

NEWBERRY TOWNSHIP
PUBLIC MEETING
POLICY

All Board meetings shall be conducted according to the following Public Meeting Policy. Where not addressed by this Policy, proceedings shall be governed by Robert's Rules of Order Newly Revised, 12th edition.

The purpose of this Policy is to maintain order of public meetings by structuring the public comment process in such a way as to allow the Board to efficiently and effectively perform its primary function of making collective decisions on the issues before it. Furthermore, this Policy is adopted to ensure that each resident and/or taxpayer (each may be referred to herein as a "Citizen") has a fair opportunity to comment on matters of concern, official action, or deliberation before the Board.

1. **Meeting Structure.** The Order of Business of the Board of Supervisor's meetings shall be set by Resolution as may be amended from time to time.
2. **Agenda.** The meeting agenda shall be prepared by the Township Manager and shall contain all items required for action or discussion before the Board. In preparing the meeting agenda, the Township Manager shall take into account all agenda items in the normal course of business, as well as any items requested by the Board. Once the Township Manager finalizes the meeting agenda, it shall be posted on the Township's website at least one (1) day prior to the applicable meeting. The agenda shall be made available in hard copy in the Meeting Room at the beginning of the meeting. The agenda shall be subject to change at the beginning of the meeting in accordance with the requirements of the Pennsylvania Sunshine Act. Citizens shall present any items of public concern, official action, or deliberation prior to taking official action during the public comment period. Comments unrelated to the business of a special meeting of the Board may, at the Board's discretion, be postponed until a later regularly scheduled meeting. If, during public comment, the Board, in its discretion, deems it necessary to review and discuss the item in more depth, the Board can place the item on the agenda for the following meeting. Residents or taxpayers desiring to have an item placed on the agenda shall submit such request to the Township Manager at least two (2) business days prior to the meeting in order for the Township to review and decide when the request will be placed on the agenda. The Township may, in its discretion, delay placing the requested item on the agenda until a future meeting.
3. **Public Work Sessions.** The Board may periodically schedule public work sessions without a formal agenda for the purpose of taking public comment on general Township business. The scope and length of public work sessions shall be determined by the Chairperson in consultation with the Board. Public comment at a public work session shall be subject to the general regulations on public comment as set forth below.
4. **Public Comment.** At all meetings, Public Comment is permitted at two opportunities; during the Public Comment period ("For Good of the Order") and during the discussion period of any motion under Board consideration, as permitted by the Board. Public Comment shall be governed by the following:

A. Roles.

- (1) **Chairperson.** The Chairperson of the Board shall preside over Public Comment opportunities by recognizing individuals offering to comment and managing the time allotted.

(2) **Persons Offering to Comment.** Only persons that are residents or taxpayers of the Township are permitted to offer Public Comment, except upon permission of the Board.

B. Procedures for Public Comment.

(1) **Identification; Participants.** Citizens offering to make public comment shall add their names to the Sign-in Sheet provided at all public meetings. At the Board's discretion, citizens that have not signed the sheet prior to the meeting may be permitted to comment. Only residents and taxpayers of the Township are provided the right to publicly address the Board during public comment periods, although the Board may, in its discretion, permit non-residents or non-taxpayers to provide public comment. If the resident or taxpayer is not known to the Board to be a resident or taxpayer, the Board shall require identification and proof of status (as a resident or taxpayer) prior to public comment. If the individual offering public comment does not wish to provide such information publicly, the individual shall refrain from public comment at said meeting, provide his or her name and proof of status to the Township Manager prior to the following meeting, and then be permitted to make public comments at said following meeting (provided the individual is determined to be a resident or taxpayer).

In the case of meetings to be held virtually, public comments must be submitted in writing in accordance with the procedures below. A resident or applicant with official business before the Township may request or be asked by the Township Manager or Chairperson to appear in person before the Board for presentation of business or public comment. In such cases, a mobile telephone number will be provided to the Township Manager and the Township Manager will contact the party to appear by telephone to notify them when they may enter the Township building to join the in-person meeting.

(2) **Manner of Public Comment.**

(a) Each identified citizen offering to comment may speak when recognized by the Board.

(b) All citizens speaking must use the available microphone to facilitate accurate recording.

(d) Speaking citizens shall direct statements to the Board.

(e) Citizens shall speak only once on a topic until all other citizens identified to speak on the topic are heard. At a citizen's request, and the Board's approval, a speaker may re-address a topic. The Board may exercise discretion in permitting or limiting re-addressing.

(f) The Chairperson may, at his or her discretion, limit public comment to the topics appearing on the current business agenda of the Township. All public comments shall be in an orderly manner. For purposes of this section, any obscene, harassing, threatening, or hostile comments, or comments that may reasonably lead to violence or a disturbance of peace, are considered Non-orderly. Repetitive comments may also be deemed Non-orderly if determined to be made for the purpose of harassing someone or disrupting the public meeting. The foregoing is a non-exhaustive list of "orderly manner", and any determination of "orderly manner" will be determined by the Board on a case-by-case basis under the circumstances of the situation. Any speakers that violate this Policy will be put on notice by the Board as being "out of order" and provided the basis for such notice. Further failure to conform conduct to this Policy shall be grounds for the Board to consider removal of the citizen from the meeting.

(g) Citizens may also address topics appearing on the agenda during the portion of the meeting at which that agenda topic is discussed by the Board, at the invitation of the Board. The discussion

period for an agenda topic generally follows a motion but prior to a vote on said motion. If the topic is not a motion, then the discussion period is opened at the Board's discretion.

(3) Time Allowed. The Board determines how much time to allocate to Public Comment after considering various factors to include, but not limited to: the number of citizens offering to comment, the length of the agenda, or length of the meeting time. If there are multiple citizens seeking an opportunity to comment and/or the agenda or meeting time is lengthy, the Board may choose to use a timer set to a pre-determined length of time to ensure fair access to Public Comment by all identified speakers. If the Board determines there is insufficient time for general Public Comment opportunity at a meeting, the Board may defer the Public Comment opportunity to the next regular meeting.

C. Public Comment Referral. The Board shall refer questions to the appropriate official or staff for subsequent response or answer during the meeting as appropriate. If research is required, the response may be deferred until the next regular meeting.

D. Submission of Public Comment in Writing or by Email. Citizens may provide public comment in writing according to the following procedures:

(1) Written public comment shall be addressed to the Board of Supervisors and the Township Manager at the following address:

Newberry Township
RE: Public Comment
1915 Old Trail Road
Etters, PA 17319

Or by email to:

admin@newberrytp.com

(2) Upon receipt by Township staff, all written public comment shall be circulated to the Board members and the Township Manager. Written comments received after 3 pm on a meeting day may not be circulated or reviewed in time for acknowledgment at the public meeting and may be held until the following public meeting.

(3) Written public comment shall have the same force and effect as oral public comment provided during the course of a meeting and shall be subject to the same limitations. Written public comments are not intended to replace in-person public comments and the Chairperson may, at his or her discretion, require comments to be presented in-person where the use of written public comment is being overused or abused.

(4) All written public comment received by the Township shall be recognized at the next regularly-scheduled meeting during an appropriate time. Written public comments may be read into the record at the discretion of the Chairperson, subject also to the limitations of paragraph 3.B.(2)(f) above. Written public comments in excess of 100 words may be summarized at the discretion of the Chairperson or the Township Manager. Requests to incorporate any written documents into the official minutes of the Township will generally be denied except in extraordinary situations at the sole discretion of the Chairperson.

Revised August 23rd, 2022