

RESOLUTION NO. 169-2016

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF HARRISON
AUTHORIZING THE ADVERTISEMENT FOR SALE BY SEALED BID OF
ONE (1) PLENARY RETAIL CONSUMPTION LICENSE**

WHEREAS, the Mayor and the Committee of the Township of Harrison have determined that it is in the best interest of the Township of Harrison to conduct a public sale of one (1) Plenary Retail Consumption License to the highest qualified bidder; and

WHEREAS, N.J.S.A. 33:1-19 et seq. permits the governing body to prescribe qualifications for prospective bidders; to fix a minimum bid; and to set conditions of the sale for such license; and

WHEREAS, the Mayor and Committee of the Township of Harrison have determined to permit the issuance of one (1) Plenary Retail Consumption License pursuant to the public bid procedures set forth in N.J.S.A. 33:1-19.3 and 19.4.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Harrison, County of Gloucester, State of New Jersey, as follows:

1. The Committee of the Township of Harrison, pursuant to the authority conferred by N.J.S.A. 33:1-19.1 et seq., has determined to issue one (1) Plenary Retail Consumption License.
2. The following conditions shall apply to the award and issuance of the license:
 - a. The liquor license shall be used in conjunction with the operation of a full-service restaurant as defined in Harrison Township Zoning Code §225-3.
 - b. The minimum bid amount which shall be considered is \$500,000.00 for the Plenary Retail Consumption License.
 - c. Prospective bidders must prequalify and only the bids of qualified bidders will be opened.
3. To qualify, a prospective bidder must submit to the Township Clerk no later than 2:00 P.M. on Thursday, September 8, 2016, the following:
 - a. Proof of qualification of the bidder, including without limitation fully completed twelve (12) page Alcoholic Beverage Control Act form.
 - b. Proof of financial ability to consummate the purchase of the consumption liquor license.
 - c. A separate Certification of proof of compliance by the applicant that it meets any and all conditions or requirements contained in this resolution, including that the license will be used in conjunction with a full-service restaurant as defined in Harrison Township Zoning Code §225-3, and knows of no reason why he or she would be disqualified from having an interest in a Retail Liquor License in New Jersey on the standards set forth in the Alcoholic Beverage Control Act and the rules and regulations promulgated thereunder.
 - d. Records of past ABC violations, if any, involving the prospective bidder or bidder's principals (i.e. owners of more than a 10% equity or debt interest).

e. Sealed envelope containing the above required documents. Qualified bidders will be announced and published by the Township Clerk at 2:00 P.M. on Friday, September 9, 2016 at the Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062. A list of such prequalified bidders shall also be posted on the public announcements bulletin board in the Municipal Building and on the Township web site.

4. Sealed bids together with a completed and notarized non-collusion affidavit shall be received on or before 2:00 p.m. on Friday, September 16, 2016 at the office of the Township Clerk, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062. The bid shall contain a Cashier's or certified check as a deposit in the amount equal to ten percent (10%) of the bid amount and payable to the "Township of Harrison". The outside of the envelope shall state:

- a. "2016 Consumption Liquor License Bid"; and
- b. The name of the Bidder.

Immediately after opening the sealed bids of the prequalified bidders, the Township Clerk shall publicly announce the amount of each bid received and the name of each bidder.

5. The Township Committee shall, by written Resolution, adopted at a public meeting, either award the license to the highest qualified bidder or reject all bids. It is anticipated that the Township Committee shall award or reject the bids at a public meeting on September 19, 2016 at 7:30 p.m. If the award is made to the highest qualified bidder, the ultimate issuance of the license shall be subject to each of the following:

a. Payment of the balance of the by a Cashier's or certified check made payable to the "Township of Harrison" within thirty (30) days of the date that the Resolution of the Township Committee awards the bid. Failure to make timely payment of the balance shall, at the option of the Township, result in voiding of the license award and forfeiture of the successful bidder's deposit, whereupon the Township may award the license to the remaining highest bidder or determine to reject all bids.

b. Payment of the State License Application Fee.

c. Payment of the Annual Municipal Retail License Fee.

d. Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license.

e. Receipt of favorable State and/or Federal criminal background checks.

f. Compliance with the publication, hearing and Resolution requirement under N.J.A.C. 13:2-2.1, et seq.

The deposit(s) of all unsuccessful bidder(s) shall be returned within ten (10) days of the date of award.

6. The Township reserves the right to reject any and all bids.

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

8. Applicants shall also comply with all other provisions of N.J.A.C. 13:2-1, et seq., including, but not limited to, notice of application.

ADOPTED at a regular meeting of the Mayor and Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey held on July 18, 2016.

TOWNSHIP OF HARRISON

BY: _____
LOUIS F. MANZO, MAYOR

ATTEST:

DIANE L. MALLOY
Clerk

ROLL CALL VOTE				
COMMITTEE MEMBER	AYES	NAYS	ABSTAIN	ABSENT
Manzo				
Clowney				
Diggons				
Heim				
Shearer				

CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Harrison, County of Gloucester, State of New Jersey, at a regular meeting held by the same on July 18, 2016 in the Harrison Township Municipal Building, 114 Bridgeton Pike, Mullica Hill, New Jersey 08062.

DIANE L. MALLOY
Clerk

**TOWNSHIP OF HARRISON
2016 PROPOSED NEW PLENARY RETAIL CONSUMPTION
LICENSE SALE SCHEDULE**

Projected Dates

July 18, 2016	Resolution to authorize bid of new Consumption License
July 28, 2016	Legal Advertisement
August 4, 2016	“ “
September 8, 2016	2:00 p.m. - - Applicants to submit 12 page ABC application - Applicants to submit Certification of Proof of Compliance and Qualification
September 9, 2016	2:00 p.m. – Twp. Clerk publicly announces bidders to have pre-qualified. List of pre-qualified bidders to be posted.
September 16, 2016	2:00 p.m. – Date of Sale; sealed bids opened by Twp. Clerk and read aloud.
September 19, 2016	7:30 p.m. - Township Committee Award or Rejection of bids
September 29, 2016	Return deposits of all unsuccessful bidders within 10 days of award
October 19, 2016	- Applicant to pay balance of bid within 30 days of Resolution adoption - Applicant to pay State License Fee \$200.00 - Applicant to pay Annual Municipal License Fee \$2,500.00 - Satisfactory outcome of police background check

TOWNSHIP OF HARRISON, GLOUCESTER COUNTY

NOTICE TO BIDDERS

The Township Committee of the Township of Harrison, Gloucester County, New Jersey will be accepting bids for the sale of ONE (1) PLENARY RETAIL CONSUMPTION LICENSE for premises within the Township of Harrison as authorized by Resolution No. ___-2016 adopted by the Township Committee on July 18, 2016.

1. The Committee of the Township of Harrison, pursuant to the authority conferred by N.J.S.A. 33:1-19.1 et seq., has determined to issue one (1) Plenary Retail Consumption License.
2. The following conditions shall apply to the award and issuance of the license:
 - a. The liquor license shall be used in conjunction with the operation of a full-service restaurant as defined in Harrison Township Zoning Code §225-3.
 - b. The minimum bid amount which shall be considered is \$500,000.00 for one (1) Plenary Retail Consumption License.
 - c. Prospective bidders must prequalify and only the bids of qualified bidders will be opened.
3. To qualify, a prospective bidder must submit to the Township Clerk no later than 2:00 P.M. on Thursday, September 8, 2016, the following:
 - a. Proof of qualification of the bidder, including without limitation fully completed twelve (12) page Alcoholic Beverage Control Act form.
 - b. Proof of financial ability to consummate the purchase of the license.
 - c. A separate Certification of proof of compliance by the applicant that it meets any and all conditions or requirements contained in this resolution, including that the license will be used in conjunction with a full-service restaurant as defined in Harrison Township Zoning Code §225-3, and knows of no reason why he or she would be disqualified from having an interest in a Retail Consumption Liquor License in New Jersey un the standards set forth in the Alcoholic Beverage Control Act and the rules and regulations promulgated thereunder.
 - d. Records of past ABC violations, if any, involving the prospective bidder or bidder's principals (i.e. owners of more than a 10% equity or debt interest).
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Diane L. Malloy, R.M.C. – Clerk, Township of Harrison