

**EAST MANCHESTER TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2024-8

**A RESOLUTION OF EAST MANCHESTER TOWNSHIP,
YORK COUNTY, PENNSYLVANIA, ADOPTING RULES
AND REGULATIONS FOR THE CONDUCT OF PUBLIC
MEETINGS BEFORE THE BOARD OF SUPERVISORS.**

WHEREAS, East Manchester Township (“Township”) is a second class township duly organized and existing under the Second Class Township Code; and

WHEREAS, the Pennsylvania Sunshine Law, as amended, requires that a reasonable time period be provided at each public meeting of the Township’s Board of Supervisors (“Board”) for residents and taxpayers to address the Board on matters of concern, official action, or deliberation which are or may be before the Board, prior to taking official action; and

WHEREAS, the Sunshine Law allows the Board to adopt rules and regulations necessary for the conduct of its meetings and the maintenance of order; and

WHEREAS, the Board now desires to establish written rules and regulations for the conduct of its public meetings, in accordance with the Sunshine Law.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of East Manchester Township, York County, Pennsylvania, as follows:

Section 1. An agenda shall be prepared in advance of all public meeting which shall be posted on the Township’s website before the scheduled public meeting not less than 24 hours prior to the public meeting. The agenda will also be posted at the Township office not less than 24 hours prior to the public meeting. Copies shall also be made available at the Township Office.

Section 2. All persons attending each public meeting shall provide their name and address (and if they are the attorney or agent for another person, then they shall also provide the name and address of each principal or person they represent at the meeting) at the beginning of each meeting in writing on the sign-in sheet provided by the Township.

Section 3. Public comment at regular or special public meetings shall be governed by the following rules and regulations:

1. General Conduct for Public Comment.

- a. Unless otherwise permitted by the Chairperson, only residents and taxpayers of East Manchester Township may provide public comment at Board meetings.
 - b. Members of the public shall comment only after being recognized by the Chairperson conducting the meeting. Those wishing to speak must request recognition by the Chairperson by raising a hand.
 - c. All comments shall be made while standing and shall be made into a microphone, unless physically unable to do so.
 - d. Members of the public shall announce their name and address prior to addressing the Board.
 - e. The Chairperson may rule out of order scandalous comments, impertinent and redundant comments, and/or comments designed to disrupt the proceeding of the meeting.
 - f. Public comments shall not contain personal attacks and shall not consist of, or become, arguments between residents and members of the Board. Residents may not address other members of the audience, or argue, speak or yell back and forth at or to each other.
 - g. Any conduct disruptive of the Board meeting and interfering with the business of the Township, such as talking when not recognized by the Chairperson, talking beyond the allotted time and/or the use of a cell phone shall not be tolerated.
 - h. When a group of persons wishes to address the Board on the same subject matter, the Board may request that a spokesperson be chosen by the group to address the Board so as to avoid unnecessary repetition.
 - i. The Chairperson shall preside over all public comment periods and may within his/her discretion allocate available time among individuals wishing to comment and rule out of order irrelevant, scandalous, impertinent, repetitive, or redundant comments.
2. Public Comment on Non-Agenda Items – At the beginning of the agenda for each public meeting, time shall be set aside for members of the public to comment on matters of general or individual concern in the Township and not on the public meeting agenda.
- a. Public comment is intended to afford the general public an opportunity to express opinions and to bring matters to the attention of the Board. It is not intended to be a question-and-answer period nor is it intended as a time to address fellow members of the public. Although they may,

nothing herein shall require Supervisors to answer questions or engage in debate.

- b.** The purpose of public comment is not for residents or taxpayers to engage in argument or debate with members of the Board, Township staff, or other residents, and the Chairperson shall maintain order in accordance with such purpose. All remarks by the public shall be addressed to the Supervisors.
 - c.** The Chairperson shall limit public comment to no more than three (3) minutes person, which shall commence from the beginning of the speaker's remarks and include any time that passes during questioning or discussion between the speaker and the Supervisors. Letters shall not be read during public comment unless such letter can be read within the three (3) minute time limit. Any letters cited or read may be submitted to the Township Manager.
 - d.** No official Board action will be taken matters presented during the public comment period. All items will automatically be referred to Township staff and/or the appropriate working group/committee for further research and discussion. Matters addressed publicly to the Board will be taken under advisement and either the Board will respond to the person raising the issue directly at a later date, or the Board will respond to the items(s) during a future public meeting as an agenda item(s).
 - e.** The public meeting comment period at the beginning of each meeting shall be limited to thirty (30) minutes unless otherwise permitted by the Chairperson. In the event that there is insufficient time for public comment, the Board, at its discretion, may continue the public comment to its next regular meeting.
 - f.** Persons shall not comment during the initial public comment period regarding specific agenda items but, rather, shall present such comments when invited by the Chairperson during the meeting.
- 3.** Public Comment on Agenda Items- In addition to the general public comment period on non-agenda items, the Board will take public comment during the meeting only on those items requiring official action. The Sunshine Act defines official action as "recommendation made by an agency pursuant to statute, ordinance or executive order; the establishment of policy by an agency; decisions on agency business made by the agency; vote taken by an agency on any motion, proposal, resolution, rule, regulation, ordinance, report or order." Members of the public commenting on Agenda items shall follow procedures outlined in Section IV.A. of this Resolution when providing comments.

Section 4. The use of audio recording devices, video cameras, and video cameras with audio recording shall be permitted at board public meetings under the following guidelines:

1. The use on any recording devices shall occur in a manner which shall not interrupt or interfere with the conduct of business by the Board.
2. Recording devices shall be used from the person's seat in the audience or from the back of the room. In no event shall such recording devices be placed upon the Board's table.
3. At the commencement of any meeting, any person wishing to record the meeting shall announce to the Board and to the members of the public in attendance that they intend to record the meeting.
4. Use of any recording devices shall be accomplished in such a manner as to not interfere with the ability of any other members of the public to fully participate in the meeting.
5. Use of video equipment shall occur from the back or side of the room and shall not be located in front of other members of the public or in a manner which interferes with the view of other members of the public. No device, either video camera or otherwise, shall have artificial lighting.
6. Persons using audio and/or video recording devices are solely responsible for complying with all applicable local, state, and federal laws and are solely responsible for any loss, destruction or theft of their recording equipment and/or video equipment.

Section 5. Meeting minutes are posted on the Township website after approval by the Board (usually following the next regularly scheduled meeting of the Board).

Section 6. The Board reserves the right by official action at any regular or special meeting to modify these rules and regulations to the extent deemed necessary by the Board.

Section 7. All prior resolutions regarding the conduct of public comment during public meetings are hereby repealed in their entirety.

Section 8. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionally shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect

ADOPTED by the Board of Supervisors of the Township of East Manchester, County of York, the Commonwealth of Pennsylvania, this 14th day of May, 2024.

ATTEST:

**EAST MANCHESTER TOWNSHIP
BOARD OF SUPERVISORS**

Kristie M. Masemer, Secretary

By: _____
David L. Naylor, Chairman

By: _____
Darryl L. Albright, Vice-Chairman

By: _____
Dean E. Kohr, Supervisor

(SEAL)