

**BROOKDALE COMMUNITY COLLEGE BOARD OF TRUSTEES**

**RESOLUTION ESTABLISHING REMOTE MEETING  
PROCEDURES AND REQUIREMENTS FOR THE BROOKDALE  
COMMUNITY COLLEGE BOARD OF TRUSTEES DURING  
DECLARED STATES OF EMERGENCY**

**WHEREAS**, on March 9, 2020, Governor Murphy issued Executive Order 103 declaring a 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, which included encouraging employees to tele-work if feasible and limiting large social gatherings and in-person meetings such as those conducted by local government entities; and

**WHEREAS**, local government entities such as Brookdale Community 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 standard 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 Order 104, the OPMA, and N.J.A.C. 5:39-1.1 to -1.7, the College establishes standard protocols for remote public meetings as set forth in this Resolution;

**WHEREAS**, the Brookdale Community College Board of Trustees 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 BOARD OF TRUSTEES OF THE BROOKDALE COMMUNITY COLLEGE that:**

The aforesaid recitals are incorporated herein as though fully set forth at length.

The following procedures and requirements are hereby adopted for the College's Board of Trustees remote public meetings:

(a) The College's public notice of each meeting conducted remotely shall contain the dial-in conference 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 presently uses "Zoom" 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 press "\*9" for Zoom audio, or click on the appropriate "Zoom" video button to raise their hand. The College's Assistant to the President and Board of Trustees or such other person so designated from time to time ("Facilitator") 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 "Zoom" 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 submitter's name and address and may be submitted via email to the College's Senior Assistant to the President and Board of Trustees (cgruskos@brookdalecc.edu) or by U.S. mail addressed to: Cynthia Gruskos, Senior Assistant to the President & The Board of Trustees, Brookdale Administrative Center (BAC) 765 Newman Springs Road,) Lincroft, New Jersey 07738. Emailed and mailed comments must be received by 5:00 p.m. the day prior to the meeting. Submission of public comments prior to 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 Board during the public meeting in a matter audible to all meeting participants. 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. The same time limit of 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) 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) The Board of Trustees will not accept comments made through the "chat" feature available on Zoom remote meetings or by text messaging or other platforms.

(d) The agenda for the meeting will be available on the College's website: brookdalecc.edu. The agenda will be located in the " Board Packets and Agendas" section of the College website prior to the meeting.

(e) If any meeting includes a public hearing, all material that will be considered by the Board of Trustees at the public hearing shall be posted on or linked to the homepage of the College's website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

(f) Immediately after calling the meeting to order, the designated Facilitator shall ensure 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.

(g) The College Attorney or such other person so designated by the Board of Trustees 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.

(h) In the event the meeting is being recorded, the College Attorney or such other person so designated, will advise the public at the beginning of the meeting.

(i) 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 or through the mail). The Board Chair 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 designated Facilitator 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. The Board Attorney 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 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 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.

(j) 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 Board of Trustees and other

persons needed for the closed session may participate. The College Attorney 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 Board of Trustees or provide comment during the closed session. The Board of Trustees shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

(k) 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. 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 five (5) 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 Board Chair, removed from video and/or removed altogether from the meeting.

(l) 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).

(m) The College, in its discretion, may change the technology for conducting remote public meetings from ZOOM to an alternate acceptable form of audio/videoconferencing technology.

Any prior ordinance or resolution controlling the decorum of College Board of Trustees meetings continue to be in effect unless directly contradictory to the provisions in this Resolution.

A copy of this Resolution shall be prominently posted under the "Board Packets & Agendas" section of the College's website.

The College's Attorney or any other official, officer or employee of the College are hereby authorized to execute any and all documents and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Brookdale Community College Board of Trustees hereby adopts the foregoing procedures and requirements for public comment during a remote public meeting; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the procedures and requirements for making public comment, along with an explanation of the audio muting function of the Zoom technology, shall be announced at the beginning of each remote public meeting and will be placed on the College's website.

Approved: Board of Trustees, October 27, 2020