

RESOLUTION

PLAINSBORO TOWNSHIP PLANNING BOARD Middlesex County, New Jersey

WHEREAS, Section 8 of P.L.2020, c.34 provides that whenever a public health emergency, pursuant to the *Emergency Health Powers Act*, P.L.2020, c.11 (N.J.S.A. 26:13-1, *et seq.*), and/or a state of emergency pursuant to P.L.1942, c.251 (C.App.A.9-33 *et seq.*), or a state of local disaster emergency has been declared by the Governor and is in effect, a local public body may conduct a public meeting remotely by electronic means, provided that reasonable public notice and provision for public input is made under the circumstances; and

WHEREAS, P.L.2020, c.34 also provides that the Director of the Division of Local Government Services in the Department of Community Affairs (“DLGS”) shall adopt rules and regulations concerning the conduct of remote public meetings during a public health emergency or state of emergency that are necessary to implement the provisions of the law, which shall include minimum procedures to be followed to provide reasonable public notice and allowance for public input; and

WHEREAS, DLGS promulgated emergency regulations codified as N.J.A.C. 5:39-1.1 through -1.7 that implement P.L.2020, c.34; and

WHEREAS, N.J.A.C. 5:39-1.4(h) requires local public bodies to adopt, by resolution, standard procedures and requirements for public comment made during a remote public meeting and for public comments submitted in writing ahead of a remote public meeting; and

WHEREAS, the Plainsboro Township Planning Board wishes to formally adopt by resolution the procedures and requirements it followed in 2020 for conducting remote meetings and public hearings, as set forth in Exhibit A attached hereto as the standard procedures and

requirements for conducting public meetings and public hearings during a declared public health emergency and/or state of emergency;


NOW THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Plainsboro on this 19th day of January, 2021, as follows:

1. The preamble to this resolution is hereby incorporated as if restated in full.
2. The “Procedures and Requirements of the Plainsboro Township Planning Board for the Conduct of Remote Public Meetings and Public Hearings during a Declared Public Health Emergency and/or State of Emergency” attached hereto as Exhibit A are hereby adopted as the Board’s standard procedures and requirements for conducting remote public meetings and public hearings during a declared public health emergency and/or state of emergency.
3. This resolution shall take effect immediately.

Yes: 5 No: 5 Absent: 0 Abstain/Not Voting: 0

S. Agarwal	Absent	P. Cantu	Absent
J. Greer	Absent	R. Keevey	Yes
G. Kiernan	Absent	P. Kumar	Yes
A. Lehrhaupt	Yes	E. Yates	Absent
		J. Doshi (Alt. 1)	Yes
		D. Westbrook (Alt. 2)	Yes

I hereby certify that the foregoing is a true copy of a resolution adopted by the Plainsboro Township Planning Board on the 19th day of January, 2021.



Josi Easter, Planning Board Secretary

EXHIBIT A

PLANNING BOARD OF THE TOWNSHIP OF PLAINSBORO MIDDLESEX COUNTY, NEW JERSEY

PROCEDURES AND REQUIREMENTS OF THE PLAINSBORO TOWNSHIP PLANNING BOARD FOR THE CONDUCT OF REMOTE PUBLIC MEETINGS AND PUBLIC HEARINGS DURING A DECLARED PUBLIC HEALTH EMERGENCY AND/OR STATE OF EMERGENCY

REMOTE AND/OR HYBRID MEETINGS

During any declared public health emergency and/or state of emergency, if the Plainsboro Township Planning Board's scheduled public meeting(s) (including public hearings) cannot be safely held in person, or if the room capacity and gathering limitations are expected to be insufficient for the public meeting, the meeting shall be conducted remotely, or via a hybrid procedure that incorporates both virtual and limited in-person attendance, subject to all social distancing requirements, by members of the public body, municipal staff and professionals, and members of the public.

All remote meetings and/or hybrid meetings will be held using Accession Meeting's audio and video conferencing platform, or such other equivalent platform as shall allow both audio and video participation and broadcasting, and as shall enable at least fifty members of the public to attend and participate at no cost using a computer, smartphone, tablet, or telephone. Instructions for accessing the meeting will be printed on each meeting agenda, which will be posted on the municipal website at <https://www.plainsboronj.com/839/Meeting-Agendas>.

NOTICE

Advance notice of all remote or hybrid meetings will be provided, specifying the time, date, and location of the meeting. The notice will also state the platform or method by which the meeting will be held, will provide the telephone number along with the web address or other means of accessing the meeting, and will include clear and concise instructions for how public comments can be made and where relevant documents, if any, will be made available for viewing and/or download. A copy of the notice will be posted on the municipal website at <https://www.plainsboronj.com/839/Meeting-Agendas> and at all public entrances into the municipal building, viewable from the outside.

A copy of the notice, the meeting agenda (to the extent known), and all documents normally made available to the public in hard copy or print format, will be available before the meeting for viewing and/or download from the website at <https://www.plainsboronj.com/839/Meeting-Agendas>.

MEETING CONDUCT AND PUBLIC PARTICIPATION

The procedures and requirements for making public comment, along with an explanation of the audio muting function of the platform in use during the meeting, will be posted on the municipal website, printed on the meeting agenda, and announced or summarized during the meeting.

All meeting participants will be required to keep their microphones muted until recognized or directed otherwise. If necessary, the presiding officer or meeting host will engage the meeting platform's "mute" function until the time for public comment is reached.

To access meeting materials:

1. All meeting materials will be available online via hyperlink on the Planning and Zoning meeting agenda page of the Township website. <https://www.plainsboronj.com/839/Meeting-Agendas>
2. Any member of the public who does not have internet access, may obtain a hard copy of the meeting materials by calling the Planning and Zoning Department at 609-799-0909 extension 1502 to coordinate the mailing of hard copies.

To join virtual meeting by URL and make comments or ask questions:

1. Click the link provided on the electronic version of the meeting notice and agenda to open the meeting. If logging in for the first time, follow the prompts to download the app.
2. If prompted, type in the Meeting ID Number provided on the meeting notice and agenda
3. You will be put in a Waiting Room. The Host will admit you when the meeting begins.
4. Please identify yourself when entering the meeting by adding your name to the screen.
 - a) Add your name by going to the top right hand corner and clicking the "Rename" option.
5. Once entered you will be muted. The Host will unmute you when it is time for public comment.
 - a) We ask that you remain muted during the presentation to minimize the background noise.
 - I. To ask questions go the participants' page at the bottom of the screen and click on the "Raise Hand" option on the top right hand corner.

To join by phone and make comments or ask questions:

1. Dial the toll free phone number provided on the meeting notice and agenda
2. Follow Prompt to enter the Meeting ID Number provided on the meeting notice and agenda
3. Once entered you may be muted. To unmute yourself please press *6 on your phone when the Planning Board Chair opens the public comment portion of the meeting. Please identify yourself before asking your question.

Those members of the public who are unable to attend the meeting in person may submit written comments/questions to planningandzoning@plainsboronj.com. All comments must be received no later than 4:00 P.M. the day prior to the meeting and must include the individual's name and address. All comments will be read into the record. The Board Chair at his or her discretion may pass over duplicate written comments, however, each duplicate comment will be noted for the record and its contents summarized.

Comments sent via chat or Q&A will not be accepted and will not be made part of the record or minutes.

If a member of the public becomes disruptive during the meeting, including during any public comment period, the Chair shall direct that the individual be muted and warn that continued

disruption may result in the individual being prevented from speaking during the meeting or removed. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption and use of profanity. If after receiving an initial warning the individual continues to act in a disruptive manner, the individual will be muted and other members of the public will be allowed to provide their comments or questions. If time permits, the disruptive individual will be given an opportunity to speak after all other members of the public have made their comments. Should the person remain disruptive, the individual may be muted, kept on mute for the remainder of the meeting, or removed from the meeting altogether.

ADDITIONAL REQUIREMENTS FOR PUBLIC HEARINGS ON LAND USE APPLICATIONS:

The following additional requirements shall apply to public hearings on land use applications:

- All materials related to the application, including plans, reports, and exhibits, shall be submitted in electronic format to the Board Secretary ten days prior to the hearing for posting online and shall promptly be made available for inspection and download, but no later than forty-eight hours prior to the hearing
- Information regarding how to access the public hearing and how to access the online application materials, including exhibits, shall be posted on the municipal website and included on the meeting agenda
- All exhibits shall be pre-marked for identification
- All public hearings shall be broadcast by video as well as by audio, and shall be recorded
- Individuals providing sworn testimony during the hearing shall appear by video as well as by audio
- In addition to meeting the requirements of the Municipal Land Use Law, the applicant's notice of the public hearing shall identify the means by which the hearing will be held (including the meeting access instructions), and shall provide clear and concise instructions for how to access the plans, documents and exhibits associated with the application
- Interested parties unable to attend the public hearing shall be allowed to send comments and questions in writing in advance of the hearing to planningandzoning@plainsboronj.com. All written comments/questions must be received by 4:00 p.m. the day prior to the hearing, and must include the individual's name and address. All comments received by the deadline will be read into the record. The Board Chair at his or her discretion may pass over duplicate written comments, however, each duplicate comment will be noted for the record and its contents summarized.
- Comments and questions submitted via chat or Q&A will not be accepted and will not be made part of the record.