



# TOWN OF BALDWIN, MAINE

## OFFICE OF THE SELECTMEN

534 PEQUAWKET TRAIL, WEST BALDWIN, ME 04091



Town of Baldwin - Policy on Notice for Public Proceedings 20 Nov 2023

**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, a large sign in front of the town office, and a notice in the window of the town office to name a few. None of these are guaranteed to reach all town citizens. The printed copy of 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. However, feedback from town voters indicates relatively fewer people are reading the Shopping Guide in the printed format. Some read the on-line version and some don’t read it at all. As a result, the Select Board has a practice of posting all meetings on the town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, and posting them on the entrance doors to the Town Office in addition to the Shopping Guide.

**Meetings:** Although Maine statute specifies three 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.

Maine Title 30-A §2523 addresses “town meetings” where voters are being asked to vote. It states among other things, “The warrant for calling any town meeting must meet the following requirements.” Para 3, “Notification. It shall be directed to a town constable, or to any resident by name, ordering that person to notify all voters to assemble at the time and place appointed.” Para 4, “Attested copy posted. The person to whom it is directed shall post an attested copy in some conspicuous, public place in the town at least 7 days before the meeting, unless the town has adopted a different method of notification.”

Except for a Town Meeting which is called with the posting of a warrant, 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.



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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.

The pace of Town business has increased dramatically over the past few years with issues that require various town boards attention and/or voter approval happening more frequently. Reliance on the Shopping Guide as the only recognized public notice forum has become a hinderance to addressing critical public business in a timely manner and the publishing schedule for the Shopping Guide makes the advance public notice posting closer to 13 days minimum.

**Policy:**

Based on the above it is the policy of the Town of Baldwin Board of Selectmen that: All non-emergency meetings, non-regularly recurring town government related meetings, hearings, special town meetings, and public information meetings shall be posted at least seven days in advance of the meeting. The postings, and warrants when required, will be posted on the Baldwin town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, on the entrance doors to the Town Office, in the lobby of each Baldwin Post Office, and in the Shopping Guide. The delivery or publish date of the Shopping Guide notice will not be determinate when ascertaining if seven days advance notice was provided.

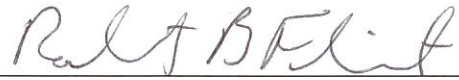
An emergency meetings is one where the above notice is not fast enough. It shall be posted on the Baldwin town website, the Town Facebook page, on the notice board outside the Baldwin Community Center, on the entrance doors to the Town Office, and in each Baldwin Post Office lobby.


This policy should be reviewed annually.

Date 21 Nov 23

Sincerely  
Baldwin Board of Selectmen

  
Jim Dolloff - Selectman

  
Robert Flint - Selectman

  
Dale Miner - Selectman





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