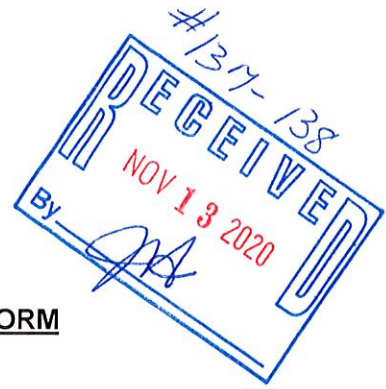




**pennsylvania**  
OFFICE OF OPEN RECORDS



**STANDARD RIGHT-TO-KNOW REQUEST FORM**

DATE REQUESTED: 11/9/2020



REQUEST SUBMITTED BY: ☒ E-MAIL ☐ U.S. MAIL ☐ FAX ☐ IN-PERSON

NAME OF REQUESTER : West Easton Borough Constable

STREET ADDRESS : \_\_\_\_\_

CITY/STATE/COUNTY/ZIP(Required): West Easton, PA

TELEPHONE (Optional): \_\_\_\_\_

**RECORDS REQUESTED:** *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

1. I am seeking any policy, resolution, ordinance, code or law that gives Council President Matthew Dees the sole authority to mute people, and kick them out of a public meeting for raising their voice, or using a profanity as a true and accurate description of what he is..."an asshole" (refer to November 9, 2020 meeting) 2. Any list or document that states which words in the English dictionary are disallowed as slang and too vulgar at a meeting.

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

**FOR AGENCY USE ONLY**

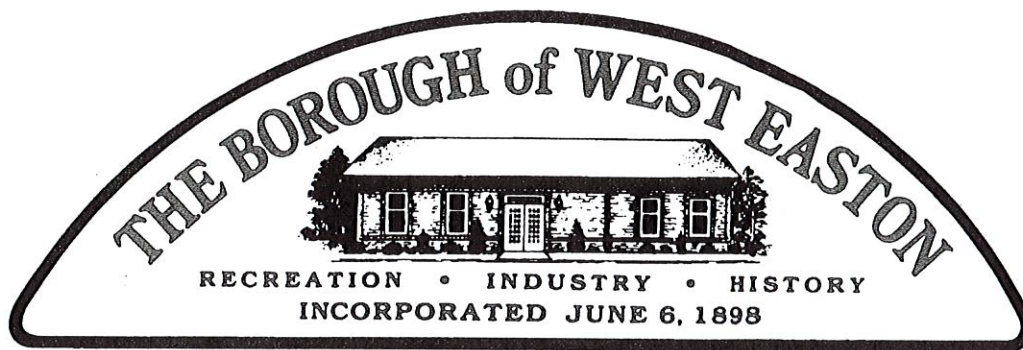
RIGHT TO KNOW OFFICER: Joan Heebner

DATE RECEIVED BY THE AGENCY: 11-13-2020

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE: 11-20-2020

Emailed 11-20-2020

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*



237 SEVENTH STREET, WEST EASTON, PA 18042-6172 610-252-6651 FAX: 610-252-6993

November 20, 2020

Tricia Mezzacappa  
817 Ridge Street  
West Easton, PA 18042

Dear Ms. Mezzacappa;

On November 13, 2020, I received your request for the following records: "1. I am seeking any policy, resolution, ordinance, code or law that gives Council President Matthew Dees the sole authority to mute people, and kick them out of a public meeting for raising their voice, or using a profanity as a true and accurate description of what he is..."an asshole" (refer to November 9, 2020 meeting) 2. Any list or document that states which words in the English dictionary are disallowed as slang and too vulgar at a meeting." Your request is granted in part and denied in part as follows:

Records responsive to your first request are attached.

Based on a thorough examination of records in the possession, custody and control of the Borough of West Easton, the records you requested in your second request do not exist in the possession, custody and control of West Easton Borough.

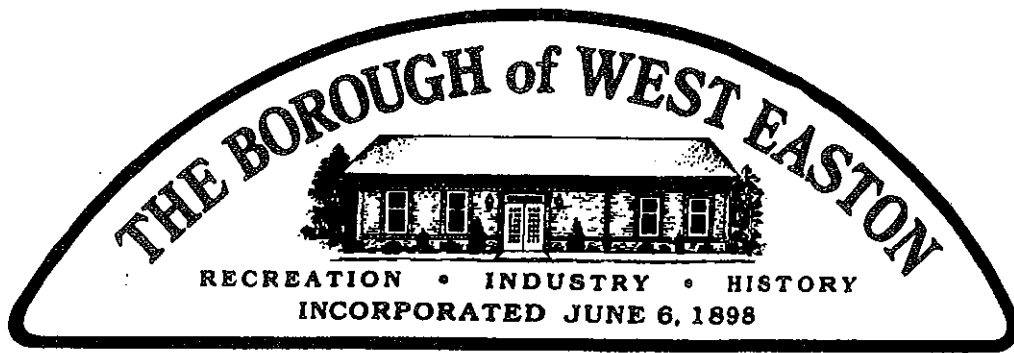
You have a right to appeal this denial in writing to: Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234. Appeals can also be filed online at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response. See 65 P.S. § 67.1101. Please note that a copy of your original RTKL request, the agency's extension notice (if applicable), and this denial letter should be included when filing an appeal. More information about how to file an appeal under the RTKL is available at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you have additional questions, please let me know. This correspondence will serve to close this record with our office as permitted by law.

Sincerely,

Joan Heebner  
Manager/Secretary/AORO  
[BoroughManager@WestEastonBorough.org](mailto:BoroughManager@WestEastonBorough.org)  
RTK #137-138



237 SEVENTH STREET, WEST EASTON, PA 18042-6172 610-252-6651 FAX: 610-252-6993

Borough of West Easton

Public Comment Policy

Adopted by the Borough Council

July 14, 2014

## I. BACKGROUND STATEMENT

The Pennsylvania Sunshine Act (65 Pa. C.S. 701, et seq.) provides that the Board or Council of a political subdivision shall provide a reasonable opportunity at each advertised regular meeting and advertised special meeting for residents of the political subdivision or for taxpayers of the political subdivision to comment on matters of concern, official action or deliberation which are or may be before the Board or Council prior to taking official action. (Section 710.1).

To assure compliance with the Act, to inform members of the public who may wish to make comment, and to provide for fair, predictable and orderly implementation of the Public Comment Period, West Easton Borough Council adopts this Public Comment Policy.

## II. POLICY STATEMENT

Every regular and special meeting of Borough Council shall have, as an agenda item, a period of time (Public Comment Period) set aside for receiving comments from members of the public as identified in the Sunshine Act.

Each Public Comment Period shall not exceed ten (10) minutes in total length unless by motion passed by a majority of Council members present and voting, the total length of the Public Comment Period is extended to a longer total time period which shall be stated in such motion.

No member of the public shall make comment for more than three (3) minutes. No member of the public shall be allowed to delegate his/her time to any other members. Any public member's time not used for comment shall be deemed waived.

Prior to speaking, all participants must be recognized by the presiding officer and must preface their comments by providing his/her name, address, group affiliation (if appropriate) and topic to be discussed.

All comment shall be directed to the presiding officer, and the speaker shall observe reasonable public decorum at all times.

All comment shall be limited to matters of public concern, official action or deliberations that are, or may come, before Borough Council.

Presenting comment in the form of questions shall be avoided since the purpose of the Public Comment Period is to receive comment, not to engage in question and answer sessions, or to engage in public debate or argument with either members of Borough Council, the Borough Mayor, Borough Staff or other members of the public attending the meeting. No such questions shall be answered without permission of the presiding officer.

If, due to extenuating circumstances, the Borough Council determines there is not sufficient time at a regular or special meeting for public comment, the comment period shall be deferred to the next regular meeting or to a special meeting occurring in advance of the next regular meeting.

No non-resident or non-taxpayer will be allowed to speak unless granted prior approval by the Borough Council.

Comment that is abusive or makes personal attack on anyone shall not be allowed.

Electronic recording devices and cameras may be used by members of the public at regular and special meetings, but only if operated from a designated area in the rear of the meeting room without causing a disruption in the orderly progress of the meeting.

Under no circumstances will political placards, advertisements or other recognized political propaganda be permitted within the meeting room during regular and special meetings.

The presiding officer of the meeting shall have full charge and control of the Public Comment Period and enforcement of the provisions of this Policy. The presiding officer may, at his or her discretion:

- a. Interrupt or terminate a participant's comment when the comment is too lengthy, abusive, repetitive, irrelevant or otherwise violates this Public Comment Policy.
- b. Request any individual to leave a meeting when that person does not observe reasonable public decorum.
- c. Request the assistance of law enforcement to remove a disorderly person when his/her conduct interferes with the orderly progress of a meeting.
- d. Call a recess or adjourn to another time when the lack of reasonable public decorum interferes with the orderly progress of a meeting.