



TOWN OF TRURO

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SELECT BOARD POLICY MEMORANDUM #59

Date: January 24, 2017; September 13, 2022; December 5, 2023

Subject: **PUBLIC COMMENT, SELECT BOARD REPORTS AND SELECT BOARD COMMENTS**

PURPOSE:

The purpose of this policy is to define and provide structure to the Public Comment, Select Board Reports and Comments elements of regular Select Board meetings. It aims to provide members of the public a fair opportunity to speak, to ensure compliance with the Open Meeting Law and other legal obligations, and to facilitate the orderly conduct of board meetings.

POLICY:

The Truro Select Board welcomes public comment on issues that affect the town. The board will schedule a Public Comment period at the beginning of each regular meeting as a way to engage the community.

Due to Open Meeting Law requirements for posting agenda items in advance, the board typically will not respond to citizen comments or questions posed during public comment. At the board's discretion, matters raised under Public Comment that fall outside of the Select Board's purview may be directed to the Town Manager or other appropriate staff member for proper consideration and response.

Any member of the Select Board may request that an issue raised during public comment be placed on a future agenda in accordance with the Open Meeting Law to allow all viewpoints to be heard before the board takes any action.

APPLICABILITY:

This policy applies to all people wishing to speak at a board meeting. The board, at the chair's discretion, may provide the following opportunities to speak during the meeting: (i) at the "Public Comment" period generally scheduled at the beginning of a meeting; and (ii) at designated periods for comment on topics identified on the board's agenda. (NOTE: In accordance with Select Board Policy 56, comments from the public will not be taken during Select Board work sessions.)

PROCEDURES:

- a. During regular meetings, the Public Comment will be scheduled at or near the beginning of the meeting. To ensure compliance with the Open Meeting Law and other legal obligations, board members cannot engage with a speaker or with each other during Public Comment periods.
- b. The board may also allow the public to comment on topics identified on the meeting agenda. Comments during such periods are limited to the specific topic under deliberation.
- c. Each comment period shall last 15 minutes unless the board agrees to extend the time. Each speaker shall not exceed three minutes.
- d. All comments shall be addressed to or through the chair or acting chair of the board. Persons wishing to provide comments to the board shall raise their hand and wait to be acknowledged by the chair. Public comment will also be allowed from those attending the meeting remotely, once recognized by the chair.
- e. If there are a large number of citizens attending for Public Comment, the chair will acknowledge individuals in the order in which they requested to speak. Not all members of the public wishing to speak may be heard during a single comment period. The chair will strive to allow as much participation as is possible within the public comment period.
- f. All speakers are encouraged to present their remarks in an orderly and peaceable manner, without disruption to other speakers. Once acknowledged by the chair, the speaker should identify themselves by name and provide their address.
- g. Speakers who are also members of boards, committees or commissions should clearly identify whether comments made reflect positions of said board, committee or commission or whether the comments only reflect the view of the speaker.
- h. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the chair so that they can be entered into the record of that meeting.
- i. The Select Board will not read letters or statements from individuals into the public record. However, members of the public may personally provide their own comment or designate someone else to deliver the comments on their behalf.
- j. Members of the public are not permitted to interrupt or speak during a meeting unless authorized by the chair. The chair shall provide at least one verbal warning to a speaker if they engage in disruptive conduct.
- k. Comments or behaviors that are disruptive to the meeting will not be tolerated. If, after clear warning from the Chair, a person continues to disrupt the proceedings, the Chair may order the person to withdraw from the meeting and if the person does not withdraw, the Chair may authorize a constable or other officer to remove the person from the meeting (G.L. 30A , §20(g)). Violence or threats of violence may result in immediate removal without further warning.

DISCLAIMERS:

Public Comment is not intended to be a discussion, debate, or dialogue between or among citizens and the Select Board. Comments made during the Public Comment period do not reflect the views or positions of the board. Because of free speech principles, the Board does not have authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

SELECT BOARD REPORTS/ COMMENTS:

These will be placed toward the end of each regular meeting agenda. Members are encouraged to keep their remarks to no more than three minutes. If an issue or question raised during Select Board reports or comments can be addressed quickly by another member of the board or by the Town Manager, that will be allowed. However, the board may not begin a substantive discussion or deliberations on an issue raised unless it has been included on that meeting's posted agenda. If not, the member can request that issue be placed on a future agenda.

Select Board reports are an opportunity for each board member to report on their official activities that have occurred between meetings. This includes reporting on meetings attended as a Select Board liaison, other meetings representing the Town of Truro and Select Board office hours.

Select Board comments differ from Select Board reports in that they are an opportunity for members to comment on issues or activities affecting or concerning them individually that are relevant to town affairs. This includes responding to community feedback directed solely at them or reporting on activities in the community where they participate as a citizen and not as an elected official. If a member is responding to written communication or a specific document, they will include that in their remarks so that it can be entered into the record of that meeting. Members will refrain from using Select Board comments as an opportunity to respond to or address an individual.

In both Select Board Reports and Select Board Comments, members will abide by the Standards of Professional Conduct.

REGULATORY / STATUTORY REFERENCES

Massachusetts G.L. c.30A, §20.



Kristen Reed, Chair



John Dundas, Clerk



Susan Areson, Vice-Chair



Robert Weinstein



Stephanie Rein
Select Board
Town of Truro