

**TOWNSHIP OF COLTS NECK
SPECIAL TOWNSHIP COMMITTEE MEETING
JANUARY 3, 2013
7:00 P.M. AT TOWN HALL**

CALL MEETING TO ORDER

SALUTE TO THE FLAG

“THE NOTICE REQUIREMENTS OF THE NEW JERSEY PUBLIC MEETINGS LAW HAVE BEEN SATISFIED BY FORWARDING A “NEWS RELEASE” TO THE ASBURY PARK PRESS ON DECEMBER 26, 2012 STATING THAT A SPECIAL MEETING OF THE COLTS NECK TOWNSHIP COMMITTEE WOULD BE HELD ON JANUARY 3, 2013 AT 7:00 P.M., TOWN HALL. THE NOTICE REQUIREMENTS HAVE BEEN POSTED ON THE TOWNSHIP BULLETIN BOARD, AND A COPY IS ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK.”

ROLL CALL

1. MOTION TO APPOINT ACTING MAYOR

COMMENTS

MOTION TO APPROVE

ROLL CALL

2. PUBLIC HEARING: PERTAINING TO THE APPLICATION FOR A PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-004-002 FROM GABGEO, INC. TO DANTE DEO, LLC

COMMENTS

OPEN HEARING

CLOSE HEARING

3. RESOLUTION 2013-1: RESOLUTION OF THE TOWNSHIP OF COLTS NECK DENYING OR GRANTING THE OBJECTION TO A PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-004-002 FROM GABGEO, INC. TO DANTE DEO, LLC

COMMENTS

MOTION TO APPROVE

ROLL CALL

4. RESOLUTION 2013-2: RESOLUTION APPROVING PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFERS OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-004-002 FROM GABGEO, INC. TO DANTE DEO, LLC (CONDITIONED ON FAVORABLE FINDING BY TOWNSHIP COMMITTEE)

COMMENTS

MOTION TO APPROVE

ROLL CALL

5. COMMENTS FROM THE PUBLIC

6. MOTION TO ADJOURN

COMMENTS

MOTION TO APPROVE

ROLL CALL

*THE NEXT TOWNSHIP COMMITTEE MEETING IS
THE REORGANIZATION MEETING
SATURDAY, JANUARY 5, 2012, 4:00 P.M.
COURTHOUSE, 124 CEDAR DRIVE, COLTS NECK, NJ*

RESOLUTION NO. 2013-1

**RESOLUTION OF THE TOWNSHIP OF COLTS NECK
DENYING THE OBJECTION TO A PERSON-TO-PERSON
AND PLACE-TO-PLACE TRANSFER OF
PLenary RETAIL CONSUMPTION LICENSE
NUMBER 1309-33-004-002 FROM GABGEO, INC.
TO DANTE DEO, LLC**

WHEREAS, application has been made by Dante Deo, LLC, for a Person-to-Person and Place-to-Place transfer, for Plenary Retail Consumption License No. 1309-33-004-002; and

WHEREAS, the appropriate Township officials have determined that:

1. The submitted application form is complete in all respects;
2. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated there under, as well as any pertinent local ordinances or Division-approved conditions; and
3. The applicant has disclosed and the authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Township Council of the Township of Colts Neck has reviewed the application and all supporting documentation finds it acceptable as to completeness; and

WHEREAS, an objection was timely filed, challenged said transfer, claiming that Dante Deo LLC lacks a necessary possessory interest in the property that the subject license will be used, and

WHEREAS, upon hearing all arguments and evidence in support from all parties the Townships finds that Dante Deo LLC meets all necessary requirements for a person-to-person and place-to-place transfer, including a true possessory interest in the premises for which license will be utilized.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Committee of the Township of Colts Neck, that the objection and request for the denial of the subject application is hereby denied.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Dante Deo, LLC;
- b. GABGEO, Inc.;
- c. John O. Bennett, III, Esq., Township Attorney;
- d. Director, Division of Alcoholic Beverage Control;
- e. Kevin Sauter, Chief, Colts Neck Police Department; and
- f. Objector

I, Robert Bowden, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of the Township of Colts Neck during a special meeting held on the 3rd day of January 2013.

Robert Bowden, Township Administrator/Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Engel						
Fitzgerald						
Macnow						
Schatzle						
Orgo						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

RESOLUTION NO. 2013-1

**RESOLUTION OF THE TOWNSHIP OF COLTS NECK GRANTING
THE OBJECTION TO A PLACE-TO-PLACE TRANSFER OF
PLENARY RETAIL CONSUMPTION LICENSE
NUMBER 1309-33-004-002 FROM GABGEO, INC.
TO DANTE DEO, LLC**

WHEREAS, application has been made by Dante Deo, LLC, for a Person-to-Person and Place-to-Place transfer, for Plenary Retail Consumption License No. 1309-33-004-002; and

WHEREAS, the appropriate Township officials have determined that:

1. The submitted application form is complete in all respects;
2. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or Division-approved conditions; and
3. The applicant has disclosed and the authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Township Committee of the Township of Colts Neck has reviewed the application and all supporting documentation finds it acceptable as to completeness; and

WHEREAS, an objection was timely filed, challenging the Place to Place transfer, claiming that Dante Deo, LLC lacks a necessary possessory interest in the property that the subject license will be used; and

WHEREAS, upon hearing all arguments and evidence in support from all parties the Townships finds that Dante Deo, LLC has failed to meet all necessary requirements for a Place to Place transfer, including demonstrating a true possessory interest in the premises for which license will be utilized.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Committee of the Township of Colts Neck that the objector has demonstrated that applicant has failed to meet necessary requirements to allow a Place-to Place transfer of Plenary Retail Consumption License No. 1309-33-004-002, to Dante Deo, LLC, for premises located at State Highway 34 and County Road 537 West, in the Township of Colts Neck.

BE IT RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Dante Deo, LLC;
- b. GABGEO, Inc.;
- c. John O. Bennett, III, Esq., Township Attorney;
- d. Director, Division of Alcoholic Beverage Control;
- e. Kevin Sauter, Chief, Colts Neck Police Department; and
- f. Objector.

I, Robert Bowden, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of the Township of Colts Neck during a special meeting held on the 3rd day of January 2013.

Robert Bowden, Township Administrator/Clerk

RECORD OF VOTE						
Committeeman	M	S	Yes	No	NV	Ab
Mayor Engel						
Fitzgerald						
Macnow						
Schatzle						
Orgo						
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent						

RESOLUTION 2013-2

**RESOLUTION APPROVING PERSON-TO-PERSON AND
PLACE-TO-PLACE TRANSFERS
OF PLENARY RETAIL CONSUMPTION LICENSE NO. 1309-33-004-002
FROM GABGEO, INC. TO DANTE DEO, LLC**

BE IT RESOLVED by the Township Committee of the Township of Colts Neck that it hereby approves a Person-to-Person transfer and a Place-to-Place transfer of Plenary Retail Consumption License No. 1309-33-004-002, as follows:

TRANSFER FROM: GABGEO, INC.

LOCATION: (POCKETED LICENSE)

TRANSFER TO: DANTE DEO, LLC

LOCATION: COLTS NECK INN
STATE HIGHWAY 34 AND COUNTY ROAD 537 WEST
COLTS NECK, NJ 07722

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. New Jersey Division of Alcoholic Beverage Control;
2. DANTE DEO, LLC;
3. GABGEO, Inc.;
4. Kevin Sauter, Chief of Police; and
5. John O. Bennett, III, Esq., Township Attorney.

I, Robert Bowden, do hereby certify the foregoing to be a true and accurate copy of a Resolution passed by the Township Committee of the Township of Colts Neck during a special meeting held on the 3rd day of January 2013.

Robert Bowden, Township Administrator/Clerk

RECORD OF VOTE					
Committeeman	M	S	Yes	No	Ab
Acting Mayor Engel					
Fitzgerald					
Macnow					
Schatzle					
Orgo					
M - Moved S - Seconded X - indicates vote NV - Not Voting Ab - Absent					