

RESOLUTION #63.21

RESOLUTION ESTABLISHING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENT AT REMOTE PUBLIC MEETINGS

WHEREAS, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, COVID-19 is responsible for the 2019 novel coronavirus outbreak, which was first identified in Wuhan, the People’s Republic of China in December 2019 and quickly spread to multiple other countries, including the United States; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a “public health emergency of international concern”; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, on March 9, 2020, Governor Philip D. Murphy of the State of New Jersey, declared a Public Health Emergency and State of Emergency exists in the State of New Jersey by way of Executive Order 103 due to the presence of COVID-19 in New Jersey; and

WHEREAS, approximately every thirty (30) days Governor Murphy has executed an Executive Order continuing the Public Health Emergency and State of Emergency with the State due to the ongoing concerns and spread of COVID-19; and

WHEREAS, as of the date of this Resolution, New Jersey continues to operate under the declaration of a Public Health Emergency and State of Emergency; and

WHEREAS, during a period declared pursuant to the laws of this State as a state of emergency, public health emergency, or state of local disaster emergency, N.J.S.A. 10:4-9.3 authorizes a public body to conduct a meeting and any public business by means of communication or other electronic equipment; and

WHEREAS, N.J.A.C. 5:39-1.3 permits a public body to hold a remote meeting during a declared emergency if the emergency prevents the public body from safely conducting a meeting at a physical location with members of the public present; and

WHEREAS, the Borough of Paulsboro (“Borough”) has determined to hold remote public meetings to conduct its public business during the declared public health emergency and state of emergency to prevent the spread of COVID-19; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires the Borough to adopt, by resolution, standard procedures and requirements for public comment made during a remote public meeting, as well as for public comments submitted in writing ahead of the remote public meeting; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough to adopt standard procedures and requirements for public comment made during a remote public meeting.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to N.J.A.C. 5:39-1.4(h), the following standard procedures and requirements shall apply during all remote meetings held by the Borough:

1. **Notice of Public Comment**. At the beginning of each meeting, the Mayor shall ask that all members of the public wishing to make a public comment to identify themselves and state that they would like to make a public comment. Each member of the public wishing to make a public comment shall identify themselves at this time and a list shall be created.
2. **Time for Public Comment**. Public comment shall take place at the public meeting only during the public comment portion of the meeting, as identified on the agenda. At the end of each meeting, a portion of the meeting will be reserved for public comment. All members of the public shall be muted during the meeting until they are recognized by the Mayor in accordance with Paragraph 3 below. Any one person may address the Mayor and Council for a maximum of five (5) minutes; once a particular topic has been addressed by a member of the public, subsequent comments on that same topic by other people is limited to a maximum of two (2) minutes; citizens who have spoken once during the session will not be recognized a second time.
3. **Manner of Public Comment at Meeting**. Public comment shall be permitted in the medium in which the meeting is being conducted. If the meeting is being conducted using audio technology only, the public comment shall be by the same audio technology. If the meeting is being conducted using both audio and video, the public comment shall be permitted using the same audio and video technology. No public comment shall be permitted by text or chat features during the public meeting.

During the public comment portion, any member of the public wishing to speak shall raise their hands either on video or through a virtual raise your hand feature on the medium in which the meeting is being conducted. Members of the public shall be unmuted during the public comment portion of the meeting when they are called on or recognized by the Mayor. Any person identified in the list created at the beginning of the meeting but who has not raised their hands or who is unable to raise their hand, shall be recognized by the Mayor at the end of the public comment session and given an opportunity to speak. Upon being recognized or called upon by the Mayor, the member of the public shall state their names, addresses and who they represent, if anyone, prior to providing their public comment.

4. **Written Public Comment Prior to Meeting**. Members of the public shall have an opportunity to submit public comments in writing to the Borough prior to the meeting. Written comment shall be submitted to the Borough Clerk by email or regular mail to the address and email address set forth on the Borough's website at <https://paulsboronj.org/general-info/directory/>. All written comment shall be


received no later than forty-eight (48) hours prior to the meeting. Written comments shall be read into the record during the public comment period by the Mayor and will be subject to the same standards and limitations as other public comments made during the meeting. All written public comments shall be read in their entirety unless one of the limitations apply.


5. **Disruptive Behavior**. Members of the public shall not engage in disruptive behavior. Disruptive behavior is any sustained and inappropriate behavior such as shouting, interrupting or the use of profanity. If a member of the public engages in disruptive behavior, the following shall apply:
- a. The member of the public engaged in disruptive behavior will receive a warning.
 - b. The warning shall identify the behavior which must stop and shall advise that if the behavior continues, it may prevent the member of the public from being able to speak at the meeting or it could result in removal from the meeting.
 - c. If the member of the public continues with disruptive behavior, the member of the public will be muted until all the other members of the public have had a chance to make their public comment. At that time, the member of the public will be allowed to speak.
 - d. If the member of the public continues to engage in disruptive behavior at this point, the member of the public will either be muted for the rest of the meeting or will be removed from the meeting.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

ADOPTED by the Mayor and Borough Council at a Special Teleconference Meeting held on the 17th day of February, 2021.

BOROUGH OF PAULSBORO


Kathy A. VanScoy, RMC/CMC/CMR
Borough Clerk


Gary C. Stevenson, Mayor