

**Town of Mashpee
Select Board**

Policy No: 081

Public Participation at Public Meetings

I. INTRODUCTION

The Mashpee Select Board welcomes everyone to its meetings and meetings of all other public Town boards, committees and commissions. All regular and special meetings of boards, committees and commissions shall be open to the public and shall conform at all times to the requirements of the Open Meeting Law of the Commonwealth of Massachusetts. (See Chapter 30A, Section 20 of Massachusetts General Laws) and Town General Bylaw Chapter 7 (Public Records and Open Meetings). The public shall be precluded from attending an executive session meeting of a public body for a valid reason pursuant to MGL Chapter 30A, Section 21. (Meeting of public body in executive session). All comments made by the public during meetings shall comport with this Policy and all speakers are encouraged to be civil and respectful.

II. AUTHORITY OF CHAIR

No person shall address a meeting of a public body without permission of the Chair (presiding official), and all persons shall, at the request of the Chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If a person: 1) Speaks out of order, 2) Engages in other disorderly or disruptive conduct during a meeting, 3) Attempts to engage in dialogue regarding pending litigation or other subject matter otherwise subject to executive session privilege, or 4) Attempts to address a matter that is not within the public body's scope of authority or jurisdiction (unless such comment is made within a designated "Public Comment Segment" for which no particular subject matter is identified on the meeting agenda), the Chair, in order to assure the orderly and peaceable conduct of the meeting, may, in their discretion, rule said person out of order, and, after clear warning from the Chair, may order the person to cease and desist such conduct. If, notwithstanding such order, 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 duly authorized officer to remove the person from the meeting if necessary to maintain peace and good order. (See Massachusetts General Law Chapter 30A, Section 20, sub-section (g)). Notwithstanding the limitations outlined within this section, citizens may offer petitions, presentations, criticism of a policy or practice, or reference any matter of public interest without being considered "out of order", consistent with the constitutional rights of free speech and assembly and in due recognition of the principle that a public body cannot prevent all speech at a public meeting that may be upsetting and/or offensive to others.

III. PUBLIC HEARING COMMENTS

If a public hearing is posted within a public meeting, input from the public shall be permitted on the subject matter of the public hearing when the Chair invites public comment on such agenda item. Any person requesting to make a comment should identify themselves and state their address for the record of the proceedings.

IV. COMMENTS ON PUBLIC HEARING AGENDA ITEMS

If the Chair decides to allow public comment on a specific agenda item, other than comment from a person with a particular interest in the said agenda item, the comment time for each such person shall generally be limited to three (3) minutes or such other duration as may be deemed appropriate by the Chair. Any person requesting to make a comment should identify themselves and state their address for the record. Large groups addressing the same topic and offering similar sentiments are encouraged, but not required, to consolidate their remarks for meeting efficiency purposes.

V. PUBLIC COMMENT SEGMENTS OF MEETINGS

It is the policy of the Select Board to facilitate and encourage public engagement in Town matters of general public interest. To that end, the Board will routinely provide a public comment opportunity at its meetings. Public comment shall be subject to the Chair's authority to ensure that a meeting is conducted in an orderly and peaceable manner and that comments can be made in an open and welcoming atmosphere without regard to the content thereof.

Public comment periods provide an opportunity to address matters of public concern to the Board for future Board action or response. Public comment segments of meetings are intended to afford speakers an opportunity to address matters of broad public interest, to raise an individual concern, and to address matters of public policy. To that end, speakers are encouraged to be civil and respectful. Should a member of the public have issue with an individual Board member, town employee or other person, it is recommended that such concern be expressed and presented to the Board, in writing, and the matter will, as warranted, be investigated and addressed at a future meeting.

The Chair may set reasonable time, place and manner standards for the conduct of public comment segments of meetings as follows:

1. Set reasonable time limits on individual comments at the start of the public comment period.
2. Ask all speakers to sign up in advance of the commencement of the comment period.
3. Recognize speakers prior to anyone addressing the Board.
4. Direct all speakers to address the Board from the lectern or table facing the Board unless any speaker requires a special accommodation to speak from another location.
5. Rule any speaker out of order for violating this Policy or, as the Chair may deem necessary, to assure that the meeting is conducted in an orderly and peaceable manner.
6. Suspend or adjourn the meeting should a speaker fail, after appropriate warning, to adhere to directions from the Chair.
7. Take any other action needed to allow the business before the Board to be conducted in an orderly and peaceable manner.

If the posted agenda for a public meeting includes a "public comment" item, input from the public shall be permitted when the Chair acknowledges said item on the agenda. Members of the public shall sign up or request to speak at the time designated by the Chair. Comments from the public shall generally be limited to three (3) minutes for each individual. Any person requesting to make a comment should identify themselves and state their address for the record. Large groups addressing the same topic are encouraged to consolidate their remarks.

VI. RESPONSE TO PUBLIC COMMENTS

Upon closing of a public hearing, further public comments on the subject matter of the hearing shall not be heard. If public comments are allowed by the Chair with respect to a posted agenda item, further discussion/additional comment may be permitted in the discretion of the Chair. If an individual makes comments during a “public comment segment” of a meeting, consistent with requirements of the Open Meeting Law, the public body will generally not discuss or respond to such comments, except under extenuating circumstances and only if the Chair permits. General public comment segments of public meetings are not intended to initiate discussion, debate, or dialogue between and among the public body and an individual on any matter which is not duly identified and posted in the meeting agenda; rather, they are intended to provide citizens with an opportunity to express a statement or opinion in the public forum of the public body.

VII. REASONABLE ACCOMMODATIONS

Any person who wishes to make a public comment before any board, committee or commission and requires accommodations on the basis of a speech-related disability or who requires language interpretation services may be allotted a total of five minutes to present their comments. Speakers should notify the board, committee or commission forty-eight (48) hours in advance by telephone if such arrangements need to be made.

*Adopted by the
Mashpee Select Board
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