

♦MOTION TO ADJOURN: _____ Time: _____

ORDINANCE NO. 1124

ORDINANCE OF THE BOROUGH OF BARRINGTON, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING INTERIM ZONING IN CHAPTER 128, ZONING, PURSUANT TO N.J.S.A. 40:55D-90(b), TO ALLOW FOR ISSUANCE OF ZONING PERMITS, EFFECTIVE FOR A TIME PERIOD OF 120 DAYS, TO PERMIT TEMPORARY OUTDOOR RESTAURANT SEATING AND RETAIL OUTDOOR SALES DISPLAY AREAS AT EXISTING LAWFUL BUSINESSES, SUBJECT TO BULK ZONING AND CONSTRUCTION CODE REQUIREMENTS, AND OTHER OUTSIDE AGENCY APPROVALS

WHEREAS, the Mayor and Borough Council of the Borough of Barrington ("Mayor and Council") is authorized to adopt interim zoning, pursuant to N.J.S.A. 40:55D-90(b), when matters of an imminent public health and safety issue are implicated as confirmed by a qualified health professional; and

WHEREAS, the Mayor and Council seek to establish a balance between the competing and conflicting public interests in promoting the reestablishment of public commerce in the Borough of Barrington, while maintaining safe social distancing to minimize the threat and spread of the Coronavirus pandemic; and

WHEREAS, the Mayor and Council have determined that interim zoning to permit temporary outdoor restaurant and outdoor retail sales displays will promote these compelling public interest goals in a complementary fashion, provided that the implementation of same will occur on a temporary basis, and does not contravene any other public health and safety concerns as set forth in the Borough's bulk zoning requirements, Construction Code requirements and requirements of any other outside County or State agencies; and

WHEREAS, the Mayor and Council desire to implement such measure as expeditiously as possible to minimize red tape and bureaucratic delay, but subject to a lawful process that will protect the interests of the residents of Borough of Barrington and its taxpayers; and

WHEREAS, the Mayor and Council acknowledge the existence of the Governor's Executive Orders in respect of the restricted operations of retail businesses and restaurants at this time for take-out business only and, thus, such time period for the implementation of any 120-day temporary Zoning Permit issued hereunder, shall commence upon the repeal, expiration, non-renewal of the Governor's Executive Order restricting sales to take-out only and/or other Executive Order superseding the requirements or otherwise allowing for the interim zoning as set forth above; and

WHEREAS, a public health and safety emergency from the Coronavirus pandemic has been deemed to exist authorizing the adoption of interim zoning ordinance, because it will further promote social distancing.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Barrington, County of Camden and State of New Jersey that:

Section 1. Interim zoning, within the applicable Sections of Chapter 128, Zoning, in the Code of the Borough of Barrington, is hereby adopted for a period of one hundred, twenty (120) days from the effective date hereof or such other date as deemed by Executive Order by the Governor, whichever is earlier and retroactive if necessary, to permit the establishment of temporary outdoor seating at lawfully existing restaurants, breweries and outdoor retail sales displays at existing lawful retail businesses.

Section 2. Upon submission of a written application and plot plan detailing the proposed temporary use activity described in Section 1., above, the Zoning Officer of the Borough of Barrington is authorized to issue a temporary zoning permit, provided that such issuance is authorized by existing bulk zoning requirements, the Borough Construction Code official's determination that it meets applicable Code requirements, and further that it complies with the legal requirements of any county or state agency with jurisdiction over the proposed use and retail sales activity. Since the proposed use is temporary in nature, no application for site plan approval shall be required.

Section 3. Any 120-day zoning permit issued hereunder shall lawfully take effect upon the repeal, expiration, non-renewal of the Governor's Executive Order restricting operations of retail businesses and restaurants and breweries for take-out business only, or such other Executive Order superseding prior Executive Orders. Such ordinance shall be construed in a manner to fully comport with any future executive orders issued by the Governor.

Section 4. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent that they are inconsistent herewith.

Section 5. The provisions of this Ordinance shall supersede the terms of any previously site plan approval, to the extent there is any conflict therewith.

Section 6. This Ordinance shall take effect as set forth above and upon final passage and publication in accordance with law.

BOROUGH OF BARRINGTON

Introduced: June 2, 2020

Adopted:

By: _____
Patti Harris, Mayor

Attest: _____
Terry Shannon, Borough Clerk

RESOLUTION 6-2020-73

AWARDING A CONTRACT TO SOUTH JERSEY SANITATION FOR COLLECTION OF SOLID WASTE AND RECYCLABLES FOR A ONE-YEAR TERM

WHEREAS, the Borough of Barrington has advertised for and received bids for the purpose of "Solid Waste Recyclable Materials Collection Service in the Borough of Barrington"; and

WHEREAS, the low bid for Option No. 1 (one year contract) for the Collection of Solid Waste (\$77.20/Ton for one year 7/1/20-6/30/21) and for the Collection of Recyclable Materials for one year (\$123,000.00) in the Borough of Barrington, was received from South Jersey Sanitation of Hammonton, New Jersey; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Barrington, County of Camden, State of New Jersey, for Option No. 1 (one year contract) for the Collection of Solid Waste (\$77.20/Ton for one year) and for the Collection of Recyclable Materials for one year (\$123,000.00) is hereby awarded to South Jersey Sanitation of Hammonton, New Jersey, conditional upon the following:

1. That a certificate has been received from the Municipal Treasurer stating that funds are available for this Contract.
2. Being subject to the Redirect Costs noted in the Contractor's Bid.
3. That all funds expended for this Contract shall be charged to budget account number 0-01-26-701-000-000 (Recycling) and 0-01-26-305-000-000 (Trash Hauling).
4. That the bid documents and bidding procedures have been reviewed and approved by the Municipal Solicitor.
5. That the presiding officer of this body be and is hereby directed to sign for and on its behalf the Contract for said services.
6. That the clerk of this body be and is hereby directed to seal said Contract with the corporate seal of this body and attest to the same.
7. This Resolution hereby authorizes the Mayor and Clerk to endorse the Contract document.

**BOROUGH OF BARRINGTON
JUNE 12, 2020**

By: _____
Mayor Patti Harris

Attest: _____
Terry Shannon, Borough Clerk

CERTIFICATION

I hereby certify this to be a true copy of a resolution approved by the Governing Body of the Borough of Barrington at a special council meeting held June 12, 2020.

Terry Shannon, Borough Clerk