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RESOLUTION 20-155

A RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, TO AUTHORIZE THE TOWN ADMINISTRATOR TO ENDORSE APPLICATIONS FOR TEMPORARY COVID-19 PERMITS TO EXPAND LICENSED PREMISES

WHEREAS, a worldwide pandemic has occurred involving a novel Coronavirus more commonly known as COVID-19; and

WHEREAS, on June 3, 2020, Governor Murphy issued Executive Order 150 which allows outdoor dining at food or beverage establishments in New Jersey starting on Monday, June 15, 2020, provided that establishments follow a number of COVID-19 health and safety protocols issued by the New Jersey Department of Health; and

WHEREAS, Executive Order 150 further notes that Municipal Governments are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks; and

WHEREAS, in connection with expansion of the outdoor dining capabilities, the New Jersey Division of Alcoholic Beverage Control ("ABC") issued an Order SR 2020-10 on June 3, 2020 which established an online application specifically for temporarily expanding the licensed premises to permit retail alcoholic beverage sales at the outdoor areas; and

WHEREAS, the ABC requires that current plenary retail license holders apply to the ABC for a temporary expansion of a licensed premise and it is also required that the application be endorsed by the Township or local approval authority; and

WHEREAS, the need to support the expeditious processing of these applications and endorsement of same necessitates the governing body to designate the Town Administrator with the authority to endorse those applications for expansion of ABC licensed premises on behalf of the Township; and

WHEREAS, the endorsement of such permits would be subject to a review of the application, confirmation with the Municipal Clerk that other aspects of the applicant's license are in good order and standing and that the applicant has local approval to expand its premises for outdoor dining in accordance with the Town Code.

WHEREAS, the Mayor and Board of Aldermen find it in the best interests of the Town of Boonton to temporarily authorize the Town Administrator to provide the endorsement on behalf of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Boonton, in the County of Morris and State of New Jersey, as follows:

1. Anytime the Administrator or Clerk receives an application for a COVID-19 Expansion Permit from the ABC, they shall first provide a copy to the Township Health Officer.
2. The Town Administrator is hereby authorized to review ABC expansion applications in accordance with ABC Order SR 2020-10, and the application shall be posted accordingly on the Town website.
3. The Administrator will confer with the Health Officer and expeditiously review the application and provide the endorsement or a statement of reasons for the denial of the endorsement through the ABC's online licensing system.
4. The Application shall be posted on the Town's website.
5. The authority subject to this Resolution shall expire on November 30, 2020 unless otherwise renewed or extended.

This Resolution shall take effect immediately.

I, Cynthia A. Oravits, Clerk of the Town of Boonton, County of Morris, and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Board of Aldermen of the Town of Boonton on June 15, 2020



Cynthia A. Oravits, RMC
Town Clerk