

**UPPER PROVIDENCE TOWNSHIP  
RESOLUTION 2023- 16**

**WHEREAS**, the Upper Providence Township Council (“**Council**”) desires to establish rules and procedures for the conduct of its remote and hybrid public meetings in the interest of effective and efficient government; and

**WHEREAS**, the Council desires the public have access to meetings which provide for timely consideration of agenda items of interest to all members of the community; and

**WHEREAS**, the Council deems the following rules and procedures to further the goals of Council.

**NOW, THEREFORE, BE IT RESOLVED** that the order of business of public meetings with remote or hybrid option, will be conducted in the following manner;

**Section 1. Use of Hybrid Means for Public Meetings:**

(a) Types of Meetings and Participation Allowed.

(1) **Hybrid Meetings with Remote Participation by Individual Township Council Members:**

Members of Township Council are expected to be physically present for all public meetings except when being physically present is not practicable for one or more members of Council. Circumstances under which physical presence for one or more members of Council is not practicable are limited to:

- i. Illness or other physical conditions, or temporary absence from Upper Providence Township, that causes the member of Council to face significant difficulties traveling to and attending the public meeting in person; or
- ii. To provide a reasonable accommodation to a member of Council with a disability.

A member of Council who believes it is not practicable, as set forth above, for him/her/them to attend a meeting in person shall notify the Chairperson of Council (or in his/her/their absence, the Township Manager), of the existence of such circumstance as far in advance as possible. If the agenda has already been posted at the time the notice is made, an amended meeting agenda containing the information set forth in Section 3(b) of this Policy shall be posted on the Township website, distributed to members of Council, made available to the public, and posted in a publicly accessible location of the Township Building, no less than 24-hours before the start of the scheduled meeting.

(2) **Hybrid Meetings with No Remote Participation by Individual Members of Council:**

- i. Upper Providence Township is not required by law to offer this type of meeting format but will endeavor to conduct a hybrid meeting, even in situations when there is no remote participation by individuals' members of Council, as often as practicable when Council meets in the Council Chambers at the Upper Providence Township building.
- (b) Notice. Notice of hybrid meetings must be provided in accordance with the Home Rule Charter, Chapter 210.01 of the Township Administrative Code, and applicable township policies and ordinances. Policies and practices shall inform members of the public how to contemporaneously:
  - (1) Remotely view the video and audio of the meeting through internet streaming or other means;
  - (2) Provide remote oral public comment in a manner that allows members of Council and other meeting participants to hear the public comment, whether through an internet link, a telephone conference, or other means;
  - (3) Obtain copies of packet materials; and
  - (4) List the specific location of the public meeting site at which members of the public may attend in person and where at least some of the members of Council will be present in person.
- (c) Hybrid Meeting Public Participation. In accordance with Section 3.09(D) 'Procedures,' and Article 10, 'Citizen Participation,' of the Home Rule Charter, Council shall protect and promote the right of citizens to participate in a positive and constructive manner in the government of the Township; including, as part of the agenda, an element of the meeting dedicated for interested citizens to address Council on matters of general or specific concern. Members of the public shall have the opportunity to provide public comment remotely during advertised hybrid meetings in the following manner:
  - (1) Notify the township of the intent to provide public comment no later than 4:30 pm on the day of the advertised hybrid meeting by contacting the township office or emailing PublicComment@upperprovidence.org the following:
    - i. Full name and residential mailing address of requester;
    - ii. Subject of discussion and/or meeting agenda line item, if applicable;
    - iii. Provide copies of any written testimony or presentation material they wish to present to Council.
  - (2) The Chair of Council, or in his/her/their absence, vice-chair, will receive all requests to provide remote public comment prior to the public comment portion of agenda and will identify each requestor by name and address.

- (3) The identified individual requesting remote public comment will be asked to unmute and be granted the opportunity to remove the mute function on their personal device.
- (4) Each individual providing public comment will provide his/her/their name and address for the record and will be provided an equal amount of time to speak on the requested topic as provided to those attending in person.
- (5) Upon the conclusion of the remote public comment, members of the public attending remotely will reactivate the mute function on their personal device for the remainder of the hybrid meeting.

(d) Hybrid Meeting Requirements. Any hybrid meeting must comply with the following:

- (1) The technology means used by the Township must allow all members of the public participating in the meeting to hear, or see and hear, all members of Council and any other public speaker;
- (2) Each member of Council who is participating in the meeting must be able to hear and speak to all other members of Council and must be heard by members of the public attending and observing the meeting, during the meeting;
- (3) Except as provided in subsection (6) or Section 3(e) or (f), a quorum of Council shall be audible to other members of Council and the public during the meeting; provided that so long as quorum of Councilors is visible, no other meeting participants shall be required to be visible during the meeting;
- (4) Any member of Council in a meeting by remote means shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements;
- (5) At the start of the meeting, the Council Chair shall announce the names of any members of Council participating by remote means and state the reason therefor, which reason must be consistent with Section 3(a)(2) of the Policy;
- (6) For Audio-only teleconferencing, each speaker should repeat his/her/their name before making remarks;
- (7) There should be a means for the Council Chair or the remote means facilitator to be able to unmute and identify each speaker, and/or read public comment into the record at the appropriate time during the meeting;
- (8) All votes during the meeting shall be conducted by roll call (with each member of Council resent stating "yes" or "no" as each name is called) so that it is clear how each member of Council voted;
- (9) All hybrid meetings shall be recorded by audio or video recording technology, and the Township shall make the recordings of the meeting available to the public as soon as practicable after the meeting.

- (e) Disruptions and adjournment. If during the conduct of a hybrid meeting, the meeting is interrupted through disruption or glitches in the technology, the meeting shall be automatically recessed for up to 5-minutes to restore communications. If the meeting being conducted has an absence of remote participation by individual members of Council and a remote connection to the public location identified in the advertised notice pursuant to Section 3(b)(4) of this Policy is interrupted or lost, the meeting shall continue at the public location without the need for adjournment.

## **Section 2. Other Township Boards and Committees.**

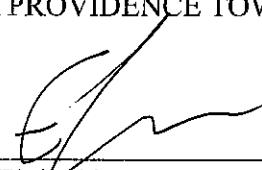
Any board, commission, or authority may adopt this Policy, with the name of the board being substituted for that of Township Council. Any such board may also choose to set more stringent regulations for the use of remote means, provided that said policy is at least as stringent as this Policy and complies with all applicable Commonwealth statutes, township ordinance, and the Home Rule Charter of Upper Providence Township. Such enhanced policy must be approved by a vote of a majority of the members of said board, and approved by Township Council.

This Policy shall also apply to any board that does not adopt a written hybrid meeting policy. For any board that does not adopt a written hybrid meeting policy, unless the context dictates otherwise, references in the Policy to Township Council shall mean the board, and references to a member of Council shall mean a board member.

UPPER PROVIDENCE TOWNSHIP

Date: May 11, 2023

BY:

  
Elgin Akarsoy,  
Council Chairperson

ATTEST:

  
Don Vymazal  
Township Official