



Public Meetings – An Important Part of the Democratic Process

Why public meetings are important:

You are the eyes and ears of your community. All decisions facing your elected and appointed boards could have an impact on you, your family, your property, and your community. You can and should be part of that democratic process, particularly when it comes to rapidly expanding oil and gas operations. By knowing the rules and participating in the process, your involvement can serve a vital purpose: to ensure full transparency and disclosure of all the facts as well as hold all elected officials to the rules governing public notice, participation, and all other aspects of local decision-making.

What is a public meeting?

According to the Pennsylvania Sunshine Law <http://www.openrecords.pa.gov/SunshineAct.cfm>, a public meeting is defined as, “Any prearranged gathering of an agency which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action.”

For a meeting, there must be a public notice, a quorum of members, and all deliberations must take place in an open format.

- **Public Notice:** Typically provided via several means including a legal notice in a newspaper of general circulation in the affected area; posting of a notice in a public place and/or in specific instances, a written notice to individual parties.

What types of meetings are public?

- **Boards of Supervisors, Commissioners, and Council Members:** notice of all monthly meetings are typically posted on line and at the municipal buildings. They may include monthly work sessions and voting meetings.
 - Work sessions are planning/discussion sessions held, each month, before the regularly scheduled voting meetings.
 - Voting meetings are those where elected bodies meet to deliberate, publicly, and then render decisions on agenda items. All deliberations and votes are public.
- **Planning Commission meetings:** these are monthly and always public.
- **Zoning Hearing Board meetings:** in most communities, these boards are convened on an “as needed” basis. When scheduled, these meetings are public.
- **Special exception to public meetings -- Executive Sessions:** these are private meetings between elected Board members and their Solicitor (i.e., lawyer) and/or other professional advisors. These sessions are held to discuss employment matters, real estate matters, and other confidential matters that may require legal recommendations.
 - When a board moves to an Executive Session they must publicly announce the reason for the session.

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Why attend?

Attending public meetings is the best way to learn what activities are happening in your community, including applications that are being sought by oil and gas operators, and what changes are being contemplated by your elected officials. As many decisions are held to strict timelines, it is important to know what is being considered, as it happens, so you can be part of the entire review, deliberation and decision-making process.

What to listen for:

As mentioned above, many actions considered by any elected board include strict timelines and deadlines for consideration and decision making. It is very important that the public know about each timeline and any associated deadline as soon as possible. With that in mind, it is important to listen for the following:

- **Correspondence – particularly Act 14 Municipal Notification letters** – received by the Township/Borough/County.
 - The Act 14 notifications are a legal requirement and are intended to give local communities the opportunity to provide important comments to the PA DEP regarding land use and other zoning compatibility issues.
 - <https://www.dep.state.pa.us/hosting/growingsmarter/012-0200-001%5B1%5D.pdf>
- **Act 14 information the public should inquire about:**
 - What company(ies) have sent those notifications
 - For what projects, where and for what purpose
 - Date of receipt by the Township/Commissioners/Council – this is very important, as the local officials have just 30 days to contact the PA Department of Environmental Protection (PA DEP) to raise land use, zoning and comprehensive plan compatibility questions and concerns
- Also, listen carefully for indications of any **applications that have been “accepted”** by the Board/Commissioners/Council
- Listen for discussions/confirmations of **any scheduled public meetings and/or hearings** on those applications
- And, also any details on any reports or other submittals by oil and gas operators

How you can participate:

- **Always be courteous and respectful**
- During the meeting – you can provide public comment as permitted, usually at the start of the meeting and on those items included in the meeting agenda.
- During the meeting, you may ask questions seeking clarification
- **If a new item is introduced during a meeting – and it was not included as part of the printed agenda – the Board/Commission/Council should allow questions and comments on that particular, new item before a decision is made and/or any vote is taken.**
- **When you present comments before any elected body it is always best to prepare your comments, in advance, and read from that statement.** Most governmental bodies allow a limited time for public comments (typically between two and five minutes) so having your statement written will help you make your strongest points within the limited time period.
 - **Helpful hint: one spoken minute = 150 words**
 - When preparing your written comments, check the word count to ensure your statement is well within the prescribed time limit

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- After making your oral comments, submit your statement to the Board/Commission/Council so that it can be included in the public records
- If you are asking the Board/Commission/Council to take a specific action, it is best to also submit this request, in writing, after making the request, publicly

After the meeting – If you would like additional information on any topic taken up by the elected officials, such as correspondence or applications from oil and gas operators, you can submit a Right-to-Know request. The PA Right to Know law outlines what is considered a public document and how to file a request: <http://www.openrecords.pa.gov/>

- **If you'd like additional information or training on these procedures, please contact:**
lgmarcucci@environmentalintegrity.org

Video/audio recordings of public meetings:

“The Sunshine Act allows meetings to be recorded with an audio recorder or a video recorder. It also allows agencies to issue rules concerning the use of recording devices in order to avoid any disruptions. However, such rules should not be an attempt to prevent a member of the public from recording a meeting.” <http://www.openrecords.pa.gov/SunshineAct.cfm>

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