

Confidentiality Policy

Respecting Your Privacy

We understand that information about you or your company can have unintended economic value to others, including your competitors. We want to work with you to assure a level of confidentiality in your property search.

We're also a public agency and we are bound by a set of rules which presume a public interest in disclosure, except under certain circumstances. The Putnam Economic Development Commission's Confidentiality Policy is straight-forward and spells-out those circumstances under which your information can be exempted from disclosure. We think that this policy succeeds in respecting your privacy. Use the below policy statement and procedural checklist to declare certain information as a candidate for classification as "Not A Public Record". We will review and let you know if it can be exempted from disclosure under our policy.

Confidentiality Policy of the Putnam Economic Development Commission

In the event of a Freedom of Information Act request to disclose records received by or on file with the Economic Development Commission, the Commission may exercise an exemption from disclosure requirements of the Freedom of Information Act and respond to the record request with an indication that the record is "Not a Public Record" to the extent:

- (1) that the individual providing or establishing the record has previously and expressly declared in writing a bona fide basis for an exemption under the Freedom of Information Act, and
- (2) that the Putnam Economic Development Commission, through its agents, shall have acknowledged in writing at the time of establishing the record that it had received and/or created confidential information for purposes of evaluating a business or individual as a candidate for locating in the Town of Putnam or for financial or other assistance (including financial and/or operational information about the business or individual and the fact that the business or individual is considering a relocation or seeking financial assistance), and
- (3) that the Commission, through its agents, has determined that the public interest in withholding such records clearly outweighs the public interest in disclosure. The following grounds for nondisclosure shall be considered as an appropriate claim for exemption under the Connecticut Freedom of Information Act (§1-210 of the Connecticut General Statutes):
 - a. Trade secrets, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, or customer lists that (1) derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and (2) are the subject of efforts that are reasonable under

the circumstances to maintain secrecy;

- b. Commercial or financial information given in confidence, not required by statute;
- c. Contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the Commission, until the subject property has been acquired or the acquisition has been terminated or abandoned;
- d. Records, tax returns, reports, and statements otherwise exempted by federal or state law or communications privileged by the attorney-client relationship;
- e. Records pertaining to strategy and negotiations with respect to pending claims or pending litigation to which the Commission is a party, until such litigation or claim has been finally adjudicated or otherwise settled;
- f. Preliminary notes marked as such; or
- g. Preliminary draft of a memorandum, prepared by a member of the staff of a public agency, which is subject to revision prior to submission to or discussion among members of the agency. No record established as "Not a Public Record" pursuant to this policy shall be released without a vote of the Putnam Economic Development Commission. In the event of any conflict between the Commission's Confidentiality Policy and the Freedom of Information Act, the provisions of the Connecticut Freedom of Information Act shall prevail. Adopted June 11, 2002

Procedural Checklist For Declaring Information Confidential

In the event of any conflict between the Commission's Confidentiality Policy and the Freedom of Information Act, it is understood that the provisions of the Freedom of Information Act shall prevail. No record established as "Not a Public Record" pursuant to this policy shall be released without a vote of the Putnam Economic Development Commission.

The below checked grounds are declared by the person indicated to the right to be a bona fide basis for the attached record to be exempt from disclosure under the Connecticut Freedom of Information Act (§1-210 of the Connecticut General Statutes), and therefore to be "Not A Public Record".

- (a) Attached record pertains to trade secrets, including formulas, patterns, compilations, programs, devices, methods, techniques, processes, drawings, cost data, and/or customer lists that (1) derive independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use, and (2) are the subject of efforts that are reasonable under the circumstances to maintain secrecy.
- (b) Attached record pertains to commercial or financial information given in confidence, not required by statute.
- (c) Attached record pertains to contents of real estate appraisals, engineering or feasibility estimates and

evaluations made for or by the Commission, until the subject property has been acquired or the acquisition has been terminated or abandoned.

(d) Attached record pertains to records, tax returns, reports, and/or statements otherwise exempted by federal or state law or to communications privileged by the attorney-client relationship.

(e) Attached record pertains to strategy and negotiations with respect to pending claims or pending litigation to which the Commission is a party, until such litigation or claim has been finally adjudicated or otherwise settled.

(f) Attached record pertains to preliminary notes marked as such.

(g) Attached record pertains to a preliminary draft of a memorandum, prepared by a member of the staff of a public agency, which is subject to revision prior to submission to or discussion among members of the agency.

I acknowledge that I have received and/or created the attached confidential information for purposes of evaluating a business or individual as a candidate for locating in the Town of Putnam or for financial or other assistance (including financial and/or operational information about the business or individual and the fact that the business or individual is considering a relocation or seeking financial assistance).

The public interest in withholding the attached record clearly outweighs the public interest in disclosure.