

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ADOPTING STANDARD PROCEDURES AND REQUIREMENTS FOR PUBLIC COMMENT MADE DURING A REMOTE PUBLIC MEETING AS WELL AS FOR PUBLIC COMMENTS SUBMITTED IN WRITING AHEAD OF A REMOTE PUBLIC MEETING**

**WHEREAS**, the Hardyston Township Municipal Utilities Authority (the “Authority”) constitutes a public body pursuant to the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 to -20, and, as such, it is required to provide adequate notice of its meetings and activities in the manner provided in N.J.S.A. 10:4-8(d); and

**WHEREAS**, the Legislature authorized the Director of the Division of Local Government Services, pursuant to P.L. 2020, c.34, to promulgate regulations establishing standard protocols for remote public meetings held by a local public body during a Governor-declared emergency such as the Covid-19 pandemic; and

**WHEREAS**, the Director of the Division of Local Government Services promulgated emergency regulations codified as N.J.A.C. 5:39-1.1 through 1.7 in accordance with P.L. 2020, c.34; and

**WHEREAS**, the Authority is a local public body subject to the emergency regulations; and

**WHEREAS**, the emergency regulations set forth that a local public body shall 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,

**NOW, THEREFORE, BE IT RESOLVED** by the Hardyston Township Municipal Utilities Authority as follows:

1. The following procedures are hereby adopted for public comments at remote public meetings:
  - a. Public comment shall be allowed at a remote public meeting, by audio, or by audio and video (if the meeting is held with audio and video).
  - b. The public shall be advised at the beginning of a remote public meeting that the meeting is being recorded.
  - c. The Authority may require members of the public to state, prior to providing public comment, whether they wish to speak and to identify themselves prior to speaking.

- d. In advance of a remote public meeting, the Authority shall allow public comments to be submitted to the Administrator by email and in written letter form by a reasonable deadline set forth on the meeting notice. Such comments shall be read aloud and addressed during the remote meeting in a manner audible to all meeting participants and the public. If time limits are imposed on public comments made during the meeting, the same time limit may be placed on the reading of written comments; in which case, comments must be read from the beginning until the time limit is reached. Duplicate comments may be skipped but noted for the record with the content summarized; however, all duplicative comments shall be treated the same, i.e., certain duplicative comments cannot be summarized while others are read in their entirety.
- e. The Authority has the discretion to accept text-based public comment received during a remote public hearing held through an electronic communications platform or Internet-accessible technology.
- f. Capacity in a remote public meeting “room” will be consistent with the reasonable expectation of the Authority for public meetings of the type being held, but not fewer than 50 participants.
- g. The Authority shall facilitate a dialogue with the commenter to the extent permitted by the electronic communications technology.
- h. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the Administrator shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking during the remote public meeting or removed from the remote public meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
- i. A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their questions or comments. If time permits, the disruptive individual shall be allowed to speak after all other members of

the public have been given the opportunity to make comment. Should the person remain disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting or removed from the remote public meeting.

j. Regulation of conduct by members of the public on a remote public meeting shall be consistent with law and practices followed if a member of the public disrupts an in-person meeting.

2. The Administrator is he hereby authorized and directed to take all actions necessary to satisfy the requirements of the Open Public Meetings Act and the Emergency Regulations codified as N.J.A.C. 5:39-1.1 through 1.7 in accordance with P.L. 2020, c.34; and

**BE IT FURTHER RESOLVED** that this Resolution of the Authority shall take effect immediately.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples				X
Treasurer Kaminski	X			
O'Grady	X			
Van Allen (alt)	X			
Bazelewich (alt)	X			

Certified as a true copy of the Resolution adopted by the Hardyston Township Municipal Utilities Authority at its regular meeting held on November 2, 2020.

Patty Egan,  
Secretary