

RULES OF CONDUCT AND DECORUM FORESTBURGH TOWN BOARD MEETINGS

WHEREAS, Article 7 of the New York State Public Officers Law (also known as the Open Meetings Law) gives members of the public the right to attend and observe Town Board Meetings and Work Sessions (Town Meetings), however it does not give the public the right to speak, or otherwise participate at those meetings, except if there is a public hearing scheduled;

WHEREAS, notwithstanding the absence of a statutory right to speak and participate at Town Meetings, the Board believes that such a right is fundamental and grounded in historical public participation in Forestburgh;

WHEREAS, due to recent events the Board does not feel that public participation is, nor should be unfettered;

WHEREAS, Section 63 of New York State Town Law authorizes the Board to determine its own rules of procedure for conducting Town Meetings;

WHEREAS, in order to prevent verbal interruptions, shouting or other outbursts, and other behavior that interferes with the deliberative process;

WHEREAS, to ensure that the public has an opportunity to participate without fear and with clear expectations;

WHEREAS, the New York State Committee on Open Government (the New York State Committee charged with overseeing and advising on the Open Meetings Law) has agreed that reasonable rules may be adopted to limit the length, general nature, and time when public comments may be heard, in order for the Board to consider various points of view and run an efficient meeting; and

WHEREAS, the New York State 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

NOW THEREFORE IT BE RESOLVED THAT, the Town Board of Forestburgh hereby formally adopts the following rules of decorum and conduct at public hearings and public meetings:

1. 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.
2. 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.
3. 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 their intention to speak, which sheet will be used by the Supervisor or the presiding officer to recognize speakers.
4. 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 their hand. When recognized by the Supervisor or the Chair, the individual must stand and state their name and, if appropriate, group affiliation, and address within Town of Forestburgh, and must state the subject they will address.
5. Comments must relate to the purpose of the public hearing or to legitimate town business.
 - a. If, in the opinion of the Supervisor or the Chair, comments by a member of the public during the Public Comment Period, Public Hearing, or Special Public Information Meeting are not related to Town Business or in any other way violates these Rules, the Supervisor will notify the speaker to either redirect his or her comments to Town business or otherwise follow the Rules. If the individual persists to violate these Rules, he or she will be asked to stop speaking.
 - b. Matters unrelated to Town business, including purely private property disputes, issues wholly outside the jurisdiction of the Town, or discussion of matters resolved by final court judgment that no longer require Town action, may be ruled out of order.

- c. Invoices, vouchers and/or previous minutes shall not be used as a topic of broad discussion and any comments relating thereto shall be limited to the substance of the same.
6. The Supervisor or the Chair shall act as timekeeper or shall designate another elected official as timekeeper.
7. Members of the Town Board, speakers and audience must observe proper decorum. Any statements made during a public hearing by the Supervisor, Town Board member, town officials, or employees, or members of the general public shall not involve threats of violence, obscenity, or persistent personal attacks that disrupt the orderly conduct of the meeting.
8. The Supervisor or Chair shall control the meeting. The use of obscene, threatening, or persistently disruptive language 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 is prohibited where it disrupts the orderly conduct of the meeting.
9. It is inappropriate to utilize a public meeting for the purpose of partisan campaigning or unrelated electioneering. Comments must be limited to Town business.
10. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Supervisor or the Chair.
11. 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.
12. Banners, flyers or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.
13. No member of the public shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.
14. If the Supervisor or the Chair fails to enforce the rules set forth above, any Member of the Town Board may move to require them to do so, and an affirmative vote of a majority of the Town Board shall require them 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.

15. Any person who disregards the directives of the Supervisor or the Chair in enforcing the rules or who generally conducts himself or herself in a boisterous or inappropriate manner while addressing the Town Board disturbs the peace at a meeting and will be barred from further participation and forfeit any balance of time remaining for their comments.
16. A person who has been asked to stop speaking because they have violated these Rules more than twice may be removed from the remainder of that meeting. Repeated violations at subsequent meetings may result in removal on a meeting-by-meeting basis.
17. If a speaker or member of the general public who has violated these rules refuses to step down or cease their conduct in violation of these rules, the Supervisor or the Chair may ask for the individual to be removed from the meeting room. Referral to law enforcement shall be a last resort, reserved for persistent or egregious disruption constituting disorderly conduct under the Penal Law.
18. All cell phones and pagers must be turned off.
19. The above rules shall take effect at the next meeting of the Town Board after the adoption of these rules.