

Ken Walto <Daltonth@bcn.net>

Dec 22 (1 day ago) ☆



to me ▾

Hi Todd,

I am responding to your inquiry on behalf of the Town Treasurer. The records request, originally sent to the Town Clerk, was forwarded to the Town Treasurer who is responsible for preparing weekly payroll. She asked me for advice in preparing the original response. Dalton's payroll reporting system does not generate the information as requested without also disclosing other information. The best available report discloses personal information such as part of the Social Security number, United Way contributions, Banking relationships, and dental, health and life insurance deductions. Given that the law cited (MGL Ch.4 Section 7, Twenty-sixth (c)) specifically exempts, "personnel and medical files or information; also any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy", I advised her to respond citing that exemption. It is my understanding that a public records custodian is not required to create a record and should deny a request where a portion of a requested record may be withheld from disclosure following one of the statutory exemptions. I also advised her that the requestor may appeal the Town's response to the Supervisor of Public Records in the Secretary of State's office who may have a different opinion and in which case we would make the records available as directed.

Sincerely,
Ken Walto
Town Manager