

**COLLINGDALE BOROUGH
RESOLUTION NO. 2024-09**

**A RESOLUTION OF THE BOROUGH OF COLLINGDALE,
COUNTY OF DELAWARE, COMMONWEALTH OF PENNSYLVANIA,
SETTING FORTH A POLICY FOR PUBLIC COMMENT AND BEHAVIOR DURING
MEETINGS OF THE BOROUGH COUNCIL**

WHEREAS, pursuant to the Pennsylvania Sunshine Act, 65 Pa.C.S. §701, et. seq., the Borough Council is permitted to adopt by official action, the rules and regulations necessary for the conduct of its meetings and the maintenance of order; and

WHEREAS, the Borough Council desires to establish a Policy for Public Comment and Behavior during meetings of the Borough Council.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council does hereby repeal all other Ordinances, Resolutions, or policies inconsistent with the policies set forth herein.

BE IT FURTHER RESOLVED, that the Procedures and Policies set forth in Exhibit “A” hereto are adopted as set forth therein.

RESOLVED and **ADOPTED** this _____ day of _____, 2024.

ATTEST:

COLLINGDALE BOROUGH

BY: _____
Ryan Hastings
Borough Council President

SEAL

ATTEST:

Tina Lare
Borough Secretary

Exhibit “A”

1. **Purpose.** The purpose of this Resolution is to formally state the procedures to be followed at meetings of the Collingdale Borough Council, for the information and reference of all interested parties. As it is in the interests of the public to have the business of their elected representatives and hired professionals (solicitor, engineer, manager) carried out in an efficient, civil and orderly manner; the Borough of Collingdale Council does hereby adopt this policy for the conduct of the public during meetings of the Borough Council thereof.

This policy is in no way meant to circumvent the constitutional rights of all citizens to exercise their freedom of speech and expression. Rather, it is a careful attempt to balance those basic rights with the rights of citizens, elected Borough officials, Borough staff and hired professionals to have the business of the Borough carried out properly.

It is the desire of the Collingdale Borough Council to fully comply with the Pennsylvania Sunshine Act by allowing time for residents, as well as non-residents, of Collingdale Borough to participate in public meetings by establishing a “Public Comment” period either at the beginning of the meetings or as a separate agenda item later in the meetings.

2. **Definitions.** As used herein, the following definitions shall apply:
 - a. Collingdale Borough – The Collingdale Borough, Delaware County, Pennsylvania
 - b. Elected Officials – Members of the Collingdale Borough, Delaware County, Pennsylvania
 - c. President – the President of the Collingdale Borough Council, Delaware County, Pennsylvania, or when the President is absent, the Vice-President of Council
 - d. Professionals – consultants hired to serve Collingdale Borough and provide professional services, including but not limited to the Borough Solicitor
 - e. Staff – employees of the Borough, including but not limited to the Borough Manager
 - f. Borough – the Collingdale Borough, Delaware County, Pennsylvania

3. **Policy for Public Comment and Behavior during meetings of the Borough Council.**

- a. All residents, and Borough tax payers who wish to speak during the general Public Comment period must enter their names and addresses on a sign-in sheet that will be made available one half hour before the advertised start time of the public meeting. All persons signing in on this sheet need to do so in a clear and legible way and follow the direction printed on the top of each sheet if they wish to be permitted to speak. If an individual fails to sign-in as required, the President, shall have the sole authority to allow or disallow general Public Comment from that individual.
- b. The amount of time allowed for this general Public Comment period is thirty (30) minutes but may, with a majority vote of the Borough Council, be extended to allow for other speakers. During this period, each speaker will be allowed to speak for three (3) minutes maximum and may not cede leftover time to other speakers. Each speaker may only speak once.
- c. Each speaker must abide by the rules listed below:
 - i. Each speaker must speak from or directly adjacent to the designated podium used for Public Comment, utilizing the microphone. If the speaker is unable to get to the podium, a wireless microphone can be provided. No speaker shall approach elected officials, Borough staff, or professionals without prior approval of the President, as applicable.
 - ii. Each speaker will be asked to state their name for the record.
 - iii. Speakers must confine their statements to “matters of concern, official action or deliberation which are or may be before the Council” as stated in the Pennsylvania Sunshine Act.
 - iv. Obscene, abusive or threatening language by a speaker is not permitted.
- d. With respect to public behavior during the meetings of the Borough Council, disrespectful or disruptive behavior will not be tolerated. Obscene or abusive language by a member of the public, as well as attempts to shout down or verbally harass speakers or Council Members by members of the public will not be tolerated. Members of the public are also prohibited from entering (unescorted by a member of the Council or Borough staff) areas of the Borough building that are restricted to authorized personnel only.

- e. While others are speaking or the Council is conducting Borough business, there is to be no contact with members of the Council or professionals as such contact or conduct may disrupt the proceedings. This applies as well to times when the Council and its professionals are in executive session.
- f. The President, having been elected to that position of leadership by the other members of the Borough Council, shall have the authority to enforce these rules and, if necessary, temporarily adjourn the meeting if he or she feels it necessary to do so in an effort to restore order. When enforcing these rules and guidelines, the following steps should be followed:
 - i. The President should verbally warn the offending speaker(s) or member(s) of the public that they are in violation of the Policy for Public Comment and Behavior and allow those individuals the opportunity to correct their behavior. They should be made aware that the Borough Council will recess if they do not follow the Policy for Public Comment and Behavior and that they will forfeit any opportunity to speak for the remainder of that meeting as well as other meetings occurring on the same day.
 - ii. If the individual(s) warned do not correct their behavior the President may temporarily adjourn the meeting to restore order. Those persons, whose conduct led to the adjournment, will forfeit any opportunity to speak for the remainder of that meeting, or any other meetings held on the same day, and should be cautioned that further disturbances or violations, including an attempt to speak following the forfeiture described in this section, may result in their being removed from the meeting.
 - iii. If, upon the resumption of the meeting, the individual(s) whose conduct resulted in the temporary adjournment of the meeting are still in compliance with the Policy for Public Comment and Behavior, including an attempt to make public comment following the forfeiture described in subparagraph (h)(ii) above, the President, has the option of temporarily adjourning the meeting again or asking for the permanent removal of those individuals from the meeting by the Borough Police Officer present at the meeting.
 - iv. If it is determined by the Borough Council that certain individual(s) is or are demonstrating a pattern of purposefully disruptive behavior, or continued violations of the policies described herein, the Borough Council reserves the right to seek all available remedies.