

OLD BUSINESS

8-23-10

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August 19, 2010

Board of Selectmen
Town of Middleboro
(via FAX#: 508-946-0058)

RE: Open Meeting Law – content of meeting – Agenda

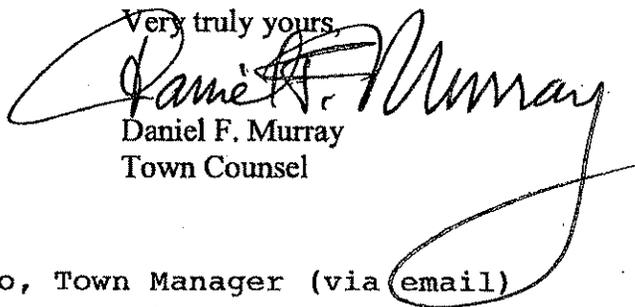
Dear Members:

Chairman Brunelle asked for an opinion whether the Board may adopt a rule, regulation or requirement to provide that a notice must be filed in advance with the Board by anyone who wants to speak during the "Other" part of the agenda for a Board meeting. The person who proposes to speak would file the notice with the Board's Secretary by a deadline a few days before the meeting. The notice would be in writing and identify the proposed speaker and the general subject(s) which the speaker wants to address at the meeting. This information would be included in the "Other" part of the agenda for the meeting.

My opinion is that the Board may adopt a rule, regulation or requirement as outlined in the previous paragraph.

You are aware that a recent amendment to the Opening Meeting Law requires that notice of a public meeting must contain a "listing of topics" which the chair reasonably anticipates will be discussed at the meeting. I take it that the listing of topics is sometimes referred to as the agenda for a meeting. It seems to me that listing matters to be discussed in the "Other" part of a meeting agenda would be consistent with the new requirement to list topics to be discussed at the meeting.

Very truly yours,


Daniel F. Murray
Town Counsel

DFM/s
88-215

cc: Charles J. Cristello, Town Manager (via email)