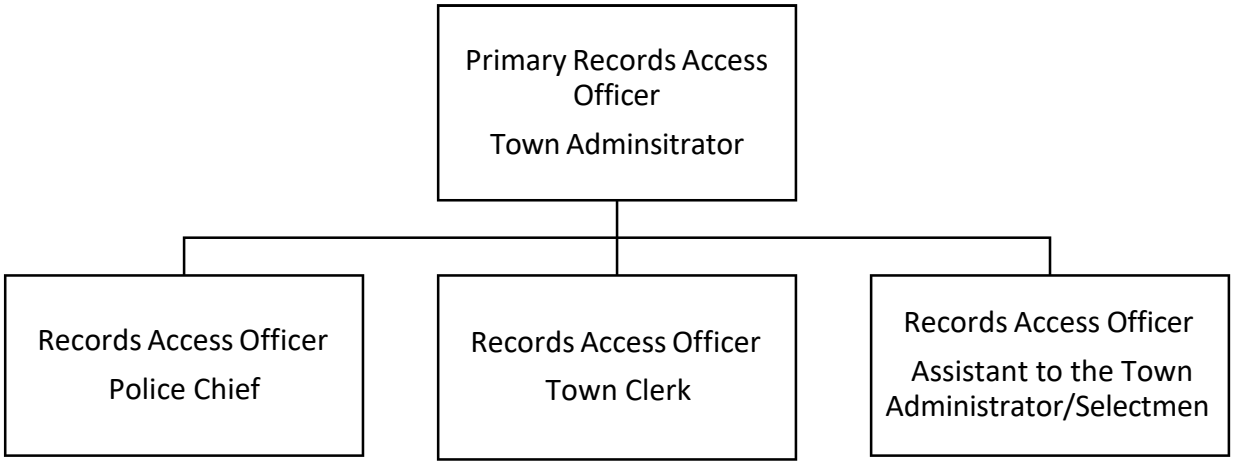
Town of Dunstable
Public Records Guidelines

Introduction:
In accordance with the Public Records Law, M.G.L. c. 4, Sec.7(26) and M.G.L. c. 66, Sec. 10, as amended by Chapter 121 of the Acts of 2016, and the Secretary of the Commonwealth's Public Records Access Regulations, 950 CMR 32.00, the Town of Dunstable and its Records Access Officers provide these Public Records Guidelines. These Guidelines are intended to enable persons seeking access to public records in the custody of the Town to make informed requests regarding the availability of such public records.

Records Access Officers:
Under the Public Records Law and by vote of the Board of Selectmen, the Town's Records Access Officers RAOs are as follows:



Contact Information:

- Town Administrator, Jason Silva, jsilva@dunstable-ma.gov, (978) 649-4514 ext. 224
- Town Clerk, Brynn Durno, townclerk@dunstable-ma.gov, (978) 649-4514 ext. 222
- Assistant to the Town Administrator/Selectmen, Sue Fayne, sfayne@dunstable-ma.gov, (978) 649-4514 ext. 224
- Police Chief, Erik Hoar, ehoar@dunstablepd.us, (978) 649-7445

The Board of Selectmen designated the Town Administrator as the Town's Primary RAO, responsible for setting policy concerning public records matters generally and for developing appropriate guidelines and procedures for responding to public records requests. The Primary

RAO will coordinate with the other RAOs and with custodians of public records to respond to requests for records.

If you have any questions concerning a public records issue, please contact any one of the RAOs listed above.

Categories of Records:
The Town of Dunstable has custody of a wide variety of public records in hard copy and electronic form. Comprehensive lists of the different types of records that may be retained in the custody of the Town of Dunstable are provided in the Municipal Records Retention Schedule produced by the Secretary of the Commonwealth, and available at: https://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20220901.pdf

Public Records Request Process:

1. Requests for public records may be made orally in person or in writing to an RAO or other Town official.

2. Requests for copies of records or access thereto may still be made "over the counter" in person at the appropriate Town office; provided, however, that oral requests may not be the basis of an appeal to the state's Supervisor of Public Records.

3. Written requests may be delivered by a requester to the business address or email address of an RAO or other Town official by hand, by mail, by email, or by facsimile.

4. A public records request form will be available to anyone making a public records request, but neither that form, nor any other type of written request, shall be required.

5. Any person requesting public records may seek out and contact any RAO for assistance in determining the appropriate RAO or custodian of records.

6. Requests to a Town official other than an RAO may be handled by that official; provided, however, that the official shall inform the appropriate RAO who will provide such response as may be necessary or appropriate. Any RAO receiving a public records request shall within 24 hours notify the Primary RAO.

7. Requests for public records shall include a reasonable description of the requested record so that the RAO can identify and locate it promptly. The RAO may contact the requester in order to clarify a request, to ensure that the requester and the RAO understand what is being requested and/or to assist the requester in narrowing or refining the request.

8. The RAO may require payment of a reasonable fee prior to producing a public record, as follows:

    - There shall be a charge of .5 cents for black and white paper copies or computer printouts of public records for both single and double-sided sheets, in conformance with conform to the provisions of 950 CMR 32.08(2);

- The actual cost of a thumb drive or disk will be charged if the records are provided electronically other than by email; and

- Time for search, segregation, or copying, including employees or necessary vendors, such as legal counsel, technology and payroll consultants or others as needed, shall be assessed as a fee to the requester based upon the prorated hourly rate of the lowest paid employee in that office capable of doing the work, not to exceed $25 per hour unless a higher rate is approved by the Supervisor of Records.

The Town may refuse to provide records to any person who has not paid a reasonable estimate for provision of public records or who has failed to pay such a fee in connection with a prior request for public records.

9. There will be no charge for records that are freely available or available on the Town's website.

10. Subject to the exceptions set forth in M.G.L. c. 66, Sec. 10(a), the RAO is required to respond within 10 business days of the receipt of a public records request (i) by providing access to or copies of the requested records, (ii) by providing the requester with direction to access the requested records on the Town's website, or (iii) by notifying the requester in writing that all or a portion of the records will be withheld from disclosure and/or that the records will not be provided in that timeframe, addressing the other elements required by law as set forth in M.G.L. c. 66, Sec. 10(b). For the purpose of response time:

    - Business days are Monday through Thursday, 9:00 a.m. to 5:00 p.m., except for legal holidays and any day when Town Hall is closed for business due to emergency, weather, or other events requiring the unexpected closure of business.

    - Calculation of time shall begin with the first business day following the date of receipt of the public records request (see 950 CMR 32.03(3)).

    - Example #1: A request for public records is received by an RAO at 2:00 p.m. on a Wednesday. "Day 1" for purposes of the law will be Thursday.

    - Example #2: A public records request received after hours on a Friday. "Day 1" for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).

    - Example #3: An email requesting public records is received on Saturday. "Day 1" for the purposes of the law will be Monday (or Tuesday, if Monday is a holiday).

11. If the response to a public records request is anticipated to be time consuming, extensive, voluminous, or otherwise puts a burden on the Town or its departments, the RAO may notify the requester that the RAO will comply within 25 business days of the receipt of the request, or seek an extension of time from the Massachusetts

Supervisor of Records. The requester of the public records shall be notified in writing that an extension has been requested.

12. If the Town fails to comply with a requirement of the Public Records Law, the requestor may file an appeal with the Supervisor of Records who must issue a determination within 10 business days.

Administration:
RAOs shall meet on such dates and times, whether regularly or intermittently, as the Primary RAO shall determine. Such meetings are strictly administrative in nature and do not constitute a meeting of a public body under the Open Meeting Law. Meetings among the RAOs may occur in person, by telephone, or by email.