



TOWN OF TYNGSBOROUGH

Office of the Town Administrator

Town Offices | 25 Bryants Lane

Tyngsborough, MA 01879

Tel: (978) 649-2300 Ext. 100 | Fax: (978) 649-2320

Public Record Requests: Guidelines for the Public

Guidelines to make a public record request can be accessed at the following link on the town website: <http://www.tyngsboroughma.gov/government/public-records-requests/>

A hard copy of these guidelines is also available by visiting the Office of the Town Clerk, 25 Bryants Lane, Tyngsborough, MA 01879.

The Tyngsborough Board of Selectmen have appointed three town staff as **Record Access Officers (RAO)**. These staff members are available to assist with your request.

General Town Records and Board/Committee Records

Matthew Hanson, Assistant Town Administrator

Town Hall, 25 Bryants Lane, Tyngsborough, MA 01879

(978) 649-2300 x109

mhanson@tyngsboroughma.gov

General Town Records and Board/Committee Records

Joanne Shifres, Town Clerk

Town Hall, 25 Bryants Lane, Tyngsborough, MA 01879

(978) 649-2300 x129

jshifres@tyngsboroughma.gov

Police Department Records

Christopher Chronopoulos, Deputy Police Chief

Police Department, 20 Westford Road, Tyngsborough, MA 01879

(978) 649-7504 x100

cchronopoulos2@tyngsboroughma.gov

How to request a Public Record:

- 1) Orally in person, or;
- 2) Delivered to a RAO by hand, or;
- 3) Delivered to a RAO via first class mail, via email or facsimile

Additional information about Public Record Requests

The RAOs have the responsibility of assisting you in identifying the records you seek.

Many records are available online at www.tyngsboroughma.gov. Categories of records available online include Budget and Financial Documents, Meeting Minutes, Town Bylaws Regulations and Plans, Annual Reports, Zoning Maps, and Department Contact Information.



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Additional documents may be available upon request.

A. If the request reasonably describes the public record sought, and the record is within the possession, custody, or control of the Town, and the fee has been paid, if applicable:

- i. Records will be provided not later than 10 business days following receipt of the request, or payment of the request if applicable;
- ii. Records will be provided in electronic form unless not available in that form or the requester does not have the capacity to receive the records electronically;

B. If the Town does not intend to or cannot provide the records, or needs more time to provide the records, or the size or difficulty of the request, or multiple requests from the same person, unduly burden the other responsibilities of the Town, the Town will provide a written response via first class or electronic mail to the requester within 10 business days of initial receipt of the request which will:

- i. Confirm receipt of the request;
- ii. Identify any records or category of records requested that are not within the possession, custody, or control of the Town,
- iii. Identify what agency or Town may have the records requested, if known;
- iv. Identify any records, categories of records, or portions of records that the Town intends to withhold, and provide the specific reasons for withholding, including citing the specific exemptions in G.L. c. 4, §7(26) on which the withholding is based;
- v. Identify any records that the Town intends to produce along with a detailed statement describing why the magnitude or difficulty of the request unduly burdens the other responsibilities of the Town and therefore additional time is required to comply with the request.
- vi. Identify a reasonable time frame in which the Town will produce the records. The timeframe will be within 25 days of the Town's receipt of the initial request for records. The requestor may voluntarily agree to a response date later than 25 days.
- vii. Identify or request a reasonable modification of the scope of the request if a modification would help make the records more readily and affordably available.



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viii. Include a statement informing the requester of their right to appeal the Town's response to the supervisor of records or the right to directly seek judicial review of an unfavorable decision in the superior court under G.L. c 66, § 10A, without having to first seek administrative redress from the supervisor of records.

C. The RAO may, as soon as practicable and within 20 business days after the initial request, or within 10 days after receipt of a determination by the supervisor of public records, petition the supervisor of public records for an extension of time, up to 30 days, to provide the records they have within their possession, custody, or control. A copy of the petition will be provided to the requester.

Fee Calculation

The following is an outline of how fees will be calculated and what fees are allowable fees for the production of records not otherwise available for public inspection:

- Actual cost of any storage device or material provided may be charged;
- Fee will not exceed actual cost of production;
- \$.05 for black and white paper copies or computer printouts of public records, for both single and double-sided sheets;
- If more than 2 hours of employee time is required to search for, compile, segregate, redact, or reproduce the records, the Town may charge an hourly rate of no more than \$25/hour which is equal to or less than the hourly rate of the lowest paid employee with the necessary skill to perform the work;
 - o Cannot be charged for first 2 hours of work if the Town has a population of over 20,000 people; (Tyngsborough's population at the 2010 census was 11,292)
- Cannot be charged for time spent segregating or redacting unless segregation and redaction is required by law or approved by the supervisor of records.
- Fees may be waived or reduced, at the discretion of the town, upon a showing that production of the requested records are in the public interest because they are likely to contribute significantly to the public understanding of the operations of the government and disclosure is not primarily in the commercial interest of the requester.
- Fees may also be waived or reduced, at the discretion of the town, upon a showing that the requester lacks the financial ability to pay the full amount of the reasonable fee.
- No fee will be permitted if the Town fails to respond to a requester within 10 business days.