

Borough of Pine Hill  
Special Meeting  
June 22, 2020  
Pine Hill Borough Hall  
7:30 P.M.

Mayor Green called the meeting to order.

Pledge to the flag:

Borough Clerk, Patricia Hendricks delivered the Sunshine Law and the awareness for the town.

Roll Call: Patricia Hendricks, Borough Clerk

Councilman Warrington-absent, Councilman Knott-present, Councilman Jaxel-present, Councilman Robb-present, Councilman Burke-present, Councilwoman Corry-Gaft-absent, Mayor Green-present, Mr. Greer-present, Mrs. Hendricks-present, Mr. Patterson-present, Mr. Magill-absent, Mr. Cardis-absent

Mayor Green reported that this is a special meeting to deal with Resolution 2020-93  
Resolution of the Borough of Pine Hill authorizing temporary zoning permits to permit restaurants, cafes and similar establishments, with or without a liquor license and all other holders of a retail consumption liquor license to offer in person services at outdoor areas subject to identified conditions.

RESOLUTION NUMBER 2020-93

BOROUGH OF PINE HILL  
COUNTY OF CAMDEN

RESOLUTION OF THE BOROUGH OF PINE HILL AUTHORIZING TEMPORARY ZONING PERMITS TO PERMIT RESTAURANTS, CAFES AND SIMILAR ESTABLISHMENTS, WITH OR WITHOUT A LIQUOR LICENSE AND ALL OTHER HOLDERS OF A RETAIL CONSUMPTION LIQUOR LICENSE TO OFFER IN PERSON SERVICES AT OUTDOOR AREAS SUBJECT TO IDENTIFIED CONDITIONS

WHEREAS, the Mayor and Borough Council of the Borough of Pine Hill acknowledge that the State of New Jersey and the United States of America have been facing unprecedented times as a result of the novel (Covid-19) pandemic; and

WHEREAS, on March 21, 2020 Governor Murphy issued an Executive Order that all non-essential retail businesses, which included all restaurants and eating establishments for any in-service

consumption, were closed and limited to offering only food delivery and/or take out services in accordance with their existing business or liquor licenses; and

WHEREAS, the Borough of Pine Hill recognizes small businesses and small business owners are the backbone of the local community by providing essential jobs, goods and services and opportunities for social interaction as well as a significant and needed revenue source for the Borough ; and

WHEREAS, on June 3, 2020, Governor Murphy issued Executive Order No. 150 permitting restaurants, cafes and similar dining establishments, with or without a liquor license, and all other holders of a liquor license with retail consumption privileges (collectively referred to as “Food or Beverage Establishments”) to offer in-person services at outdoor areas, subject to requirements set forth in that Executive Order (See attached); and

WHEREAS, on June 3, 2020 the New Jersey Department of Health issued Executive Directive No. 20-014 establishing protocols to be utilized by Food or Beverage Establishments offering service at outdoor areas, pursuant to Executive Order No. 150 (See attached); and

WHEREAS, on the same date, the Acting Director of the Division of Alcoholic Beverage Control issued a Special Ruling Establishing Temporary Covid-19 Permit To Expand Licensed Premises in accordance with Executive Order 150 for businesses with alcohol retail consumption privileges (See attached); and

WHEREAS, the Mayor and Borough Council now find it necessary and appropriate to temporarily allow Food and Beverage Service at outdoor areas to be located within the Borough subject to specific public health limitations to comply with Executive Order No. 150 and Executive Directive No. 20-014 and Special Ruling 2020-10 from the ABC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Pine Hill, County of Camden, State of New Jersey as follows:

1. Outdoor service areas for patrons/customers may be temporarily permitted to any restaurant, café or similar establishment, with or without a liquor license, and all other holders of a liquor license with retail consumption privileges (collectively referred to as “Food or Beverage Establishments”) in accordance with Executive Order 150, Executive Directive No. 20-014 and ABC Special Ruling 2020-10, subject to the following conditions.

2. The following conditions shall apply to in-person service at outdoor areas by Food or Beverage establishments as defined in this Resolution.

A. No person or business shall operate an outdoor food or beverage area without obtaining a permit from the Borough of Pine Hill;

B. Applicants shall complete a Borough Application form to acknowledge compliance with Executive Order No. 150, Executive Directive No. 20-014 and, if applicable, Special Ruling 2020-10 from the ABC;

C. The Application shall be reviewed and approved by the Zoning Officer after obtaining any comments from the Borough Poice Chief and Borough Fire Code Official.

D. The applicant shall provide a drawing/plot plan identifying the proposed layout and seating areas in accordance with Executive Directive 20-014. Said drawing/plot plan shall identify any proposed temporary barriers. All permittees shall properly secure or remove all tables and chairs during inclement weather.

E. The Applicants shall comply with all previous conditions established by any license issued by the Borough of Pine Hill and by the State of New Jersey.

F. The Applicants shall meet all general Borough Ordinance requirements and any other Law, Rule, Regulation or Code as may be applicable to this activity.

G. The Hours of Operation for each Food and Beverage area which does not serve alcohol shall be from 7:00 a.m. to no later than 10:00 p.m. daily. The Hours of operation established

for the service of alcoholic beverages shall be no earlier than 12:00 noon and no later than 10:00 p.m. daily unless a lesser time is indicated in the Business License or State License issued to that Applicant.

H. Awnings or umbrellas may be utilized within an outdoor area but tents shall not be permitted.

I. The consumption of alcoholic beverages shall continue to be regulated by the license issued by the New Jersey Alcoholic Beverage Control and such outdoor consumption shall be subject to any of those regulations.

J. BYOB privileges for wine or malt alcoholic beverages shall be permitted in the outdoor eating and beverage areas. The service of any other alcoholic beverage in an outside eating or beverage area is only permitted if the operator's liquor license specifically allows for that service.

K. Music and/or other loud noise is prohibited.

L. The temporary permit shall be for a period ending October 31, 2020

M. The Borough waives any fee related to the filing of the application and will expedite and review all applications seeking to create the outdoor seating area.

N. The Zoning Officer shall review each application to ensure that the outdoor eating and beverage area will not interfere with any pedestrian or vehicular use and that all sidewalks shall remain open for pedestrian traffic.

O. The applicant shall indemnify and hold harmless the Borough of Pine Hill, its employees, agents or officers from all claims, losses, liens, expenses, suits and attorneys fees arising from the placement, operation and maintenance of the Applicant's food and beverage outdoor area and all Applicants with an alcoholic beverage license shall name the Borough of Pine Hill as an additional insured on the Applicant's General Liability Insurance Policy with a minimum coverage limit of \$1,000,000 and provide a copy of the Certificate of Liability Insurance to the Borough Zoning Officer.

P. Any person found to be in violation of the conditions/requirements set forth in this Resolution shall be required to immediately shut down the Outside Food And Beverage Service Area until compliance with these conditions have been met.

BE IT FURTHER RESOLVED that the Mayor and Police Chief of the Borough of Pine Hill are hereby authorized to execute any and all applications that are submitted by the property owner and/or licensee to the Director of the Division of Alcoholic Beverage Control as set forth in Special Ruling 2020-10 and that no purveyor of an alcoholic beverage shall be permitted to have an outdoor area for the consumption of liquor until such application has been approved by the Alcoholic Beverage Control Division and the Borough Application approved by the Borough Zoning Officer.

This Resolution permitting outdoor food and beverage areas shall take effect at 6:00 a.m. on Monday June 22, 2020 in accordance with Executive Order No. 150.

BOROUGH OF PINE HILL

BY: \_\_\_\_\_  
CHRISTOPHER J. GREEN, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA HENDRICKS, BOROUGH CLERK

ADOPTED: June 22, 2020

	WARRINGTON	KNOTT	JAXEL	ROBB	BURKE	CORRY-GAFT
YES		✓	✓	✓	✓	
ABSTAIN						
NO						
ABSENT	✓					✓

CERTIFICATION

I, Patricia Hendricks, Borough Clerk of the Borough of Pine Hill, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Mayor and Borough Council of the Borough of Pine Hill at a Special Meeting of said Council held on the 22<sup>nd</sup> day of June, 2020.

\_\_\_\_\_  
Patricia Hendricks, Borough Clerk

Motion to move Resolution 2020-93 Councilman Jaxel, 2<sup>nd</sup> Councilman Knott  
Roll call: 4 yes votes

Mayor Green opened the floor to the public.  
There was no public participation.

Motion to close the floor to the public. Councilman Jaxel, 2<sup>nd</sup> Councilman Robb  
All in Favor: 4 yes

Motion to adjourn: Councilman Jaxel, 2<sup>nd</sup> Councilman Knott  
All in Favor: 4 yes votes

The meeting adjourned at 6:39 pm.

Respectfully Submitted,

  
Patricia Hendricks, Borough Clerk