

TOWN OF HAMPTON FALLS

PRESENT: S. C. Volpone, Jr., Chairman, T. C. Tocci, S. C. Hanson, Selectmen;
L. A. Ruest, Administrative Assistant

Town Administrator E. N. Small came to the meeting at 3:42 p.m.

CITIZEN'S INQUIRY – C. MERRILL: The Board acknowledged receipt of C. Merrill's inquiry dated June 5, 2007.

Based on advice from Town Counsel Barton Mayer, E. N. Small was told that all public records must be made available for inspection within five days of the request in accordance with the Right to Know Law (RSA 91-A)*. If additional time is needed to make copies, the applicant shall be notified within this time period in writing as to when the information will be forthcoming. The Right to Know Law does not require the Town to respond to questions that require research.

**RSA 94-A: 4 IV. Each public body or agency shall, upon request for any public record reasonably described, make available for inspection and copying any such public record within its files when such records are immediately available for such release. If a public body or agency is unable to make a public record available for immediate inspection and copying, it shall, within 5 business days of request, make such record available, deny the request in writing with reasons, or furnish written acknowledgment of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied. If a photocopying machine or other device maintained for use by a body or agency is used by the body or agency to copy the public record or document requested, the person requesting the copy may be charged the actual cost of providing the copy, which cost may be collected by the body or agency. Nothing in this section shall exempt any person from paying fees otherwise established by law for obtaining copies of public records or documents, but if such fee is established for the copy, no additional costs or fees shall be charged.*

The Board acknowledged that it has tried to accommodate C. Merrill by responding to his inquiries (6 letters and 57 questions), however, the research required to answer these questions is time consuming and costly.

The Board determined that it is not required, nor is it in the best interest of the Town to respond to questions that require Town officials to retrieve and compile into a list, random information gathered from numerous documents, if a list of this information does not already exist. The Town honors all requests for copies of Town Records, which include a photocopy fee. The public has the right, under the Right-to-Know Law, to view Town Records during regular business hours.

MOTION: To discontinue all requests for information requiring research. The public is welcome to review Town records during regular business hours.

MOTION: S. C. VOLPONE, JR.

SECOND: T. C. TOCCI

Further discussion took place. Concern was raised as to whether information requested is available and whether records are retained for a certain period of time. Additional concern was raised with respect to inquiries relating to matters that fall under certain rules that do not allow disclosure (such as HIPAA). S. C. Hanson will review this matter with E. N. Small.

**BOARD OF SELECTMEN
JUNE 11, 2007**

**3:30 PM
TOWN HALL**

TOWN OF HAMPTON FALLS

The Board decided against acting on this motion to allow time for Town Counsel to review and provide additional advice.

VOTE: MOTION WITHDRAWN

APPOINTMENT TO COMPENSATION REVIEW COMMITTEE:

MOTION: To appoint Susan Hemlepp and Robbie Dirsra as members to the Compensation Review Committee.

**MOTION: T. C. TOCCI
SECOND: S. C. HANSON
UNANIMOUS**

MOTION TO ADJOURN THE MEETING AT 4:00 PM **MOTION: T. C. TOCCI
SECOND: S. C. HANSON
UNANIMOUS**