



The Commonwealth of Massachusetts  
Office of the Attorney General  
One Ashburton Place  
Boston, Massachusetts 02108

## OPEN MEETING LAW COMPLAINT FORM

### Instructions for completing the Open Meeting Law Complaint Form

The Attorney General's Division of Open Government interprets and enforces the Open Meeting Law, Chapter 30A of the Massachusetts General Laws, Sections 18-25. Below is the procedure for filing and responding to an Open Meeting Law complaint.

#### Instructions for filing a complaint:

- o Fill out the attached two-page form completely and sign it. File the complaint with the public body within 30 days of the alleged violation. If the violation was not reasonably discoverable at the time it occurred, you must file the complaint within 30 days of the date the violation was reasonably discoverable. A violation that occurs during an open session of a meeting is reasonably discoverable on the date of the meeting.
- o To file the complaint:
  - o For a local or municipal public body, you must submit a copy of the complaint to the chair of the public body **AND** to the municipal clerk.
  - o For all other public bodies, you must submit a copy of the complaint to the chair of the public body.
  - o Complaints may be filed by mail, email, or by hand. Please retain a copy for your records.
- o If the public body does not respond within 14 business days and does not request an extension to respond, contact the Division for further assistance.

#### Instructions for a public body that receives a complaint:

- o The chair must disseminate the complaint to the members of the public body.
- o The public body must meet to review the complaint within 14 business days (usually 20-22 calendar days).
- o After review, but within 14 business days, the public body must respond to the complaint in writing and must send the complainant a response and a description of any action the public body has taken to address it. At the same time, the body must send the Attorney General a copy of the response. The public body may delegate this responsibility to its counsel or a staff member, but only after it has met to review the complaint.
- o If a public body requires more time to review the complaint and respond, it may request an extension of time for good cause by contacting the Division of Open Government.

#### Once the public body has responded to the complaint:

- o If you are not satisfied with that the public body's response to your complaint, you may file a copy of the complaint with the Division by mail, e-mail, or by hand, but only once you have waited for 30 days after filing the complaint with the public body.
- o When you file your complaint with the Division, please include the complaint form and all documentation relevant to the alleged violation. You may wish to attach a cover letter explaining why the public body's response does not adequately address your complaint.
- o The Division will not review complaints filed with us more than 90 days after the violation, unless we granted an extension to the public body or you can demonstrate good cause for the delay.

If you have questions concerning the Open Meeting Law complaint process, we encourage you to contact the Division of Open Government by phone at (617) 963-2540 or by e-mail at [openmeeting@state.ma.us](mailto:openmeeting@state.ma.us).



## OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

Please note that all fields are required unless otherwise noted.

### Your Contact Information:

First Name: Margaret Last Name: Sheehan

Address: PO Box 1699

City: Plymouth State: MA Zip Code: 02362

Phone Number: 5082599154 Ext. \_\_\_\_\_

Email: ecolawdefenders@protonmail.com

Organization or Media Affiliation (if any): Save the Pine Barrens, Inc./Community Land & Water Coalition

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

Individual  Organization  Media

### Public Body that is the subject of this complaint:

City/Town  County  Regional/District  State

Name of Public Body (including city/town, county or region, if applicable): Plymouth Regional Economic Development Foundation, Inc.

Specific person(s), if any, you allege committed the violation: All directors/members/trustees

Date of alleged violation: Ongoing

**Description of alleged violation:**

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

See attached.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

1. Immediately comply with OML. 2. Make public on the Town website all minutes and agendas of meetings since 2001. 3. Revoke decisions made in violation of the OML with regard to municipally owned land and land transaction deals with the Town in 2005 and 2022. 4. Reimburse the Town for all funds received since 2001. 4. Disclose all sources of income and expenses since 2001.

**Review, sign, and submit your complaint**

**I. Disclosure of Your Complaint.**

**Public Record.** Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

**Publication to Website.** As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

**II. Consulting With a Private Attorney.**

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

**III. Submit Your Complaint to the Public Body.**

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: Margaret E. Sheehan

Date: September 24, 2024

For Use By Public Body Date Received by Public Body: For Use By AGO Date Received by AGO:

The Plymouth Foundation (“PF”) is a public body within the meaning of the Open Meeting Law, G.L. c. 30A § 18. The PF is required to but does not comply with the OML. The PF is organized as an IRS 501(c)(3) non-profit but acts as a public body. This complaint is timely because the PF does not disclose its meetings publicly so the date of its recent violations could not be determined.

The PF meets the AG’s 3 three factor test for a public body. **OML 2015-34**. Factor 1: PF is a multiple-member (11) board within Plymouth government. PF was created by that Town according to its IRS 990, Schedule O, 2011. PF implements municipal planning and economic development functions according to the PF website and IRS 990s. The PF provides “economic development services” to the Town, including supplying an “Economic Development Director for the Town of Plymouth.” 2014 IRS 990s. The Town pays all or some of the salary of the past and present PF Executive Director who is also the Town’s Economic Development Director. The current director Cole is listed on the Town’s website in the “Staff Directory” of the Planning and Development Department, “Economic Development & Tourism” page. PF itself is featured prominently on the Town’s Planning & Development Department website page. PF’s 2022 IRS 990 tax return lists its website for IRS purposes as “econdevtownhall.plymouth.ma” representing itself as within the Town. The PF Articles of Organization and Bylaws require 3 town officials to be members of the 11 member board of directors/trustees -Town Manager, Town Planner and Chair of Selectboard-and Town employees from these positions served on the board as voting members. The Town controls the activities of the PF through the paid staff position of the PF director. PF engages in municipal planning and economic development, an essential government function.

Factor 2. The PF acts collectively through its trustees/directors.

Factor 3. The PF performs a public purpose which is municipal land use planning and economic development.