

HEIDELBERG TOWNSHIP
YORK COUNTY, PENNSYLVANIA
RESOLUTION NO. 20251- 0_3

A RESOLUTION OF THE HEIDELBERG TOWNSHIP, YORK COUNTY,
AMENDING RESOLUTION No. 2021-03 ADOPTING RULES OF REGARDING FOR
PUBLIC MEETINGS

WHEREAS, the primary purpose of Board of Supervisors meetings, Committee meetings, Supervisors Workshop meetings is to afford elected officials the opportunity to conduct Township business set forth in the Agenda; and

WHEREAS, Board of Supervisors is committed to the democratic process, individual rights of expression, robust debate, and respect of those with opposing viewpoints; and

WHEREAS, Board of Supervisors desires to create a positive model of local government, to seek excellence in public administration, and seek to hold ourselves to the highest personal standards; and

WHEREAS, the purpose of the following Resolution is to assure an orderly framework within which the business of the Township can be conducted, to set basic ground rules for public participation, to encourage Supervisors and the public to act toward each other with charity and respect, and to provide a framework for enforcing the rules we set for ourselves; and

WHEREAS, the authority for establishment of these rules is derived from the Second Class Township Code, 53 P.S. Section 65101, et seq. and the Sunshine Act, 65 P.S. 271, et seq. and all amendments thereto.

WHEREAS, on _____, the Board of Supervisors adopted Resolution No. 2021-03, adopting rules regarding public meetings; and

WHEREAS, the Board of Supervisors wishes to amend Resolution No. 2021-03 by revising rules related to public comment, recording and streaming, and motions and voting.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by Heidelberg Township as follows:

RULES OF CONDUCT

Civility and Decorum: Township officials and members of the public are expected to

conduct themselves with civility and to accord each other a measure of dignity and respect. Shouting, personal insults, attacks, or any conduct that disrupts the flow of business is considered to be out of order.

At the discretion of Supervisors, disruptive individuals shall be subject to removal from the meeting unless they agree to maintain civility and decorum.

All persons attending public meetings should strive to:

- Speak only when recognized
- Treat everyone courteously
- Listen to others respectfully
- Exercise self-control
- Exercise brevity, considering the rights of all others to be heard within the reasonable time constraints of the meeting
- Be aware of non-verbal expressions
- Give open-minded consideration to all viewpoints
- Focus on issues and avoid personalizing debate
- Embracing respectful disagreements and dissent as democratic rights inherent in public service and public participation.

General Procedure: It is the policy of Township not to become involved in entanglements over "parliamentary procedure" in its public meetings. It is the intent of the Township to act consistently with the Pennsylvania Second Class Township Code and any applicable legal requirement. This being said, in general, Roberts' Rules of Order shall apply to the conduct of public meetings, subject to the authority of the Chair.

Authority of the Chair: The Chair shall act as a facilitator, assisting members to focus on the agenda, discussions, and deliberations. The Chair shall be responsible for maintaining the decorum at the public meetings and uniformly enforcing the rules expressed in this Resolution.

Limit Deliberation: Members will limit their comments to the subject matter, item, or motion being currently considered by Supervisors, subject to the civility and decorum rules expressed in this Resolution.

Obtaining the Floor: Members wishing to speak must first obtain the floor by being recognized by the Chair.

PUBLIC PARTICIPATION

Every public meeting shall provide opportunity for residents and taxpayers to be heard. The following rules shall apply:

The Board of Supervisors adopts, under Section 710 of the Pennsylvania Sunshine Act, the following rules for public comment and participation at public Township meetings:

1. Public comment will be scheduled on the agenda, prior to deliberating or taking official action on any matter.
2. Residents and taxpayers of the Township have the right to comment on matters that are before or of concern to the Township during the public comment portion of all Township public meetings, subject to a three (3) minute time limit. The Supervisors may provide a designated location (e.g. a Podium) for public comment.
3. Residents and taxpayers are asked to sign a register at the beginning of each meeting briefly indicating the nature of the public comment they will be providing.
4. Residents and taxpayers of the Township wishing to address Supervisors must state their name and addresses for the record.
5. At the discretion of the Chair, members of the public who are not residents or taxpayers may be recognized to speak.
6. There shall be no interruptions when a member of the public has been granted the floor by the Chair.
7. At Board of Supervisor's meetings the Chair shall be the spokesperson for Supervisors.
8. The Chair may allocate time among those wishing to speak in order to manage meeting time.
9. The Chair has the discretion to rule out of order comments that appear disruptive, vulgar, defamatory, or redundant.
10. If a resident needs reasonable accommodation to attend a meeting, the resident should contact the Township Secretary no later than three days in advance so the Township can make any reasonable accommodation.
11. If, in the judgment of Supervisors, the period for public comment is unusually long, the atmosphere has become unruly, or the comments become repetitive, Supervisors may move to close public comment or defer all or portions of the public comment to a subsequent regular meeting or to a work session or an advertised special meeting to be held in advance of the next regular meeting.

RECORDING AND STREAMING

~~Board of Supervisors adopts the following rules for recording and streaming of its public~~

~~meetings by members of the public:~~

~~Recording/streaming prior to Call to Order, during any recess of the public meeting, and after adjournment is prohibited. No person shall have the right to make public comment without being recorded/streamed if recording devices are present.~~

RULES RELATING TO MOTIONS AND VOTING

Motions, Resolutions & Ordinances: A motion is the normal means by which a matter is brought before Supervisors for consideration. Most routine matters are approved by a simple motion.

~~At Supervisors meetings, Resolutions need to be approved by a simple majority vote after a motion. Ordinances are approved by roll call vote after proper motion.~~

A motion requires a second, or sponsorship, by a second member before it can receive consideration at a meeting. If a motion is seconded, the motion moves to discussion and then vote. If a motion is not seconded, it is lost and no further action is taken on the matter. The Chair then proceeds with the next item on the agenda.

The first rule of parliamentary order is that only one matter of business can be considered at a time. That is, when one "main motion" has been properly introduced and seconded, no other main motion can be presented until the first has been disposed of. In the usual course of business, the motion is disposed of when it is either passed or defeated. However, a number of other things can happen to the motion, including:

- The motion can be amended.
- The motion can be referred to a committee for further consideration.
- Action can be postponed until a definite date.
- The motion can be tabled.

Voting: Voting is done in one of two ways- by expressing either favor or opposition or by roll call vote. In any instance where the result of expressing favor or opposition seems other than unanimous, or in the event of one or more abstentions, the Chair shall call for a roll call vote. Any member of Supervisors/Committee may demand a roll call vote on any question before Supervisors/Committee.

Conflict of Interest: In the case that a member believes that he/she has a conflict of interest in the matter being decided, he/she is required by law to abstain from voting and to so inform Supervisors orally and in writing to the Township Secretary of the nature of the conflict.

Abstention: All members of Supervisors are required to vote in favor or in opposition, unless they are required to abstain on grounds of a conflict of interest.

NON-OBSERVANCE OF RULES

These rules, wholly or in part, may be amended or repealed by majority vote in any regularly scheduled meeting of Board of Supervisors. Rules adopted to expedite and facilitate the transition of the business of Supervisors in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of or invalidate any action taken by Supervisors.

MISCELLANEOUS PROVISIONS

The provisions of this Resolution shall be severable, and if any of its provisions shall be held unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect the validity of any of the remaining provisions of this Resolution.

All resolutions or parts of resolutions inconsistent herewith are expressly repealed. This Resolution shall replace Resolution No. 2021-03 in its entirety.

This Resolution shall be effective immediately upon adoption.

DULY ADOPTED this ____ day of _____, 20____, by the Heidelberg Township in lawful session duly assembled.

ATTEST:

HEIDELBERG TOWNSHIP

Secretary

Timothy Hansen, Chair