

INDEPENDENCE TOWNSHIP COMMITTEE
Meeting held at the Municipal Building, Great Meadows, NJ.
June 9, 2020 7:00 p.m. via Zoom

This is a regular meeting of the Township Committee of Independence Township, Warren County, New Jersey. This meeting was called to order by Mayor Robert Giordano at 7:00 p.m. with the following announcement: "Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a schedule of regular meetings to the NJ Herald and The Express Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk." The Pledge of Allegiance to the American Flag was led by Mayor Giordano.

ROLL CALL:

Present: Mayor Robert Giordano, Bonnie Kelsey via zoom, Mike Pennington, Glenn Cogle via zoom, Tim Norton via zoom and Debi Hrebenak. Also present were Attorney Leslie Parikh, Mike Finelli and Lt. Prell via zoom

Absent: none

Minute Approval 5.12.20

A motion was made by Mr. Cogle to approve 5.12.20 Minutes as written. Mayor Giordano seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Cogle, Mr. Norton and Mayor Giordano

Nays: None recorded

Abstain: None recorded

CONSENT AGENDA:

Resolution 20-47

RESOLUTION OF THE TOWNSHIP OF INDEPENDENCE AUTHORIZING TEMPORARY PROCEDURES TO ASSIST CERTAIN ESTABLISHMENTS WITH OUTDOOR DINING PERMITS DURING THE COVID-19 PANDEMIC

WHEREAS, Governor Murphy has issued Executive Order No. 150 permitting, in part, the resumption of outdoor dining and beverage sales and consumption with restrictions imposed by the New Jersey Department of Health; and,

WHEREAS, according to Executive Order No. 150, effective at 6:00 a.m. on Monday, June 15, 2020, restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, bars, and all other holders of a liquor license with retail consumption privileges, collectively referred to as "food or beverage establishments," are permitted to offer in-person service at outdoor areas; and,

WHEREAS, on June 3, 2020, the State of New Jersey Department of Health has issued Executive Directive No.20-014, which further Ordered and Directed food and/or beverage establishments offering service at outdoor areas pursuant to Executive Order No. 150 to adhere to certain guidelines and protocols; and

WHEREAS, on June 3, 2020, the State of New Jersey, Department of Law and Public Safety/Division of Alcohol Beverage Control (NJABC) issued Special Ruling 2020-10, authorizing a process pursuant to which certain food and beverage establishments may obtain a temporary COVID 19 permit to expand licensed premises through their local municipalities and the NJABC; and

WHEREAS, the Township is desirous to assist restaurant businesses during the COVID-19 pandemic and emergency by establishing an expedited process for the possible temporary expansion of the space available for outdoor dining in compliance with

Executive Order No. 150, State of New Jersey Department of Health has issued Executive Directive No.20-014 and Special Ruling 2020-10

NOW, THEREFORE, BE IT RESOLVED that, in light of the fact that Executive Order No. 150, and Department of Health Executive Directive 20-014 and Special Ruling 2020-10, have specifically allowed outdoor dining to resume with the restrictions contained therein, the Township of Independence hereby temporarily waives any regular procedures for land use permits for outdoor dining expansion by permitting businesses to submit an expedited Outdoor Dining Permit application and plan (Expedited Application and Plan) for the balance of the year 2020, including the potential expansion of such dining onto sidewalks and parking lots, to the Township appropriate Code official for review; and,

BE IT FURTHER RESOLVED, the appropriate Code Official, in consultation with the Fire Code Official, Subcode Official, local Police Department and the Board of Health and any other official deemed necessary, shall review such Expedited Application and Plan on an expedited basis, pending necessary NJABC permit, if applicable and shall work with such business to reach accommodations to assist such businesses with obtaining an Outdoor Dining Permit from the Township, keeping in mind that the safety and health of the public shall be of the utmost importance; and,

BE IT FURTHER RESOLVED, that once the appropriate Code Official, in consultation with the other aforementioned Township officials, is satisfied that the business has demonstrated that their outdoor seating plan is safe for customers, staff and the general public, she/he shall issue such Outdoor dining permit; and,

BE IT FURTHER RESOLVED, that the fees associated with such Outdoor Dining Permit shall be waived for the year 2020 to assist such businesses during the COVID-19 pandemic and

BE IT FURTHER RESOLVED that all approvals granted pursuant to this Resolution shall expire on December 21, 2020.

A motion was made by Mr. Norton to approve Resolution 20-47 as written. Mayor Giordano seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Cogle, Mr. Norton and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Resolution 20-48

Title or Subject: APPOINTMENTS/ PATROLMAN

BE IT RESOLVED by the Township Committee of the Township of Independence the following appointment is hereby made:

Jacob R Lloyd-Patrolman 6th Class, at a rate of \$ 52,886.00 per annum effective June 15, 2020.

A motion was made by Mr. Pennington to approve Resolution 20-48 as written. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Norton and Mayor Giordano

Nays: None recorded

Abstain: Mr. Cogle

DEPARTMENT REPORTS:

Tax Collector – Report was submitted. Estimated bills sent.

Construction/Zoning – Reports were submitted.

Environmental – Everything on hold

Treasurer – Posted

Recreation/Green Acres – no meeting. Working on pickleball court with DPW.

Police – Report has been submitted.

Emergency Services – nothing to report. No meetings

DPW – Report was submitted.

Municipal Clerk: school asked to use our gas due to shell station beginning closed. We will bill them for the usage.

Land Use Board – meeting in June via zoom

Seniors – meeting on Thursday.

Board of Education – school closed at this time. Next meeting June 16.

PROFESSIONAL REPORTS:

Attorney Parikh: *Report submitted.* *Updates* legislation on the covid-19 procedures

Engineer Finelli: Working on 2021 grants. Asbury Road project.

OLD BUSINESS: none

NEW BUSINESS:

Oath of Office - Police Officer Jacob R. Lloyd

PUBLIC COMMENT: none

BILLS: A motion was made by Mr. Pennington to pay the bills as presented. Mr. Norton seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Cogle, Mr. Norton and Mayor Giordano

Nays: None recorded

Abstain: None recorded

EXECUTIVE SESSION: 7:20 pm – 7:40 pm

The following Resolution was approved at 7:20 p.m. to enter Executive Session with a motion by Mr. Pennington, seconded by Mrs. Kelsey and followed by a unanimous roll call.

WHEREAS: N.J.S. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Independence, County of Warren, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters;

The general nature of the subject matter to be discussed is as follows:

Attorney Client Privilege Litigation

It is anticipated at this time that the above matter will be made public upon completion of the matter discussed.

A motion was made by Mr. Norton at 7:40 p.m. to exit the executive session, seconded by Mr. Cogle followed by a roll call of all ayes

Mayor Giordano stated that Litigation issues were discussed and no action will be taken at this time.

ADJOURNMENT: A motion was made by Mr. Norton to adjourn the meeting at 7:45 p.m. Mrs. Kelsey seconded the motion with roll call as follows:

Ayes: Mrs. Kelsey, Mr. Pennington, Mr. Cogle, Mr. Norton, and Mayor Giordano

Nays: None recorded

Abstain: None recorded

Respectfully submitted,

Deborah M. Hrebenak, RMC/CMR