

## Hewins Bogus Claim Regarding Meeting Minute Storage

Sarah Hewins is at it again. Making claims in defense of Community Preservation Chairman Bob Bentley that there is no requirement that meeting minutes be given to the Town Clerk Office. This incredible claim flies in the face of a Motion she seconded and voted in favor of at a July 12, 2011 Selectmen's meeting "LaFond stated "there is no law that requires that boards forward their minutes to the Town Clerk, however we can encourage them to do that. It is good to have them in one place, especially for public records requests and the convenience of the public. Motion by Ward, second by Hewins to send memo to committees, commissions and boards encouraging them to forward minutes in a timely manner to the Town Clerk. Vote unanimous."

As usual Wanna be Attorney LaFond and Dr. Hewins neglected to tell the board or the public of the statutory and regulatory rules requiring fireproof vaults like those in the Clerks Office or of the requirements of SPR 4-94 which specifically prohibits storage of records outside Town Hall. According to CPC Chair Bob Bentley the minutes of the Committee were stored illegally, outside town hall and likely not in fireproof vaults as required by regulation.

Sarah Hewins has been trained in the requirements of both the open meeting and public records law there is simply no excuse for misleading the public with half the story. As usual fixcarver.com provides excerpts from the Supervisor of Public Records records storage requirements. Complete versions are available on Secretary of State Galvins website.

### **SPR Bulletin 4-94**

#### **Security and Custody of Records Created Outside the Town Hall**

SUBJECT: Security and Custody of Records Created Outside the Town Hall

Municipal governments have a fundamental obligation to provide secure storage for their records and make them accessible to the general public. ...In some instances, original records are removed from a municipal building by a records custodian and stored in a private home or office. Such practices may jeopardize the security and accessibility of the records and hinder proper records management procedures. ... Municipal officials are responsible for the safekeeping of records in their custody. ... Whenever original public records are removed from a municipal office by a records custodian for use in the regular course of business in a private office or home, they shall be stored in fire resistant devices and safes provided by the municipality. If a custodian cannot insure fire resistant storage outside the municipal building then no original records may be removed. However, the custodian may create copies of records for use in a private office or home. Whenever original records are created outside the municipal offices, they shall be transferred on a regular and frequent basis to secure storage in the municipal building. If secure storage is available in the custodian's private office or home, then copies of records shall be made and stored in the municipal building. Whenever a records custodian finds it necessary to work in another location other than the municipal building, he shall make himself available during regular posted office hours at a location convenient to the public.

### **SPR Bulletin 3-92**

#### **Maintenance of Records Storage Areas**

Public officials are responsible for the safekeeping of the records in their custody. See G. L. c.66, §11. Therefore, the Supervisor charges public officials to provide proper handling and care of public records.

### **Technical Bulletin 1**

## **Performance Standards of Safes and Vaults**

Chapter 66, s.11 MGL requires the officers in charge of state departments, county commissioners, city councils or selectmen to provide fire-resistant rooms, safes or vaults for the safekeeping of the public records of their governmental unit

### **Technical Bulletin 3**

#### **Records Security**

“Threats to Records. Records custodians have a responsibility to protect their records against a variety of threats including fire, flood, theft, vandalism, pests and environmental damage.”

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