

**CITY COUNCIL****The City of Orange Township, New Jersey**

October 6, 2020

403-2020

DATE \_\_\_\_\_

NUMBER \_\_\_\_\_

**TITLE:****(AMENDED)**

**A RESOLUTION RESCINDING RESOLUTIONS 180-2020(WO) AND 297-2020 AND ADOPTING A CITY OF ORANGE TOWNSHIP POLICY FOR PUBLIC QUESTIONS OR COMMENTS DURING VIRTUAL CONFERENCE AND REGULAR MEETINGS OF THE CITY COUNCIL IN ACCORDANCE WITH THE REGULATIONS OF THE DIVISION OF LOCAL GOVERNMENT SERVICES.**

**WHEREAS**, New Jersey Governor Phil Murphy declared a Public Health Emergency and a State of Emergency due to the COVID-19 pandemic pursuant to Executive Order 103 and subsequently issued Executive Order 107 banning all public gatherings; and

**WHEREAS**, the Governor's Executive Order allowed municipalities to conduct public meetings electronically with the directive that such meetings must comply with the public notice and public requirements of the Open Public Meetings Act (OPMA); and

**WHEREAS**, the Division of Local Government Services (DLGS) issued remote meeting guidance in March 2020 for local government entities, including the conduct of public meetings held by planning board and zoning boards of adjustment; and

**WHEREAS**, on April 21, 2020, in complying with the March 2020 DLGS guidelines, the City of Orange Township adopted a policy under which it would conduct its Conference and Regular Meetings in compliance with the OPMA. Specifically, the City Council adopted resolution 180-2020(WO) approving, among other things, a policy for public questions or comments during virtual conference and regular meetings of the City Council; and

**WHEREAS**, this adopted policy stated, in part, that all public questions or comments must be submitted by email no later than 7:00 p.m. the day prior to the scheduled public meeting and that any new item that was presented during the meeting that a citizen had a question or comment regarding could be emailed to the council president during the meeting and read into the record; and

**WHEREAS**, the City Council adopted resolution 297-2020 on July 8, 2020, amending resolution 180-2020(WO) merely by changing the email address of the council member who would be responsible for receiving submitted questions from the public by way of email; and

**WHEREAS**, Section 8 of the newly enacted P.L. 2020, c. 34 authorizes the Division Director to promulgate regulations establishing standard protocols for remote public meetings held by a "local public body" during a governor-declared emergency, including minimum procedures to be followed to provide reasonable public notice and allowance for public input; and

**WHEREAS**, the Director, pursuant to the authority in P.L. 2020, c. 34, has promulgated emergency regulations codified as N.J.A.C. 5:39-1.1 through 1.7 that implement the new law. These protocols aim to ensure continuity of government operations and transparency in conducting public business when an emergency requires a governing body meeting to be held remotely; and

*Vaughn Parchment*  
City Attorney

**WHEREAS**, the City of Orange Township desires to operate in accordance with the new law as codified in N.J.A.C. 5:39-1.4(f) to allow citizens greater participation during its remote public meetings; and

**WHEREAS**, the City of Orange Township proposes to adopt a policy that will allow citizens to comment verbally, by audio and video, during the appropriate portions of the meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Orange Township be and hereby rescinds resolution 180-2020(WO) and resolution 297-2020.

**BE IT RESOLVED** that the City of Orange Township be and hereby adopts the following policy to allow public comments at Conference Regular Meetings, as well as conducting Executive Sessions:

1. It shall be the new policy of the City Council of the City of Orange Township that citizens shall be allowed to participate in council meetings via audio call in number and video conferencing platform by stating their name and address when directed to do so during the Citizen Comments portion of the Conference or Regular Meeting or the Public Hearing segment of a pending ordinance on second reading. Citizens shall be allotted up to five (5) minutes to participate in each aspect of the public comments portion (Citizens Comments and/or Public Hearing). Additionally, the public may comment at council meetings by emailing their statements or questions to ([citizencomments@orangenj.gov](mailto:citizencomments@orangenj.gov)) or in written letter form directed to the City Clerk no later than 7:00 p.m. the day prior to the scheduled public meeting. The email or letter shall consist of the name and complete address of the individual wishing to speak; the portion of the meeting the individual wishing to comment would like to participate in (Citizens Comments and/or Public Hearing of an ordinance) and the anticipated comment or statement. All public comments submitted through electronic mail or written letter before the remote public meeting shall be read aloud and addressed during the remote public meeting in a manner audible to all meeting participants and the public listening. The City Council shall adhere to the time limit noted above in reading written comments. Each comment shall be read from the beginning, until the time limit is reached. The City Council may pass over duplicative written comments; however, each duplicative comment shall be noted for the record with the content summarized. If the City Council elects to summarize duplicative comments, it must not summarize certain duplicative comments while reading other duplicative comments individually. *The City Council reserves the right to respond or not respond during the meeting to any citizen's questions or comments.*
2. Participants that wish to speak should remain on mute until acknowledged by the Council President to speak. If a member of the public becomes disruptive during a remote public meeting, including during any period for public comment, the member of the local public body charged with running the remote public meeting shall mute or keep on mute, or direct appropriate staff to mute or keep on mute, the disruptive member of the public and warn that continued disruption may result in their being prevented from speaking 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. A member of the public continuing to act in a disruptive manner after receiving an initial warning may be muted or kept on mute, with other members of the public 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. In the event the individual remains disruptive, the individual may be muted or kept on mute for the remainder of the remote public meeting, or removed altogether from the remote public meeting.

3. The agenda, agenda items and documents in relation to the scheduled meeting shall be available to members of the public at [www.ci.orange.nj.us](http://www.ci.orange.nj.us) and [www.orangetwpnjcc.org](http://www.orangetwpnjcc.org) prior to the meeting. Presentations that require materials not on the City of Orange Township's website prior to the meeting shall be visibly shared by video broadcasting during the meeting.
4. When entering an executive or closed session, the City of Orange Township shall ensure that audio or video of the session cannot be accessed except by those individuals that are participating in the session. The City Clerk should take roll call with each individual affirmatively identifying themselves prior to commencing the closed session. If a closed session is held through a telephonic conference call a separate call-in line should be made available to ensure confidentiality. For closed sessions during remote public meetings held through video conferencing, audio recording should be muted and video recording blocked by a graphic labeled "Executive Session". As with in-person meetings, the City Clerk shall read into the record the reason(s) for entering into executive session.
5. It shall be the policy of the City Council of the City of Orange Township that notice of the meeting must include the time, date, location and, to the extent known, the agenda of the meeting, whether formal action may or may not be taken; how the public can access the meeting via audio call in number or video conferencing platform; how to make public comment and where relevant documents relating to that meeting can be accessed. Notice of meeting shall be posted on the front entrance to City Hall and on [www.ci.orange.nj.us](http://www.ci.orange.nj.us) and [www.orangetwpnjcc.org](http://www.orangetwpnjcc.org).
6. It shall be the policy of the City Council of the City of Orange Township that the front page of the Municipal Council Agenda for City Council Conference Meeting shall contain the following language – *"SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall be allowed to participate in the portion of the Council Meeting for citizen comments via audio call in number and video conferencing platform by stating their name and address when directed to do so during the Citizen Comments or Public Hearing portions. Additionally, the public may comment at the Council Meeting by emailing their statements or questions to [citizencomments@orangenj.gov](mailto:citizencomments@orangenj.gov) or in written letter form directed to the City Clerk no later than 7:00 p.m. the day prior to the scheduled public meeting. The City Council reserves the right to respond or not respond during the meeting to any citizen's submission."*
7. It shall be the policy of the City Council of the City of Orange Township that the section titled "CITIZENS COMMENTS ON GENERAL ISSUES/AGENDA

ITEMS” of the Municipal Council Agenda for City Council Regular Meeting shall have the following language – *“SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall be allowed to participate in this portion of the Council Meeting via audio call in number and video conferencing platform by stating their name and address when directed to do so by the Council President. All public comments submitted through electronic mail or written letter before the meeting shall be read aloud by the City Clerk. The City Council reserves the right to respond or not respond during the meeting to any citizen’s questions or comments. If the Council wishes to address any comments it shall be done during the remote public meeting.*

**Adopted: October 6, 2020**

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**Joyce L. Lanier**  
City Clerk

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**Kerry J. Coley**  
Council President

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE April 21, 2020NUMBER 180-2020(WO)**TITLE:****RESOLUTION ADOPTING CITY OF ORANGE TOWNSHIP POLICY FOR PUBLIC QUESTIONS OR COMMENTS DURING VIRTUAL CONFERENCE AND REGULAR MEETINGS OF THE CITY COUNCIL IN ACCORDANCE WITH EXECUTIVE ORDER 107 AND THE DIVISION OF LOCAL GOVERNMENT SERVICES GUIDELINES**

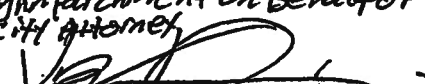
**WHEREAS**, New Jersey Governor Phil Murphy declared a Public Health Emergency and a State of Emergency due to the COVID-19 pandemic pursuant to Executive Order 103 and subsequently issued Executive Order 107 banning all public gatherings; and

**WHEREAS**, the Governor's Executive Order allowed municipalities to conduct public meetings electronically with the proviso that such meetings must comply with the public notice and public requirements of the Open Public Meetings Act (OPMA); and

**WHEREAS**, the City of Orange Township seeks to establish a policy under which it will conduct its Conference and Regular meetings in compliance with the OPMA.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Orange Township be and hereby adopts the following policy to conduct public meetings of its Conference and Regular meetings:

1. It shall be the policy of the City Council of the City of Orange Township that the public may comment at the Council meetings by emailing any questions or comments to [citycouncil@orangenj.gov](mailto:citycouncil@orangenj.gov). All questions or comments must be submitted by email no later than 7:00 p.m. the day prior to the scheduled public meeting for posting on the website and available to the public. For the citizen comment portion of the meeting, the public will be allowed to question or comment on any new matter raised during the meeting. New matter is any discussion had by a council member or a City administrative staff person during the course of the meeting regarding any agenda item. All questions or comments relating to any new matter should be emailed to Council President at [teason@orangenj.gov](mailto:teason@orangenj.gov) with your name and address. *The City Council reserves the right to respond or not respond during the meeting to any citizen's submission.* Notice of this policy containing the above language shall be placed on the City of Orange Township's website and the City Council's website within forty-eight (48) hours of the meeting, or whenever the meeting is noticed, whichever date is earlier.
2. It shall be the policy of the City Council of the City of Orange Township that the front page of the Municipal Council Agenda for City Council Conference Meeting shall contain the following language – *"SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall email their statements or questions to [citycouncil@orangenj.gov](mailto:citycouncil@orangenj.gov), no later than 7:00 p.m. the day prior to the scheduled public meeting. The City Council reserves the right to respond or not respond during the meeting to any citizen's submission."*
3. It shall be the policy of the City Council of the City of Orange Township that the section titled "CITIZENS COMMENTS ON GENERAL ISSUES/AGENDA ITEMS" of the Municipal Council Agenda for City Council Regular Meeting shall

*Vacillia Parchment on behalf of  
the City of Orange*  


**RESOLUTION NO. 180-2020(WO)**

**OFF CONSENT AGENDA**

**REGULAR MEETING— APRIL 21, 2020**

**MOTION TO WALK-ON: Johnson, Jr.**

**SECOND: WOOTEN**

**YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten and Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

**MOTION TO ADOPT: Summers-Johnson**

**SECOND: Johnson, Jr.**

**YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten and Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

DATE July 8, 2020NUMBER 297-2020

## TITLE:

**A RESOLUTION AMENDING RESOLUTION 180-2020(WO) TITLED "RESOLUTION ADOPTING CITY OF ORANGE TOWNSHIP POLICY FOR PUBLIC QUESTIONS OR COMMENTS DURING VIRTUAL CONFERENCE AND REGULAR MEETINGS OF THE CITY COUNCIL IN ACCORDANCE WITH EXECUTIVE ORDER 107 AND THE DIVISION OF LOCAL GOVERNMENT SERVICES GUIDELINES" TO REFLECT CURRENT COUNCIL VICE-PRESIDENT'S EMAIL.**

**WHEREAS**, New Jersey Governor Phil Murphy declared a Public Health Emergency and a State of Emergency due to the COVID-19 pandemic pursuant to Executive Order 103 and subsequently issued Executive Order 107 banning all public gatherings; and

**WHEREAS**, the Governor's Executive Order allowed municipalities to conduct public meetings electronically with the proviso that such meetings must comply with the public notice and public requirements of the Open Public Meetings Act (OPMA); and


**WHEREAS**, the City of Orange Township seeks to establish a policy under which it will conduct its Conference and Regular meetings in compliance with the OPMA.

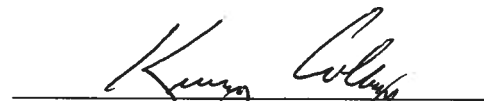
**NOW, THEREFORE, BE IT RESOLVED** that the City of Orange Township be and hereby adopts the following policy to conduct public meetings of its Conference and Regular meetings:

1. It shall be the policy of the City Council of the City of Orange Township that the public may comment at the Council meetings by emailing any questions or comments to [citycouncil@orangenj.gov](mailto:citycouncil@orangenj.gov). All questions or comments must be submitted by email no later than 7:00 p.m. the day prior to the scheduled public meeting for posting on the website and available to the public. For the citizen comment portion of the meeting, the public will be allowed to question or comment on any new matter raised during the meeting. New matter is any discussion had by a council member or a City administrative staff person during the course of the meeting regarding any agenda item. All questions or comments relating to any new matter should be emailed to Council Vice-President at [teason@orangenj.gov](mailto:teason@orangenj.gov) with your name and address. *The City Council reserves the right to respond or not respond during the meeting to any citizen's submission.* Notice of this policy containing the above language shall be placed on the City of Orange Township's website and the City Council's website within forty-eight (48) hours of the meeting, or whenever the meeting is noticed, whichever date is earlier.
2. It shall be the policy of the City Council of the City of Orange Township that the front page of the Municipal Council Agenda for City Council Conference Meeting shall contain the following language – "*SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall email their statements or questions to [citycouncil@orangenj.gov](mailto:citycouncil@orangenj.gov), no later than 7:00 p.m. the day prior to the scheduled public meeting. The City Council reserves the right to respond or not respond during the meeting to any citizen's submission.*"

3. It shall be the policy of the City Council of the City of Orange Township that the section titled "CITIZENS COMMENTS ON GENERAL ISSUES/AGENDA ITEMS" of the Municipal Council Agenda for City Council Regular Meeting shall have the following language – "SPECIAL NOTICE: Please be apprised anyone wishing to discuss Agenda or General Items shall email their statements or questions to [citycouncil@orangenj.gov](mailto:citycouncil@orangenj.gov), no later than 7:00 p.m. the day prior to the scheduled public meeting. For the citizen comment portion of the meeting, the public will be allowed to question or comment on any new matter raised during the meeting. New matter is any discussion had by a council member or a City administrative staff person regarding any agenda item during the course of the meeting. Please email any question or comment relating to any new matter to Council Vice-President at [teason@orangenj.gov](mailto:teason@orangenj.gov) with your name and address. The City Council reserves the right to respond or not respond during the meeting to any citizen's submission."
4. Council meetings shall be conducted using the GoToMeeting platform. The manner to view the meetings shall be as follows:  
Please join the council meeting from your smartphone.  
You can dial in using your phone.  
(For supported devices, tap a one-touch number below to join instantly.)  
United States (Toll Free): 1 877 568 4106  
- One-touch: [tel:+18775684106,,612408757#](tel:+18775684106,612408757#)  
United States: +1 (571) 317-3129  
- One-touch: <tel:+15713173129,,612408757#>  
Access Code: TBD  
New to GoToMeeting? Get the app now and be ready when your first meeting starts:  
<https://global.gotomeeting.com/install/672738125>.

**Adopted:**

  
Joyce L. Lanier  
City Clerk

  
Kerry J. Coley  
Council President



**RESOLUTION NO. 297-2020**

**ON CONSENT AGENDA**

**REGULAR MEETING— July 8, 2020**

**MOTION TO ADOPT: Wooten**

**SECOND: Montague, III**

**YEAS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson, Wooten, Council President Coley**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: None**

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