

November 16, 2007

Mr. Len Tyler, President
Maine Maritime Academy
Pleasant Street
Castine, ME 04420-5000

Dear Mr. Tyler:

Please consider this a request for public records under the Freedom of Access Act, 1 M.R.S.A. § 401, et seq. on behalf of the Castine Citizens Action Group (“CCAG”). The CCAG is a citizen group whose mission is to give a strong and constructive voice in response to Maine Maritime Academy's (“Academy” or “MMA”) actions and to promote a cooperative relationship with the Academy in order to preserve and protect Castine’s heritage and its fragile infrastructure.

The CCAG requests to inspect and copy any and all public records held by the Academy, its officers, staff, and Trustees related to:

1. the Abbott House property and the Academy’s deliberations concerning and decision to purchase the Abbott House property, including but not limited to:

- minutes of or notes retained by any MMA Trustee, officer or staff member of meetings at which information about the Abbott House was presented or discussed;
- Board resolutions adopted authorizing the Academy to enter into negotiations for the purchase or enter into any agreement pertaining to the purchase of the Abbott House;
- written communications, including electronic mail, sent or received by any MMA Trustee, officer or staff member pertaining to the Abbott House property;
- fact sheets or talking points provided to MMA officials, staff and/or Trustees
- financial authorization and disbursements from MMA accounts or subaccounts used to fund the purchase of the Abbott House.

2. any master plan, short-term plan(s) or long-term plan(s) regarding the Academy’s current or future infrastructure, current or future curriculum offerings, and/or current or future enrollment goals, including enrollment goals by program/degree;

3. the Academy's development plans on any property now owned by the Academy and on any other property which the Academy may be interested in owning or operating in the future, including but not limited to:

- agreements with consultants/architects/planners or other professionals regarding future development or the possibility of future development;
- minutes of or notes retained by any MMA Trustee, officer or staff member of meetings at which the retention of or hiring of consultant/architects/planners or other professionals and the scope of work to be performed was considered, discussed and/or approved;
- expenditures for developing or otherwise pursuing development of any property now owned by the Academy or property which the Academy may be interested in owning or operating in the future;

4. the Academy's consideration of and decision to renovate and/or improve the residence currently occupied by the President of MMA, any and all agreements with architects, engineers, contractors, tradespeople, or others to perform work related to renovations, additions, modifications, and maintenance (collectively "Improvements") of the property both inside and outside the property including but not limited:

- expenditures on services and goods (such as appliances).
- minutes of or notes retained by any MMA Trustee, officer or staff member of meetings at which information about Improvements was presented or discussed;
- Board resolutions adopted authorizing Improvements;
- written communications, including electronic mail, sent or received by any MMA Trustee, officer or staff member pertaining to Improvements;

5. Recordings made of all Board of Trustees' meetings in 2007.

This request for records should be interpreted to include "any written, printed or graphic matter or any mechanical or electronic data compilation from which information can be obtained, directly or after translation into a form susceptible of visual or aural comprehension, that is in the possession or custody of [the Academy, its Trustees, officials, or staff member], and has been received or prepared for use in connection with the transaction of public or governmental business or contains information relating to the transaction of public or governmental business" 1 M.R.S.A. § 202(3).

In the event that the Academy determines that certain records in its possession are not public records for any reason, we would appreciate being provided with a listing of these records or other notification of the existence of such records and the reason the record does not constitute a public record.

Pursuant to 1 M.R.S.A. § 408(6)(B), the CCAG respectfully requests that any fees permitted to be charged under 1 M.R.S.A. § 408 be waived because release of the public records requested herein will contribute significantly to public understanding of the Academy's operations and activities and is not in the commercial interest of CCAG or any of its members.

Please do not hesitate to contact me with any questions concerning this request at (207) 233-5785. We appreciate the Academy's time and efforts in processing this request.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Cook". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kimberly B. Cook, Esq.
Attorney for the Castine Citizens Action Group

cc: Members of the Board of Trustees of Maine Maritime Academy
Mike Coughlin, Chair, Castine Citizens Action Group
David Unger, Selectman, Town of Castine
Dale Abernethy, Castine Town Manager
Geoffrey Hole, Esq., attorney for the Town of Castine