



TOWN OF BALDWIN, MAINE  
OFFICE OF THE SELECTMEN

534 PEQUAWKET TRAIL, WEST BALDWIN, ME 04091



Town of Baldwin - Policy on Notice for Public Proceedings November 3, 2016

**Background:** Maine's Freedom of Access statute Title 1, Chapter 13 : Public Records and Proceedings provides the requirements for Maine's public access law. Subchapter 1, section 406 concerns public notice of public proceedings. It states "Public notice shall be given for all public proceedings as defined in section 402, if these proceedings are a meeting of a body or agency consisting of 3 or more persons. This notice shall be given in ample time to allow public attendance and shall be disseminated in a manner reasonably calculated to notify the general public in the jurisdiction served by the body or agency concerned. In the event of an emergency meeting, local representatives of the media shall be notified of the meeting, whenever practical, the notification to include time and location, by the same or faster means used to notify the members of the agency conducting the public proceeding." Section 402 applies this for town government in paragraph 2.C. "Any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision."

**Discussion:**

Outlets for Notices: With today's connected society there are a number of ways to notify the public. The Town of Baldwin has The Shopping Guide, the town website, the sign in front of the town office, a notice in the window of the town office, and the Portland Press Herald to name a few. None of these outlets are guaranteed to reach all town citizens. However, the Shopping Guide has been recognized over time as the accepted outlet for announcing public proceeding with the others used as backup or to increase coverage.

Meetings: Although the statute states 3 or more persons meeting on public business must give public notice, two members of the Board of Selectmen is a quorum so the requirement to give public notice should apply to two members of the Board of Selectmen at a planned meeting to discuss public business. Likewise, any planned meeting of two or more members of a town government body to discuss public business should be pre-announced to increase transparency of Town business.

How much time is ample time? There is no statutory advance notice required but the generally accepted rule is to give a minimum of one week's notice from the date of the notice being published.

Regularly Scheduled Meetings: Regularly scheduled meetings such as the Planning Board and the Board of Selectmen business meetings are considered pre-announced by their nature and do not need to be published once their schedule is established. Any meeting to address specific issues that require public hearings must be pre-announced.

**Policy:**

Based on the above it is the policy of the Town of Baldwin Board of Selectmen that:

All non-regularly recurring town government related meetings, hearings, and public information meetings shall be published in the Shopping Guide at least one week in advance of the meeting. Other announcement methods are also recommended with maximum use of the Town website highly encouraged.

This policy should be reviewed annually.

Olin Thomas- Selectman

Robert Flint - Selectman

Jeffrey Sanborn- Selectman