

**DECLARATION OF STATE OF EMERGENCY  
TOWNSHIP OF MONTGOMERY, SOMERSET COUNTY**

WHEREAS, Executive Order Nos. 103 and 104, N.J.S.A. App. A:9-45 and N.J.S.A. App. A:9-40-5 authorize and empower local Offices of Emergency Management to promulgate rules and to issue and enforce orders necessary to provide for and to protect the health, safety and welfare of its residents and to prevent the damage and destruction of property during an emergency; and

WHEREAS, Coronavirus Disease 2019 (“COVID-19”) is a rapidly spreading, contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to respond to COVID-19, and on February 3, 2020, New Jersey Governor Philip D. Murphy issued Executive Order No. 102 creating the State’s Coronavirus Task Force to prepare for and respond to the public health hazard posed by COVID-19; and

WHEREAS, with the proliferation of the virus throughout the nation and State, on March 9, 2020, Governor Murphy issued Executive Order No. 103, finding and declaring that a Public Health Emergency and State of Emergency exist in the State of New Jersey; and

WHEREAS, on March 11, 2020, COVID-19 was declared to be a global pandemic by the World Health Organization; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency due to COVID-19; and

WHEREAS, with the need for more critical measures as part of the State’s mitigation strategy to combat COVID-19 and reduce the rate of community spread, Governor Murphy issued Executive Order No. 104 limiting gatherings, closing schools and certain businesses, narrowing the scope of services and hours of operations for restaurants and certain retail establishments, among other measures, in order to limit the unnecessary movement of individuals in and around their communities and person-to-person interactions in accordance with Centers for Disease Control & Prevention (“CDC”) and Department of Health (“DOH”) guidelines; and

WHEREAS, the rapid outbreak of COVID-19, including its spread to residents of the Township and neighboring communities, creates an urgent need to take immediate preventative measures to reduce the further risks of exposure to and the transmission of the coronavirus by implementing procedures whereby essential operational needs are met while at the same time reducing and eliminating to the extent reasonable and possible gatherings and contact that might further adversely affect the health, safety and welfare of Montgomery Township’s residents and visitors and exacerbate and worsen existing conditions; and

WHEREAS, it has been determined that a State of Local Disaster Emergency (“State of Emergency”) must be declared in the Township of Montgomery, and further that certain measures must be taken to ensure that the authorities will be unhampered in their efforts to protect the persons and property of residents affected by said emergency, have the ability to maintain law and order, and provide for the orderly flow of traffic and transit; and

WHEREAS, during this State of Emergency, in order to preserve governmental operations, it is necessary to implement certain measures and changes, including but not limited to the conduct of public meetings, to reduce the spread of COVID-19; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules and regulations as are necessary to meet the various problems and issues which have or may be presented by such an emergency.

NOW, THEREFORE, pursuant to the powers vested in me by Executive Order Nos. 103 and 104, N.J.S.A. App. A:9-45 and N.J.S.A. App. A:9-40.5, and in order to protect the health, safety and welfare of the people of Montgomery Township, I Do Declare and Proclaim that a State of Local Disaster Emergency exists within the Township of Montgomery, and I hereby order as follows:

1. Effective immediately, Montgomery Township Committee meetings will be held virtually by electronic means, live-streamed over the internet. The public may participate in public comment and public hearings by electronic means as provided for by the Township Administrator in accordance with the Open Public Meetings Act (“OPMA”) and guidance from the New Jersey Department of Community Affairs (“DCA”).
2. All meetings of Township Boards, Committees, Commissions and bodies, are hereby cancelled through March 31, 2020. This date may be subject to change or modification as circumstances warrant. During this period of time, the Township Administrator is authorized and empowered to determine if a meeting of any of these Boards, Committees or Commissions is essential or needed under law and convene a meeting in such form and fashion as may be necessary or advisable in accordance with the OPMA and DCA guidance.
3. All municipally-sponsored events, including but not limited to all municipally sponsored recreation activities and sports for children and adults and senior center activities, are cancelled through April 30, 2020. This date may be subject to change or modification as circumstances warrant. This closure includes the closure of all Township playgrounds and the Otto Kaufman Community Center during this time. Playgrounds owned by Homeowner Associations in the Township are strongly encouraged to close.
4. All private events held on municipal property and all events requiring municipal permits are canceled through April 30, 2020, including events for which permits have already been issued.

5. The Montgomery Township Police Department offices will remain open to the public for emergencies only. All non-emergency submissions, requests, and/or inquiries by the public shall be made by telephonic or electronic means during this Emergency.
6. All other municipal offices, buildings and departments are closed to the public, except by appointment only, during normal business hours until further notice. While municipal services will remain available on a limited basis, residents must call ahead (908-359-8211) and schedule an appointment. Further, during this period of emergency, the public is strongly encouraged to utilize the Township's online resources, US Mail service, phone, email, social media and other communication methods, to obtain information regarding municipal services, requirements, make payments, and to transact business, ask questions and report information to the Township.
7. The Township Administrator is temporarily authorized and empowered to hire any employees and to enter into service agreement(s) with any independent contractors as may be necessary to address the needs of the Township during this period of emergency.
8. All Township agencies shall coordinate and communicate with the Montgomery Township Office of Emergency Management to utilize all facilities and resources available to the Township to aid and assist persons of the Township in order to protect life and property during the course of this emergency.
9. In addition to the business closure conditions imposed by Executive Order No. 104, all non-essential businesses in Montgomery Township, for reasons of public health and safety, are strongly urged to limit operations and/or close to the public.

THIS ORDER, dated this 19th day of March, 2020, shall take effect immediately and is subject to amendment or supplementation as needed to properly safeguard the public health, safety and welfare. It shall remain in effect until such time as it is determined that this emergency no longer exists.

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Sean Devlin  
Montgomery Township Emergency Management Coordinator

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Sadaf Jaffer, Mayor