

AGENDA
WOOLWICH TOWNSHIP COMMITTEE
JUNE 15, 2020
6:00 p.m.

PLEASE NOTE:

THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING TO TELECONFERENCE DUE TO COVID-19 RESTRICTIONS.

IN LIEU OF IN-PERSON ATTENDANCE, THE PUBLIC MAY ATTEND THIS MEETING VIA TELECONFERENCING AND COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

Note: There will only be one public comment period at the beginning of the meeting.

**TO JOIN THE MEETING FROM A LANDLINE OR MOBILE PHONE:
DIAL TELEPHONE # 206-279-9591
THEN ENTER ACCESS CODE: 212514**

Call to order:

The June 15, 2020 meeting of the Woolwich Township Committee is being called to order. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act.

Roll Call:

Flag Salute:

Privilege of the Floor: The public is reminded to please stand and state their name and address for the record prior to addressing the Committee.

Ordinances:

2020-11 Ordinance of the Township of Woolwich Amending Chapter 39 of the Code of the Township of Woolwich Entitled "Access to Public Records" Second Reading/Public Hearing

2020 Municipal Budget

R-2020-124 Township of Woolwich, County of Gloucester-Self Examination of Budget Resolution

R-2020-125 Township of Woolwich, County of Gloucester, Resolution to Read Budget by Title Only

Public Hearing on 2020 Municipal Budget

R-2020-126 Resolution of the Township of Woolwich, County of Gloucester, State of New Jersey Adopting the 2020 Municipal Budget

Resolution(s) for Consent Agenda

R-2020-127 Resolution Authorizing the Execution of the First Amendment to Designate Conditional Redeveloper and Provide for Payment of Administrative Costs in Regards to Commodore Business Center North

R-2020-128 Resolution Temporarily Relaxing Existing Ordinances and Procedures Associated with Review and Approval for Existing Restaurants and Food Establishments and Retail Business Provisions for Outdoor Dining and Outdoor Displays to Provide Assistance to Local Retail Businesses under the Current Social Distancing Restrictions Enacted in Connection with the Ongoing, Coronavirus Public Health Emergency and Subject to the Rescission and/or Relaxation of the Current "Stay at Home" Executive Order

R-2020-129 Resolution Authorizing Placement of Municipal Liens-Property Maintenance

Reports:	Month of April
Tax Collector:	\$7,363,840.90
Woolwich Fire Company:	Monthly Report
Police Chief:	Monthly Report
Township Engineer:	Monthly Report
Administrator's Report:	Monthly Report
Municipal Services:	Monthly Report

Liaison Reports:

Committeeman Frederick:	Municipal Services; (Blds./Grounds/Code/UCC/Zoning/Public Works); Environmental Commission
Committeeman Nocentino:	Municipal Alliance
Committeewoman Santore:	BDAC; Trash/Recycling
Dep. Mayor Matthias:	Educational Partners; (KRHS and SWSD); Recreation
Mayor Marino:	Administration: (Finance; Court; JLUB, TDR Task Force); Public Safety
Old Business:	

R-2020-130 Resolution for Closed Session: Woolwich Adult GDP

New Business: Bid Results-Nike Base

Approval of Minutes: May 18, 2020
June 1, 2020 Regular and Closed Session

Approval of Bills and Purchase Orders:

Adjournment:

REMINDER: THERE WILL ONLY BE ONE MEETING IN JULY-July 13, 2020 @ 6:00 p.m.

NOTICE PURSUANT TO N.J.S.A. 10:4-8(d)

The items listed on the tentative agenda of the Mayor and Township Committee of the township of Woolwich constitutes the agenda to the extent known at the time of posting. Since this agenda is tentative, items may be added and/or deleted prior to the commencement of the meeting. Formal action may or may not be taken regarding each item listed on the final agenda.

RULES AND REGULATIONS OF THE WOOLWICH TOWNSHIP COMMITTEE: These procedures are designed to ensure an orderly conduct of business and to allow the tape recording of the proceedings to record all comments made with accuracy.

Township Committee welcomes public comment on any governmental issue that a member of the public feels may be of concern to the resident of the municipality. There will be two (2) portions, up to thirty (30) minutes in duration or as determined by the Mayor or Deputy Mayor, set aside for such comment at every monthly meeting of the Committee. There will be no other public comment accepted unless directed by the Mayor or Deputy Mayor or by an approved motion of the Committee, such as a public hearing.

Comments relating to specific items that are scheduled for a public hearing can only be made at the time of the public hearing on the issue. In taking action on these items, the Township Committee will consider the comments presented at public hearing and any member of the committee can request the Mayor or Deputy Mayor designee for permission to question or address Township Committee.

Each person who wishes to speak shall raise his or her hand to be recognized before speaking. When recognized, the speaker must state their name, address and purpose of their comments. A second opportunity for the same individual to speak will only be allowed after all others have had their opportunity.

Individuals' comments will be limited to a maximum of five (5) minutes to allow as many residents to speak as possible. Other members of the Committee, municipal employees or Township professionals will respond only when requested by the Mayor or his/her designee.

No intra-audience dialogue is permitted during the open session of any meeting. Such behavior is disruptive and will not be permitted.

Speakers on both sides shall treat each other with courtesy and respect in both action and utterance. No personal attacks or "poisonous" rhetoric will be permitted. The Mayor or Deputy Mayor will give one warning of improper behavior or rhetoric to a speaker. On the next offense the speaker will be asked to relinquish the floor to another speaker.

Closed sessions of the Township Committee will normally be held at the end of the normal business part of any meeting. Exceptions to this may be made due to professional commitments or anticipated outcomes deemed of significant public interest.

**ORDINANCE OF THE TOWNSHIP OF WOOLWICH AMENDING CHAPTER 39 OF THE CODE OF THE
TOWNSHIP OF WOOLWICH ENTITLED "ACCESS TO PUBLIC RECORDS"
2020-11**

WHEREAS, Article I OF Chapter 39 Entitled "Access to Public Records" of the Code of the Township of Woolwich establishes regulations concerning the means through which the public may obtain records and copies of documents pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.); and

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Woolwich that the following amendments to Article I of Chapter 39 of the Code of the Township of Woolwich be and is hereby amended as follows:

SECTION I. AMENDMENTS

Article 1 of Chapter 39 entitled "Access to Public Records" of the Code of the Township of Woolwich amended as follows:

39-3 FEES

B. (1.) Rates

Delete and replace with the following:

The duplication of any copies or normal governmental documents shall be charged at the statutory rate pursuant to N.J.S.A. 47:1A1 et seq.

B.(2.)

Amend to add the following Document Type and Fee

Police Accident Reports	\$5.00
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SECTION II. INCONSISTENCY

All Ordinances or parts of Ordinances that are inconsistent with the terms of this Ordinance are hereby repealed to the extent of their inconsistency.

SECTION III> EFFECTIVE DATE

This Ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

TOWNSHIP OF WOOLWICH

ATTEST: _____
Jane DiBella, Clerk

Vernon Marino, Mayor

NOTICE

Notice is hereby given that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Woolwich, held on the 1st day of June 2020 and will be considered for final passage at a meeting of the Township Committee of the Township of Woolwich, to be held on the 15th day of June at 6:00 p.m. at which time and place any interested party will be given the opportunity to be heard.

Jane DiBella, Township Clerk

CERTIFICATION OF ADOPTION

The foregoing Ordinance was adopted by the Township Committee of the Township of Woolwich at a meeting held on the 15th day of June, 2020.

Jane DiBella, Clerk

Questions about eCode360? Municipal users Join us daily between 12pm and 1pm EDT to get

[HISTORY: Adopted by the Township Committee of the Township of Woolwich as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Subdivision of land — See Ch. 163.

Zoning — See Ch. 203.

Article I Access to Public Records

[Adopted 8-5-2002 by Ord. No. 02-08]

§ 39-1 Public records request form.

- A. The Township Committee of the Township of Woolwich hereby adopts the Public Records Request Form, a copy of which is attached hereto and made a part of this article by reference herein,^[1] and that such Public Request Form shall be completed in its entirety and submitted in writing by any member of the general public requesting such government records as described within P.L. 2001, Chapter 404 N.J.S.A. 47:1A-1 et seq.
- [1] *Editor's Note: Said form is on file in the Township offices.*
- B. The Township Committee of the Township of Woolwich hereby adopts the Police Department Request for Public Records, a copy of which is attached hereto and made a part of this article by reference herein,^[2] for use by the Police Department, specifically the Police Chief who has been designated as the Deputy Custodian of Records by Resolution R-02-126 adopted on July 1, 2002, for matters involving requests for police-related information and documents.
- [2] *Editor's Note: Said form is on file in the Township offices.*
- C. All distributed public request forms shall include the attachment as included herein, advising the public of their rights under the Open Public Records Law.^[3] In addition, in accordance with said law, such public notification of the rights of the public to appeal a denial of, or failure to provide requested information, shall be prominently posted within the Municipal Building.
- [3] *Editor's Note: See N.J.S.A. 47:1A-1 et seq.*

§ 39-2 Procedures for requests.

- A. These forms must be completed and remitted to the proper custodian of records at which time such custodian shall determine the validity of such request, when such information shall be ready and the estimated cost for copies of such documents. In addition, the requestor may be responsible for providing a deposit of 1/2 of the estimated cost of such documents at the time such request is made. The requestor shall be provided a copy of the completed Public Record Request Form at the time such request is received, reviewed and completed by the proper custodian of records.
- B. If received by someone other than the official custodian of records, all public record request forms shall be initialed by the person receiving such request, stamped with the date received and the time of such receipt also noted on the form, and remitted to the proper custodian of records at the earliest possible time. The custodian of records shall also note the date and time received by him/her. In accordance with such law, access to or denial of access to a government record shall be determined and made available within seven business days after receipt of such request by the proper custodian of records.

§ 39-3 Fees.

- A. Whenever the nature, format, matter of collation or volume of a government record embodied in the form of printed matter to be inspected, examined or copied pursuant to the Open Public Records Law is such that the record cannot be reproduced by ordinary document-copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the public agency may charge, in addition to the actual cost of duplicating the record, a special charge that shall be reasonable and shall be based upon the actual direct cost of providing the copy or copies or service as well as reasonable administrative fees. Such fees shall be determined prior to providing such copy or copies and the requestor shall have the opportunity to review and object to the charge prior to it being incurred.
- B. Rates.

- (1) The duplication of any copies of normal governmental documents shall be charged at the statutory rate as follows:

Pages	Fee (each)
1 to 10	\$0.75
11 to 20	\$0.50
21 and over	\$0.25

- (2) The following exceptions to the above shall apply in terms of cost:
[Amended 8-2-2004 by Ord. No. 2004-13]

Document Type	Fee (per copy)
List of property owners within 200 feet	\$10.00
Municipal and tax lien searches	\$10.00
<i>Accident Reports</i>	<i>\$5.00</i>

- C. Under special circumstances, all other provisions relative to costs and fees not detailed within this article shall be administered as detailed within N.J.S.A. 47:1A-1 et seq.

**TOWNSHIP OF WOOLWICH
COUNTY OF GLOUCESTER**

**SELF-EXAMINATION OF BUDGET RESOLUTION
R-2020-124**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Woolwich, County of Gloucester has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Woolwich, County of Gloucester that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved:

Vote recorded as follows:

Ayes

Abstained

Nays

Absent

TOWNSHIP OF WOOLWICH

VERNON MARINO, MAYOR

I, Jane DiBella, Township Clerk of the Township of Woolwich, in the County of Gloucester and State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the governing body of the Township of Woolwich, County of Gloucester, State of New Jersey at the regular meeting of said governing body held on June 15, 2020.

JANE DIBELLA, ADMINISTRATOR/CLERK

**TOWNSHIP OF WOOLWICH
COUNTY OF GLOUCESTER**

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: June 15, 2020

By: _____
William Pine, Chief Financial Officer

**TOWNSHIP OF WOOLWICH
COUNTY OF GLOUCESTER
RESOLUTION TO READ BUDGET BY TITLE ONLY**

R-2020-125

WHEREAS, N.J.S. 40A:4-8, as amended by L.2015, c. 95, § 14, 2015, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection, and has been made available to each person upon request; and

WHEREAS, these two conditions have been met,

NOW, THEREFORE, BE IT RESOLVED, that the 2020 budget shall be read by title only.

ROLL CALL:

Ayes

Abstained

Nays

Absent

TOWNSHIP OF WOOLWICH

VERNON MARINO, MAYOR

JANE DIBELLA, ADMINISTRATOR/CLERK

CERTIFICATION

I, Jane DiBella, Township Clerk of the Township of Woolwich, in the County of Gloucester and State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the governing body of the Township of Woolwich, County of Gloucester, State of New Jersey at the regular meeting of said governing body held on June 15, 2020.

JANE DIBELLA, ADMINISTRATOR/CLERK

**RESOLUTION OF THE TOWNSHIP OF WOOLWICH, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY
ADOPTING THE 2020 MUNICIPAL BUDGET**

R-2020-126

WHEREAS, The Local Budget Law [N.J.S.A. 40A:4-1 et seq.] deals with state regulation of local budget matters; and

WHEREAS, The Township of Woolwich, in the County of Gloucester in the State of New Jersey has complied with said statute in all aspects of the Local Budget Law, including a public hearing conducted on this date, and therefore desires to adopt the 2020 Municipal Budget Document as advertised and presented; and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

That the 2020 Municipal budget of the Township of Woolwich, in the County of Gloucester and State of New Jersey be and is hereby adopted.

Ayes

Nays

Abstain

Absent

Adopted this 15th day of June, 2020

TOWNSHIP OF WOOLWICH

Vernon Marino

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich At a meeting held on the 15th day of June, 2020.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO DESIGNATE
CONDITIONAL REDEVELOPER AND PROVIDE FOR PAYMENT OF ADMINISTRATIVE COSTS IN REGARDS
TO COMMODORE BUSINESS CENTER NORTH**

R-2020-127

WHEREAS, the Township of Woolwich entered into an "Agreement to Designate Conditional Redeveloper, Provide for Payment of Administrative Costs", dated December 30, 2019; and

WHEREAS, Liberty Venture I, LP is the owner of Block 11, Lots 20 and 21, and said document names Liberty Venture I, LP as the Conditional Redeveloper for said property; and

WHEREAS, the Agreement further provides for expiration upon either of the following:

- (1) upon the Parties execution of a Redevelopment Agreement; (2) upon either Party's determination not to enter into a Redevelopment Agreement; or (3) 180 days after execution of the Original Agreement if (1) or (2) has not first occurred (the "Termination Date"); and

WHEREAS, Liberty Venture I, LP has asked to extend the termination date of the Conditional Redeveloper Agreement for another 180 days (December 24, 2020); and

WHEREAS, the First Amendment to Designate Conditional Redeveloper, Provide for Payment of Administrative Costs is attached hereto and incorporated within the body of this Resolution by reference; and

WHEREAS, no changes beyond the extension of termination date is contemplated within the Agreement as attached; and

WHEREAS, the Township Committee of the Township of Woolwich agrees to extend the termination date of the Conditional Redeveloper Agreement for another 180 days (December 24, 2020) as contained therein;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows:

1. That the Woolwich Township Committee hereby agrees to enter into the First Amendment to Designate Conditional Redeveloper, Provide for Payment of Administrative Costs as attached hereto, which amendment extends the termination date to December 24, 2020.
2. That the Woolwich Township Mayor and its Clerk be and are hereby authorized to execute said document on the behalf of the Township of Woolwich.

Adopted this 15th day of June, 2020

TOWNSHIP OF WOOLWICH

Vernon Marino, Mayor

ATTEST: _____
Jane DiBella, Clerk

RESOLUTION

RESOLUTION TEMPORARILY RELAXING EXISTING ORDINANCES AND PROCEDURES ASSOCIATED WITH REVIEW AND APPROVAL FOR EXISTING RESTAURANTS AND FOOD ESTABLISHMENTS AND RETAIL BUSINESSES PROVISION FOR OUTDOOR DINING AND OUTDOOR DISPLAYS TO PROVIDE ASSISTANCE TO LOCAL RETAIL BUSINESSES UNDER THE CURRENT SOCIAL DISTANCING RESTRICTIONS ENACTED IN CONNECTION WITH THE ONGOING, CORONAVIRUS PUBLIC HEALTH EMERGENCY AND SUBJECT TO THE RESCISSION AND/OR RELAXATION OF THE CURRENT "STAY AT HOME" EXECUTIVE ORDER

R-2020-128

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of the novel coronavirus (COVID-19) to be a Public Health Emergency of International Concern as human-to-human transmission; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared the novel Coronavirus to be a United States Public Health Emergency; and

WHEREAS, on February 3, 2020, New Jersey's Governor, Philip D. Murphy, issued Executive Order 102 establishing the New Jersey Coronavirus Task Force in an effort to monitor the spread of the Coronavirus within the State of New Jersey, the United States of America, and the entire world in order to facilitate necessary and appropriate action to ensure the safety and security of the residents of the State of New Jersey; and

WHEREAS, on March 4, 2020, the State of New Jersey reported the first confirmed positive case of Coronavirus throughout the State; and

WHEREAS, on March 9, 2020, Governor Murphy issued Executive Order 103 declaring a State of Emergency and a Public Health Emergency in response to the outbreak of the novel Coronavirus within the State of New Jersey; and

WHEREAS, on March 13, 2020, the President of the United States of America formally declared the outbreak of the novel Coronavirus to constitute a National Emergency pursuant to the National Emergencies Act (50 U.S.C. § 1601. et seq.); and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order 104 enacting several "social distancing" regulations, including but not limited to, limiting public gatherings to no more than 50 people, closing educational facilities, closing various recreation and entertainment based businesses, imposed restrictions on scope of service and hours of operation for other non-essential retail, recreational, restaurants/bars

and entertainment businesses; and

WHEREAS, on March 21, 2020, Governor Murphy issued Executive Order 107 which expanded the social distancing regulations set forth within Executive Order 104, including but not limited to, directing all New Jersey remain in their home or place of residence with specific limited exceptions, prohibited gatherings of any size, closed all non-essential retail businesses and identified essential businesses permitted to continue to operate subject to specific limitations, and reiterated and strengthened social distancing requirements when in public; and

WHEREAS, on March 21, 2020, Governor Murphy also issued Executive Order 108 which specifically voided and precluded County and Municipal Governments from imposing or enforcing any restrictions/regulations that in any way would or might conflict with any of the provisions of Executive Order 107, with the exception of regulating online marketplaces for arranging or offering lodging, municipal or country parks, and beaches and boardwalks; and

WHEREAS, Executive Order 107 specifically regulates the continued operation of Bars/Restaurants and provides, in part, that "All restaurants, cafeterias, dining establishments and food courts, with or without a liquor license, all bars, and all other holders of a liquor license with retail consumption privileges, are permitted to operate their normal business hours, but are limited to offering only food delivery and/or take-out services in accordance with their existing liquor licenses;" and

WHEREAS, in the anticipation that the regulations, prohibitions, and social distancing requirements within the Governor's Executive Orders may be relaxed and/or modified in the coming weeks or months, potentially permitting bars, restaurants, food and dining establishments and other retail establishments to operate at reduced capacities, the Mayor and Township Committee of the Township of Woolwich find it to be appropriate to temporarily relax its Ordinances, including but not limited to the procedures associated with review and approval in order to permit said establishments to locate tables and chairs out-of-doors, in the Township's right-of-way (including the sidewalk and the Public Areas) and/or in other locations on site, subject to the requirements and restrictions set forth herein and subsequent to the State of New Jersey rescinding and/or relaxing the restrictions of Executive Order 107 and/or any other directive prohibiting the same; and

WHEREAS, various representatives of the Township of Woolwich, and its Boards, Commissions, and Agencies have discussed methods to assist and promote the economic development of local business in these extremely difficult times and have determined that the ability for local business' to expand its available space will economically assist the businesses in the reduction of capacity caused by the social distancing requirements; and

WHEREAS, the Mayor and Township Committee have determined that it is in the best interest of the Township to temporarily relax the outdoor dining and outdoor display restrictions on local business establishments and to extend outdoor dining and outdoor retail displays into public rights of way (including sidewalks and Public Areas) and to provide for

additional space for outdoor dining into designated public parking lot areas and to allow for outdoor dining areas to be established on private property and private parking lots under specific terms and conditions consistent with guidelines provided by the State of New Jersey and upon application and approval by the Township Administrator and/or her designee; and

WHEREAS, N.J.A.C. 13:2-5.5 provides: "The Director [of Alcoholic Beverage Control] for special cause shown, may issue such temporary permits for such contingencies where a license is not expressly provided for by law, and such a permit would be appropriate and consonant with the spirit of the Alcoholic Beverage Control Act" and that "The Director may impose special conditions or requirements on any such permit;" and

WHEREAS, N.J.A.C. 13:2-9.1 provides: "The rules of [N.J.A.C. 13:2-1.1, et. seq.] may be relaxed by the Director upon a showing of undue hardship, economic or otherwise, on a licensee; that the waiver of the rule would not unduly burden any affected parties; and that the waiver is consistent with the underlying purposes of Title 33 and the implementing rules.;" and

WHEREAS, to the extent that Mayor and Township Committee finds it appropriate to temporarily relax its Ordinances and procedures associated with review and approval in order to permit eating establishments to locate tables out-of-doors, in the Township right-of-way (including sidewalks and Public Areas) and/or in other locations on site, the Mayor and Township Committee also is of the opinion that the Director of the New Jersey Division of Alcoholic Beverage Control should exercise the authority conferred upon the Director by statute and regulation to implement procedures whereby liquor licensees may obtain permits providing for the extension of licensed premises to the Township approved outdoor table areas for so long as such Township approval is valid without the necessity of having to file a formal place-to-place (expansion of licensed premises) application; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Woolwich, County of Gloucester, State of New Jersey as follows:

1. The statements that are set forth in the preamble are true and accurate. All of the statements of the preamble are repeated and are incorporated herein by this reference thereto and are made a part hereof as if each and every statement were set forth fully herein.

2. Effective by way of Resolution of the Mayor and Township Committee of the Township of Woolwich portions of Public Parking Lots to be designated by the Township and Designated On-Street Parking Spaces designated by the Township in consultation with the Police Chief shall be closed to vehicular parking and traffic during the specific dates and times approved by the Township Administrator in order for the retail businesses, restaurants and food establishments the ability to set-up

outdoor display and outdoor dining areas subject to the approval provided for below.

3. Effective immediately, the Township Administrator in consultation with the Office of Emergency Management Coordinator, Chief of Police, Board of Health, Chief of the Fire Department, the Zoning Officer is hereby authorized to promulgate requirements, rules and regulations pertaining to the application for and the use of outdoor areas, both public and private, by local business establishments for outdoor dining and outdoor displays consistent with the guidelines established by the State of New Jersey including but not limited to all COVID related safety precautions and measures during the effective dates of this Resolution.

4. Any and all business establishments of the Township of Woolwich who wish to utilize the public right of way (including sidewalks and Public Areas), the approved designated public parking lots and areas, designated off-street parking spaces and/or private parking lots or private property for outdoor displays and outdoor dining shall, prior to its use, complete and submit an application to the Township Administrator for review and approval. In an effort to assist the local businesses, the Township has agreed to waive any application and/or approval fees relating its review.

Restaurants/Bars/Food Service Establishment - Outdoor Dining

5. The Township Administrator and/or her designee are hereby granted the authority and discretion to approve Outdoor Dining Plan Applications pertaining to existing " full service bars/restaurants," defined as "restaurants engaged in the preparation and service of meals/food," subject to the review and approval of the Chief of Police, in order to permit said establishments to relocate existing tables/seating or locate new tables/seats to the Township right-of-way (including sidewalks) and/or other locations on site, during the designated times, and/or designated times, and/or other private locations during the designated times subject to the following requirements and restrictions:

A. Applicants who wish to relocate existing approved tables/seats to other locations on site, or to locate newly acquired tables/seats outdoors, including the Township right-of-way (including sidewalks and Public Areas) and/or other locations on site, shall be required to submit an Outdoor Dining Plan application, and a drawing depicting the proposed layout and location of tables/seating outside of said bar/restaurant, which shall also include but not be limited to, confirmation of the number of existing, approved tables/seats, a depiction of all aisles, routes of ingress and egress, clearances/distances between tables and between the seating area outside and the curb-line, an illustration, rendering, and/or photograph of all proposed furniture, umbrellas, and trash receptacles, etc. must be of like nature and appearance to what is currently utilized on site. Applicants shall also submit a brief written narrative describing the proposed method of serving food and beverages in the newly proposed areas. The Applicant should also include how the proposed plan conforms to all safety and precautionary measures relating to social distancing and COVID-19 related issues. The approval of any temporary Outdoor Dining Plan in relation to this Resolution shall be subject to the following conditions:

I. Applicants may be permitted to relocate existing approved tables/seats and/or to

locate newly acquired tables/seats to other locations on site, including the Township right-of-way (including sidewalks and Public Areas), subject to the review and approval of the Township's Township Administrator and/or her designee.

Notwithstanding the provisions of the Resolution, no tables/seats shall encroach on the or obstruct the free flow of pedestrian traffic on the pedestrian walkways or any of its approaches. In addition, notwithstanding the provisions of the Resolution, Applicants shall not be permitted to increase the currently approved capacity for the Premises. Applicants may be permitted to utilize the public right of way (including sidewalks and Public Areas) of the adjacent property owner for outdoor dining with the express written consent and approval by the adjacent property owner and business, which must be submitted with the Application.

- II. Applicants may be permitted to utilize the public right of way (including sidewalks and Public Areas) of the adjacent property owner for outdoor dining with the express written consent and approval by the adjacent property owner and business, which must be submitted with the Application.
- III. Tables/seats may be permitted to be located in the Township right-of-way (including sidewalks) provided a minimum six (6') foot pedestrian walkway is maintained and provided for the general public, subject to applicable ADA requirements. An approved tables/seats located in an "outdoor dining area," defined as "a designated area on the premises of a retail food establishment or restaurant, but located outside of the principal building, and where patrons may sit at tables while consuming food and beverages ordered from and served by a waiter or waitress," may be permitted to be utilized between the hours of 7:00 A.M. and 11:00 P.M.
- IV. An approved tables/seats located in an "outdoor dining area" defined as a "designated area on the premises of a retail food establishment or restaurant, but located outside of the principal building, and where patrons may sit at tables while consuming food and beverages ordered from and served by a waiter or waitress," may be permitted to be utilized between the hours of 7:00 A.M. and 11:00 P.M.
- V. Applicants must submit a Litter Control Plan, which shall include a description of the number and location of trash receptacles proposed to service the outdoor dining area, and the frequency with which the outdoor dining area will be policed for litter in order to control the accumulation of trash/recycling.
- VI. Applicants must also acknowledge and agree to full compliance with all current and newly imposed safety and precautionary measures and guidelines established by the State of New Jersey relating to COVID -19.
- VII. The sale/service of alcoholic beverages in these locations shall be permitted, subject to compliance with any and all applicable ABC regulations/statutes, including but not limited to an extension of premises application, and subject to

the review and approval of the Township Clerk and Chief of Police. The approval of any extension of premises application to permit the sale/consumption of alcoholic beverages in outdoor dining areas shall be temporary and shall automatically terminate upon the State of New Jersey rescinding Executive Order 107, and/or the elimination of all social distancing regulations, and/or the expiration of the within Resolution and/or by way of Resolution of the Mayor and Township Committee.

- VIII. The Township of Woolwich may permit the consumption of alcoholic beverages at tables/seats approved by the Township Administrator and/or her designee. However, said consumption of alcoholic beverages shall be limited solely to the tables/seats of the food establishment.
- IX. Applicants proposing to relocate existing tables/seats to the Township right-of-way designated areas of the Public Parking Lots and designated On-Street Parking shall indemnify and hold harmless the Township of Woolwich, its employees, agents, and/or officers from all claims, losses, liens, expenses, suits and attorney's fees arising out of the placement, operation, and maintenance of the Outdoor Dining Area. Applicants must name the Township of Woolwich as an additional insured under the Applicant's general liability insurance, bodily injury, property damage, and personal injury insurance policies, required to have a minimum limit of one million (\$1,000,000.00) Dollars, and provide proof of same to the Township Administrator, and proof that said policies have been amended to reflect coverage for the proposed outdoor dining area.

Retail Businesses – Outdoor Displays

6. The Township Administrator and/or her designee are hereby granted the authority and discretion to approve an Outdoor Display Plan Applications pertaining to Retail Businesses to locate outdoor displays in the Township right-of-way during the designated times, and/or the designated areas of Public Parking Lots during the designated times, and/or designated On-Street Parking Spaces during the designated times, and/or other private locations during the designated times subject to the following requirements and restrictions:

A. Applicants who wish to locate outdoor displays on site including the Township right-of-way and/or other locations on site, shall be required to submit a site plan application, and a site drawing depicting the existing and proposed lay out and location of the outdoor display, which shall also include but not be limited to, a depiction of all aisles, routes of ingress and egress, clearances/distances between the outdoor displays and the curb-line, an illustration rendering, and/or photograph of all proposed furniture, trash receptacles, and/or outdoor displays, mobile carts, racks etc. must be of like nature and appearance to what is currently utilized on site. Applicants shall also submit a brief written narrative describing the proposed method of servicing customers in the newly proposed areas. The Applicant should also include how the proposed plan conforms to all safety and precautionary measures relating to social distancing and COVID-19 related issues. The approval of any outdoor display plan in relation to this Resolution shall be subject to the following

conditions:

1. Applicants may be permitted to locate outdoor displays, including the Township right-of-way subject to the review and approval of the Township's Township Administrator and/or her designee. Notwithstanding the provision of the Resolution, not outdoor display shall encroach on the or obstruct the free flow of pedestrian traffic on the pedestrian walkways or any of its approaches.
2. Outdoor displays may be permitted to be located in the Township right-of-way provided a minimum 6' foot pedestrian walkway is maintained and provided for the general public, subject to applicable ADA requirements.
3. Applicants may be permitted to utilize the public right of way (including sidewalks and Public Areas) of the adjacent property owner for outdoor displays with the express written consent and approval by the adjacent property owner and business, which must be submitted by Application.
4. An approved Outdoor Display located outside of the principal building may be permitted to utilized between the hours of 7:00 A.M. and 11:00 P.M. daily.
5. Applicants must submit a Litter Control Plan, which shall include a description of the number and location of trash receptacles proposed to service the outdoor area, and the frequency with which the outdoor display area will be policed for litter in order to control the accumulation of trash/recycling.
6. Applicants must also acknowledge and agree to full compliance with all current and newly imposed safety and precautionary measures and guidelines established by the State of New Jersey relating to COVID-19.
7. Applicants proposing to locate Outdoor Displays in the Township right-of-way and designated On-Street Parking shall indemnify and hold harmless the Township of Woolwich and its employees, agents, and/or officers from all claims, losses, liens, expenses, suits, attorney's fees arising out of the placement, display, operation and maintenance of the Outdoor Display Area. Applicants must name the Township of Woolwich as an additional insured under the Applicant's general liability insurance, bodily injury, property damage, and personal injury insurance policies, required to have a minimum limit of one million (\$1,000,000.00) Dollars, and provide proof of same to the Township Administrator, and proof that said policies have been amended to reflect coverage for the proposed outdoor display area.

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich of the Code of the Township of Woolwich, as outlined in Chapter 56 entitled, "Alcoholic Beverages" shall not apply to the specific outdoor dining and tables and

chairs approved by the Township Administrator and/or her designee consistent with, and for the life of the within Resolution; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that it hereby reserves the right to amend, terminate, or repeal this Resolution and/or any approvals granted herein at any point in time if determines that it is in the best interest of the health, safety and welfare of the Township, and accordingly no property rights are granted to any person(s) or entities by virtue of this Resolution and/or approval hereunder and any person(s) or entities electing to pursue temporary relief in accordance with the provisions of this Resolution are hereby given notice that the expenditure of any funds, or the incurrence of any costs, in reliance upon this Resolution and any approval hereunder shall be at their sole and exclusive risk and expense. All persons and/or entities are hereby given notice that the risk of loss for any expenditure and/or costs incurred shall be their sole and exclusive responsibility; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that with the exception of the temporary relief and application process set forth herein relating to outdoor dining and outdoor displays, existing and proposed retail businesses must comply with any and all other federal, state, county and local laws and regulations, including any and all other existing zoning ordinances and/or general ordinances governing the operation of bars/restaurants and retail businesses; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that in the event the Township Administrator, Zoning Officer and/or Police Department determines that a business establishment or person is in violation of the conditions of any temporary Outdoor Dining and/or Outdoor Display Plan approved in relation to this Resolution, the Township Administrator is hereby authorized to immediately revoke the approval received in relation to this Relation; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that the Township Administrator is hereby further empowered to enforce the discretionary powers which are considered necessary in order to make the provisions hereof properly effective and useful for the benefit of the Township and its businesses, including but not limited to the separation of the commencement of the application and approval process for outdoor dining and outdoor retail displays; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that in order to avoid injustice or the possible abuse of discretion and to correct the possibility of error in judgment, any Applicant, who's Outdoor Dining and/or Outdoor Display Plan application is denied by the Township Administrator and/or her designee, has the right to appeal to the Township Committee by filing a notice of appeal with the Township Clerk within thirty (30) days of the denial of said application. Upon receipt of any such notice of appeal, the Township Committee will hear the appeal at its regular meeting, at which time the owner and any other persons appearing in the matter will be heard or afforded the opportunity to be heard. At the conclusion of said hearing, the Township Committee will

consider the matter, determine whether to uphold or overturn the Township Administrator and/or her designee's decision, and thereafter notify the owner of its decision; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich by this passage of this Resolution, the Mayor and Township Committee of the Township of Woolwich requests that the Director of the New Jersey Division of Alcoholic Beverage Control exercise the authority conferred upon the Director by the provisions of N.J.A.C. 13:2-5.5 and N.J.A.C. 13:2-9.1 to immediately implement procedures whereby liquor licensees may obtain permits providing for the extension of licensed premises to the outdoor table areas that are approved pursuant to the provisions of this Resolution for so long as such municipal approval is valid without the necessity of having to file a formal place-to-place (expansion of licensed premises) application with the Township; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that the within Resolution and the authority delegated herein and effects of any permission and/or approvals hereto are expressly conditioned upon Governor Phil Murphy relaxing the restrictions of Executive Order 107 and any other restrictions on residents of the State of New Jersey and essential and non-essential businesses and no action is authorized or permitted that would conflict with the actions and/or Executive Orders of Governor Murphy, or any rules, regulations, requirements, prohibitions and/or guidance of the State of New Jersey and any of its Departments, Agencies, Divisions, including but not limited to the Office of Emergency Management; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that this Resolution shall take effect immediately upon and subject to the State of New Jersey relaxing the provisions of Executive order 107, specifically the provisions pertaining to the regulations upon the residents of the State of New Jersey and the operation of restaurants and bars and/or other essential and non-essential retail businesses. However, the Township Administrator is authorized to commence the promulgation of requirements, rules and regulations pertaining to the application for and the use of outdoor areas, both public and private, by local business establishments for outdoor dining and outdoor displays and the approval of same. Upon passage of the within Resolution, the Township Administrator is further authorized to accept and review said Applications, however shall not be permitted to approve such applications until such time as the effective date pursuant to the terms hereto; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that in the event the prohibitions of Executive Order 107 are not relaxed in order to effectuate the within Resolution or this Resolution rescinded and/or expires, any temporary approval afforded by the Township Administrator and/or her designee in accordance with the terms and conditions of this Resolution shall be deemed void; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that, upon the effective date of this Resolution, all requirements of prior ordinances or parts of ordinances inconsistent with this temporary Resolution are hereby

temporary suspended to the extent of their inconsistencies only; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that, except as provided for above pertaining to the promulgations of rules and regulations and the acceptance and approval of application, immediately upon Governor Phil Murphy's rescission or relaxation of the restrictions upon the residents of the State of New Jersey and the operation of essential and non-essential businesses throughout the State of New Jersey, all Township officials, employees and agents shall take all necessary actions in order to effectuate the within Resolution; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich that should any section, paragraph, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid for any reason, or not approved by the State of New Jersey, the remaining portions of this Resolution shall not be affected thereby and shall remain in full force and effect and to that end, the provisions of this Resolution are hereby declared to be severable; and

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Woolwich, upon adoption of this Resolution, the Township Clerk shall forward copies, electronically or otherwise, to the New Jersey Director of the Division of Alcoholic Beverage Control.

Adopted this 15th day of June, 2020

TOWNSHIP OF WOOLWICH

Vernon Marino, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 15th day of June, 2020.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING PLACEMENT OF MUNICIPAL LIENS-PROPERTY
MAINTENANCE**

R-2020-129

WHEREAS, various properties within the Township of Woolwich are vacant and/or neglected, thereby creating a violation of the Township Property Maintenance Code; and

WHEREAS, the owners of property located at 106 Steeplebush failed to comply with a "Notice of Violation" issued by the Woolwich Township Director of Municipal Services; and

WHEREAS, the Woolwich Township Public Works Department thereafter conducted lawn maintenance at said properties for which the cost to the Township is \$300.00 per property; and

WHEREAS, the Township wishes to re-coup such costs by placing municipal liens as reflected below:

Block Lot	Address	Owner(s)
25/3.19	106 Steeplebush	Hidden Mill Associates

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich as follows;

1. That the Woolwich Township Tax Collector be and is hereby authorized to place municipal liens on the Blocks/Lots as referenced above in the amount of \$300.00 per property.

Adopted this 15th day of June, 2020

TOWNSHIP OF WOOLWICH

Vernon Marino, Mayor

ATTEST: _____
Jane DiBella, Clerk

CERTIFICATION

The foregoing resolution was duly adopted by the Township Committee of the Township of Woolwich at a meeting held on the 15th day of June, 2020.

Jane DiBella, Clerk

**RESOLUTION AUTHORIZING A CLOSED SESSION OF THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF WOOLWICH;
LITIGATION: WOOLWICH ADULT
R-2020-130**

WHEREAS, the Township Committee of the Township of Woolwich is subject to the requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.; and

WHEREAS, the Open Public Meetings Act of the State of New Jersey generally requires that all meetings of public bodies be open to the public; and

WHEREAS, the Open Public Meetings Act further provides that a public body may exclude the public from a portion of a meeting at which the public body discusses items enumerated in the Open Public Meetings Act at N.J.S.A. 10:4-12b, which items are recognized as requiring confidentiality; and

WHEREAS, it is necessary and appropriate for the Woolwich Township Committee to discuss certain matters in a meeting not open to the public consistent with N.J.S.A. 10:4-12b;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Woolwich that:

1. The Woolwich Township Committee shall hold a closed meeting from which the public shall be excluded on **June 15, 2020**.
2. The general nature of the subject to be discussed at said closed meeting shall be;

Litigation: Woolwich Adult

The minutes of said closed meeting shall be available for disclosure to the public consistent with N.J.S.A. 10:4-13, when the items which are the subject of the closed session discussion are resolved and a reason for confidentiality no longer exists.

Adopted on the 15th day of June, 2020

ATTEST:

TOWNSHIP OF WOOLWICH

Jane DiBella, Clerk

Vernon Marino, Mayor