RE: Public Records Request Dated October 28, 2026 – Town of Middleborough Water Purchases

Dear Mr. Barrella,

This correspondence is in response to your public records request dated October 28, 2026, concerning the Town of Carver's purchase of water from the Town of Middleborough and records associated with the former North Carver Water District.

The Town has reviewed the nine categories identified in your request, including the specified timeframe of June 1, 2022, through October 28, 2026, and the additional search parameters outlined in your correspondence.

Due to the scope of your request, the historical nature of certain records, and the need to search and retrieve documents maintained by multiple Town departments and locations, the Town anticipates that employee time will be necessary to locate, compile, and reproduce responsive records.

Pursuant to Massachusetts General Laws Chapter 66, Section 10(d), and 950 CMR 32.07, the Town may assess reasonable fees associated with responding to public records requests.

ITEMIZED GOOD FAITH FEE ESTIMATE

The following represents the estimated employee time and associated fees necessary to process your request:

Request Description	**Hours**	**Fee**
1. Agreements and Intermunicipal Agreements	2.0	$50.00
2. Votes and Meeting Minutes	0.0	$0.00
3. Metering Records	0.0	$0.00
4. Invoices from Middleborough	0.5	$12.50
5. Payments to Middleborough	2.0	$50.00
6. Customer Billing Totals	1.5	$37.50
7. Water Reports	0.5	$12.50
8. Correspondence	0.0	$0.00
9. Audit Records	1.0	$25.00
10. Scanning and Electronic Conversion	3.0	$75.00
TOTAL	**10.5**	**$262.50**

Hourly Rate: $25.00

Pursuant to Massachusetts General Laws Chapter 66, Section 10(d)(iii), and 950 CMR 32.07, municipalities may assess reasonable fees for employee time necessary to search for, retrieve, compile, and reproduce responsive public records.

The records identified in your request require the knowledge and expertise of specific Town personnel who are qualified to locate and retrieve the requested information. The hourly compensation of the lowest-paid employees qualified to perform this work exceeds $25.00 per hour. Accordingly, the Town has calculated its estimated processing fees using the statutory maximum rate of $25.00 per hour, rather

than the higher actual hourly compensation of the qualified employees.

Additionally, because the Town of Carver has a population of fewer than 20,000 residents, the Town is not subject to the statutory requirement to provide the first two hours of qualifying employee time without charge. The proposed hourly rate and associated fees are therefore consistent with the applicable provisions of Massachusetts Public Records Law.

Request #2 – Votes and Meeting Minutes

The records responsive to this portion of your request, including meeting minutes and related voting records of the North Carver Water District Commission and the Carver Select Board, are publicly available on the Town of Carver's official website. These records may be accessed electronically at no cost through the Town's website at https://www.carverma.gov/AgendaCenter .

Accordingly, no search or retrieval fees have been assessed for this portion of your request.

Estimated Processing Time: 0 hours

Estimated Fee: $0.00

Request #3 – Metering Records

The Town of Carver has determined that it does not maintain or possess records responsive to this portion of your request. As the requested information concerns water metering and related measurements associated with the Town of Middleborough, you may wish to submit a public records request directly to the Town of Middleborough for any records that may be maintained by that municipality. The Town of Carver cannot confirm whether the Town of Middleborough possesses the specific records requested.

Accordingly, no fees have been assessed for this portion of your request.

Estimated Processing Time: 0 hours

Estimated Fee: $0.00

Request #8 – Correspondence

The Town has reviewed your request for correspondence relating to water purchases from the Town of Middleborough. As presently written, this portion of your request requires additional clarification to enable the Town to conduct a reasonably targeted search for responsive records.

A general electronic search using the terms "Middleboro" or "Middleborough" would potentially generate a substantial volume of records unrelated to the specific water purchases and transactions identified in your request. Such a search would require extensive review to distinguish potentially responsive records from unrelated correspondence. Pursuant to 950 CMR 32.06(1)(b), public records requests must reasonably describe the records sought so that they can be identified and located promptly.

To assist the Town in conducting an efficient and accurate search, please provide additional identifying information, including, to the extent known:

1. Specific email addresses or individuals whose correspondence you are requesting.
2. Additional search terms directly related to the water purchases, billing, agreements, or transactions identified in your request.

3. Any narrower date ranges or specific transactions that would help identify the correspondence sought.

The Town is willing to work with you to reasonably narrow the scope of this portion of your request in accordance with 950 CMR 32.06(2)(g).

Once sufficient clarification has been provided, the Town will evaluate the necessary search parameters and determine whether an additional fee estimate is required.

Current Estimated Processing Time: 0 hours

Current Estimated Fee: $0.00 (Pending Clarification)

Scanning and Electronic Conversion

Your request specifies that responsive records be provided electronically.

Certain responsive records are maintained in paper format and will require scanning to facilitate electronic production. The Town estimates approximately three (3) hours for this process, resulting in an additional estimated charge of $75.00.

This charge represents anticipated employee time necessary for reproduction and conversion, rather than a per-page charge for electronically transmitted records.

REQUEST FOR FEE WAIVER

The Town acknowledges your request for a waiver of fees pursuant to M.G.L. c. 66, § 10(d)(v), based on your assertion that the requested records concern public expenditures and matters of public interest.

The Town recognizes the importance of public access to government records and remains committed to transparency and compliance with Massachusetts Public Records Law.

However, your request encompasses nine separate categories of records spanning more than four years and requires the involvement of multiple Town departments, the retrieval of historical records, and the reproduction of documents maintained in paper format.

The Town estimates that approximately 10.5 hours of employee time will be necessary to process the chargeable portions of your request. This represents a substantial commitment of municipal staff resources, requiring personnel to redirect time from their regularly assigned duties and responsibilities.

In evaluating your fee waiver request, the Town has considered the public interest identified in your correspondence, the scope of the records requested, the estimated employee time required, and the associated costs of processing the request. Although the Town acknowledges the public interest in the subject matter, it has determined that a full waiver of the reasonable processing fees is not warranted under the circumstances presented.

Accordingly, the Town respectfully declines your request for a full fee waiver and will assess the estimated processing fee of $262.50, pursuant to M.G.L. c. 66, § 10(d), and 950 CMR 32.07, subject to the applicable statutory limitations.

PAYMENT AND PROCESSING

The total proposed fee for processing your request is $262.50, subject to the Town's determination concerning your requested fee waiver.

Upon confirmation of the final applicable fee, payment may be made by check payable to the Town of Carver and submitted to:

Town of Carver

Attn: Kathy Kay

108 Main Street

Carver, MA 02330

Upon receipt of the required payment, the Town will proceed with the chargeable work necessary to locate, compile, and reproduce responsive public records.

If you wish to narrow or prioritize portions of your request to reduce the associated costs, please contact this office. The Town is willing to consider reasonable modifications that would facilitate a more efficient and economical response.

RIGHT TO APPEAL

Pursuant to M.G.L. c. 66, § 10A, and 950 CMR 32.08, you have the right to appeal this response, including the assessment of fees, to the Supervisor of Records within the Office of the Secretary of the Commonwealth.

You may also seek judicial review by commencing a civil action in Massachusetts Superior Court pursuant to M.G.L. c. 66, § 10A(c).

Sincerely,

Michelle Sheehan

Records Access Officer

Town of Carver