

**RECEIVED**

By Town Clerk's Office at 10:23 am, Jul 28, 2023



TOWN OF BURLINGTON, MA  
BOARD OF HEALTH  
SUBCOMMITTEE MEETING MINUTES  
DATE: May 10, 2023  
TIME: 5:30 PM

PLACE: Board of Health Conference Room (Room 236), 2nd Floor

---

**Board Members Present:** Gayle DaMore, Board Member; Andrea Sheehan, Board Member

**Staff Members Present:** Susan Lumenello, REHS/RS, CHMM, Director of Public Health; Sarah Courtemanche, Administrative Assistant

**Others Present:** Martha Simon, School Committee Member; Jeremy Brooks, School Committee Member

Called to order at 5:30 PM

*Discussion*

Board of Health Public Participation Policy

- “Public Comment” is put in place so that the public has the ability to express their opinion
- The School Committee’s policy has “Public Comment” set for a total of 15 minutes during a meeting allotting each person from the public 3 minutes to speak; however, the Board of Health can structure their timeframe differently
- If there are more people from the public that want to speak than the 15 minutes allotted, the School Committee can decide to move the topic to the next meeting
- Ms. Simon encouraged the Board of Health to have a written meeting policy in place to avoid any disputes from the public
- During a School Committee meeting, if a member of the public feels as though they have not completed what they want to say within the allotted 3 minutes of time, the member of the public can submit a written comment (written comment can also be submitted prior to the meeting if the member of the public prefers)
- A member of the public can be denied the ability to speak during “Public Comment” if the request or comment is out of the board scope of being able to enforce
- Due to freedom of speech, a member of the public is allowed to say whatever they wish as long as what they are saying is not unconstitutional
- A member of the public can be stopped from speaking, and potentially removed from the meeting, if necessary for making any threats; it would be at the board’s discretion what they would consider to be a threat
- A sign-up sheet can be utilized so that if there is a lot of members of the public wishing to speak on a topic, it can be executed in an orderly fashion

- Board of Health is looking to implement a similar policy for the meeting's "Citizen's Time" which allows members of the public to speak on items that are not scheduled agenda items
- There is no time limit that can be implemented on anything that is a scheduled agenda item
- To avoid potentially violating freedom of speech, having your policy use language like: "we encourage members of the public to speak in a respectful manner" instead of: "we require members of the public to speak in a respectful manner"
- If your policy states that each member of the public is allotted 3 minutes of time to speak, and a member of the public is allowed by the board to speak longer than those 3 minutes, then every member of the public needs to also be allowed the same amount of extra time to speak
- Ms. Lumenello provided the group with a document regarding MA Public Participation which was provided by Town Council's Lisa Mead to use as a guide for Board of Health to create a policy
- Ms. DaMore mentioned that she recalled from a MAHB meeting that she attended, a meeting could be adjourned if the meeting got out of control; for instance, if a member of the public was asked to leave multiple times and was not listening and getting belligerent
- If the board foresees an issue with a person or persons being combative at a meeting, the board can be prepared for the meeting and have a police presence
- Ms. Lumenello recommended the board to base "Citizen's Time" off of the document that Town Council provided
- The current or any newly appointed Chair of the board may have the ability to change or remove "Citizen's Time" since they are the person who controls the meeting agenda
- If there is not policy, a member of the public would have the ability to speak without a time restriction
- If deemed necessary, the Chair can have a member of the public's concern or comment added to the next meeting's agenda
- During "Citizen's Time" the board does not have to respond to the public's questions after each individual person. "Citizen Time" is not a discussion
- If there is a group of members of the public with the same concern or comments, the chair can ask one of the members of the group to speak on behalf of the group; the speaker would be chosen by the group of members of the public
- Ms. Sheehan recommended allowing 5 minutes for each member of the public to speak during a normal meeting and no more than 10 minutes for certain instances; Ms. DaMore agreed that 5 minutes was a reasonable amount of time to allow

Adjourned at 6:46 PM.