

# **Bond Case Briefs**

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## **PUBLIC MEETINGS - MAINE**

### **Hughes Bros., Inc. v. Town of Eddington**

**Supreme Judicial Court of Maine - January 14, 2016 - A.3d - 2016 WL 159296 - 2016 ME 13**

Requester filed a complaint seeking an injunction directing town to cease and desist from holding a public vote on proposed moratorium on quarries, and a declaration that any moratorium that might be approved was void because town violated open meeting requirements of Freedom of Access Act (FOAA) during a joint executive session it held with board of selectmen. The Superior Court entered judgment for town. Requester appealed.

The Supreme Judicial Court of Maine held that the boards conducted a valid executive session, invoked for purpose of consulting with legal counsel regarding wording in proposed moratorium ordinance.

Joint executive session of town planning board and board of selectmen, invoked for purpose of consulting with legal counsel concerning the boards' legal rights and duties to establish a moratorium ordinance on quarries, did not violate open meeting requirements of Freedom of Access Act (FOAA) and, therefore, moratorium ordinance ultimately approved in open town vote was not null and void. Town met its burden to show that the executive session was held for, and limited to, the authorized purpose of consulting with counsel to draft a legally sound ordinance amendment for proposal at a later public meeting.