

**RESOLUTION ADOPTING STANDING RULES OF THE COMMISSION FOR THE
CONDUCT OF ITS BUSINESS AND PROCEEDINGS FOR THE MPWC YEAR 2022-2023**

WHEREAS the Merchantville-Pennsauken Water Commission (MPWC or Commission) is a public entity and body politic of the State of New Jersey, created pursuant to New Jersey Statutes 40:62-108 et seq., and has the authority to provide for the orderly and efficient operation of the Commission finances; and

WHEREAS the Merchantville-Pennsauken Water Commission desires to provide the clarity that comes from a formal statement and adoption regarding the rules which it has maintained for many years for the conduct of its business and proceedings as otherwise authorized for the Commission to establish as determined by its enabling act, the Agreement of its host communities, its Regulations, its internal Handbooks, and as directed by the dictates of Roberts Rules of Order; and

NOW, THEREFORE BE IT RESOLVED by the Merchantville-Pennsauken Water Commission in the County of Camden and State of New Jersey, that the following rules for the conduct of business and proceedings are hereby stated, published, and formerly adopted for the coming Commission year of 2022-2023:

1. The Regular Meetings of the Commission shall be as determined by the Commissioners at the Annual Reorganization meeting and adopted by Resolution and publicly advertised and posted on the Commission website thereafter. The meetings of the Commission shall, unless otherwise adopted and announced, take place at the Commission Headquarters at 6751 Westfield Avenue, Pennsauken, N.J. in the G. Burton German Meeting Room at the time adopted by Resolution for Annual Meetings, or as otherwise determined by the Commissioners and announced and publicized in conformance with the Senator Byron Baer Open Public Meetings Act (OPMA). When a meeting shall fall on a legal holiday, such meeting shall be held at a time and place which shall be fixed by agreement of the Commissioners, noticed in advance in accordance with OPMA, and so advised to the franchise area Township Clerks. Any meeting may be held at a time and place other than hereinabove provided, in which event the time and place of such meeting shall be agreed to by the Commissioners, noticed and advised to the franchise area Township Clerks.
2. Whenever any meeting is held virtually by electronic means in accordance the Attached procedures, or due to an Emergency Declaration, or other law or regulation, notice of such and all required information for consideration of/and action on any request for electronic participation in meeting shall be provided in advance to the public with such advance notice as referenced in the attached Commission Remote Attendance Procedures. Exhibit A here, or Emergency Declaration Procedures in succeeding Resolution 2022-26 & attachment there.
3. A majority of the members shall constitute a quorum for the transaction of business.
4. The order of business shall be as determined from time to time by the Commissioners.
5. The Commissioners may suspend with the normal order of business for the convenience of the Commission, for witnesses, for members of public and for other guests as the Commissioners determine the most proper at that time during the meeting.

6. Every member desirous of speaking in debate or of presenting any petition, bill, report, or other material to the Committee shall address himself to the President, or other presiding officer of the meeting, and if two members shall speak at once, the President (or presiding officer) shall name the member who is entitled to the floor.
7. If any person other than a member of the Committee is granted the privilege of the floor, they shall rise, address the President/presiding officer, and give their name and address. Further, all such individuals shall be limited to a five (5) minute aggregate speaking period.
8. No question, motion or resolution shall be debated or put to vote unless the same shall have received a second. When a motion or resolution shall be seconded, it shall be summarized or stated by President/presiding officer of the meeting before debate or other action, or comment occurs.
 - (a) No person other than a Commissioner or Staff shall be entitled to address the Commission unless the privilege of the floor shall be extended to them by the consent of the President/presiding officer of the Commission present.
 - (b) No person shall speak to another or leave their seat so as to interrupt the business of the Commission while any papers are being read, or any member is engaged in debate.
9. In the absence of the President from the meeting, the Vice-president shall preside. In the absence of them both, a Chairperson *pro tem* shall be selected to preside by the Commissioners present.
10. Monthly statements or reports by Chief Operating Officer and his Designated Staff shall be presented as deemed necessary and /or appropriate by the C.O.O.
11. In all other incidence the Water Commission will comply with the "Senator Byron M. Baer Open Public Meeting Act" for all Special and Emergency Meetings.
12. All other rules of order not herein enumerated shall be decided according to the Agreement between the founding towns, and Roberts Rule of Order, the version as selected by the Commission at its discretion.

THEREFORE, BE IT RESOLVED by the MPWC Commissioners that the aforementioned Rules be and are hereby adopted by this Resolution until further decision or amendment of the Commission and shall be interpreted and applied so as to be in conformance with all applicable laws and regulations; and

BE IT FURTHER RESOLVED that the original of this resolution be kept in the Official Records of the Commission. I hereby certify that this is a true and accurate recitation of the resolution adopted by the Merchantville-Pennsauken Water Commission on the 14TH day of July 2022 in the County of CAMDEN and STATE of NEW JERSEY.

Merchantville-Pennsauken Water Commission



Frank Warwick, Commissioner and
Secretary of the Commission

EXHIBIT- "A"

Remote Attendance Procedures at Merchantville-Pennsauken Water COMMISSION Meetings.

Policy Considerations:

It is the policy of the Merchantville-Pennsauken Water Commission to encourage in person meetings and that the corporeal gathering of Commission Members at all public meetings is desirable to ensure transparency with regard to deliberations and decision on which public policy is based. Moreover, the State Department of Community Affairs has declared that the default position on meetings is live and in-person. The public's ability to view actions being taken by appointed public officials and to have the personal opportunity to provide meaningful input into the decision-making process may be impaired by the lack of direct access to such officials in the public forum provided by meetings of the Commission. However, the New Jersey Open Public Meetings Act recognizes that a meeting of such officials may take place by means of communication equipment.

1. Definition.

For purposes of this policy, the following term shall have the following meaning:

- (a) "Electronic means" is defined as attending by telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables remote participation provided that all persons present at the meeting location are clearly audible to one another.

2. Minimum Requirements for Electronic Participation.

- (a) A quorum of the governing body of the Water Commission must be physically present at the meeting location.
- (b) A Commissioner who participates by electronic means and all persons present at the meeting location must be clearly audible to each other; and
- (c) All votes taken during the meeting in which a member participates by electronic means must be by individual roll call vote.

3. Electronic Participation.

- (a) If a quorum of the members of the Water Commission is physically present, a majority of those Committee Persons present may allow a Committee Member to attend the meeting by electronic means if s/he is prevented from physically attending because of the following reasons:
 - (i) personal illness or disability; or
 - (ii) employment purposes; or
 - (iii) business of the public body; or
 - (iv) a family or other emergency.

4. Notification Requirements.

- (a) A Commissioner who wishes to attend a meeting by electronic means must notify the President and Chief Operating Officer before the meeting unless such advance notice is impractical.

5. Consideration of Request for Electronic Participation and Placement on the Agenda.

- (a) Consideration of a Commissioner's request for electronic participation shall occur immediately after roll call is taken, and prior to any other business being conducted.

- (b) Such consideration shall appear on the agenda as "Consideration of and possible actions on any requests for electronic participation in meeting" and be placed on the agenda immediately following "Roll Call."
- (c) Those Commissioners physically present shall consider whether any such request meets the requirements of Paragraph 3, and vote regarding whether such member may be allowed to participate electronically.
- (d) Any Commissioner requesting to attend the meeting by electronic means must have such request approved by a majority vote of those members physically present.
- (e) Any Commission member requesting to attend the meeting by electronic means may participate in the debate on such question but may not vote on the approval of their own request.
- (f) If more than one member requests to attend the meeting by electronic means, such requests will be considered in the order in which notification was received by the President as required in Paragraph 4.
- (g) Any member whose request to attend the meeting by electronic means is approved may not vote on the approval of any other member's request considered during that meeting but may participate in any debate on the question.
- (h) Any member whose request for attendance by electronic means is denied may continue to listen to and/or view the meeting via electronic means but may only participate to the same extent in which a member of the public physically present at the meeting could participate.
- (i) A Commissioner who participates by electronic means may vote on all matter presented to the public body and shall not be deemed absent.

6. Closed Sessions

- (a) A Committee Member may attend the closed session of any such meeting by electronic means.
- (b) At the start of any such closed session the Commission Member attending by electronic means must state that no other person(s) is present or able to hear the discussions at the remote location.

7. Miscellaneous Matters.

- (a) If technical difficulties arise as a result of utilizing remote participation, the President, or other person chairing the meeting, may decide, in consultation with fellow Members, how to address the situation. The Commission is encouraged, whenever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If a remote participant is disconnected from the meeting, the minutes must note that fact and the time at which the disconnection occurred. Text messaging, instant messaging, email, and web chat without audio are not acceptable methods of remote participation.