

Lights, Camera, Action!

Tips for public officials governing at public meetings that are video recorded

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As more local governments enter the social media age and join the swelling ranks of governments conducting business digitally, the need to provide elected officials and employees with “best practice” guidelines are growing exponentially. Maintaining efficient and effective service within the confines of government regulation necessitates constant vigilance and leadership.

Increasing public access

Wyckoff demonstrated such leadership when in 2014 it invited taxpayers to conduct business on-line, from the ability to make tax and sewer payments as well as commuter parking permits, registration for recreation programming and volunteer and employee applications. Information seekers may also submit Open Public Records Act (OPRA) requests by simply completing the request form online and clicking send.

In addition to providing online services, our website organizes municipal records in a single prominent location, from budgets to labor agreements to all elements of the municipal master-plan. The strategic use of technology increases public access and improves convenience for residents, allowing the public the opportunity to conduct business with their local government at times they find convenient and not simply during regular business hours.

In 2019, the governing body decided to further increase public access when it allocated funds for the purchase and installation of technology to live-stream and post video recording of governing body meetings on our website, we knew we needed a “best practices” approach. The use of this technology was chosen to invite greater public access when faced with the

demise of a weekly community newspaper and a great reduction in actual reporting by other outlets.

We wanted to ensure the public would have the opportunity to observe the governing body conducting the business of its local government. Among other concerns, we needed best practices to mitigate against a possible Title 59 tort claims of allegation or advocating of a specific action, or vitriolic comments that could invoke reciprocal responses.

The search for best practices

We recognize leadership as a practical skill which includes the ability to guide individuals, teams or an entire organization. Successful leadership requires appropriate planning and preparation. If preparation is the cornerstone of success, developing best practices for achieving success is critical.

In preparing our best practices, we used various resources, including the municipal excess liability/joint insurance fund library and our colleagues in other local governments. When over the course of our research we didn’t find best practices, we developed our own.

We first placed written notification at the entrance to the governing body meeting room stating: “notice is provided that

the township committee meetings are video and audio recorded and those recordings will be posted on the municipal website.”

We also modified our Open Public Meetings Act (OPMA) annual notice, 48-hour notices and special meeting notices or rescheduled meeting notices to ensure that the agendas posted and mailed for compliance with the OPMA include a statement that township committee meetings are video and audio recorded. We also post the OPMA notices on our municipal website.

Finally, we changed the template for township committee agendas so they include the following notice to the public:

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the meeting room during the meeting, it is assumed your consent is given if your image is broadcasted.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The township shall not be responsible for and accepts no liability in the event that the recording or live video streaming of the meeting is unavailable.

This is us

Local government operates under significant state and federal regulation not often required of private businesses, or even of the state and federal governments. The responsibility of providing officials and employees with up to date “best practices” and guidelines is increasingly important in delivering the most effective service in a climate of decreasing personal face-to-face interactions with residents.

Is a little bit of a sense of community lost as we move forward? Possibly, however, being able to provide more convenient service and access to municipal government to our increasingly busy and mobile residents is important. 🦋

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When the Camera's Turned On: Suggested Best Practices



In accordance with P.L. 2002, Chapter 80, approved September 2002, the public has an opportunity to bring matters to the attention of the governing body which the “speakers” believe are of concern to the residents of the Township of Wyckoff. The law states, “for public comment on any governmental issue that a member of the public feels may be of concern to the resident of the municipality.”

We provide these guidelines to members of our governing body and to staff in attendance at the council meetings:

1. Always remain civil and professional in demeanor. Do not allow a speaker to bait you into losing your temper.
2. When a speaker alleges a situation which they believe is hazardous, simply let them continue to provide remarks and advise them that their comments will be forwarded to the appropriate department for review. If the intent of the comment is not clear, ask questions to develop a clear understanding.
3. Try to remain expressionless (e.g., do not roll your eyes) even when outrageous statements with broad generalities are stated.
4. Do not rustle papers on the dais, it impacts the quality of the audio recording.
5. Do not verbalize comments to the person sitting next to you or verbalize your opinion to yourself—they will be heard on the audio recording and depicted in the video recording. When in doubt, don't say it!
6. Refrain from creating noise. For example, do not move one's chair, tap one's foot, etc.
7. Do not tap the microphone. It may damage its functionality. Please say “check” or “test” to see if your microphone is working properly.
8. Refrain from eating snacks while seated on the dais, chewing will be depicted in the video recording.
9. The chair shall have the responsibility to recess the discussion to alert or caution members of the public that the following actions will impact the quality of the recording:
 - a. Speaking from their seats
 - b. Rustling papers
 - c. Noise from moving chairs
 - d. Similar audience inappropriate court room demeanor
10. Once a speaker has concluded his/her remarks, the chair would request that the next speaker come forward.
11. Do not text, read or type emails while on the dais. Put your phone away. If you must access your phone to check your availability for a meeting date under discussion, you could simply state, “I am checking my calendar.”
12. Be aware of the potential perceptions of your actions on the dais. If you exit your seat to obtain a drink etc. And/or if you do it numerous times during the meeting you will convey a perception that you are not providing the appropriate attention or commitment to your municipal responsibilities.
13. When a member of the public comes forward, the mayor will ask the member of the public to speak into the microphone and state their name and address. (Note: the municipal clerk cannot complete the meeting minutes in a thorough and complete manner without the name and address of the citizens who choose to speak.) If a citizen refuses to provide a name and address, s/he will be allowed to speak. The municipal attorney states that citizens are asked to provide their name and address so that the governing body may have a chance to reply to comments after the meeting should it deem such replies necessary.
14. When in doubt, don't say it. Video recordings of meetings will be posted online and preserved. For example, your comments in January can be compared to your comments later in the year or in future years: When in doubt, don't say it.
15. The most effective best practice I received was from a respected colleague who suggested videoing a governing body meeting before the official start of the program to provide the governing body the opportunity to critique themselves as a practice session before beginning the program. We utilized a practice session successfully. I recommend it as a best practice.