

5493
Flag Salute

The meeting was called to order at 9:00 a.m.

Roll Call: Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach
Absent: Dineen

STATEMENT OF ADEQUATE NOTICE

This special Meeting was called pursuant to the provisions of the Open Public Meeting Law. Notices of this meeting were emailed to the Hunterdon Review, the Hunterdon County Democrat and the Courier News on June 11, 2020. In addition, notice was displayed on the clintonnj.gov website.

Proper notice having been given, the Municipal clerk is directed to include this statement in the minutes of the meeting.

This meeting has been called for the purpose of the adoption of two resolutions in accordance with Governor Murphy's Executive Order 103.

RESOLUTION #103-20 – TEMPORARY OUTDOOR DINING

A motion was made by Mr. Humphrey, seconded by Mr. Traphagen, to adopt Resolution #103-20 as submitted:

RESOLUTION # 103-20

RESOLUTION AUTHORIZING TEMPORARY OUTDOOR DINING

WHEREAS, since March 15, 2020, restaurants in the Town of Clinton have been greatly impacted due to the COVID-19 pandemic; and

WHEREAS, on March 16, 2020, Governor Murphy issued Executive Order No. 104 which limited restaurants to providing take-out food only, and on June 3, 2020, Governor Murphy issued Executive Order No. 150 which provided for the ability of restaurants to open outdoor dining for food and beverage consumption, including alcoholic beverages, subject to municipal approval; and

WHEREAS, the Town of Clinton Council wishes to provide relief to those restaurants being impacted by COVID-19 by allowing temporary outdoor seating in accordance with Executive Order No. 150.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clinton Council, in the County of Hunterdon, State of Jersey, hereby authorizes the Zoning Officer to issue outdoor dining permit approvals for in-person service by all food and beverage establishments within the Town at contiguous outdoor areas under the possession and control of the owner or licensee of the food and beverage establishment, including but not limited to potential expansion of such dining onto sidewalks, parking lots and other public rights of way; and

BE IT FURTHER RESOLVED, that all holders of liquor licenses with retail consumption privileges are hereby approved for an ABC COVID-19 Expansion of Premises Permit, in accordance with

the rules and regulations established by the Division of Alcoholic Beverage Control, and the Town Clerk and the appropriate Law Enforcement Official be and hereby are authorized to endorse any such application; and

BE IT FURTHER RESOLVED, that all food and beverage establishments within the Borough that wish to incorporate the use of outdoor dining must continue to follow the rules and regulations set forth by Governor Murphy, the New Jersey Department of Health's Executive Directive 20-014, as the same may be amended from time to time, the Hunterdon County Department of Health, as well as all other applicable local, state and federal laws; and

BE IT FURTHER RESOLVED, the total number of seats/customers at one time must not exceed the total permitted restaurant capacity and must not impede pedestrian circulation, parking, or the public right-of-way; and

BE IT FURTHER RESOLVED, restaurants may display one temporary sign to notify the public of dining options and restrictions so long as the signage does not interfere with public safety; and

BE IT FURTHER RESOLVED that outdoor dining permitted by this Resolution shall be permitted to commence at 6:00 a.m. on Monday, June 15, 2020 and shall extend through November 30, 2020; and

BE IT FURTHER RESOLVED that all municipal fees associated with the review and approval of outdoor dining shall be waived for the year 2020.

Vote all ayes
Motion carried

RESOLUTION #104-20 – CLINTON HOUSE LIQUOR LICENSE TEMPORARY EXPANSION

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adopt Resolution #104-20 as submitted :

RESOLUTION #104-20

**RESOLUTION SUPPORTING CLINTON HOUSE'S APPLICATION FOR A TEMPORARY
OUTDOOR DINING PERMIT AND AUTHORIZING CLERK TO ENDORSE LIQUOR
LICENSE PREMISES EXPANSION FOR THE CLINTON HOUSE DURING THE COVID-19
PANDEMIC**

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

WHEREAS, pursuant to Executive Order No. 103, NJ Governor Phil Murphy declared that a Public Health Emergency and State of Emergency exist in the State of New Jersey; and

WHEREAS, Governor Murphy 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

5495

WHEREAS, according to Executive Order No. 150, effective 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 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 “COVID-19 Temporary Permit to Expand the Licensed Premises” to include adjacent outdoor areas due to the COVID-19 pandemic through their local municipalities and the NJABC; and

WHEREAS, such applications must be endorsed by the Municipal Clerk; and

WHEREAS, such applications require proof that premises expanded onto public sidewalks are permitted; and

WHEREAS, in order to facilitate the expansion of outdoor dining, the Town Council adopted a resolution dated June 15, 2020 authorizing the issuance of COVID-19 Temporary Outdoor Dining, Sales, and/or Signage Permits, which, in part, establish a process by which restaurants can obtain permission to locate tables and chairs on public sidewalks for outdoor dining; and

WHEREAS, Sidirounda, LLC operates a restaurant known as the Clinton House at 2 West Main Street in the Town;

WHEREAS, the operators of the Clinton House have worked with the Town Zoning Officer and Chief of Police to develop an outdoor dining plan to locate chairs and tables on the public sidewalk adjacent to the Clinton House, which is attached hereto; and

WHEREAS, Sidirounda, LLC holds license # 1005-33-003-008 and has applied for a COVID-19 Temporary Permit to Expand the Licensed Premises, which is attached hereto; and

WHEREAS, the Town has reviewed the application to expand the licensed premises and the outdoor dining plan and determined that the application should be endorsed, provided that the proper zoning permit is granted by the Zoning Officer to permit the proposed outdoor dining area; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the Clerk is authorized to endorse Sidirounda, LLC’s application for a COVID-19 Temporary Permit to Expand the Licensed Premises.

BE IT FURTHER RESOLVED, that the Mayor and Council support the outdoor dining plan submitted by Sidirounda, LLC and attached hereto; and

BE IT FURTHER RESOLVED, such endorsement is conditioned upon the Zoning Officer’s issuance of a COVID-19 Temporary Outdoor Dining, Sales, and/or Signage Permit to Sidirounda, LLC consistent with the outdoor dining plan attached hereto.

5496

Vote all ayes
Motion carried

Councilwoman Johnson asked if it would be possible to block off sidewalks for some establishments that do not have the frontage for tables? Mayor Kovach explained that Chief Kubinak has been discussing the issue with Allison Witt, Zoning Officer, and the Guild to possibly shut one side of the road to parking on Main Street for adding tables. The “Restart” committee is also working with them to come up with a safe plan.

ADJOURNMENT

There being no further comments, a motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to adjourn the meeting at 9:06 a.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Mayor Janice Kovach