

RESOLUTION OF THE TOWNSHIP OF WASHINGTON

Morris County, New Jersey

No. R-98-12

Date of Adoption: July 16, 2012

**Title or Subject: RESOLUTION AUTHORIZING THE SALE OF A NEW
PLENARY RETAIL CONSUMPTION LICENSE**

WHEREAS, pursuant to N.J.S.A. 33:1-12.14, the Township of Washington (Morris County) is authorized to issue a new plenary retail consumption license for the sale of alcoholic beverages; and

WHEREAS, the Township Committee has determined to sell at public sale one new plenary retail consumption license to be used only in connection with a restaurant use; and

WHEREAS, pursuant to N.J.S.A. 33:1-19.3, et seq., it is the desire of the Township of Washington to accept bids for said new license as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Washington, Morris County, New Jersey, as follows:

1. The Township of Washington hereby determines that it will issue a new plenary retail consumption license for the sale of alcoholic beverages to the highest qualified bidder at a public sale to be conducted in accordance with the procedures set forth at N.J.S.A. 33:1-19.3, et seq.

2. The Township Clerk shall publish a notice of the proposed issuance of an alcoholic beverage license, indicating that applications therefore will be accepted by the Township Committee at the time, date, and place specified in the notice, after which no further applications will be accepted.

3. Said notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart, the second of which shall be at least 30 days prior to the time and date after which no further applications will be accepted.

4. The minimum bid price for the new plenary retail consumption license shall be \$ 295,000.00.

5. The license must be used, in accordance with N.J.S.A. 33:1-26, at a single specific place of business, which must be a restaurant, and the operation of the license will be confined to the licensed premises.

6. Bids must be made upon the Proposal Form available in the Office of the Township Clerk with the name and address of the bidder on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal ordinances.

7. The bid must be accompanied by a deposit in the form of a certified check payable to the Township of Washington for 20% of the bid price. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 72 hours of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.

8. The Township reserves the right to reject any and all bids if the highest bid is not accepted.

9. The municipality shall only award the license to the person who is the highest qualified bidder with the understanding that the license will actually be sited

subsequently through the place-to-place transfer application process and must be in use within two years of award of the license.

10. The successful applicant must comply with all ordinances of Washington Township in siting the license.

11. The sale may be postponed or canceled at any time prior to the opening of the bids.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WASHINGTON**

Deborah Burd, Acting Municipal Clerk

Kenneth Short, Mayor

I, Deborah A. Burd, Acting Clerk, do hereby certify that the foregoing resolution was duly adopted at a meeting of the Township Committee of the Township of Washington, Morris County, New Jersey, on July 16, 2012.

Deborah Burd, Acting Municipal Clerk

Date