

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

A special meeting of the Colts Neck Township Committee was called to order at 7:17 p.m. by Mayor Engel followed by a salute to the flag. The following statement was read by Township Clerk Mr. Bowden: "The notice requirements of the New Jersey Public Meetings Law has been satisfied by forwarding a News Release to the Asbury Park Press December 26, 2012 stating a special meeting of the Colts Neck Township Committee would be held January 3, 2013 at 7:00 p.m., Colts Neck Town Hall, 124 Cedar Drive, Colts Neck, New Jersey. 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 by Mr. Bowden indicated the following:

Present: Mayor Jarrett Engel, Committeemen Michael Fitzgerald, Russell Macnow, James Schatzle and Thomas Orgo

Also Present: Administrator/Municipal Clerk Robert Bowden; Deputy Municipal Clerk Beth Kara; and Township Counsel John O. Bennett, III, Esq.

Absent: None

Tonight's meeting was recorded for verbatim transcription by Ms. Carmen Wolfe, Court Reporter, State Shorthand.

Township Counsel Sen. Bennett stated the two Township Committee members re-elected in November 2012, Messrs. Fitzgerald and Schatzle, were sworn in to new terms prior to this meeting. That being the case, there is no question on their ability to serve this evening.

1. **MOTION TO APPOINT ACTING MAYOR:** Mr. Macnow made a motion to appoint Mr. Engel Acting Mayor, seconded by Mr. Orgo and unanimously carried.

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

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 Mayor Engel turned over the proceedings to Township Counsel, Sen. Bennett.

Counsel Bennett stated the license issued to Gabgeo, Inc. and sited at the Colts Neck Inn was pocketed by Mr. Peter Mavrookas on March 16, 2012. Mr. Bennett advised the State of New Jersey renewed this Plenary Retail Consumption License for the license term 2012-2013, with the payment of the renewal fees made by the State to the Township of Colts Neck. Mr. Bennett stated on December 3, 2012, an application was filed for Place-to-Place and Person-to-Person transfer of the aforesaid license by Ms. Suzanne Schlesinger, Dante Deo, LLC. The Notice of Transfer was placed in the Asbury Park Press on December 5, 2012 and December 12, 2012. An

objection to the Place-to-Place transfer was received by the Township of Colts Neck on December 17, 2012. Pursuant to regulations, the Governing Body is required to hold a hearing on the objection received. Counsel Bennett then opened the hearing.

Please refer to the verbatim transcript provided of the proceedings by Ms. Carmen Wolfe.

Exhibits entered during the proceedings are as follows:

Joint 1: Court Order, Docket No. MON-C-115-12, dated October 4, 2012

Applicant 1: Letter dated March 23, 2012 from Peter Mavrookas, Landlord, to KMLS Foods, LLC.

Applicant 2: Court Order Docket No. MON-C-115-12, dated December 7, 2012

Applicant 3: Sublease between KMLS Holdings, LLC and KMLS Foods, LLC (collectively Tenant) and Dante Deo, LLC (SubTenant) dated November 30, 2012.

Counsel Bennett closed the hearing and instructed Ms. Carmen Wolfe to end her transcription.

3. **RESOLUTION 2013-1:** RESOLUTION OF THE TOWNSHIP OF COLTS NECK DENYING 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 was read by title by Mayor Engel. Mr. Macnow made a motion to approve, seconded by Mr. Orgo and unanimously carried.

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

4. **RESOLUTION 2013-2:** RESOLUTION APPROVING THE 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 was read by title by Mayor Engel. Mr. Macnow made a motion to approve, seconded by Mr. Fitzgerald and unanimously carried.

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

5. **COMMENTS FROM THE PUBLIC:** Mayor Engel opened the meeting to public comment.

Ms. Elaine Mann commented on the reason behind the objector filing the objection. Counsel Bennett responded he thinks the objection was filed because the objector did not have a copy of the sublease.

Hearing no further comments, Mayor Engel closed the meeting.

6. **MOTION TO ADJOURN:** Mr. Macnow made a motion to adjourn, seconded by Mr. Fitzgerald and unanimously carried by voice vote.

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

Meeting adjourned 9:00 p.m.



Robert Bowden, RMC
Administrator/Municipal Clerk

Attachments