

RESOLUTION

WHEREAS, on February 20, 2020, the Willingboro Township Board of Education (“the Board”) provided adequate notice to the public of the budget hearing meeting scheduled for March 18, 2020, at 6:30pm, at the Country Club Administration Building, 440 Beverly-Rancocas Road, Willingboro, NJ; and

WHEREAS, the Board is required by law to approve and submit a tentative budget to the Executive County Superintendent for review and approval by March 20, 2020; and

WHEREAS, on March 9, 2020, by way of Executive Order No. 103, the Governor of the State of New Jersey, Christopher Murphy (“the Governor”), declared both a Public Health Emergency and State of Emergency due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, the Governor issued Executive Order No. 104, limiting gatherings to 50 persons or fewer, closing all public, private, charter and renaissance schools across the State starting March 18, 2020, requiring closure of non-essential businesses and activities between 8:00pm and 5:00am daily, in an effort to encourage social distancing to curb the spread of COVID-19; and

WHEREAS, the Board is desirous to ensure that the public is able to participate in the budget hearing process while adhering to the Governor’s Orders and recommendations; and

WHEREAS, in an effort to adhere to the Governor’s Orders and recommendations the Board has changed the time of the budget hearing meeting on March 18, 2020 from 6:30pm to 5:30pm; and

WHEREAS, in addition, the Board will be conducting its March 18, 2020 budget hearing meeting with the use of communication equipment pursuant to N.J.S.A. 10:4-8(b) and has made available to the public a physical location and the option to remotely access the meeting; and

WHEREAS, due to the timing of Executive Order No. 104 and the ongoing developments with the COVID-19 pandemic, the Board was unable to provide adequate notice to the public, pursuant to N.J.S.A. 10:4-8 et seq., of the change in time from 6:30pm to 5:30pm, and the use of communication equipment to conduct its March 18, 2020 meeting; and

WHEREAS, pursuant to N.J.S.A. 10:4-9(b), a public body may hold a meeting notwithstanding the failure to provide adequate notice “[u]pon the affirmative vote of three quarters of the members present[,]” and upon certain conditions being met, as enumerated in N.J.S.A. 10:4-9(b); and

WHEREAS, the enumerated conditions are as follows:

(1) such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and

(2) the meeting is limited to discussion of and acting with respect to such matters of urgency and importance; and

(3) notice of such meeting is provided as soon as possible following the calling of such meeting by posting written notice of the same in the public place and by notifying two newspapers by telephone, telegram, or by delivering a written notice of same to such newspapers; and

(4) either (a) the public body could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or (b) although the public body could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so; and

WHEREAS, the Board has determined that the conditions set forth in N.J.S.A. 10:4-9(b) have been met as:

(1) The meeting is required in order to deal with matters of such urgency and importance that a delay in order to provide adequate notice would be likely to result in substantial harm to the public interest;

(2) The meeting is to be limited to discussion of and acting with respect to those urgent and important matters;

(3) Notice of the change of the time of the meeting and the use of communication equipment for the meeting is to be provided by posting written notice in the regular public place utilized for such postings and by notifying the district's two official newspapers by telephone, telegram, or delivery of a written notice;

(4) The board could not reasonably have foreseen the need for the change in the time and the use of communication equipment for the meeting at a time when adequate notice could have been provided.

NOW, THEREFORE, BE IT RESOLVED, the Willingboro Township Board of Education will conduct its March 18, 2020 budget hearing meeting at 5:30pm with the use of communication equipment; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that notice of this meeting be provided to the public in accordance with the requirements of N.J.S.A. 10:4-8 et seq.