

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

Manza Arthur
Supervisor of Records

June 2, 2025
SPR25/1544

Mr. Jeffrey Smith


Dear Mr. Jeffrey Smith:

I have received your letter appealing the response of the Town of Hardwick to your request for records.

I have directed a member of my staff, Owen Meech, Esq., to review this matter. Upon completion of the review, I will advise you in writing of the disposition of this case. If in the interim you receive a satisfactory response to your request, please notify this office immediately.

Any further correspondence concerning this specific appeal should refer to the SPR case number listed under the date of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Manza Arthur".

Manza Arthur
Supervisor of Records

cc: Ms. Justine Caggiano

From: [Jeffery](#)
To: [SEC-DL-PREWEB](#)
Cc: [Hardwick Town Clerk; Justine Caggiano](#)
Subject: Complaint: Town of Hardwick paid public records requests unfulfilled and non-responsive
Date: Monday, June 2, 2025 7:34:16 AM
Attachments: [Gmail - Massachusetts Public Records Request Communications of Town Officials.pdf](#)
[TOWN OF HARDWICK invoice 02.pdf](#)

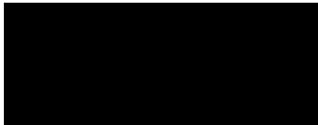
To Whom It May Concern:

In the attached files is the email thread where I made a request to the Town of Hardwick for public information. I was told there would be a cost and was given an invoice (also attached), which I have paid. Although my check was submitted on March 3, 2025, it did not clear my account until April 21, 2025. At this time, I am still waiting for the request to be fulfilled and my emails are not being answered.

I am writing to request that the Supervisor of Public Records enforce compliance and order the town to produce the complete records or justify the delay in providing them.

Thank you,

Jeffery Smith





Jeffery Smith <jeffery7@gmail.com>

Massachusetts Public Records Request: Communications of Town Officials

12 messages

Jeffery <jeffery7@gmail.com>

Tue, Feb 25, 2025 at 6:47 AM

To: Justine Caggiano <admin@townofhardwick.com>, Hardwick Town Clerk <clerk@townofhardwick.com>

Cc: Hardwick Board of Selectmen <selectboard@townofhardwick.com>, Eric Vollheim <stonedance@comcast.net>, Bill Tinker <williamtinkersb@gmail.com>

Dear Mr. Witkos and Ms. Caggiano,

This is a request under the [Massachusetts Public Records Law \(M. G. L. Chapter 66, Section 10\)](#). I am requesting that I be provided a copy of the following records:

- Any documentation relating to the audit of the town conducted by the former Town Administrator in 2022.
- Any documentation relating to the reduced PILOT payment from Eagle Hill School for 2022, especially any notes or communications with the former Town Administrator or Select Board members.
- If the PILOT agreement with Eagle Hill School has been reviewed by the Town's lawyers within the past year, I'd like a copy of any related documentation.
- All emails, text messages, and telephone records for any account or device used for Town Business by the following Town Officials between October 1, 2024 and February 13, 2025:
 - Eric W. Vollheim
 - Kelly Kemp
 - Erik Fleming
 - Mark Korzec
 - Christopher Culross
 - Lucinda Childs
 - Justine Caggiano
- All emails, text messages, and telephone records for any account or device used for Town Business by the following Town Officials between January 1, 2022 and July 31, 2022:
 - Nicole Parker
 - Kelly Kemp
 - Julie Quink
 - H. Robert Ruggles

For telephone records, I am specifically requesting call logs that include the date, time, duration, and the number dialed or received. Please provide the records in electronic format if possible, otherwise, paper copies are acceptable.

Please ensure that personal details not pertinent to town business are redacted from the records to comply with privacy laws.

Could you please inform me of the expected timeline for processing this request? Additionally, please let me know if there will be any fees associated with this request and provide an estimate for these costs.

Please confirm receipt of this records request.

Thank you very much!

Sincerely,

Jeffery Smith



Justine Caggiano <admin@townofhardwick.com>

Thu, Feb 27, 2025 at 11:11 AM

To: Jeffery <jeffery7@gmail.com>, Hardwick Town Clerk <clerk@townofhardwick.com>

Cc: Hardwick Board of Selectmen <Selectboard@townofhardwick.com>, "stonedance@comcast.net" <stonedance@comcast.net>, Bill Tinker <williamtinkersb@gmail.com>

Hi Jeff,

Due to the time it would take to fill your request, I have attached an invoice under M. [G.L.CH 66](#), Section 10 (ii) of the public records law. I tried to be very conservative in preparing this invoice as our IT and Town Counsel will also be spending a considerable amount of time and resources. Please let me know if you have any questions. Once we have payment, we would be happy spend the time in good faith filling your request.

Thank you,

Justine

Justine Caggiano

Town Administrator

Town of Hardwick

P.O. Box 575

307 Main Street

[Gilbertville, MA 01031](#)

(413) 477-6197 x 101

jcaggiano@townofhardwick.com

When writing or responding, please remember that the MASS Secretary of State's Office has determined that email is a public record and therefore subject to public access under the Mass Public Records Law. M.G.L.c.66§10.

This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received.

[Quoted text hidden]



TOWN OF HARDWICK invoice.pdf

164K

Jeffery <jeffery7@gmail.com>

Fri, Feb 28, 2025 at 7:33 AM

To: Justine Caggiano <admin@townofhardwick.com>

Cc: Hardwick Town Clerk <clerk@townofhardwick.com>, Hardwick Board of Selectmen <Selectboard@townofhardwick.com>, "stonedance@comcast.net" <stonedance@comcast.net>, Bill Tinker <williamtinkersb@gmail.com>

Hi Justine,

Thank you for the invoice. I will come by your office with a check for \$300 on Monday.

I understand that this request will take some time to fulfill, certainly beyond the 10 days for typical requests, due to the nature of the information beginning gathered (phone bills, text messages, emails, etc).

I would appreciate you keeping me informed periodically as you make progress on gathering the information.

This new invoice (Invoice # 02) looks very similar to the invoice I received previously (Invoice # 01 12/09/2024 \$200). It seems a lot of the records that I requested under that invoice do not exist or at least still have not been sent to me, as I still have unfulfilled items under that request. Would you kindly confirm all my requests under that invoice have been fulfilled to the extent possible given existing records?

Jeff

[Quoted text hidden]

Justine Caggiano <admin@townofhardwick.com>

Fri, Feb 28, 2025 at 5:01 PM

To: Jeffery <jeffery7@gmail.com>

Cc: Hardwick Town Clerk <clerk@townofhardwick.com>, Hardwick Board of Selectmen <Selectboard@townofhardwick.com>, "stonedance@comcast.net" <stonedance@comcast.net>, Bill Tinker <williamtinkersb@gmail.com>

Hi Jeff,

Yes, I gave you everything I was able to gather with a lot of assistance from the staff for your first request. Please let me know if you have any other questions.

Have a nice weekend,
Justine

Justine Caggiano

Town Administrator

Town of Hardwick

P.O. Box 575

307 Main Street

Gilbertville, MA 01031

(413) 477-6197 x 101

jcaggiano@townofhardwick.com

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From: Jeffery <jeffery7@gmail.com>
Sent: Friday, February 28, 2025 7:33 AM
To: Justine Caggiano <admin@townofhardwick.com>
Cc: Hardwick Town Clerk <clerk@townofhardwick.com>; Hardwick Board of Selectmen <Selectboard@townofhardwick.com>; stonedance@comcast.net <stonedance@comcast.net>; Bill Tinker <williamtinkersb@gmail.com>
Subject: Re: Massachusetts Public Records Request: Communications of Town Officials

[Quoted text hidden]

Jeffery <jeffery7@gmail.com> Tue, Mar 18, 2025 at 2:33 PM
To: Justine Caggiano <admin@townofhardwick.com>, Hardwick Town Clerk <clerk@townofhardwick.com>

Hi Justine,

I am writing to inquire about my requests under Invoice 02. I realize these items will take some time to gather together, etc. however I was anticipating an update regarding the estimated timeline? Any chance you could let me know?

Thanks,

Jeff

[Quoted text hidden]

Justine Caggiano <admin@townofhardwick.com> Tue, Mar 18, 2025 at 2:53 PM
To: Jeffery <jeffery7@gmail.com>, Hardwick Town Clerk <clerk@townofhardwick.com>

Hi Jeff,

I am working with Town Counsel and our IT vendors. I am unsure at this time of how long it will take. I do not want to give you a false timeframe if I am waiting on other people. As soon as I have anything to tell you, I will definitely let you know. Let me know if you want to set up a time to come in and get an update on ongoing town business.

Sincerely,

Justine

Justine Caggiano

Town Administrator

Town of Hardwick

P.O. Box 575

307 Main Street

[Gilbertville, MA 01031](#)

(413) 477-6197 x 101

jcaggiano@townofhardwick.com

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This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate to the sender that you have received this email in error, and delete the copy you received.

From: Jeffery <jeffery7@gmail.com>
Sent: Tuesday, March 18, 2025 2:33 PM
To: Justine Caggiano <admin@townofhardwick.com>; Hardwick Town Clerk <clerk@townofhardwick.com>
Subject: Re: Massachusetts Public Records Request: Communications of Town Officials

Hi Justine,

[Quoted text hidden]

[Quoted text hidden]

Jeffery <jeffery7@gmail.com>
To: Justine Caggiano <admin@townofhardwick.com>

Wed, Mar 19, 2025 at 1:12 PM

Hi Justine,

Thanks for the reply. I believe I can drop by tomorrow. Does 12:30pm work for you?

Jeff

[Quoted text hidden]

Justine Caggiano <admin@townofhardwick.com>
To: Jeffery <jeffery7@gmail.com>

Wed, Mar 19, 2025 at 1:14 PM

My day tomorrow is insane, but I have much more time Monday or Tuesday if you are available?

[Quoted text hidden]

Jeffery <jeffery7@gmail.com>
To: Justine Caggiano <admin@townofhardwick.com>

Wed, Mar 19, 2025 at 1:16 PM

Ok, let's go with Monday at 12:30pm. Thanks.

[Quoted text hidden]

Justine Caggiano <admin@townofhardwick.com>
To: Jeffery <jeffery7@gmail.com>

Thu, Mar 20, 2025 at 9:52 AM

Perfect! Thank you.

[Quoted text hidden]

Jeffery <jeffery7@gmail.com>
To: Justine Caggiano <admin@townofhardwick.com>

Fri, May 23, 2025 at 1:22 PM

Hi Justine,

I have evaluated the file that was provided on my USB drive. While it does contain a 1GB file that further contains 1,922 PDF files, this seems to be an incomplete set of data. This method of delivering the email messages seems to neglect the full email headers as well as any attached documents. These should be included in the data I am requesting.

Additionally, it seems that there are missing emails. Would you please confirm exactly who has provided the information and who has not?

Thank you!

Jeff
[Quoted text hidden]

Jeffery <jeffery7@gmail.com>
To: Justine Caggiano <admin@townofhardwick.com>

Fri, May 23, 2025 at 2:43 PM

Hi Justine,

I also meant to mention these items are still outstanding, too.

- Any documentation relating to the audit of the town conducted by the former Town Administrator in 2022.
- Any documentation relating to the reduced PILOT payment from Eagle Hill School for 2022, especially any notes or communications with the former Town Administrator or Select Board members.
- If the PILOT agreement with Eagle Hill School has been reviewed by the Town's lawyers within the past year, I'd like a copy of any related documentation.

Thanks,
Jeff
[Quoted text hidden]

TOWN OF HARDWICK MA

307 MAIN STREET
PO BPX 575
HARDWICK MA 01031
Phone: 1-413-477-6197 Fax: 1-413-477-6703

INVOICE

INVOICE # 02
DATE: 2/27/2025

TO:
JEFFERY SMITH



Phone:

SHIP TO:
JEFFERY SMITH



Phone:

INVOICE FOR PUBLIC RECORDS REQUEST M.G.L. CH 66, SECTION 10(ii)

" if an agency is required to devote more that 4 hours of employee time to search for, compile, segregate, redact or reproduce the record or records requested, the records access office may also include as part of the fee an hourly rate..... no more than 25.00 per hour."

					TERMS
					Due on receipt

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
12 hours	Employee time to search for, compile, segregate, redact and or reproduce a record requested by public records request law. Contacting employees, Town Counsel, and our IT.	25.00	300.00
SUBTOTAL			300.00
SALES TAX			
SHIPPING & HANDLING			
TOTAL DUE			300.00

Make all checks payable to Town of Hardwick

If you have any questions concerning this invoice, contact Justine Caggiano at jcaggiano@townofhardwick.com

THANK YOU FOR YOUR BUSINESS!