

To: Stockbridge Planning Board
From: Mike Canales, Stockbridge Town Administrator
Date: September 13, 2023
Subject: Information That Meeting Agenda Must Contain

Meeting notices must be posted in a legible, easily understandable format; contain the date, time, and place of the meeting; and list all topics that the chair reasonably anticipates, 48 hours in advance, will be discussed at the meeting. The list of topics must be sufficiently specific to reasonably inform the public of the issues to be discussed at the meeting.

Meeting notices must also indicate the date and time that the notice was posted, either on the notice itself or in a document or website accompanying the notice. If a notice is revised, the revised notice must also conspicuously record both the date and time the original notice was posted as well as the date and time the last revision was posted. Recording the date and time enables the public to observe that public bodies are complying with the Open Meeting Law's notice requirements without requiring constant vigilance. Additionally, in the event of a complaint, it provides the Attorney General with evidence of compliance with those requirements.

If a discussion topic is proposed after a meeting notice is posted, and it was not reasonably anticipated by the chair more than 48 hours before the meeting, the public body should update its posting to provide the public with as much notice as possible of what subjects will be discussed during the meeting. Although a public body may consider a topic that was not listed in the meeting notice if it was not anticipated, the Attorney General strongly encourages that unless matter requires immediate action it should be put off to a later meeting and included in the agenda.

Certain matters may be communicated outside of the open meeting law but are limited.

- 1) Questions concerning meeting cancellations and scheduling often must be discussed outside of a meeting.
- 2) Requests to put items on the agenda, so long as no substantive discussion occurs.
 - a) Request can be made to the chair to place an item on an agenda outside or during a meeting for the next meeting or a specific meeting date.
 - b) If the chair refuses, a member may request to the board members to place the item on an agenda by majority vote. If approved, the item will be placed on the agenda for the next meeting or a specific meeting date.