

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF RICHMOND
REGARDING DISSEMINATION OF PUBLIC RECORDS**

RESOLVED, that the Town Council of the Town of Richmond hereby adopts the following policies and procedures, applicable to all departments, boards, commissions, and committees of town government, for the dissemination of public records and public information in compliance with the Access to Public Records Act.

I. Public Records Officer

The policy of the Town of Richmond is to foster an informed electorate by making available public records related to the operation of town government while at the same time preventing the clearly unwarranted invasion of the privacy of individuals involved in town government. The position of Public Records Officer is established to further those goals.

A. The Town Administrator, or in the absence of the Town Administrator, the Town Clerk, shall be the Public Records Officer for the Town.

B. If a requested document was prepared for public distribution, or if its status as a public document has been established and it is readily available, the request may be made to the supervisor or director of the department where the document is kept, and the department should provide the document as soon as practicable. A request for a document maintained by a board, committee, or commission responsible for keeping its own records, including but not limited to the Rural Preservation Land Trust, the Conservation Commission, and the Elder Affairs Commission, shall be directed to the Public Records Officer.

C. If a requested document was not prepared for public distribution, or if a determination has not yet been made about whether all or a reasonably segregable portion of a document may be made public, or if a document is not readily available, the request must be made to the Public Records Officer. A supervisor or department director who receives such a request must immediately forward the request to the Public Records Officer. The Public Records Officer, in consultation with a Town Solicitor, will review every request for access to public records (other than public records that were prepared for public distribution) to determine whether the record is a public record and to what extent it must be made available to the public.

D. If a requested record does not exist or is not in the custody or control of the town at the time the request is made, the Public Records Officer will respond to the request by stating that the town does not have or maintain the record requested. Digital video recordings of Town Council meetings, which are made by an independent contractor, are delivered to a public access television studio for broadcast and delivered to the Town after broadcast has taken place. If a digital video recording of a Town Council meeting is requested, the Public Records Officer will respond by providing the date on which the Town will obtain possession of the recording, the cost of a copy, and the expected date the copy will be available.

II. Costs Associated with Retrieving and Copying Public Records

A. Town employees may charge 15 cents per page for copies of 8½ by 11 inch or 8½ by 14 inch documents. If the cost of a copy is established by statute, the statutory charge will be imposed.

B. The Town Clerk, in consultation with the Information Technology Advisory Committee, will establish uniform costs for reproduction of larger documents and for providing information in other media. The costs must reflect the reasonable cost to the town to provide the information. Those costs will be reduced to writing as a Schedule of Costs, kept in the Town Clerk's Office, and reviewed periodically.

C. The Town Clerk, in consultation with department heads or supervisors, will determine the maximum number of files or documents that may be examined by a member of the public at one time.

D. If a record is not immediately available because it is in storage, the Town may charge the person who made the request a fee for searching for and retrieving the record if the search and retrieval takes longer than one hour. The charge for search and retrieval is \$3.75 for each fifteen (15) minutes or portion thereof above one hour.

III. Information Posted on the Town Website

A. The Public Records Officer will make the initial determination as to what information and documents will be posted on the website, taking into account the cost of posting and maintaining the information as well as legal considerations, except as provided in section E. below.

B. Town employees or elected or appointed officials who have suggestions or requests regarding posting of particular information on the website should direct those suggestions or requests to the Public Records Officer. The Information Technology Advisory Committee is by ordinance responsible for maintenance of the town website, but is not authorized to make a determination about whether a particular document may be posted.

C. The Public Records Officer shall review the content of all information before it is posted on the website. If there is uncertainty about whether a particular document should be posted, or if an employee or official disagrees with a determination by the Public Records Officer about whether a particular document should or should not be posted, the issue should be presented to the Town Council for resolution.

D. Each town employee and elected and appointed official shall be given the opportunity to decide whether his or her home address, home telephone number, home e-mail address, and other personal information will be disseminated to the public by posting on the website or otherwise. The Town Clerk will prepare and distribute a document that each employee and official may use to give permission for personal information to be disseminated.

E. The Town of Richmond uses an on-line records management program that provides searchable access to public documents. Documents available on the website may include, but need not be limited to, Titles 1 through 18 of the Code of Ordinances, current and past Town Council meeting agendas and minutes, Planning Board meeting agendas and minutes, and

Zoning Board of Review meeting agendas and minutes. Supporting documents for Town Council meetings may be posted on the website with the following exceptions:

1. Draft minutes of closed Town Council sessions will not be posted if the Town Council has voted to seal the minutes. Documents concerning matters to be discussed in closed Town Council sessions will not be posted.
2. Documents protected by a recognized legal privilege, including but not limited to memoranda or opinions from Town Solicitors marked "confidential," will not be posted.
3. Reports identifiable to an individual that are generated by the state Bureau of Criminal Identification will not be posted.
4. Any other document that in the judgment of the Public Records Officer should not be disclosed under the Access to Public Records Act will not be posted. If portions of a document should not be disclosed, the document will be posted with those portions redacted.

Any person may ask to examine or copy any other document distributed with or related to a Town Council meeting agenda. The request should be directed to the Public Records Officer, who will determine the extent to which the document should be made available.

F. The document prepared for public distribution entitled "How to See or Copy Public Records," is hereby approved as amended, made a part of this policy on access to public records, and shall be posted on the website.

These policies and procedures supercede the polices and procedures that took effect September 1, 2012, and shall remain in effect until amended or superceded.

GIVEN UNDER THE SEAL OF THE TOWN COUNCIL OF THE TOWN OF
RICHMOND THIS 5th DAY OF NOVEMBER 2013.



B. Joseph Reddish III, Town Council President