



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Public Records Division

Rebecca S. Murray  
*Supervisor of Records*

July 5, 2018  
**SPR18/933**

Jeanne M. Survell  
Pepperell Town Clerk  
1 Main Street  
Pepperell, MA 01463

Dear Jeanne Survell:

I have received correspondence from Caroline Ahdab appealing the response of the Town of Pepperell (Town) to a request for public records. G. L. c. 66, § 10(A); see also 950 C.M.R. 32.08(1). Specifically, on June 2, 2018, Ms. Ahdab requested various categories of records concerning a property.

***The Public Records Law***

The Public Records Law strongly favors disclosure by creating a presumption that all governmental records are public records. G. L. c. 66, § 10A(d); 950 C.M.R. 32.03(4). "Public records" is broadly defined to include all documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any town of the Commonwealth, unless falling within a statutory exemption. G. L. c. 4, § 7(26).

***Current Appeal***

In a letter dated June 18, 2018, Ms. Ahdab expressed to the Town that she did not receive all records responsive to her request. In her June 18<sup>th</sup> letter she writes, "since the Town planner is leaving soon, when should we expect the Meeting Date, Agenda Items, and detailed notes from the Town planner regarding the meeting with Mr. Burton about 161 Nashua Road. I paid for the services (\$50.00) and received the DVD this morning; and the DVD provided many emails and does not contain the information."

In an email dated June 18, 2018, Roland Nutter of the Town expressed to Ms. Ahdab that the property is an old business section and that there are still open items that the board needs to review. Mr. Nutter then writes, "I am under the impression that through TC, all department heads have turned over copies of all the files they have on this location, I have asked her to verify that this has in fact happened."

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Please be advised, in accordance with the Public Records Law, custodians are expected to use their superior knowledge of the records in their custody to assist requestors in obtaining the desired information. See 950 C.M.R. 32.04(5).

*Order*

Although the Town provided Ms. Ahdab with some of the records, it is unclear if the Town possesses any other records responsive to this request. Accordingly, the Town is hereby ordered to provide Ms. Ahdab with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations without delay. A copy of any such response must be provided to this office. It is preferable to send an electronic copy of this response to this office at [pre@sec.state.ma.us](mailto:pre@sec.state.ma.us).

Sincerely,



Rebecca S. Murray  
Supervisor of Records

cc: Caroline Ahdab  
Roland Nutter