



TOWN OF NEWTON NEW HAMPSHIRE



RECORDS RETENTION POLICIES AND PROCEDURES

ADOPTED December 7, 2021

LAWRENCE B. FOOTE, CHAIRMAN

CHARLIE R. MELVIN SR., VICE-CHAIRMAN

KATHRYN MICHAELS

MATTHEW A. BURRILL

EDVIN CRNOLIC

BOARD OF SELECTMEN

TOWN CLERK

DATE

**TOWN OF
NEWTON, NEW HAMPSHIRE**

RECORDS RETENTION POLICIES AND PROCEDURES
(Amendments)

ADOPTED December 7, 2021

Town of Newton, NH

Records Retention Policies and Procedures

SECTION I: PURPOSE

The purpose of this Policy is to ensure compliance with all applicable state and federal laws and regulations regarding record retention including, but not limited to those listed in NH RSA 33-A (see Appendix A); while simultaneously recognizing the Town of Newton's administrative need to manage its records and provide for their systematic destruction after said legal requirements have been met and the record no longer has value to the Town of Newton or its constituents.

SECTION II: AUTHORITY

This Policy is adopted in accordance with the following governing laws of the State of New Hampshire: RSA 33-A Disposition of Municipal Records.

SECTION III: RESPONSIBILITY

The Newton Town Clerk will have overall responsibility for the records of the Town (NH RSA 41:58). Individual Department Heads, Boards, Commissions, and Committee Chairs or their designee are responsible for the records in their care and for following the records schedule. The Town Clerk is responsible for maintaining the permanent records of the Town in accordance with best practice.

SECTION IV: APPLICABILITY

This Policy applies to all physical records generated in the course of the Town of Newton's operation including original, reproduced, and electronic documents.

SECTION V: DEFINITIONS

RECORD - As used herein, shall refer to all municipal documentary materials, whether in paper, electronic or any other form, prepared or received by the Town of Newton in connection with the conduct of its official governmental function. A department that creates a record shall be considered the primary owner of that particular record.

SECTION VI: RESPONSIBILITY FOR MUNICIPAL RECORDS RETENTION

- A. The Town Clerk is charged with governing the retention and disposition of municipal records.
- B. As shown in Appendix A, the Town has adopted a Record Retention Schedule detailing the initial maintenance, retention, and disposal schedule for municipal records of the Town of Newton. To ensure that this Schedule is followed, the Town Clerk shall:
 - 1. Monitor local, state, and federal laws affecting record retention.
 - 2. Modify the Record Retention Schedule as necessary to ensure that it complies with local, state, and federal laws and/or addresses the appropriate document and record categories for the Town of Newton.
- C. The Town Clerk shall monitor compliance with this Section VI, A of this Policy and, if necessary, develop additional operational procedures to ensure that records are properly stored and accessible.

Town of Newton, NH

Records Retention Policies and Procedures

1. Any such additional procedures will be developed in a manner, which takes into account the organization's operational capabilities. The Town Clerk may elect to use electronic methods of document storage, where appropriate.
 2. Any such additional procedures and/or storage processes will be incorporated as an Appendix to this Policy and be periodically reviewed by the Town Clerk in order to ensure their level of efficiency and adequacy.
- D. The Town Clerk shall monitor compliance with Section VI, C of this policy and, if necessary, develop additional operational procedures to ensure that records are consistently disposed of in a proper manner.
1. Any such additional procedures shall take into account:
 - a. Statutory requirements.
 - b. The Town of Newton's operational capabilities.
 - c. That certain records contain sensitive and/or confidential information, and as a result must be destroyed and eliminated with particular care.
 2. These destruction processes will be periodically reviewed in order to ensure their adequacy and level of efficiency.
- E. The Town Clerk shall review annually the Record Retention Policy as a whole and recommend amendments as appropriate to comply with regulatory requirements and/or procedural changes.

SECTION VII: STORAGE, RETENTION, AND DISPOSAL OF MUNICIPAL RECORDS

- A. Minimum Storage Procedures: Each department shall store their archived records in a box or cabinet and provide the following information on the storage device: the Department name, box number, retention period, scheduled disposition date, authority granting or allowing the disposition, and a general description of the contents.
- B. Retention of Documents: The Records Retention Schedule (Appendix A) details the retention period for specific types and categories of records in order to ensure legal compliance. In addition, this schedule is designed to accomplish other objectives such as the preservation of confidential and valuable administrative information, cost effectiveness, and space management. Scheduled records are those that, by State Statute and administrative rules or the Code of Federal Regulations, need only be retained for a stated period.

The Town Clerk may determine that such records are to be maintained by the Town for a period longer than the minimum required period. If so, such determination shall be made a matter of record by incorporation into the Town wide Records Retention Schedule.

- C. Destruction of Documents:

1. Documents to be destroyed shall first be reviewed by the applicable Department Head to determine if any portion(s) of those records should be retained due to their historical value. If no reason exists to maintain the record beyond the retention schedule, then the documents shall be destroyed as follows:

Town of Newton, NH

Records Retention Policies and Procedures

- a. Non-confidential documents – shall be disposed of with other paper recycled products or shredded.
- b. Confidential documents – shall be shredded.
- c. Electronic files – shall be deleted from the individual's computer as well as from any backup or permanent media storage.

Documents being shredded in mass quantities shall be done so by authorized shredding service. The shredding service shall provide the Town with a stamped receipt acknowledging that the identified documents were shredded and the date of which the shredding occurred.

- 2. Each department head is responsible for maintaining a Document Destruction Log which shall contain the following minimum information:
 - a. Department destroying.
 - b. What was destroyed?
 - c. The date it was destroyed.
 - d. Who destroyed the record?
 - e. Cite RSA or authority giving the right to destroy record(s).
- D. Unauthorized Activities: All Municipal Records belong to the public in perpetuity and shall not be destroyed, maliciously damaged or retained by any person not entitled to do so by Local, State, and/or Federal regulations.
- E. Right to Know: All of the records generated or created by Departments, Boards, Commissions, and Committees are subject to the provisions of RSA 91-A:4 and RSA 91-A:5 that governs the public's right to examine all public documents and to request copies. There are some exceptions to the Right-to-Know law and the cited references should be consulted if you have questions.

SECTION VIII: SUSPENSION OF RECORD DISPOSAL

In the event any official or employee of the Town of Newton is served with any subpoena or Right-to-Know request; or becomes aware of an investigation or audit concerning the Town of Newton or the commencement of any litigation against or concerning the Town of Newton; such individual shall ensure that all records are preserved, regardless of the Retention Schedule, until the Town's legal counsel determines that the records are no longer needed.

SECTION IX: ADOPTION

This Policy shall be amended, if necessary, at a regularly noticed meeting of the Newton Board of Selectmen in accordance with the Annual Review. This Policy shall be effective upon a vote of the Board of Selectmen and shall replace any and all Records Retention Policies previously enacted by the Town.

Town of Newton, NH
Records Retention Policies and Procedures

APPENDIX A: TAKEN FROM STATE OF NH WEBSITE (November 8, 20021)

RSA 33-A:3-a Disposition and Retention Schedule --

The municipal records identified below shall be retained, at a minimum, as follows:

- I. Abatements: 5 years.
- II. Accounts receivable: until audited plus one year.
- III. Aerial photographs: permanently.
- IV. Airport inspections-annual: 3 years.
- V. Airport inspections-daily, including fuel storage and vehicles: 6 months.
- VI. Annual audit report: 10 years.
- VII. Annual reports, town warrants, meeting and deliberative session minutes in towns that have adopted official ballot voting: permanently.
- VIII. Archives: permanently.
- IX. Articles of agreement or incorporation: permanently.
- X. Bank deposit slips and statements: 6 years.
- XI. Blueprints-architectural: life of building.
- XII. Bonds and continuation certificates: expiration of bond plus 2 years.
- XIII. Budget committee-drafts: until superseded.
- XIV. Budgets: permanently.
- XV. Building permits-applications and approvals: permanently.
- XVI. Building permits-lapsed: permanently.
- XVII. Building permits-withdrawn or denied: one year.
- XVIII. Capital projects and fixed assets that require accountability after completion: life of project or purchase.
- XIX. Cash receipt and disbursement book: 6 years after last entry, or until audited.
- XX. Checks: 6 years.

Town of Newton, NH

Records Retention Policies and Procedures

XXI. Code enforcement specifications: permanently.

XXII. Complaint log: expiration of appeal period.

XXIII. Contracts-completed awards, including request for purchase, bids, and awards: life of project or purchase.

XXIV. Contracts-unsuccessful bids: completion of project plus one year.

XXV. Correspondence by and to municipality-administrative records: minimum of one year.

XXVI. Correspondence by and to municipality-policy and program records: follow retention requirement for the record to which it refers.

XXVII. Correspondence by and to municipality-transitory: retain as needed for reference.

XXVIII. Current use applications and maps: until removed from current use plus 3 years.

XXIX. Current use release: permanently.

XXX. Deed grantee/grantor listing from registry, or copies of deeds: discard after being updated and replaced with a new document.

XXXI. Deferred compensation plans: 7 years.

XXXII. Underground facility damage prevention forms: 4 years.

XXXIII. Dredge and fill permits: 4 years.

XXXIV. Driveway permits and plans: permanently.

XXXV. Easements awarded to municipality: permanently.

XXXVI. Elections-federal elections: ballots and absentee ballot applications, affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals have expired or at least 22 months after the election, whichever is longer.

XXXVII. Elections-not federal: ballots and absentee ballot applications, affidavit envelopes, and lists: by the town clerk until the contest is settled and all appeals have expired or at least 60 days after the election, whichever is longer.

XXXVIII. Elections-challenge affidavits by the town clerk: until the contest is settled and all appeals have expired or 22 months after the election, whichever is longer.

XXXIX. Elections-ward maps: until revised plus 1 year.

XL. Emergency medical services run reports: 10 years.

XLI. Equipment maintenance: life of equipment.

Town of Newton, NH
Records Retention Policies and Procedures

- XLII. Excavation tax warrant and book or list: permanently.
- XLIII. Federal form 1099s and W-2s: 7 years.
- XLIV. Federal form 941: 7 years.
- XLV. Federal form W-1: 4 years.
- XLVI. Fire calls/incident reports: 10 years.
- XLVII. Grants, supporting documentation: follow grantor's requirements.
- XLVIII. Grievances: expiration of appeal period.
- XLIX. Health-complaints: expiration of appeal period.
- L. Health-inspections: 3 years.
- LI. Health-service agreements with state agencies: term plus 7 years.
- LII. Health and human services case records including welfare applications: active plus 7 years.
- LIII. Inspections-bridges and dams: permanently.
- LIV. Insurance policies: permanently.
- LV. Intent to cut trees or bushes: 3 years.
- LVI. Intergovernmental agreements: end of agreement plus 3 years.
- LVII. Investigations-fire: permanently.
- LVIII. Invoice, assessors: permanently.
- LIX. Invoices and bills: until audited plus one year.
- LX. Job applications-successful: retirement or termination plus 20 years.
- LXI. Job applications-unsuccessful: current year plus 3 years.
- LXII. Labor-public employees labor relations board actions and decisions: permanently.
- LXIII. Labor union negotiations: permanently or until contract is replaced with a new contract.
- LXIV. Ledger and journal entry records: until audited plus one year.
- LXV. Legal actions against the municipality: permanently.
- LXVI. Library:

Town of Newton, NH
Records Retention Policies and Procedures

- (a) Registration cards: current year plus one year.
- (b) User records: not retained; confidential pursuant to RSA 201-D:11.
- LXVII. Licenses-all other except dog, marriage, health, and vital records: duration plus 1 year.
- LXVIII. Licenses-dog: current year plus one year.
- LXIX. Licenses-dog, rabies certificates: disposal once recorded.
- LXX. Licenses-health: current year plus 6 years.
- LXXI. Liens-federal liens upon personal property, other than IRS liens: permanently.
- LXXII. Liens-hospital liens: 6 years.
- LXXIII. Liens-IRS liens: one year after discharge.
- LXXIV. Liens-tax liens, state liens for support of children: until court order is lifted plus one year.
- LXXV. Liens-tax liens, state meals and rooms tax: until release plus one year.
- LXXVI. Liens-tax sale and record of lien: permanently.
- LXXVII. Liens-tax sales/liens redeemed report: permanently.
- LXXVIII. Liens-Uniform Commercial Code leases: lease term plus 4 years; purge all July 1, 2007.
- LXXIX. Liens-Uniform Commercial Code security agreements: 6 years; purge all July 1, 2007.
- LXXX. Meeting minutes, tape recordings: keep until written record is approved at meeting. As soon as minutes are approved, either reuse the tape or dispose of the tape.
- LXXXI. Minutes of boards and committees: permanently.
- LXXXII. Minutes of town meeting/council: permanently.
- LXXXIII. Minutes, selectmen's: permanently.
- LXXXIV. Motor vehicle-application for title: until audited plus one year.
- LXXXV. Motor vehicle-titles and voided titles: sent to state division of motor vehicles.
- LXXXVI. Motor vehicle permits-void and unused: until audited plus one year.
- LXXXVII. Motor vehicle permits and registrations-used: current year plus 3 years.
- LXXXVIII. Municipal agent daily log: until audited plus one year.

Town of Newton, NH

Records Retention Policies and Procedures

LXXXIX. Notes, bonds, and municipal bond coupons-cancelled: until paid and audited plus one year.

XC. Notes, bonds, and municipal bond coupon register: permanently.

XCI. Oaths of office: term of office plus 3 years.

XCII. Ordinances: permanently.

XCIII. Payrolls: until audited plus one year.

XCIV. Perambulations of town lines-copy kept by town and copy sent to secretary of state: permanently.

XCV. Permits or licenses, pole: permanently.

XCVI. Personnel files: retirement or termination plus 20 years.

XCVII. Police, accident files-fatalities: 10 years.

XCVIII. Police, accident files-hit and run: statute of limitations plus 5 years.

XCIX. Police, accident files-injury: 6 years.

C. Police, accident files-involving arrests: 6 years.

CI. Police, accident files-involving municipality: 6 years.

CII. Police, accident files-property damage: 6 years.

CIII. Police, arrest reports: permanently.

CIV. Police, calls for service/general service reports: 5 years.

CV. Police, criminal-closed cases: statute of limitations plus 5 years.

CVI. Police, criminal-open cases: statute of limitations plus 5 years.

CVII. Police, motor vehicle violation paperwork: 3 years.

CVIII. Police, non-criminal-internal affairs investigations: as required by attorney general and union contract and town personnel rules.

CIX. Police, non-criminal-all other files: closure plus 3 years.

CX. Police, pistol permit applications: expiration of permit plus one year.

CXI. Property inventory: 5 years.

CXII. Property record card: current and last prior reassessing cycle.

Town of Newton, NH

Records Retention Policies and Procedures

- CXIII. Property record map, assessors: until superseded.
- CXIV. Property tax exemption applications: transfer of property plus one year.
- CXV. Records management forms for transfer of records to storage: permanently.
- CXVI. Road and bridge construction and reconstruction, including highway complaint slips: 6 years.
- CXVII. Road layouts and discontinuances: permanently.
- CXVIII. Scenic roads: permanently.
- CXIX. School records: retained as provided under RSA 189:29-a.
- CXX. Septic plan approvals and plans: until replaced or removed.
- CXXI. Sewer system filtration study: permanently.
- CXXII. Sign inventory: 7 years.
- CXXIII. Site plan review: life of improvement plus 3 years.
- CXXIV. Site plan review-lapsed: until notified that planning board action and appeal time has expired plus one year.
- CXXV. Site plan review-withdrawn or not approved: appeal period plus one year.
- CXXVI. Special assessment (betterment of property): 20 years.
- CXXVII. Street acceptances: permanently.
- CXXVIII. Street signs, streetlights and traffic lights-maintenance records: 10 years.
- CXXIX. Subdivision applications-lapsed: until notified that planning board action and appeal period has expired plus one year.
- CXXX. Subdivision applications-successful and final plan: permanently.
- CXXXI. Subdivision applications-withdrawn, or not approved: expiration of appeal period plus one year.
- CXXXII. Subdivision applications-working drafts prior to approval: expiration of appeal period.
- CXXXIII. Summary inventory of valuation of property: one year.
- CXXXIV. Tax maps: permanently.

Town of Newton, NH

Records Retention Policies and Procedures

CXXXV. Tax receipts paid, including taxes on land use change, property, resident, sewer, special assessment, and yield tax on timber: 6 years.

CXXXVI. Tax-deeded property file (including registered or certified receipts for notifying owners and mortgagees of intent to deed property): permanently.

CXXXVII. Timecards: 4 years.

CXXXVIII. Trust fund:

(a) Minutes and quarterly reports, in paper or electronic format: permanently.

(b) Bank statements, in paper or electronic format: 6 years after audit.

CXXXIX. Vehicle maintenance records: life of vehicle plus 2 years.

CXL. Voter checklist-marked copy kept by town pursuant to RSA 659:102: 7 years.

CXLI. Voter registration:

(a) Forms, including absentee voter registration forms: until voter is removed from checklist plus 7 years.

(b) Same day, returned to undeclared status, form and report from statewide centralized voter registration database: 7 years.

(c)(1) Party change form: until voter is removed from checklist plus 7 years.

(2) List of undeclared voters from the statewide centralized voter registration database: 7 years.

(d) Forms, rejected, including absentee voter registration forms, and denial notifications: 7 years.

(e) Qualified voter affidavit: until voter is removed from checklist plus 7 years.

(f) Verifiable action of domicile document: until voter is removed from checklist plus 7 years.

(g) Overseas absentee registration affidavit: until voter is removed from checklist plus 7 years.

(h) Absentee ballot voter application form in the federal post card application format, for voters not previously on the checklist: until voter is removed from checklist plus 7 years.

(i) Absentee ballot affidavit envelope for federal post card applicants not previously on the checklist: until voter is removed from checklist plus 7 years.

(j) Notice of removal, 30-day notice: until voter is removed from checklist plus 7 years.

(k) Report of death: until voter is removed from checklist plus 7 years.

(l) Report of transfer: until voter is removed from checklist plus 7 years.

Town of Newton, NH
Records Retention Policies and Procedures

(m) Undeliverable mail or change of address notice from the United States Postal Service: until voter is removed from checklist plus 7 years.

CXLII. Vouchers and treasurers' receipts: until audited plus one year.

CXLIII. Warrants-land use change, and book or list: permanently.

CXLIV. Warrants-property tax, and lists: permanently.

CXLV. Warrants-resident tax, and book or list: permanently.

CXLVI. Warrants-town meeting: permanently.

CXLVII. Warrants-treasurer: until audited plus one year.

CXLVIII. Warrants-utility and betterment tax: permanently.

CXLIX. Warrants-yield tax, and book or list: permanently.

CL. Welfare department vouchers: 4 years.

CLI. Work program files: current year plus 6 years.

CLII. Writs: expiration of appeal period plus one year.

CLIII. Zoning board of adjustment applications, decisions, and permits-unsuccessful: expiration of appeal period.

CLIV. Intent to excavate: completion of reclamation plus 3 years.

CLV. Election return forms, all elections: permanently.

CLVI. Affidavits of religious exemption: until voter is removed from checklist plus 7 years.