Town of Constantia

Rules of Conduct and Decorum at Public Meetings

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to insure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment. Now, therefore, be it resolved by the Town Board of the Town of Constantia that the Town hereby adopts the following rules for meetings of the Town Board:

Public Comment Period and Public Hearings

1. The Town Supervisor, or in their absence, the Deputy Supervisor, is the Chair of every Town Board Meeting. Should both the Supervisor and Deputy Supervisor be absent, then the Town Board shall select a Temporary Presiding Officer.

2. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings and not at Town Board Work Sessions.

3. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.

4. The Chair shall act as timekeeper or shall designate another elected official as timekeeper.

5. Any person wishing to speak at a public meeting during the public participation segment or during a public hearing must sign in upon entering the room, when such sign-in sheet is available, indicating his or her intention to speak, which sheet will be used by the Chair to recognize speakers.

6. Any individual wishing to speak during the public participation segment or during a public hearing when a sign-in sheet is not available shall raise his or her hand. When recognized by the Chair, the individual must stand, if physically possible, and state his or her name and, if appropriate, group affiliation.

7. Comments must relate to the purpose of the public hearing or to legitimate town business.

8. The Chair, shall determine if the matter being discussed is Town business. Examples of things that are ***Not*** Town business, include, but are not limited to: private property matters; Village, County, State or Federal issues that do not affect the Town and litigated matters that have been settled to the Town's satisfaction.

9. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the general public.

10. The Chair shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the general public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.

11. It is inappropriate to utilize a public meeting for the purpose of making political speeches, including threats of political action and the same will not be allowed.

12. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Chair.

13. Discussion between speakers and attendees of the public meeting or hearing are prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.

14. Banners, flyers or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.

15. No member of the public shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.

16. If a speaker who has violated these rules refuses to step down, the Chair may ask for the individual to be removed from the meeting room and charged with disorderly conduct or trespassing as per the Penal Law.

17. If the Chair fails to enforce the rules set forth above, any member of the Town Board may move to require him or her to do so, and an affirmative vote of a majority of the Town Board shall

require him or her to do so. Any decision relating to enforcement of the rules set forth above may be appealed and overturned by a vote of a majority of the Town Board members.

Town Board

1. Town Board members must be recognized by the Chair before making motions and speaking.

2. A member, once recognized, shall not be interrupted when speaking unless to call the member to order. If a member, while speaking, is called to order, such member shall cease speaking until the question of order is determined, and, if in order, such member shall be permitted to proceed.

3. There is no limit on the number of times a member may speak on a question.

4. A member may, with permission of the Chair, interrupt a speaker during their remarks, but only for the purpose of clarification and information.

5. All members shall refrain from personal attacks, personal accusations, irrelevant or unduly repetitious communications or other disruptive behaviors that actually disrupt, disturb or impede the orderly conduct of the business of the Board.

6. The above rules shall take effect at the next meeting of the Town Board after the adoption of these rules.

Nothing contained herein shall be construed to limit the rights and responsibilities of a Town Board to conduct meeting under the Laws of the State of New York and the United States of America. Through these rules, it is the intent of the Town Board to offer general guidelines that may make attending Town Board meetings convenient for the public, fair to all Board Members and, above all else, essential for open, transparent and effective local governance

Town Clerk: _____

Adopted: 2/20/2024