

BOARD OF FIRE COMMISSIONERS
PENNINGTON BOROUGH FIRE DISTRICT NO.1

RESOLUTION 2021-16
**RESOLUTION ADOPTING STANDARD PROCEDURES FOR PUBLIC COMMENT DURING
REMOTE PUBLIC MEETINGS**

WHEREAS, Section 8 of P.L.2020, c.34 (N.J.S.A. 52:27D-18.11) provides that whenever a public health emergency, and/or a state of emergency, or a state or local disaster emergency has been declared by the Governor and is in effect, a local public body may conduct a public meeting remotely by electronic means, provided that reasonable public notice and provision for public input is made under the circumstances; and

WHEREAS, P.L.2020, c.34 also provides that the Director of the Division of Local Government Services in the Department of Community Affairs ("DLGS") shall adopt rules and regulations concerning the conduct of remote public meetings during a declared emergency that are necessary to implement the provisions of the law, which shall include minimum procedures to be followed to provide reasonable public notice and allowance for public input; and

WHEREAS, DLGS promulgated emergency regulations (N.J.A.C.5:39-1.1 through 1.7 that implement P.L.2020, c.34; and

WHEREAS, DLGS issued Local Finance Notice LFN 2020-21 on September 24, 2020 to accompany and explain the new regulations; and

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

NOW, THEREFORE, IT IS RESOLVED by the Board of Fire Commissioners of Pennington Borough Fire District #1 that the procedures and requirements attached hereto as 'Exhibit A' are hereby adopted as its standard procedures and requirements for public comment at a meeting conducted remotely by electronic means during a declared public health emergency and/or state of emergency.

<u>Roll Call Vote</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Commissioner Blackwell	X			
Commissioner Blauth				X
Commissioner DiFalco	X			
Commissioner Fraser	X			
Commissioner Hofacker	X			

Certified as a true copy of a Resolution
duly adopted at a meeting held on
February 23, 2021.

s/ B. Hofacker
Secretary (acting)

Exhibit 'A'
Standard Procedures and Requirements for Public Comment
Made During, or Submitted Prior to a Remote or Hybrid Public Meeting

During a declared public health emergency or state of emergency the Board may hold its public meetings through electronic means. When in-person public meetings resume, room capacity and/or other restrictions pursuant to federal and/or state guidelines will be followed and the Board may employ a hybrid public meeting format.

During the public health emergency declared in March, 2020 for the Covid19 pandemic 'Zoom' shall be the electronic platform used as the public's remote access option for the Board's public meetings. The meeting connection information will be available on the Pennington Borough Board of Fire Commissioners website at pbbfc.org and is included in the Board's Annual Meeting Notice posted at the Pennington Borough Municipal Building and at the Pennington Fire Company firehouse. Members of the public may view and participate in a meeting by joining the webinar via computer or by teleconference.

1. Members of the public may make public comment at a remote/hybrid meeting of the Board of Fire Commissioners by audio, or by audio and video, or by written communication submitted prior to the meeting. The presider of the meeting or his designee will manage the order of all comments.

2. Comments or questions on agenda items will be accepted (or read) during the consideration of the matter, once the item has been presented and Board members have had an opportunity to have a discussion thereon. Members of the public having comments or questions on other items will have the opportunity to do so during the meeting's designated Public Comment period. To help keep meetings effective and efficient, comments or questions must relate to matters within the purview of the Board and must be germane to fire district business.

3. The Board will not accept for public comment during virtual meetings:
(a) audio, video, or moving images; or (b) comments containing abusive, threatening or obscene language.

4. There is a time limit for all commenters. The established time limit is three (3) minutes per commenter. No commenter may speak for longer than the established three minute time limit unless the presider grants additional time for that speaker based on the circumstances at-hand. The determination to designate a longer period for a speaker rests in the discretion of the presider.

5. Public comments and questions may also be made in advance of any meeting by submitting an e-mail to treasurer@pbbfc.org by 10:00 a.m. on the day of the meeting or in written letter form mailed to the Secretary, Board of Fire Commissioners, at PO Box 387, Pennington NJ 08534 and received in the post box by 4:00 p.m. on the day *before* the meeting.

6. Any timely question or comment submitted in advance of the meeting will be read aloud and addressed in a manner audible to all meeting participants and the public either at the time a specific item of business to which the comment pertains is addressed by the Board or in the Public Comment period of the meeting. Questions or comments received after the stated times will not be read aloud or included in the meeting minutes/record but will be read aloud at the next regular meeting of the Board.

7. A three (3) minute time limit will apply to the reading of each written comment. Each comment shall be read from the beginning, until the time limit is reached. Multiple submissions by a member of the public shall be cumulatively treated as one submission for purposes of the time limit. The Board may pass

over duplicative written comments; however, each duplicative comment shall be noted for the record with the content summarized.

8. Text-based public comment received during a remote public meeting will not be read aloud or included as Public Comment. The Board will not recognize or accept comments sent via "Chat", nor will they be read aloud or included as Public Comment.

Public Comment Procedures and Conduct of Remote Participants:

At the beginning of every remote meeting the presider or designee shall publicly announce the procedures and requirements for making public comment, along with an explanation of the audio muting function of the Zoom platform in use during the meeting.

1. All public participants are required to keep their microphones muted until recognized or directed otherwise. The presider or designee will engage the Zoom "Mute" function until the Public Comment portion of the meeting is reached or a commenter is otherwise recognized to speak.

2. Members of the public participating remotely who wish to make a comment are required to utilize the "Raise Your Hand" feature in 'Zoom', or if participating by teleconference by dialing *6. Once recognized, the participant will be able to unmute their microphone.

3. Each speaker will be asked to state his/her name and home address before making their comment. If a speaker is representing or speaking on behalf of other persons, groups or entities, then the speaker shall state the nature of that representation.

4. If a member of the public becomes disruptive during the meeting, including during any Public Comment period, the presider or designee shall direct that the individual be muted and warn that continued disruption may result in the individual being prevented from speaking during the meeting or being removed from the meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption and use of profanity.

5. If after receiving an initial warning the individual continues to act in a disruptive manner, the individual will be muted, and other members of the public will be allowed to provide their comments or questions. If time permits, the disruptive individual may be allowed to speak after all other members of the public have been given the opportunity to make their comments. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the meeting, or removed from the remote public meeting.