

ENDWELL FIRE DISTRICT
Rules and Regulations

PUBLIC COMMENT AT MEETINGS & HEARINGS POLICY	
Number: 2023-15	Adopted: January 04, 2023

WHEREAS, the Board of Fire Commissioners of the Endwell Fire District acknowledges it is essential to the maintenance of a democratic society that the public business is performed in an open and public manner.

WHEREAS, Article VII of the Public Officers Law, commonly referred to as the Open Meetings Law, provides certain rights to the citizens in order to permit them to be able to observe the performance of public officials, to attend and to listen to the deliberations and decisions that go into the making of public policy by legislative bodies; and

WHEREAS, Article VII of the Public Officers Law permits those in attendance at public meetings to observe the conduct of Board meetings, but does not provide a specific right to speak and be heard; and

WHEREAS, it is the objective of the Board of Fire Commissioners of the Endwell Fire District to conduct business publicly, and provide those in attendance with the informative experience provided for under the statutory scheme.

Now, therefore, the Board of Fire Commissioners of the Endwell Fire District establishes the following policy regarding public comment at its meetings:

The Board of Fire Commissioners will determine at each meeting whether or not time constraints and the pressing business before the Board will permit a public comment session. Public comment will only be permitted if the Board elects to permit a public comments session and if so, only during that period in accordance with these rules.

The Chairman or other Fire Commissioner presiding at the meeting in his or her absence shall have to discretion to determine whether or not public comment will be permitted at a meeting and when during the meeting that public comment will be entertained.

Persons in attendance will not be permitted to comment or ask questions during the other portions of the meeting.

The Board will not entertain comment on fire department matters from members of the fire department at Board meetings. Members of the fire department must follow the chain of command and go through their company officers and the office of the Chief. A representative of the Chief's office will be present at each meeting to speak on behalf of the members of the fire department.

The Board will not entertain comment on fire district matters from paid employees of the fire district at Board meetings. Employees must follow the chain of command and go through their supervisor to submit grievances or statements to the Board.

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Members of the fire department and paid employees are subject to disciplinary action for failing to maintain proper decorum and/ or failing to follow the chain of command at Board meetings.

The Board will not entertain public comment when it holds a work session that is open to the public. The Board will not entertain public comment at the Annual Organization Meeting required under the Town Law. Public comment when permitted will only be permitted at general meetings.

The Board reserves the right not to entertain public comment at any meeting.

When the Board entertains public comment the following rules will apply:

1. Public comment will only be entertained during the public comment session.
2. The timing of one public comment session will be at the discretion of the Chairman.
3. Speakers will be limited to 3 minutes to speak unless time constraints and/ or the number of speakers require a shorter period.
4. In the event that an agenda is established for the meeting and handed out to those in attendance, speakers will confine themselves to matters stated in the agenda. No comment will be permitted on matters, not on the agenda. If a speaker has a matter that he or she wishes to address the Board on that is not on the agenda, he or she may submit such statements in writing to the Board and the Board may consider adding the subject matter of the comments to a future meeting agenda if it determines taking comment on the subject matter would be productive.
5. A speaker as a point of order during the public comment session may ask the Chairman for permission to speak on a matter, not on the agenda, and the Chairman may deny the request or poll the Board for a ruling. No comment on such matter will be taken unless approval is given.
6. Speakers will be required to state their names and address for the record. A speaker not willing to do so will not be heard.
7. There is no residency requirement to speak.
8. The Chairman shall retain discretion to withdraw the authority of a speaker to be heard if he or she utters abusive, offensive, or threatening remarks or if the speaker raises an issue that is not on the meeting agenda.
9. A speaker may not yield his or her time to speak to another who has already spoken.
10. Speakers may frame their statements in question form, but there shall be no obligation for the Board to answer questions since this is a public comment session. The purpose of public comment is to hear persons other than Board members.
11. If a speaker submits a question and the question is answered by a Board member or Chief, the answering time shall count against that 3-minute limit.

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- 12. The public comment session is not a press conference or a debate. It is for speakers to state their opinions on matters of public concern related to fire district operations.
- 13. Those in attendance are to treat speakers with respect and wait for their opportunity to speak.
- 14. Speakers may comment on the statements of prior speakers and just as they were not permitted to comment while those prior speakers were speaking, prior speakers may not interrupt the meeting to respond.
- 15. Any person refusing to follow these rules and maintain proper decorum will be asked to leave the premises.

Public comment will be entertained at all advertised “Public Hearings” of the Board of Fire Commissioners based upon specific rules set for each such hearing. Such comment shall be on the matter stated in the notice of hearing. Such rules may include some of the rules stated above.

This policy is adopted to maintain proper decorum at meetings and shall be posted and copies made available as required.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote and upon roll call, the vote was as follows:

Chairman Anderson	aye
Commissioner Battaglini	aye
Commissioner Storm	aye
Commissioner Del Bianco	Not Present
Commissioner Hamzik	aye

The resolution was thereupon duly adopted on June 16, 2021.

Reviewed and Adopted: January 04, 2023
Reviewed and Adopted: January 5, 2022
Adopted: June 16, 2021
Board of Fire Commissioners