

### **PURPOSE**

A public comment period at meetings of the Board of Selectmen is intended to provide an opportunity for the residents of Upton, or other persons as time allows, to provide feedback or information to the Board regarding town initiatives, operations, services and programs.

### **POLICY**

Although the Open Meeting Law does not require a public comment period (see, e.g., OML 2015-0012), the Board of Selectmen shall, when and as appropriate, seek to reserve time for public comment at its regularly scheduled open meetings by including an item on the agenda for such purposes; however, the public comment period may be limited or eliminated if circumstances so require.

### **APPLICABILITY**

Any resident of Upton, or other persons as time allows, who wishes to make comment during an open meeting of the Board of Selectmen may seek to be recognized by the Chair for such purposes.

### **IMPLEMENTATION PROCEDURE**

1. During the public comment period, the Board Chair retains all the powers and duties otherwise available under the Open Meeting Law with respect to the conduct of the meeting. See G.L. c.30A, including G.L. c.30A, §20(g), which paragraph provides as follows:

*No person shall address a meeting of a public body without permission of the chair, 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, 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.*

2. Public comment may be used to raise or address issues not appearing on the agenda; if a person wishes to address a matter appearing on the agenda, prior permission of the Chair shall be required therefor.
3. Public comment shall not be used to levy complaints or criticism of any kind at staff, volunteers, officials, employees, residents or others; personalities shall not be referenced or otherwise addressed. The Chair will rigorously enforce this rule to ensure protection of individual privacy rights.
4. Except in urgent circumstances requiring immediate action as determined in the Chair's sole discretion, no matter presented during public comment shall be discussed in detail or acted upon by the Board at the meeting at which it was raised; debate during public comment shall be avoided

5. Public comment may be placed at such juncture on the agenda as the Chair shall, in the Chair's sole discretion, determine, and nothing herein shall prevent the Chair from rearranging the order of items as posted on the agenda as may be necessary or convenient.
6. Except as otherwise determined by the Chair, the general rule shall be that an item for public comment shall not be included on meeting notices that include open session only for the purpose of voting to enter executive session.
7. It is anticipated that the maximum period for public comment will be 15 minutes; and further that individuals seeking to speak during such period will be limited to three minutes each. In the event that a person seeks to speak again, and there is time remaining, they will be allowed one additional opportunity not to exceed three minutes or the time established by the Chair.

**APPROVED BY:**

*Board of Selectmen, Chair:* Gary Daugherty 

*Board of Selectmen:* Stephen A. Matellian 

*Board of Selectmen:* Brett A. Simas 

**Original date:** .....August 28, 2018

**Revised dates:** .....