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Norton, MA 02766

Date: 10/6/2025

By E-Mail: abouley@nortonmaus.com; arich@nortonmaus.com; openmeeting@mass.gov

Planning Board and Select Board

Town of Norton

70 E Main Street

Norton, MA 02766

Re: Open Meeting Law Complaint Regarding 9/30 Joint Planning Board and Select Board Session on Proposed Bylaw Revision by the Planning Board

Dear Chairs of the Planning Board and Select Board:

Pursuant to the Massachusetts Open Meeting Law (M.G.L. c. 30A, §§ 18–25), I am submitting this formal complaint regarding a violation of the Open Meeting Law that I believe occurred during a joint public meeting of the Planning Board and Select Board held on 9/30/2025

On 9/26/2025, four days before this joint meeting took place, I called the secretary of the Select Board and left a voicemail, requesting to be added to the agenda. I also emailed the Select Board Clerk, informing them of my request to be added to the agenda. (See attachment) The reason for my request was because at the prior Select Board meeting on 9/25, I attended via zoom and raised my digital hand to request to speak about an agenda item, which was ignored. Since the Select Board clerk indicated in his email that he would ensure the Boards were aware of my intention to speak, I did not continue to press to be formally added to the agenda. At no point during our communication was a time limit mentioned - had it been, I would have insisted on being included on the agenda.

During the [9/30/2025 joint meeting](#), the Chair of the planning board asked if there were any questions from the public regarding the presentation they were discussing. I requested the opportunity to speak, through raising my digital hand via zoom. I informed the Chair that I was unable to attend the full meeting and politely and respectfully asked if I could speak now about several concerns I had regarding the subject listed on the agenda involving notice and specific issues with the proposed language. The Chair of the Planning Board initially informed me that I would be limited to three (3) minutes. I responded that I would need more time to adequately address the matter. The Chair then asked, “How many minutes do you need, 10 or 15?” I reiterated that I would need more than 3 minutes. He then abruptly said, “Let’s go,” in a dismissive and discourteous manner.

Less than three minutes into my comments, the Town Manager interrupted and informed the Chair that three minutes had passed. The Chair then stated I had “one more minute” despite originally stating “10 or 15 minutes.” I continued my comments about the agenda item (Zoning

Bylaw Update). At that point, a select board member and Chair of the planning board interrupted me, and I responded to the statements they made.

While I was responding, another Select Board member interjected and asked the Planning Board Chair to end my communication with the board. Subsequently, another Select Board member muted my microphone, silencing me and preventing me from finishing my public comments.

Due to this conduct, I believe a violation of the open meeting law has occurred. Arbitrarily cutting off or muting a speaker, particularly when they are speaking to the topic on the agenda and within the time constraint placed upon them by the Chair, I believe is a clear violation of the Open Meeting Law. The inconsistent and ad hoc enforcement of time limits, as well as the failure to clearly communicate or fairly apply them, deprived me of a meaningful opportunity to address the board on a matter of public concern. This is a matter which the Planning Board has claimed they desire feedback on from the public.

Furthermore, the dismissive tone of the Chair and the abrupt muting of my microphone created a chilling effect on public participation. This conduct discourages civic engagement and violates the principles of open and transparent government.

Due to the Boards' conduct, I request a formal acknowledgment from the Planning Board and Select Board that my rights as a member of the public were improperly limited. I request a written explanation of how public comment periods will be conducted going forward to ensure compliance with the Open Meeting Law. I also believe there should be retraining for all board members and the Town Manager on Open Meeting Law requirements related to public participation and meeting conduct. Finally, inclusion of this complaint and a formal response should be posted on the agenda of the next public meeting of the Boards.

Please consider this a formal complaint to be addressed in accordance with the Open Meeting Law complaint procedures. A copy of this letter has also been sent to the Attorney General's Division of Open Government for their review.

Sincerely,

[REDACTED]

[REDACTED]

Enclosure: 9/26/25 Email with Select Board Clerk

cc: Attorney General's Office, Division of Open Government