Clerk and headed by a records management officer (RMO). The Village Clerk is designated as the records management officer and will be responsible for administering the noncurrent and archival public records and storage areas for the Village of Palmyra in accordance with local, state and federal laws and guidelines.

#### **§ 34-2. Powers and duties of officer.**

The officer shall have all the necessary powers to carry out the efficient administration, determination of value, use, preservation, storage and disposition of the noncurrent and archival public records kept, filed or received by the offices and departments of the Village of Palmyra.

- A. The records management officer shall continually survey and examine public records to recommend their classification so as to determine the most suitable methods to be used for the maintaining, storing and servicing of archival material:
  - (1) Obsolete and unnecessary records according to New York State Records Retention and Disposition Schedules thereby subject to disposition; or
  - (2) Information containing administrative, legal, fiscal, research historical or educational value which warrant their permanent retention; or
  - (3) Records not subject to disposition according to state law.
- B. The records management officer shall establish guidelines for proper records management in any department or agency of the Village of Palmyra in accordance with local, state and federal laws and guidelines.
- C. The records management officer shall report annually to the chief executive official and the governing body on the powers and duties herein mentioned, including, but not limited to, the cost/benefit ratio of programs effectuated by the department.
- D. The officer shall operate a records management center for the storage, processing and servicing of all noncurrent and archival records for all Village of Palmyra departments and agencies.
- E. The officer shall establish a Village of Palmyra archives and perform the following functions:
  - (1) Advise and assist Village of Palmyra departments in reviewing and selecting material to be transferred to the Village of Palmyra archives for preservation.
  - (2) Continually survey and examine public records to determine the most suitable methods to be used for the creating, maintaining, storing and servicing of

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

archival materials.

- (3) Establish and maintain an adequate repository for the proper storage, conservation, processing, and servicing of archival records.
- (4) Promulgate rules governing public access to and use of records in the archives, subject to the approval of the Records Advisory Board.
- (5) Develop a confidentiality policy for archival records designated confidential, providing such policy does not conflict with any federal or state statutes.
- (6) Provide information services to other Village of Palmyra offices.
- (7) Collect archival materials which are not official Village of Palmyra records but which have associational value to the Village of Palmyra or a close relationship to the existing archival collection. Such collecting shall be subject to archive space, staff, and cost limitations, and to the potential endangerment of such materials if they are not collected by the archives.
- (8) Develop a procedure whereby historically important records are to be identified at the point of generation.

#### **§ 34-3. Records Advisory Board.**

There shall be a Records Advisory Board designated to work closely with and provide advice to the records management officer. The Board shall consist of the RMO, Court Clerk, Treasurer, Mayor, Police Chief and the Historian. The Board shall meet periodically and have the following duties:

- A. Provide advice to the records management officer on the development of the records management program;
- B. Review the performance of the program on an ongoing basis and propose changes and improvements;
- C. Review retention periods proposed by the records management office for records not covered by state archives schedules;
- D. Provide advice on the appraisal of records for archival value and to be the final sign-off entity as to what is or is not archival.

#### **§ 34-4. Custody of records.**

- A. A Village of Palmyra department is the legal custodian of its records and shall retain custody of records deposited in the records center. Records transferred to or acquired by the archives shall be under the custody and control of the archives rather than the department which created or held them immediately prior to being transferred to the archives.
- B. Records shall be transferred to the archives upon the recommendation of the RMO, with the approval of the head of the department which has custody and the approval of the Records Advisory Board.
- C. Records may be permanently removed from the archives at the request of the RMO

or the head of the department which had custody of the records immediately prior to the transfer of those records to the archives, subject to the approval of the Records Advisory Board.

#### **§ 34-5. Replevin.**

The Legal Department may take steps to recover government records which have been alienated from proper custody, and may, when necessary, institute actions of replevin.

#### **§ 34-6. Disposal of records.**

No records shall be destroyed or otherwise disposed of by a department of the Village of Palmyra unless approval has been obtained from the records management officer. No records shall be destroyed or otherwise disposed of by the records management officer without the express written consent of the department head having authority.

#### **§ 34-7. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ARCHIVES** — Those official records which have been determined by the officer and advisory committee to have sufficient historical or other value to warrant their continued preservation by the local government.

**RECORDS** — Any documents, books, papers, photographs, sound recordings, microforms, or any other materials, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official Village of Palmyra business.

**RECORDS CENTER** — An establishment maintained by the Village of Palmyra primarily for the storage, servicing, security and processing of records which must be preserved for varying periods of time and need not be retained in office equipment or space.

**RECORDS DISPOSITION** —

A. The removal by the Village of Palmyra; in accordance with approved records control schedules, of records no longer necessary for the conduct of business by such agency through removal methods which may include:

- (1) The disposal of temporary records by destruction or donation; or
- (2) The transfer of records to the records center/archives for temporary storage of inactive records and permanent storage of records determined to have historical or other sufficient value warranting continued preservation; and

B. The transfer of records from one Village of Palmyra agency to any other Village of Palmyra agency.

**RECORDS MANAGEMENT** — The planning, controlling, directing, organizing, training, promotion and other managerial use and records disposition, including records preservation, records disposal and records centers or other facilities.

**SERVICING** — Making information in records available to any Village of Palmyra agency for official use or to the public.

