

RESOLUTION #2023-004

RESOLUTION OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, ESTABLISHING REMOTE MEETING PROCEDURES AND REQUIREMENTS

WHEREAS, local government entities such as the Lakewood Township Committee (the "Committee") have continued to conduct public meetings and hearings remotely so as to continue the effective administration of government and to enable the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, the Division of Local Government Services ("DLGS") issued remote meeting guidance to provide a list of possible solutions available for local government entities to host remote meetings in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. ("OPMA"); and

WHEREAS, the Director of the DLGS has promulgated regulations, codified at N.J.A.C. 5:39-1.1 to -1.7, which establish standard protocols for remote public meetings held by local government entities, including minimum procedures to be followed to provide reasonable notice and to allow public input; and

WHEREAS, in consideration for the general health, safety and convenience of the public the Township Committee has determined to continue to permit remote public meetings; and

WHEREAS, to allow the Committee to continue to conduct public business, and to allow the public to attend public meetings remotely, the Committee establishes standard protocols for remote public meetings as set forth in this Resolution;

WHEREAS, the Committee has determined to adopt the following standard protocols and procedures for conducting remote public meetings, including minimum procedures to be followed to provide reasonable notice and to allow public input:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The following procedures and requirements are hereby adopted for the Committee's remote public meetings:
 - (a) The public notice of each meeting conducted remotely shall contain the dial-in conference number and/or web app name that will be necessary for members of the public to participate in and access the meeting remotely. Meeting ID and

access passwords will be posted on the Township web-site with the agenda. The Committee presently uses "Web-Ex" audio/video to conduct its remote public meetings. Members of the public wishing to comment during the public portion of meetings or during a public hearing may dial in *3 on their phone or click the appropriate "Web-Ex" video button to be recognized during the public portions of the meeting. The moderator/host or such other person so designated from time to time will keep members of the public muted, except when they are selected to speak during the public portion of the meeting. Members of the public may also mute themselves or discontinue their video through the "Web-Ex" platform.

Members of the public may submit written comments in advance of a meeting, which will be read during the public portion of the meeting. Written comments shall contain the person's name and address and may be submitted to the Municipal Clerk, Lauren Kirkman, at 231 Third Street, Lakewood, New Jersey 08701 via regular mail. Mailed comments must be received by 4:00 p.m. the day before the meeting. Emailed comments must be received at least 6 hours prior to the meeting via preametingcomments@lakewoodnj.gov. Members of the public may also submit comments during the public portions of the meeting via email at comments@lakewoodnj.gov. Submission of public comments prior to or during the meeting must identify the name and address of the submitter. No anonymous comments will be accepted.

- (b) Public comments submitted prior to the meeting shall be read aloud by an authorized representative of the Committee during the public meeting in a matter audible to all meeting participants. Written comments received prior to or during the meeting will be read after all those members of the public attending the meeting wishing to provide comment have had the opportunity to do so. The same time limit of four (4) minutes shall apply to each of the public comments received prior to or during the meeting. Each written comment shall be read from the beginning, until the time limit is reached. If duplicative written comments are received, the name of each commenter will be noted for the record, and the contents may be summarized. After the comments received in writing prior to and during the meeting are read, no other public comment will be permitted.
- (c) The Committee will not accept comments made through the "chat" feature available on Web-Ex remote meetings or by text messaging or other platforms.
- (d) The agenda for the meeting will be available on the Township of Lakewood's website.
- (e) Immediately after calling the meeting to order, the designated Chairman shall confirm that the dial-in number or other means of conducting the meeting remotely is working. If the dial-in number or other means of conducting the meeting remotely is not working, and cannot be returned to working order in a

reasonable period of time, the meeting shall be adjourned by the chair of the meeting to another time.

- (f) The Chairman or such other person so designated by the committee from time to time, shall announce at the beginning of the remote public meeting the procedures and requirements for making public comment, along with an explanation of the audio muting function of the electronic communications platform being used.
- (g) In the event the meeting is being recorded, the public will be advised.
- (h) If any member of the public is attending remotely, he/she will be provided an opportunity to provide public comment of no greater than four (4) minutes in duration during the public comment portion of the meeting during the time in the meeting set forth on the agenda (this applies equally to written public comments submitted via email or through the mail). The designated Chairman will ask whether any member of the public has a comment. If a member of the public provides an indication as set forth above that they wish to speak, then the moderator shall enable the person to speak. Such person shall set forth their name and address for the record. A member of the public wishing to speak during the public comment portion of the meeting will be identified by the last 4 digits of his or her phone number or by the name he or she has signed in with, at which time such member of the public will be unmuted. At the conclusion of the commenter's comments, he or she will again be muted. There will be no cross dialogue during the public comment portion of the meeting. Once all members of the public who wish to make comment have been heard and all written comments have been read, any Committee member, may address any comments made without cross dialogue.
- (i) If any member of the public is attending remotely, and a closed session is called by the Committee as permitted by the Open Public Meetings Act (N.J.S.A. 10:4-6 et. seq.), a separate call-in number or other electronic means of limiting remote participation shall be available so only the members of the Committee and other persons needed for the closed session may participate. The Attorney or Township Clerk shall clearly state at what point in the agenda the closed session will occur, the reasons for the closed session, the projected length of the closed session, whether formal action will be taken on any matter after the closed session, and that the public will not be able to hear the Members or provide comment during the closed session. The Committee shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.
- (j) Any member of the public who is attending remotely must participate in the meeting with appropriate decorum and act in a civil manner. Disruptive behavior will not be tolerated. The Committee reserves the right to exclude those members of the public who display conduct or make comments that are


disruptive, which includes but is not limited to sustained inappropriate behaviors such as, shouting, interruption, or the use of profanity. Members of the public engaged in such conduct will receive a warning, and if the conduct continues, the person will be muted and his or her comments deemed concluded. If time permits, and after all other members have been given the opportunity to make comment and all comments submitted in writing before the meeting have been read, the disruptive speaker shall be given the opportunity to continue to comment and be permitted to utilize the unused four (4) minutes of time originally allotted to him or her. Should the commenter remain disruptive, he or she shall be placed on mute or in the discretion of the Committee, removed from video and/or removed altogether from the meeting.

- (k) Members of the public may also be immediately, and without warning, muted, removed from video and/or removed altogether from the meeting for conduct or comments that are harassing, demeaning, threatening, and/or offensive to any person's race, gender, color, age, national origin, religion, sexual orientation, gender identity or expression, and disability (list is representative, not exclusive).
 - (l) The Township Committee, in its discretion, may change the technology for conducting remote public meetings from Web-ex to an alternate acceptable form of audio/videoconferencing technology.
3. Any prior ordinance or resolution controlling the decorum of the Township Committee meetings continue to be in effect unless directly contradictory to the provisions in this Resolution.
 4. A copy of this Resolution shall be prominently posted under the "Official Notices" section of the Township's website.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows: that the Township Committee hereby adopts the foregoing procedures and requirements for public comment during a remote public meeting; and that the procedures and requirements for making public comment, along with an explanation of the audio muting function of the Web-Ex technology, shall be announced at the beginning of each remote public meeting and will be placed on the Township's website.

CERTIFICATION

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at its meeting held on January 2, 2023.



Lauren Kirkman RMC CMR
Township Clerk