

Resolution E021-003
Remote Meeting Procedures and Requirements for the Union County College
Board of Trustees & Board of Governors During Declared State of Emergency

WHEREAS, on March 9, 2020, Governor Murphy issued Executive Order 103 declaring a public health emergency and state of emergency as a result of the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order 104, which announced aggressive social distancing measures as a result of the COVID-19 pandemic, including limiting large social gatherings and in-person meetings such as those conducted by local government entities; and

WHEREAS, on March 21, 2020, Governor Murphy issued Executive Order 107, which further expanded upon the restrictions outlined in Executive Order 104 related to public outings, prohibiting gatherings, and requiring New Jersey residents to remain at home with limited exceptions; and

WHEREAS, local government entities such as Union County College (the "College") have continued to conduct public meetings and hearings during the COVID-19 pandemic 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 in March 2020 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 emergency regulations, codified at N.J.A.C. 5:39-1.1 to -1.7, which establish protocols for remote public meetings held by local government entities during a Governor-declared emergency, including minimum procedures to be followed to provide reasonable notice and to allow public input; and

WHEREAS, On September 24, 2020, the DLGS issued Local Finance Notice 2020-21, expounding upon the emergency regulations; and

WHEREAS, to allow the College to continue to conduct public business, and to allow the public to attend College public meetings remotely, consistent with and in compliance with Executive Orders 104 and 107, the OPMA, and N.J.A.C. 5:39-1.1 to -1.7, the College establishes these protocols for remote public meetings during the pandemic as set forth in this Resolution;

WHEREAS, the Union County College Board of Trustees has determined to adopt the following protocols and procedures for conducting remote and hybrid (which offers both in-person and virtual participation options) public meetings, including minimum procedures to be followed to provide reasonable notice and to allow public input:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES AND BOARD OF GOVERNORS OF UNION COUNTY COLLEGE that:

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 College's Board of Trustees and Board of Governors remote and hybrid public meetings:
 - (a) ***Virtual Participation:*** The College's public notice of each meeting conducted remotely or of a hybrid nature shall contain the dial-in phone number and/or web address and all other information (e.g., meeting ID, password) that will be necessary for members of the public to participate in and access the meeting remotely. The Board of Trustees and Board of Governors presently uses Webex Meetings audio/video to conduct its remote and hybrid public meetings. Members of the public wishing to comment during the public portion of meetings will be able to do so during the portion of the meeting designated for such comment by unmuting themselves and speaking. Members of the public must remain muted at all other times until such time for the public comment. Please see section (i) below regarding proper decorum for virtual participation during Board meetings.
 - (b) ***Public Comment via Email:*** Members of the public may submit written comments in advance of a meeting, which will be read during the public portion of the meeting by the Board Secretary. Written comments must contain the submitter's name and may be submitted via email to the Secretary of the Boards Dr. Jaime Segal (jaime.segal@ucc.edu) and must be received by 12pm on the day of the meeting. No anonymous comments will be accepted. Written comments received prior to 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. A time limit of five (5) minutes shall apply to each of the public comments received prior to 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 by email or in writing prior to the meeting are read, no other public comment will be permitted.
 - (c) ***In-Person Participation:*** If meetings are hybrid in nature and have a physical meeting location, members of the public may attend in-person on the dates and times and at the location as provided on the public notice. Given the safety concerns related to COVID-19 and physical space limitations, members of the public may be required to view the meeting from an overflow room but will be authorized to join the meeting room for the purpose of offering live public comment.
 - (d) The Board of Trustees will not accept comments made through the "chat" feature available on Webex Meetings or by any other platform not noted above.
 - (e) If any member of the public is attending remotely, he/she will be provided an opportunity to provide public comment of no greater than five (5) minutes (unless

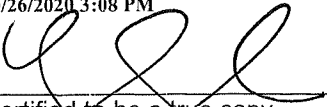
an alternative time limit is stated at the beginning of the public comment portion of the meeting at the sole discretion of the Board Chair) in duration during the public comment portion of the meeting (this applies equally to written public comments submitted via email). The Board Chair will ask whether any member of the public has a comment. Any member of the public wishing to speak shall set forth their name for the record. The Board Secretary shall inform the commenter when he or she has one (1) minute of time remaining to comment. At the conclusion of the commenter's comments, he or she will ask to mute themselves. 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 Trustee, the President, Board Attorney or such other person designated by the Board of Trustees to speak on behalf of the College, may address any comments made without cross dialogue.

- (f) If any member of the public is attending remotely, and a closed session is called by the Board of Trustees as permitted by the OPMA, a separate call-in number or other electronic means of limiting remote participation shall be available so only the Boards and other persons needed for the closed session may participate. The resolution to enter into Executive Session shall clearly state 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 Boards or provide comment during the closed session. The Boards shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.
 - (g) 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 College 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.
 - (h) The College, in its sole discretion, may change the technology for conducting remote public meetings from Webex Meetings to an alternate acceptable form of audio/videoconferencing technology.
3. Any prior ordinance or resolution controlling the decorum of College Board 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 on the College's website on the page containing the Annual Board Meeting Schedule and posted on each of the three campuses in the location designated for Public Notice postings.

NOW, THEREFORE, BE IT RESOLVED that the Union County College Board of Trustees and Board of Governors hereby adopts the foregoing procedures and requirements for public comment during a remote public meeting.

10/26/2020 3:08 PM

Board Meeting November 2, 2020



Certified to be a true copy
Jaime M. Segal, Esq.
Secretary of the Boards