



What happens at a public hearing?

The purpose of a public hearing is to give everyone an opportunity to ask questions, express their views, and, if they wish, to offer evidence to support their views.

An agenda is posted for each meeting on the Borough's website [Meetings Dates~Agendas~Minutes - Mendham Borough \(mendhamnj.org\)](#). Please check the website prior to attending the meeting as Agenda's do change.

Public hearings often take more than one meeting to finish. If that happens, the public hearing will also be included on the agenda for a later meeting.

The chairperson of the Board calls each meeting to order and introduces each new matter on the agenda. The chairperson is in charge of running the meeting. He or she has the authority to take any measures necessary to control the meeting, including removing disruptive people. Board members and others speak only when recognized by the chairperson.



How is a public hearing conducted?

A public hearing usually is conducted this way:

1. The Board chairperson or Board attorney will explain the purpose of the hearing and will announce the "ground rules."
2. The applicant will make a presentation. That person is then questioned by the board. After board questions, the public will have a chance to QUESTION THE WITNESS ON THE TESTIMONY PRESENTED. This is critical to keep the hearing on track. This IS NOT a time for comment. It IS NOT a time to ask questions that have not been testified about. It is cross examination of the testimony and subject that has been testified to. The public does not testify at this time, does not provide comments, and does not introduce exhibits. If a member of the public is represented by an attorney, that individual asks questions through their attorney and not on their own.
3. The applicant then presents its next witness, and the questioning process repeats.
4. After the applicant has presented all of its witnesses, the hearing is again opened to the public. Generally, if there is an attorney representing a member or members of the public, the attorney goes first to present his opposition case. (The opposition witnesses can be questioned by the board, the applicant, or the public in the same manner as the applicant's witnesses.) The public can then provide comments or testimony. This is all done after the members of the public is sworn in and they are subject to cross examination as well. Petitions, letters, etc. from the public cannot be considered by the Board and should not be presented to the Board.
 - a. People who want to speak will be asked to do so one at a time. Each person who speaks must state his or her name and address for the record. The speaker does not need to provide their address if they have been verified by the Office of Information Privacy as a covered person in the Borough, under Daniel's Law.
 - b. The chairperson will limit each person's questions to 3 to 5 minutes, depending on the size of the audience or the length of the agenda.
 - c. Professionals such as engineers or lawyers who represent owners of property near the proposed development might address the board.
 - d. If a photograph, map, chart, or other exhibits are presented to the board by an objector, it will be retained for the record.
 - e. Questions and comments should not be repetitive or irrelevant.
 - f. Spontaneous comments from the audience, personal attacks, or unruly behavior such as booing, cheering, or applause are not permitted.
5. After everyone in the audience has had a chance to speak, the chairperson will give the applicant an opportunity to respond to the public comments.



At this point, either of these things could happen:

1. If the Board is satisfied that it has received all the information it needs to make a decision, and all of its questions have been answered, the chairperson will call for a motion and a vote to close the public hearing.
2. If the Board has asked the applicant to provide additional information, or if the board has asked Board Professionals to provide information, the Board will vote to resume the public hearing on another specific date.

Everyone who wishes to speak at a public hearing will have a chance to do so. If more people wish to speak than can be accommodated in one evening, the Board will vote that evening to resume the public hearing on another specific date.

If you have any questions or concerns, feel free to contact Lisa Smith, Planning and Land Use Coordinator at 973-543-7152 x20 or planning@mendhamnj.org