

Town of Lincoln

Public Comment Periods During Board & Committee Meetings

The values of the Town emphasize the traditions of citizen leadership and active public participation in the governance process. The key decisions that shape the quality of life in Lincoln are made by the voters during town meetings and elections. The discussions and deliberations that shape the proposals that are brought forward take place during regular meetings of our elected and appointed boards and committees. The purpose of this policy is to create a consistent legal framework for board/committee meetings that invites and welcomes public participation and helps facilitate effective and efficient decision making.

A. Public Comment Sessions Defined

For purposes of this policy, Public Comment sessions shall include both a specifically designated time that a board/committee designates on its agenda for open public discussion of matters not formally listed on the meeting agenda, and any comments from the public that the Chair may invite throughout the meeting in connection with items appearing on the agenda.

B. Timing of Public Comment Sessions

Boards and Committees are urged to include formal Public Comment Sessions on their normal meeting agendas, and to schedule the sessions early on their agendas in the interest of convenience for residents who may not wish to attend a full meeting to offer comments. However, Chairs will retain discretion as to the timing of Public Comment Sessions with consideration made to the goals and smooth functioning of their meetings, and for example, may schedule or reschedule a session so that it occurs immediately after agenda item(s) of demonstrated interest to residents, or schedule a session at the end of a meeting when a goal of the meeting is to gather feedback from residents on material covered during the meeting.

C. Time Limits

Public Participation Sessions should be no longer than 15 minutes unless otherwise determined by the Chair, although Chairs are encouraged to hold at least one session per meeting where this time limit is extended as needed so that each resident who wishes to speak is afforded at least one chance to do so. Speakers shall be allowed up to two (2) minutes to share their questions and opinions unless otherwise determined by the Chair. The Chair will retain discretion to extend the time granted to individual speakers as circumstances warrant, for example to applicants who are asked to present or explain their applications, abutters, or others who are directly affected by the application or proposal before the Board.

D. Role of the Chair

The Chair is responsible for the orderly and efficient conduct of the meeting. All questions and comments shall be directed through the Chair. The Chair shall be responsible for managing time limits and other meeting protocols to ensure that meetings are both open and productive.

The Chair of the meeting, after a warning, reserves the right to terminate a speaker's time if the speech is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement to imminent lawless conduct, or contains obscenities.

The Chair, at their discretion, may solicit or allow responses from staff or members of the committee or board to comments made, particularly to correct any factual errors made in such comments.

E. Introduction

Individuals or groups who wish to make comments during Public Comment Sessions shall set their screen name to their full name when participating virtually before they will be recognized by the Chair, or state their name when participating in person when they are recognized by the Chair and invited to offer a comment.

F. Disruptive Conduct/Unprotected Speech

A public body cannot demand that persons attending meetings or participating in public comment be civil to one another, the Town, or the members of the public body. Nevertheless, members of public bodies, and those that appear before them, are encouraged to: make any/or all members of the town feel welcome and respected, show respect for others by listening to them speak and acknowledging that while they may have a different viewpoint their perspective is also valuable, avoid disclosing personal information without permission of that person, and disagree without being disagreeable.

Disruptive conduct and engaging in other unprotected speech by persons attending meetings or by members of the public body, including but not limited to the following, may be grounds for the Chair of public body to curtail speech and take other action as appropriate:

- Speaking without being recognized;
- Continuing to speak after the Chair has curtailed additional verbal comment;
- Interrupting a recognized speaker;
- Speaking about matters not within the jurisdiction of the public body;
- Speaking over a recognized speaker;
- Engaging in conversations with others while another is speaking;
- Making true threats of violence; and
- Making comments inciting imminent lawlessness

G. Chair's Recourse

Comments or behaviors that are disruptive to the meeting will not be tolerated. 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 (M.G.L., c. 30A, s. 20 (g)).

H. Written Comments

Written comments may be submitted to the boards/committees before or after the meeting for the Committee members' review and consideration at an appropriate time. If the Chair chooses to allow written "chat" functionality during a hybrid or remote meeting, the Chair should attempt to handle comments made over chat in a similar and equitable manner to how verbal comments are or would be handled.

Adopted by vote of the Select Board this 5th day of February, 2024