

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2015-366

Council Meeting Date: 10-12-2015

Date Adopted: 10-12-2015

TITLE: RESOLUTION OF THE BOROUGH OF NEW PROVIDENCE, COUNTY OF UNION, STATE OF NEW JERSEY AMENDING RESOLUTION 2015-299 SETTING THE DATE AND TIME FOR THE HEARINGS CONCERNING THE SALE OF A RETAIL CONSUMPTION LICENSE

Councilperson Galluccio submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, the Council of the Borough of New Providence has determined that it is in the best interests of the Borough of New Providence to conduct a public sale of one or more plenary retail consumption licenses; and

WHEREAS, N.J.S.A. 33:1-19, et seq. permits the Governing Body to issue new licenses and accept applications from interested parties;

WHEREAS, Resolution 2015-299 was adopted on August 10, 2015 setting the date and time for the hearings concerning the sale of a retail consumption license; and

WHEREAS, the Borough Council has determined that it is necessary to amend the dates set forth in the aforementioned resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of New Providence, County of Union, State of New Jersey, that resolution 2015-299 is amended to read in full as follows:

WHEREAS, the Council of the Borough of New Providence established factors to be considered during the deliberations on the sale of a consumption retail liquor license, and

WHEREAS, those factors are outlined in Resolution 2015-256 and Resolution 2015-350, and

WHEREAS, the Borough Council has established Thursday, December 3, 2015, beginning at 7 PM, as the date/time for the public hearing of applicants, and

WHEREAS, the *attached General Information and Instructions to make application for a Retail Consumption Liquor License* has been approved for distribution to interested parties.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of New Providence, County of Union, State of New Jersey, establishes Thursday, December 3, 2015 at 7 PM and the date/time for the public hearings on the sale of retail consumption licenses and approves the attached *General Information and Instructions to make application for a Retail Consumption Liquor License*.

APPROVED, this 12<sup>th</sup> day of October, 2015.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO	X			
KAPNER	X			
MADDEN			X	
MUÑOZ	X			
ROBINSON			X	
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 12th day of October, 2015.

Wendi B. Barry, Borough Clerk

B O R O U G H O F  
**NEW PROVIDENCE**  
SETTLED IN 1720

***General Information and Instructions to make application for a  
Retail Consumption Liquor License***

The Borough of New Providence has four (4) Retail Consumption Liquor Licenses, of which one or more may be awarded through a process known as the Historical Method for issuing liquor licenses. *The Borough Council reserves the right to reject all applications and not award any licenses.*

The Borough Council will hear applicant presentations concerning the applicants' plans for a business that would have one of the liquor licenses awarded by New Providence. On July 13, 2015, the Borough Council adopted a resolution outlining the process by which the license(s) may be awarded. This resolution was subsequently amended on September 28, 2015. The council intends to hold hearings on Thursday, December 3, 2015 beginning at 7 PM in the council chambers of the New Providence Municipal Center. The hearings will be open to the public.

Interested parties must submit ten (10) information packets answering each of the questions posed in the aforementioned resolution to the Borough Clerk, no later than Monday, November 23, 2015 at 10 AM.

At the public hearings on December 3, each applicant will be afforded 60 minutes to present their vision for their business, outlining why it would be beneficial to the Borough of New Providence. This hearing is not intended for engineers or architects to provide detailed plans for the establishment. However, if artist's renderings are available, they may be submitted and presented at the meeting. Each applicant presentation should discuss the following:

1. Location of the premises from which the applicant will maintain its business. With regard to this factor, the Governing Body will consider the impact on traffic, the aesthetics of the planned establishment, the availability of parking, and proximity to churches, schools and public parks;
2. Information concerning the hours of operation; the number of proposed tables/seats; the type of liquor to be sold (wine and beer, microbrewery, hard liquor); and the type of food to be sold;

3. Whether the location from which the applicant intends to operate shall be owned by the applicant or leased by the applicant. If leased, provide details of the lease.
4. The applicability of any land use provisions;
5. How the business would address or benefit community needs;
6. The prior business experience of the individuals who will be operating the business, and whether the business is to be operated as a proprietorship, partnership or corporation;
7. Whether any individual, partnership, corporation or association has ever held a liquor license, and whether such license was ever suspended or revoked;
8. Whether the applicant will maintain liquor liability insurance;
9. Any other information, factors or circumstances that may be useful to the Borough Council in their evaluation of your application.

**NOTE:** In order to provide a fair and equal opportunity for consideration of each application, it is intended that the amount the applicant is willing to pay for the license will not be disclosed during the public discussion.

Following the presentation of the applicant, Borough Council members and members of the general public will have an opportunity to ask questions concerning the applicant and/or the proposed establishment. The Mayor may determine that a question is not appropriate or proper, and may direct that the applicant shall not answer such question. It shall be in the sole discretion of the Mayor to make such determination.

After the Public Hearing portion of the application process, the Borough Council may recall any of the applicants for additional information. At such point, an applicant may ask to be heard about any matter concerning their application. It will be in the sole discretion of the Borough Council to grant or deny such a request. In the event the request is granted, the applicant will be limited to five minutes to provide additional information. Any additional session shall also be open to the public.

The Borough Council will discuss the applications at the December 7, 2015 council meeting. At this meeting, the amount each applicant is willing to pay for the license will be publicly disclosed. If the council is able to reach a consensus as to the successful applicant(s), a resolution awarding the license(s) will be introduced at the December 21, 2015 council meeting.