

Revised 4/24/2024



## Wellfleet Selectboard

### Note: Start Time of 5pm

The Wellfleet Selectboard will hold a public meeting on April 26, 2024, at 5:00 p.m. remotely on the ZOOM Platform. Remote participation only will be available by Zoom and telephone as provided below, in compliance with 940 CMR 29.10 and the Town's Remote Participation Policy. If technological problems interrupt remote participation, the meeting may be suspended or ended at the discretion of the Chair in consultation with the Board.

Selectboard meetings are broadcast live on Comcast cable (Wellfleet Government TV Channel 18) and are recorded. Recordings of meetings are available at [wellfleet-ma.gov](http://wellfleet-ma.gov)

*Note: Any individual may record the meeting, but must first notify the Chair, and may not interfere with the meeting to record it. See M.G.L. c. 30A, s. 20(f).*

**Join the meeting hosted in Zoom by using the following link:**

Topic: Wellfleet Selectboard

Time: Apr 26, 2024 05:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83665152186?pwd=OXNZWXpjcEdLeStyQkhKMFY5VzFNUT09>

**Meeting ID: 836 6515 2186**

**Passcode: 064466**

One tap mobile

+13017158592,,83665152186#,,,\*064466# US (Washington DC)

+13052241968,,83665152186#,,,\*064466# US

Dial by your location

• +1 929 205 6099 US (New York)

• +1 719 359 4580 US

**Meeting ID: 836 6515 2186**

**Passcode: 064466**

**To participate during public comment:**

Zoom: raise hand to be called on to speak.

Phone: dial \*9 to raise hand to be called on

*All participants must be recognized by the Chair prior to speaking during public comment or at any other time during the meeting. See "Speech and Conduct at Public Meetings" page following Agenda for further information on the law governing public participation.*

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**I. *Announcements and Public Comments***

**Note: Public comments are limited to no more than three minutes per speaker.**

The Board will not deliberate or vote on any matter raised solely during Announcements & Public Comments.

**II. *Establish Date for Special Town Meeting and Special ballot measure for June 17<sup>th</sup> and 18<sup>th</sup>, respectively.***

**III. *Response to BOEM's solicitation for Consulting Party Gulf of Maine Commercial Wind Energy Lease Issuance***

**IV. *Adjournment***

## Speech and Conduct at Public Meetings

The SJC's Barron v. Kolenda case decided in March of 2023 held that "civility cannot be required regarding the content of speech at a public comment session in a public meeting."

Barron v. Kolenda also held that public bodies may impose restraints on the conduct of individuals at a public meeting:

"What can be required is that the public comment session be conducted in an "orderly and peaceable" manner, including designating when public comment shall be allowed in the governmental meeting, the time limits for each person speaking, and rules preventing speakers from disrupting others, and removing those speakers if they do. We have concluded that such time, place, and manner restrictions do not violate either the right to assembly under art. 19 or the right to free speech under art. 16.

In addition to the SJC's instructions in Barron v. Kolenda on a public body's right to require "orderly and peaceable" public comment, the Massachusetts Open Meeting Law contains rules for conduct at public meetings. From Mass. General Laws Chapter 30A, s. 20:

- No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent.
- No person shall disrupt the proceedings of a meeting of a public body.
- 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
- If the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

### Public comment at Selectboard meetings

The Selectboard does not seek to, and will not regulate the content of speech by participants at public comment (with the exception of threats, incitements to violence, or other jeopardy to public safety). However, consistent with the Barron v. Kolenda case, the Chair will enforce the above rules to prevent disruption of meetings and to ensure "orderly and peaceable" public comment. Examples of conduct that disrupts a meeting include:

- Addressing the Board or the public when not recognized by the Chair, whether at the microphone or in the audience.
- Interrupting a speaker recognized by the Chair.
- Interrupting a Board member or Board discussion.
- Continuing to speak when time for comment has expired and the Chair has advised that the speaker is no longer recognized.
- Refusing to cease any of the above or other disruptive conduct when requested by the Chair

The Chair will flag disruptive conduct and issue a verbal warning to the individual engaged in it. If an individual who has received a verbal warning continues to disrupt proceedings (at that time or later in the meeting), the individual will be asked to leave the meeting. If the individual does not leave the meeting, the Chair will authorize his or her removal from the meeting.