

RESOLUTION NO. 2024- 04
TRUMBAUERSVILLE BOROUGH

RESOLUTION OF TRUMBAUERSVILLE BOROUGH ADOPTING RULES AND REGULATIONS NECESSARY FOR THE CONDUCT OF MEETINGS AND MAINTENANCE OF ORDER PURSUANT TO THE SUNSHINE ACT, TITLE 65 PA.C.S.A. SECTION 701 et seq.

WHEREAS, Trumbauersville Borough is organized and operating under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, Borough Council of Trumbauersville Borough hold public meetings to conduct the business of the Borough; and

WHEREAS, Borough Council is obligated to provide the residents and/or taxpayers of Trumbauersville Borough a reasonable opportunity at each public meeting to comment on matters of concern, official actions or deliberation on matters which are or may be before Borough Council pursuant to the Sunshine Act, Title 65 Pa.C.S.A. §710.1; and

WHEREAS, Borough Council may adopt by official action rules and regulations necessary for the conduct of its meetings and the maintenance of order pursuant to the Sunshine Act, Title 65 Pa.C.S.A. §710.

WHEREAS, the Borough Council of Trumbauersville Borough expects all elected and appointed officials of the Borough to conduct themselves in an ethical, forthright, professional, and courteous manner when dealing with Borough business, other officials, other governmental entities, Borough Staff, and the public; and

WHEREAS, Borough Council may adopt by official action certain rules and regulations concerning public meeting procedures, rules and regulations for meetings and the conduct of the elected and appointed officials of Trumbauersville Borough pursuant to the Sunshine Act (Title 65 Pa.C.S.A. §701 et seq.); and the Public Official and Employee Ethics Act (Title 65 Pa.C.S.A. §1101 et seq.)

NOW THEREFORE, BE IT RESOLVED, by Borough Council of Trumbauersville Borough, Bucks County, Commonwealth of Pennsylvania, that the Trumbauersville Borough Code of Ethics and Conduct is hereby established as follows:

TRUMBAUERSVILLE BOROUGH CODE OF ETHICS AND CONDUCT

A. PURPOSE

Trumbauersville Borough adopts this Code of Ethics and Conduct to assure that all elected and appointed officials who are members of all Borough Boards, Committees and Commissions;

Borough Staff; and/or Borough Consultants ("Officials"), while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Trumbauersville Borough's government.

B. ETHICS

The citizens and businesses of Trumbauersville are entitled to have fair, ethical, and accountable local government. To this end, the public should have full confidence that their Officials:

- Comply with both the letter and the spirit of the laws and policies affecting the operations of government
- Are independent, impartial, and fair in their judgement and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, all Officials shall conduct themselves in accordance with the following ethical standards:

1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, Officials will work for the common good of the people of Trumbauersville and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before them.

2. **Comply with both the spirit and the letter of the Law and Trumbauersville Borough Policy.** Officials shall comply with the statutes, laws, ordinances, codes, rules and regulations of the Federal Government, the Commonwealth of Pennsylvania, County of Bucks, and the Borough of Trumbauersville in the performance of their public duties.

3. **Conduct of Members.** The professional and personal conduct of Officials while exercising their office must be above reproach and avoid even the appearance of impropriety. Officials shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of Borough Boards, Committees, and Commissions; the staff; Consultants; or the public.

4. **Respect for Process.** Officials shall perform their duties in accordance with the processes and rules of order established by Borough Council.

5. **Conduct at Public Meetings.** Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand.

6. **Confidential Information.** Officials must maintain the confidentiality of all written materials and verbal information provided to Officials which is confidential or privileged.

Officials shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

7. **Advocacy.** Officials shall represent the official policies or positions of Borough Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Officials shall explicitly state they do not represent their body or Trumbauersville Borough, nor will they allow the inference that they do. While Officials have the right to endorse candidates for all Council seats or other elected offices; it is inappropriate to mention or display endorsements during any official Borough meeting.

8. **Policy Role of Members.** Officials shall respect and adhere to the structure of Trumbauersville Borough government. In this structure, Borough Council determines the policies of the Borough with advice and information provided by the Mayor, Staff, Consultants, Borough boards and commissions, and the public. Officials shall not interfere with the administrative functions of the Borough nor the professional duties of Borough Staff and Consultants; nor shall they impair the ability of staff to implement Borough Council policy decisions.

9. **Independence of Boards, Committees and Commissions.** Because of the value of the independent advice of Borough boards and commissions to the public decision-making process, Borough Council shall refrain from using their position to unduly influence the deliberations or outcomes of the proceedings of such boards and commissions.

10. **Positive Work Place Environment.** Officials shall support the maintenance of a positive and constructive work place environment for Borough Staff and Consultants, and for citizens and businesses dealing with the Borough. Officials shall recognize their special role in dealings with Borough Staff and shall in no way create the perception of or attempt to undertake inappropriate direction to Borough Staff or Consultants.

C. PUBLIC MEETINGS AND AGENDA

Council shall meet regularly on the first Thursday of each month at 7:00 p.m. at the Borough Hall.

1. **Agendas.** All reports, communications, ordinances, resolutions, documents, contracts, and other matters to be submitted to the Council shall be delivered to the Secretary at least 24 business hours before each Council meeting. Thereupon, a list of such matters will be arranged according to the order of business and furnished to each member of the Council and the Solicitor, with a copy at the time of the Council meeting. As required by law, the agenda will be posted publicly on the front door of the borough office and on the borough website twenty-four hours prior to the meeting.

2. **Presiding Officer.** Council President shall preside at all council meetings, and the Vice President shall preside at all meetings from which the President is absent. The Council hereby adopts Roberts Rules of Order as guidance for the orderly conduct of meetings. Use and interpretation are at the President's discretion. In the absence of both the President and Vice President of the Council from any Council meeting, the President Pro Tempore shall preside over the meeting. If the President or Vice President should appear, the temporary presiding officer shall immediately relinquish the chair upon conclusion of the business under discussion. The presiding

officer shall preserve strict order and decorum at all Council meetings. He shall vote on all questions. He shall sign all ordinances and resolutions adopted by the Council during his presence. In the event of the president of the Council's absence, the presiding officer shall sign ordinances or resolutions as adopted.

3. **The right to record public meetings.** Persons attending or participating in a public meeting shall have no expectation of privacy regarding conversations or comments. Please note, while the meeting is public, the time before the meeting is called to order, and after the meeting is adjourned is not. People engaging in private conversations before and after the meeting have an expectation of privacy. Recording outside of the meeting parameters violates Pennsylvania's two-party consent law.

4. **Call to Order.** The President of Council, or in his absence, the Vice President of Council, shall take the chair at the hour appointed for the meeting and shall immediately call Council to order.

5. **Pledge of Allegiance.**

6. **Roll Call.** Before proceeding with the council's business, the Secretary shall enter the names of those present for the minutes.

7. **Quorum.** A majority of all the members elected to Council shall constitute a quorum at any meeting of Council. If no quorum is present at a meeting, the majority of those who do meet may agree upon another date for like business.

8. **Meetings Open to Public; Exception.** All Council meetings shall be open to the public except for lawfully permitted executive sessions. Every executive session shall be held behind closed doors with no one in attendance other than members of the Council and, when requested by a majority of the members of the Council, the Administrator, Solicitor, Mayor, and any other specifically invited individuals.

9. **Order of Business.** At the hour set for convening a meeting, a quorum of Council being present, the business of Council shall be taken upon for consideration and disposition in the following order: (Provided, however, the presiding officer may, at his discretion or upon request of any member of Council, at any meeting, change the order of business by so announcing the change to the members of Council, and, unless an objection is taken by majority vote, the change shall be considered to have been properly made.)

10. **Public Comment on Agenda Items.** Comment Periods are for Residents of the Borough and/or taxpayers of the Borough. Non-resident individuals will not be recognized (permitted to speak). Any disruption caused by refusal to comply with this rule will result in ejection from the meeting. (Sunshine Act, § 710. Rules and regulations for the conduct of meetings). Public Comments will not be taken with each agenda item. All Public Comments on Agenda items should be addressed at the beginning of the meeting during the Public Comment period.

The name, address, and summary of remarks of people addressing the council are to be recorded in the minutes. Comments are limited to items on the agenda; the speaker is limited to three (3) minutes per item.

Approval of Minutes.

Approval of Check Register.

Solicitors Report

QAPC Report

Report of Mayor, Boards and Commissions:

Unless a point of discussion or a vote is required, all reports will be 'as read.'

Unless otherwise directed by the Council, special committees shall be appointed by the presiding officer of the Council.

No formal action shall occur at any committee meeting, including voting on any resolution, rule, order, motion, regulation ordinance, or setting of any official policy. All committee meetings shall be for discussion only.

11. **Presiding Officer, Debate, and Vote.** The President or any other presiding officer may move, second, and debate from the chair, subject only to the limitations of debate imposed on all members by these rules of procedure. A member of the Council shall not be deprived of any of the rights and privileges of a member of the Council because of his acting as the presiding officer.

Every member desiring to speak shall address the chair, and upon recognition by the presiding officer, hear she may speak, confining himself to the question under debate. Interruptions. Once recognized, a member shall not be interrupted while speaking except to call him to order or as otherwise provided in these rules of procedure. **If a member, while speaking, is called to order, he shall cease speaking until the question of order is determined,** and if in order, he shall be permitted to proceed. *Sidebar conversations between people seated at the council table and random comments interjected at any point during the convened meeting shall be deemed disrespectful; such interruptions shall not be tolerated and shall be immediately terminated when ordered by the President.*

12. **Unfinished Business.** Updates on unfinished business shall be provided when available.

13. **New Business.** The Borough Secretary will inform Council of items of interest that may require authorization. Zoning Officer shall inform Council of permits issued during the prior month.

14. **The Code Enforcement Officer and Fire Marshall reports.** The reports shall be considered 'as read' unless there is a point of discussion.

15. **Tville Fire Company Report:** Authorization of various requests.

16. **Announcements.** Borough events and updates, if any, are announced.

17. **Motion to adjourn**

D. MEETING PROCEDURES AND DECORUM.

Meeting attendees who engage in disruptive behavior or fail to respond to the call to order will be asked to leave the building. Non-compliance will lead to the immediate recess of the meeting and evacuation of the building.

1. Individuals must state their name and address for the record *before* commenting. Public Comment is restricted to residents and taxpayers of the Borough of Trumbauersville.

2. Public Comment is limited to a maximum of three (3) minutes per individual (note that individuals may not give their time to others).

3. The public comment period is a dedicated time for the Borough Council to receive information and input from residents and taxpayers. The Council will listen to each person speaking as the comment is given. It's important to note that the public comment period is not designed for a question-and-answer session. However, where relevant and applicable, answers to questions raised during the public comment period will be provided at a later meeting or, where appropriate, through follow-up with the individual commenter.

4. Similarly, the Borough Council does not call on the Borough's staff and professionals to provide public answers during the meeting. The issues handled by the Borough's staff and professionals are often complex, and to make sure that the information being disseminated to the public is accurate, responses to questions posed during a public meeting will, where applicable and appropriate, be provided by staff later, during a public meeting, or individually to the commenter, as appropriate under the circumstances.

5. Officials presiding over council meetings have the discretion to cut off speech that they reasonably perceive to be, or imminently threaten, a disruption of the orderly and fair progress of the discussion, whether by virtue of its irrelevance, its duration, or its very tone and manner.

Therefore, it shall be unlawful for any person in the audience at a council meeting to do any of the following ...

- (a) Engage in disorderly, disruptive, disturbing, delaying, or boisterous conduct, such as, but not limited to, handclapping, stomping of feet, whistling, making noise, use of profane language or obscene gestures, yelling, personal attacks, or similar demonstrations, which conduct substantially interrupts, delays, or disturbs the peace and good order of the proceedings of the council.

Prohibitions on disorderly conduct apply equally when it arises from a member of the governing body.

Council members and the mayor shall not, by disorderly, insolent, or disturbing action, speech, or otherwise, substantially delay, interrupt, or disturb the proceedings of the council.

Any person or persons violating the rules of decorum as established and who fail to answer the Chairman's call to order will be ordered to leave the building. Failure to comply, or in the event of increased disruption, the Chairman will call a recess of the meeting and order the building evacuated immediately.

If, at any time, a person or persons refuse to comply with an order to leave the building or refuse to evacuate the building when so ordered, the Chairman shall order the police to be called to facilitate the dispersal of the crowd.

It is imperative that the council be able to conduct the business of the Borough in a manner that meets the needs of the residents and businesses of the borough without interruption.

DULY ADOPTED by Borough Council of Trumbauersville Borough, Bucks County, Pennsylvania, in the lawful session duly assembled this 18th day of July, 2024.



Borough Secretary

APPROVED this July 18, 2024

BOROUGH OF TRUMBAUERSVILLE



Christopher Betz, President