

# Atkinson Technology Committee

## Atkinson, NH

### Meeting Minutes

**Date:** April 7, 2009; 7:15 – 9:37 PM  
**Location:** Atkinson Town Hall  
**Attendees:** Todd Barbera, Joyce LaFrance, David Hammond, Wendy Barker, Jim Garrity

The Atkinson Technology Committee met with our State Representative, Jim Garrity. Jim is also the Chairman of the NH Right To Know Oversight Commission. Mr. Garrity provided copies of the NH RSA Right to Know Law, NH RSA 91-A. Jim walked through the 91-A document and pointed out areas in particular that were updated in 2008 when the state legislature passed a substantial number of changes to it. Many of the changes were relevant to communications and documentation that are now electronic. For example, the law states that email is a public record and as such must be handled consistent with 91-A. Whether or not the email is deemed a public record depends on the email's contents. For example, those emails that have contents consistent with the Exemptions under 91A may have to be stored; however, they may be exempt from being a public record. In any case, it is assumed that a certain amount of email traffic across town is considered public record. One of the challenges within the town is the lack of a single email domain and consolidated email storage so that a 91-A request for email could be readily satisfied and allow the town to fully comply with 91-A requests. Email and other electronic records have to be managed and stored consistent with state records management RSAs. So this means that even those emails that are considered exempt must be stored (91-A:5) but may not have to be disclosed.

For town business, these records must be accessible and if departments are using commercial email accounts (Yahoo, gmail, etc.) then it is possible that the emails may not be easily retrieved. Even if they were retrievable, most commercial email accounts do not provide for long term storage consistent with NH records management RSAs.

To find out more details about records management RSAs and requirements for storage of documents, Mr. Garrity recommends the town contact the State of NH Archivist. Questions regarding records management included categorization of records, length of time for storage, storage location requirements, etc. Mr. Garrity was not familiar with the town's potential liability if it was unable to produce documentation based on non-compliance of state RSAs for records management.

Resident Leon Artus had some questions regarding the costs charged by the town for copies of documents provided in response to 91-A requests. The committee did not take up this issue because it felt it was out of the Technology committee's scope.

Minutes were reviewed and approved from the previous meeting. Meeting was adjourned at 9:37 PM.