

RESOLUTION 2021-01-05

RESOLUTION ESTABLISHING REMOTE MEETING PROCEDURES APPLICABLE DURING A DECLARED STATE OF EMERGENCY FOR THE HOUSING AUTHORITY OF THE TOWN OF DOVER

WHEREAS, on March 9, 2020, in response to COVID-19, Governor Phil Murphy issued Executive Order 103, which declared a state of emergency that has since been extended by the Governor through subsequent Executive Orders and remains in full force to this day; and

WHEREAS, by way of additional Executive Orders, the Governor has established extensive social distancing protocols to protect the health, safety and welfare of New Jersey citizens; and

WHEREAS, in accordance with the Executive Orders relating to COVID-19 and the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. (“OPMA”), local government units, including the Housing Authority of the Town of Dover (“DHA” or “Housing Authority”), have continued to hold public meetings via remote platforms to ensure the continued operation of local government with participation by the public, in a way that limits public health risk; and

WHEREAS, in March 2020, the New Jersey Department of Community Affairs, Division of Local Government Services (“DLGS”) issued “Local Operational Guidance – COVID-19: Guidance for Remote Public Meetings in New Jersey,” which provided specific guidance regarding holding remote public meetings under the OPMA; and

WHEREAS, on September 24, 2020, the DLGS issued Local Finance Notice 2020-21 (“LFN 2020-21”), which provided a synopsis of newly promulgated emergency regulations N.J.A.C. 5:39-1.1 through 1.7, which establish standard protocols for remote public meetings governed by the OPMA and held during a Governor-declared state of emergency; and

WHEREAS, LFN 2020-21 additionally stated that the emergency regulations presently in effect are proposed for permanent adoption in the October 19, 2020 New Jersey Register, with comments submitted no later than November 18, 2020; and

WHEREAS, under emergency regulation N.J.A.C. 5:39-1.4(h), a local government unit is required to adopt by resolution standard procedures and requirements for public comment made during remote public meetings, as well as for public comments submitted in writing ahead of the remote public meeting.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioner of the Housing Authority of the Town of Dover hereby resolve and adopts the following procedures regarding remote public meetings and public comments during remote public meeting as follows:

1. The Housing Authority will ensure public access to all Board of Commissioners meetings by remote means. Time, date, and location of these meetings will be published and posted, thereby allowing members of the public to participate remotely. Remote public meetings shall use Housing Authority technology, as permitted by State and/or Federal law. An annual notice of meetings will be published identifying the time, date, and location of all planned Board Meetings; and stating that meeting codes, the means for making public comment, and relevant documentation (if any) will be posted to the DHA website in advance of each

meeting.

2. The Board meeting agenda and documents typically made available in public meetings will also be posted on the DHA website in advance of the remote Board meeting.
3. Public comments for a remote public meeting may be made during the designated public comment section of the meeting or submitted in writing to the Executive Director no later than four (4) hours prior to published start time of the remote meeting. Written public comments must be emailed to the Executive Director at maria@doverhousing.org or mailed to the Executive Director's office at 215 East Blackwell Street, Dover, New Jersey 07801. Written public comments may not be submitted via any other form of electronic communication.
4. Written public comments submitted in accordance with this resolution shall be read into the remote meeting record at the end of the last public comment section, subject to the time limit in place for in-person comments or will be made part of public record should time not allow the reading of the comments into record. Written public comments containing profanity or vulgarity will not be read into the record. The chair and/or presiding officer of the remote meeting reserves the right to read similar or duplicative comments into the record in a summary fashion and will do so uniformly for all similar/duplicative comments.
5. The procedures and requirements for making public comments during a remote meeting, along with an explanation of the audio muting function of the electronic communications platform being used, shall be announced at the beginning of the remote public meeting.
6. With respect to public participation at a remote public meeting, the following procedures shall be incorporated:
 - a. If a member of the public disrupts a remote public meeting, the chair and/or presiding officer of the remote public meeting shall facilitate a dialogue with that member of the public to the extent reasonably permitted by the electronic communications technology.
 - b. The chair and/or presiding officer of the meeting shall mute or continue muting, or direct appropriate staff to mute or continue muting, the disruptive member of the public and warn them 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.
 - c. A member of the public who continues to act in a disruptive manner after receiving an initial warning shall 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 location if they are attending at that location.
 - d. The chair and/or presiding officer of the remote meeting shall reserve the right to take

necessary action to protect the rights of the public to participate in the remote public meeting.

7. If this resolution conflicts with any other policy or procedures of the Housing Authority of the Town of Dover, the terms herein shall prevail.

This Resolution shall take effect immediately.

Motion carried on 1/14/2021

Original Signed By:

Maria Tchinchinian, Secretary