

DISCLAIMER

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AGENDA:

MAYOR AND BOROUGH COUNCIL

BUSINESS (X)

MEETING NO.19

REGULAR ()

DATE: 8/26/13

7:00 P.M.

SPECIAL ()

ROLL CALL:	Mayor Krenzel	()			Atty: _____
	Clm. Guindi	()	Clm. Jones	()	Eng: _____
	Clm. Haussermann	()	Clm. Roselli	()	Adm: _____
	Clm. Hutchison	()	Clm. Vaughn	()	: _____

Public Announcement - Chapter 231, P. L. 1975

PUBLIC COMMENTS (agenda items only)

MINUTES

Minutes of Meeting No. 18 held on August 12, 2013

REPORTS

1. CFO/Treasurer
2. Professional staff
3. Departments

NEW BUSINESS

- Refund of electric consumer deposits (Attachment A)
- Refund of Construction Code Fees – Block 290, Lot 15
- Chapter 159 – Insertion of Special Item of Revenue
- Approve MCIA Yard Waste Recycling and Marketing Services Agreement (Attachment B)
- Approve Person to Person Transfer of Liquor License from Ralph’s Tavern Inc. to ROBARR, LLC (Attachment C)
- Approve Person to Person Transfer of Liquor License from Eugene & Sons Inc. to Gandhi Trading LLC (Attachment D)
- Approve Mercantile license for Causeway Creamery Company (Attachment E)
- Approve Special Events permit for SR Portuguese Club (Attachment F)
- Approve Probationary Member of SR Rescue Squad: Ashley Vandebek (Attachment G)
- Amend Ch. 350 Zoning (Attachment H)
- DPW Replacements (Attachment I)

UNFINISHED BUSINESS

- Approve Purchase of Police vehicles under State Contract
- Amend Res. 2012-319 Authorizing Middlesex County Paving of Borough Roads
- K of C property rental
- Amend Ch. 255 - Peddling and Soliciting (Attachment J)
- Geese problem – Bissett’s Pond
- Streets and Roads Program
- Authorize CME – Topographic Survey – Block 264.01, Lots 1, 12, 6.01 (Attachment K)

COUNCIL COMMENTS

EXECUTIVE SESSION

Personnel

ADJOURNMENT

A

Request for Council Action

Date: 8/21/13

Resolution: ✓

Ordinance: _____

RECEIVED

AUG 22 2013

BOROUGH ADMINISTRATOR *dj*

Other Reason for Request (Attach Back-up)

UTILITY REFUNDS

Funds Appropriated: yes no not applicable



Department Head

Russ Buda



Approval/Disapproved Administrator

RESOLUTION

WHEREAS, the official utility records of the Borough of South River, New Jersey show certain refunds which include electric, water and consumer deposits (CD); and

WHEREAS, the Collector of Utility Revenue recommends that the following refunds should be made to the consumer noted herein below listed; and

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED by the Borough Council of the Borough of South River that the Collector of Utility Revenue is hereby authorized to make the following refunds and adjustments indicated below and any attached list.

<u>ACCOUNT #</u>	<u>PAYABLE TO:</u>	<u>AMOUNT OF CHECK</u>
65-999-000-212 CD	MARCO LANDINO 56 WILLETT AVE APT 1 SOUTH RIVER, NJ 08882	\$108.84
65-999-938-653 CD	MACHINERY TECHNOLOGY GROUP	\$250.82
65-999-938-653 ELEC CURRENT	P O BOX 453 SOUTH RIVER, NJ 08882	\$33.85
65-999-881-948 CD	EVELYN MENA	\$83.59
65-999-881-948 ELEC CURRENT	35 OBERT ST 2 ND FL REAR #4 SOUTH RIVER, NJ 08882	\$29.22
65-999-879-286 CD	MAURA PADILLA 65 WINDING WOOD DR APT 5B SAYREVILLE, NJ 08857	\$100.66
65-999-857-968 CD	EDWARD PARSONS & DIANN CONNELL P O BOX 84 CANAAN, NY 12029	\$271.50
65-999-869-100 CD	SHANNON & GUSTAVO RAMIREZ RIVERVIEW DR A12 SOUTH RIVER, NJ 08882	\$78.88
65-999-859-387 CD	TALLAT RAMZY & NONS YOUSEF 34 WINDING WOOD DR APT 8A SAYREVILLE, NJ 08872	\$281.82
65-999-000-483 CD	WALEED MOHAMMED SAAD 34 THOMAS ST APT 2 SOUTH RIVER, NJ 08882	\$149.45
65-999-861-103 CD	KAMYAR TARA & MORGAN SLAHPOOSH 1302 DEER CREEK DR PLAINSBORO, NJ 08536	\$262.10

65-999-000-421 CD

ARIEL TORRES
P O BOX 156
SOUTH RIVER, NJ 08882

\$253.26

65-999-852-699 CD

ANDREW WILLIAMS
10 SUMMIT RD F7A
SOUTH RIVER, NJ 08882

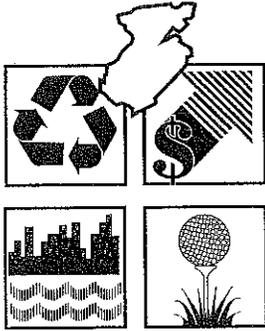
\$132.13

/s/

Councilmember

/s/

Councilmember



B
MIDDLESEX COUNTY IMPROVEMENT AUTHORITY

DIVISION OF RECYCLING • 55 EDGEBORO ROAD • EAST BRUNSWICK, NJ 08816
Telephone: 732-628-0221 • Fax: 732-628-0338 • Website: www.mciauth.com • E-mail: mciarecycling@mciauth.com

EDWARD J. WINDAS
Recycling Manager

August 19, 2013

Ms. Patricia O'Connor – Municipal Clerk
Borough of South River
48 Washington Street
South River, NJ 08882

RECEIVED

AUG 21 2013

BOROUGH CLERK

RE: Yard Waste Interlocal Service Agreement

Dear Ms. O'Connor:

On Wednesday, August 14, 2013, the MCIA Board of Commissioners' awarded a two year contract to Natures' Choice Corporation for the provision of Yard Waste Recycling and Marketing Services. This contract will be in effect beginning August 1, 2013 through July 31, 2015.

Please find enclosed two original copies of the Interlocal Agreement for the MCIA Yard Waste Service. At your earliest convenience, please review and have executed by the municipal governing body. Both signed originals should be mailed back to the MCIA Recycling Division office at 55 Edgeboro Road, East Brunswick, New Jersey, 08816. Upon further execution by the MCIA Board of Commissioners, one copy of the Interlocal Agreement, containing original signatures, will be sent back to your office for your files.

Should you have any questions or comments, or require additional information, please contact the MCIA Recycling office at the number indicated above.

Sincerely,

Edward J. Windas

Edward J. Windas
Recycling Manager

EJW:ch
Enclosures (2)

cc: F. Carr
DPW
070

**AGREEMENT FOR THE PROVISION OF
YARD WASTE RECYCLING AND MARKETING SERVICES**

THIS AGREEMENT, made this _____ day of _____, 2013, by and between the **MIDDLESEX COUNTY IMPROVEMENT AUTHORITY**, a public body corporate and politic of the State of New Jersey (the "Authority") and the _____, a municipal corporation in the State of New Jersey (the "Municipality").

WITNESSETH:

WHEREAS, pursuant to the Solid Waste Management Act, N.J.S.A. 13:1E-1, et seq., each county within the State of New Jersey is deemed a solid waste management district; and

WHEREAS, each solid waste management district is responsible for developing a solid waste management plan that sets forth the strategy for disposing and/or recycling of solid waste generated within the geographic boundaries of the respective county; and

WHEREAS, the Board of Chosen Freeholders (the "Board") of the County of Middlesex (the "County") has adopted the Middlesex County Solid Waste Management Plan, as the same has been amended from time to time (the "County Plan"); and

WHEREAS, as part of the County Plan, the County has adopted a mandatory recycling plan ("Recycling Plan"), which, among other things, establishes a strategy for recycling at least sixty percent (60%) of the County's total solid waste stream and mandates the recycling of the following recyclable materials; specifically: newspaper, aluminum, food and beverage containers, glass food and beverage containers, high grade office paper, corrugated cardboard, leaves, and motor oil, steel cans, plastic containers, mixed paper, textiles and brush; and

WHEREAS, the County Plan designates the Authority as the sole implementing agency responsible for the implementation of the County's recycling plan; and

WHEREAS, in order to ensure uniform recycling collection and marketing services of recyclables and thereby increase the percentage of those materials recycled and marketed, the Authority sponsors a County-wide waste recycling collection and marketing program, which may be utilized by the municipalities in the County on a voluntary basis; and

WHEREAS, in order to ensure uniform recycling and marketing services for yard waste materials in the County and thereby increase the percentage of yard waste materials recycled and marketed, the June 2, 1994 Amendment to the County Plan provided for the development and implementation of a County-wide yard waste recycling and marketing program, pursuant to which the Authority will provide services to participating municipalities for leaf composting and brush chipping and/or processing and for a program for composting or processing grass clippings; and

WHEREAS, such yard waste recycling and marketing services will be provided by the Authority by a private contractor, who has been selected by the Authority pursuant to a bidding process undertaken by the Authority; and

WHEREAS, the Municipality provides, on its own or by contract, for the collection and/or composting of leaves generated within the geographic boundaries of the Municipality and the collection and processing of brush and leaves; and

WHEREAS, in order to enhance the development of a uniform, county-wide recycling program and increase the recycling and marketing of yard waste materials in the County, the Municipality has included in its recycling ordinance or will amend its recycling ordinance to provide for the source separation by municipal residents of, among other things, brush, leaves, Christmas trees and grass clippings; and

WHEREAS, the Municipality desires to permit the Authority to assume responsibility for the recycling and marketing of yard waste under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual promises and covenants of each to the other as set forth in this Agreement, and for other good and valuable consideration, the parties hereby agree as follows:

ARTICLE I - GENERAL

Section 1.1 DEFINITIONS.

The following definitions shall apply to and are used in this Agreement:

“Acceptable Yard Materials” - means Yard Materials that have been source separated at the point of generation and are not commingled at any time.

“Agreement” - means this “Agreement for the Provision of Yard Waste Recycling and Marketing Services.”

“Authority” - means the Middlesex County Improvement Authority, a public body corporate and politic of the State of New Jersey, organized by the County pursuant to the County Improvement Authorities Law (N.J.S.A. 40:37A - 44 et seq.).

“Board” - means the Board of Chosen Freeholders of the County of Middlesex, New Jersey.

“Brush” - means branches, woody plants, and other like vegetative material that do not exceed five (5) inches in diameter, and Christmas trees. “Brush” does not include leaves and grass clippings.

"Commencement Date" - means the date upon which the Authority and the Municipality agree that the Authority, through its Contractor, will commence the provision of the Yard Waste Recycling and Marketing Services.

"Compost" - means decomposed, humidified, organic matter produced as a result of accelerated decomposition of Acceptable Yard Materials based on microbial self-heating.

"Contractor" - means the contractor selected by the Authority from time to time to provide Yard Waste Recycling and Marketing Services pursuant to the Yard Waste Contract.

"Contractor Sites" - means the New Jersey Department of Environmental Protection approved and permitted sites operated by the Contractor where the Contractor composts a portion of the leaves, Brush and/or grass generated by the Municipalities.

"County" - means the County of Middlesex, New Jersey.

"County Plan" - means the Middlesex County district solid waste management plan, adopted by the Board pursuant to the Solid Waste Management Act, which provides for the collection, disposal and/or recycling of solid waste generated within the geographic boundaries of the County, as the same may be amended from time to time.

"DEP" - means the New Jersey Department of Environmental Protection or any successor agency.

"Designated Sites" - means the Municipal Composting Site, Regional Site and the Grass Site.

"Grass Site" - means the site provided by the Contractor to compost, process or transfer grass clippings.

"Local Public Contracts Law" - means N.J.S.A. 40A:11 - 1 et seq.

"Municipality" - means the _____, a municipal corporation of the State of New Jersey.

"Municipal Site" - means the site or sites designated by the Authority where the Municipality will deliver leaves and Brush collected by the Municipality.

"Program" - means the Yard Waste Recycling and Marketing Program, adopted by the Board on September 2, 1993 (County Plan Amendment Nos. 1993-4 and 1993-5) and modified by the Board on June 2, 1994 (County Plan Amendments Nos. 1994-2 and 1994-3), as an integral component of the county-wide mandatory recycling program, pursuant to which the Authority shall provide, on behalf of all participating municipalities in the County, for the composting of leaves and grass clippings and the chipping or other processing of Brush.

"Recycling Ordinance" - means _____, the ordinance enacted by the Municipality establishing the mandatory municipal recycling program implemented in accordance with the Solid Waste Management Act and the County Plan, as the same includes Brush and, if applicable, grass clippings as the same may be amended in the future from time to time for other purposes.

"Regional Site" - means the Middlesex County Improvement Authority Transfer Site at the Middlesex County Landfill in East Brunswick where a Municipality will deliver Acceptable Yard Materials for trans-shipment to the Contractor's processing facility.

"Residents" - means private and institutional residents of the Municipality that are required to source separate leaves, Brush and, if applicable, grass clippings, pursuant to the Recycling Ordinance.

"Term" - means the period of time during which the Agreement shall be in full force and effect as provided in Section 2.1 herein.

"Yard Materials" - means leaves, Brush, and grass clippings (if applicable).

"Yard Waste Contract" - means the contract executed by and between the Contractor and the Authority, pursuant to which the Contractor shall provide Yard Waste Recycling and Marketing Services for the Program.

"Yard Waste Recycling and Marketing Services" - means all of the duties, obligations, and services to be provided by the Contractor that are related to the composting, processing, transfer, storage, sale or distribution, or any combination thereof, of Acceptable Yard Materials and the return of Compost or other processed materials to the economic mainstream in the form of raw materials or products.

Section 1.2 GENERAL RESPONSIBILITIES

1.2.1 Conforming Recycling Ordinance.

(A) Recycling Ordinance. The Municipality represents and warrants that its Recycling Ordinance is, and shall at all times be, consistent with the County Plan. The Municipality further represents and warrants that such Recycling Ordinance prohibits the scavenging of Acceptable Yard Materials.

(B) The Municipality shall not amend or change the Recycling Ordinance without the prior written approval of the Authority.

1.2.2 Designated Sites. The Municipality will deliver leaves, Brush and, if applicable, grass clippings to a Municipal Site, the Regional Site or a Contractor Site. If the Authority changes the location of the Designated Site, the Authority will identify a Designated Site where

the Municipality's leaves, Brush, and if applicable, grass clippings will be delivered by the Municipality for composting or transfer. The Authority and the Contractor shall use their best efforts to designate, to the extent possible and subject to regulatory restrictions relating to, among other things, size and capacity, a Municipal Site that either is the same site to which the Municipality currently delivers its leaves or to a site that is within a reasonable distance from the Municipality. The Authority will notify the Municipality of the location of the Municipal Site in writing. The Authority may change the Designated Site from time to time upon fourteen (14) days prior written notice to the Municipality.

(A) The Municipality shall be responsible for ensuring that it delivers to the Designated Sites only source separated Acceptable Yard Materials, which means that the leaves, Brush, and if applicable, grass clippings must be collected and stored in segregated containers and may not be commingled together or with any other material or solid waste. The Municipality shall be responsible for any cost or expense incurred by the Authority or the Contractor resulting from the Municipality's failure to deliver Acceptable Yard Materials, including but not limited to, payment of transportation and disposal costs associated with the Municipality's contaminated Yard Materials. The Municipality will be responsible for the removal, or the cost of disposal, of any trash, stumps, or brush material in excess of five inches in diameter commingled with any yard waste delivered to the Designated Site.

To the best extent possible, Municipalities directed to a Designated Site that does not have a scale weigh-in facility, will provide a cubic yard estimate of the quantity of leaves, brush and grass being delivered. The Authority shall employ DEP yard waste conversion factors to convert the cubic yard estimate to tonnage and tonnage to cubic yard estimate, as applicable.

(B) The Municipality may reserve, for its own use, up to five percent (5%) of the compost generated annually from the composting of the Municipality's leaves to the extent the Authority has sufficient compost material available, with the annual amount of such Compost calculated as twenty percent (20%) of the amount of leaves delivered to the Municipal Site by or on behalf of the Municipality during the year. The Municipality may reserve up to five percent (5%) of the chipped or processed (as determined by the Contractor) Brush for use by the Residents. The Municipality shall be responsible for removing such Compost or Brush end products from the appropriate Designated Site in transportation vehicles or containers by the Municipality, and the removal of Compost from the Designated Site shall be scheduled and coordinated with the Contractor.

(C) The Municipality shall notify all Residents of the Yard Materials that must be source-separated, the schedule for collection, and manner in which the Yard Materials are to be prepared for collection. Such notices shall be posted or published at a minimum, not less than twice yearly and may include one of the following forms of notice: (1) place an advertisement in a newspaper circulating in the Municipality; (2) post a notice in public places where public notices are customarily posted; or (3) include a notice with other official notifications periodically mailed to Residents, such as, for example, tax notices. The Municipality shall pay the costs and expenses associated with the preparation, posting, advertisement and distribution of all such notices.

(D) The Municipality may prepare and distribute literature and other educational materials describing, among other things, (i) the municipal recycling program established pursuant to the Recycling Ordinance, (ii) the Program and the Yard Waste Recycling and Marketing Services to be provided within the geographic boundaries of the Municipality, (iii) the Yard Materials to be source-separated, (iv) the manner or method of preparing source-separated material for collection, and (v) the location and schedules for collection. All such literature and other educational materials shall be prepared in accordance with written guidelines established by the Authority and shall be approved by the Authority prior to distribution.

1.2.3. Enforcement of Ordinance. The Municipality shall be primarily responsible for the development of an enforcement program and enforcement of the Recycling Ordinance, including the provisions thereof relating to the Program.

Section 1.3 AUTHORITY'S RESPONSIBILITY

1.3.1 Provision of Recycling and Marketing Services. The Authority shall cause the Contractor to provide Recycling and Marketing Services to the Municipality for Acceptable Yard Materials. In particular, the Contractor shall transport leaves and Brush from the Municipal Site and grass clippings from the Grass Site to be provided by the Contractor. The Contractor shall be responsible for the preparation, transportation and marketing of the Compost, Brush chips and/or any other end product resulting from the processing of Acceptable Yard Materials and for the disposal of any unsold Compost or end product materials.

1.3.2 Transportation Route(s) and Schedules. The Authority and the Municipality shall establish reasonable transportation routes to each Designated Site, giving due regard to federal, state and local traffic laws and regulations, and a delivery schedule for each material collected by the Municipality and to be delivered to such Site.

1.3.3 Preparation of Guidelines for Program Literature and Educational Materials. The Authority shall prepare guidelines for the development of Program literature and other educational materials to be prepared and distributed by the Municipality.

1.3.4 Public Education/Awareness. At the request of the Municipality, the Authority shall assist the Municipality with the development of a public education/awareness campaign, consistent with the Authority's guidelines, to ensure that the Residents participate in the Program.

1.3.5 Reports. The Authority and the Contractor will develop an appropriate reporting program that will reasonably identify Acceptable Yard Materials delivered to or collected from the Designated Sites by or on behalf of the Municipality. The Authority shall use its best efforts to provide to the Municipality copies of the Contractor's monthly and annual reports that are related to the Municipality and that are submitted to the Authority in accordance with the Yard Waste Contract that relate to the Municipality's participation in the Program. At the request of

the Municipality, the Authority shall make available, or cause the Contractor to make available, any backup data or documentation related to the Program used in preparing such reports during regular business hours of the Authority or the Contractor, as the case may be.

1.3.6 Contractor's Obligations. The Authority will cause the Contractor to provide the Yard Waste Recycling and Marketing Services on the Designated Sites in accordance with all applicable federal, state and local laws and regulations. The Authority shall enforce its rights and obligations under the Yard Waste Contract to ensure that the Contractor provides the Yard Waste Recycling and Marketing Services on a timely basis in accordance with the terms thereof.

1.3.7 Monitoring and Compliance. The Authority and the Municipality will work with the County Department of Health to monitor compliance with applicable environmental laws and regulations at the Designated Sites.

ARTICLE II TERM AND TERMINATION

Section 2.1 TERM

(A) The Term of this Agreement shall commence on August 1, 2013 if the Municipality is currently participating in the yard waste program and shall end on July 31, 2015, unless this Agreement or the Yard Waste Contract is earlier terminated or extended as provided herein.

(B) This Agreement may be extended by the mutual consent of the parties upon substantially similar terms and conditions.

(C) Notwithstanding anything contained herein to the contrary, the Authority shall be entitled to terminate its obligation herein to provide Yard Waste Recycling and Marketing Services under this Agreement at any time upon the provision of sixty (60) days prior written notice to the Municipality.

ARTICLE III - FINANCIAL TERMS

Section 3.1 COST TO MUNICIPALITY

The Authority shall provide Yard Waste Recycling and Marketing Services to the Municipality throughout the Term of this Agreement as follows:

- \$ 19.46 per ton for leaves (which represents 75% of the Authority's actual cost)
- \$ 32.00 per ton for grass clippings (which represents 100% of the Authority's actual cost)
- \$ 25.35 per ton for brush (which represents 75% of the Authority's actual cost)

In the event the Municipality delivers Yard Waste directly to Contractors Site, the cost to the Municipality shall be as follows:

- \$ 19.46 per ton for leaves (which represents 75% of the Authority's actual cost)

- \$ 25.35 per ton for brush (which represents 75% of the Authority's actual cost)
- \$ 32.00 per ton for grass clippings (which represents 100% of the Authority's actual cost)

The Authority shall submit to the Municipality a copy of the monthly invoice for Yard Waste Recycling and Marketing Services submitted to the Authority by the Contractor pursuant to the Recycling Contract. The Municipality shall pay its portion of such invoice within sixty (60) days of receipt thereof. Monthly payments to the Authority must clearly indicate the month and amount attributable to Yard Waste Recycling and Marketing Services.

In the event that the Authority or the Contractor incurs any cost or expenses as a result of the Municipality's failure to perform any of its obligations hereunder, the Authority shall submit to the Municipality a documented invoice for such cost and expense, and the Municipality shall pay such invoice within sixty (60) days following receipt thereof.

ARTICLE IV - LIMITATIONS OF LIABILITY

Section 4.1 AUTHORITY LIMITATIONS

(A) The Authority shall use best efforts to assure that the Contractor performs the Yard Waste Recycling and Marketing Services in accordance with all applicable federal, state and local laws and regulations and the terms and conditions of the Yard Waste Contract; however the Authority shall not be liable for any costs and expenses incurred by the Municipality as a result of the negligent acts or omissions of the Contractor or the Contractor's failure to perform the Yard Waste Recycling and Marketing Services.

(B) The remedies set forth in this Agreement shall be the sole remedies available to the parties, and neither party shall be entitled to recover consequential or incidental damages arising out of the other party's failure to perform their obligations hereunder.

Section 4.2 MUTUAL INDEMNIFICATION

4.2.1 Authority Indemnification. To the extent permitted by law, the Authority shall indemnify, defend and hold harmless the Municipality, its officers, employees, contractors and agents from and against any and all claims, suits, losses, liabilities, penalties, assessments, damages, costs and expenses, including reasonable attorney's fees resulting from injury (including death) to persons or damage to or loss of real or personal property resulting from the negligence or willful misconduct of the Authority, its officers, members and employees arising in connection with the performance of its obligations hereunder; provided, however, that the Authority shall have no such obligation to indemnify or hold the Municipality harmless for any loss or damage resulting from the negligence or willful misconduct of the Municipality, the Contractor, or their respective officers, employees or agents.

4.2.2 Municipality Indemnification. To the extent permitted by law, the Municipality shall indemnify, defend and hold harmless the Authority, its officers, members, employees,

contractors and agents from and against any and all claims, suits, losses, liabilities, assessments, damages, costs and expenses, including reasonable attorney's fees resulting from injury (including death) to persons or damage to or loss of real or personal property resulting from the negligence or willful misconduct of the Municipality, its officers, members, employees or agents arising in connection with the performance of its obligations hereunder or in connection with any Designated Site owned and maintained by or on behalf of the Municipality; provided, however, the Municipality shall have no such obligation to indemnify or hold the Authority harmless for any loss or damage resulting from the negligence or willful misconduct of the Authority or its officers and employees.

ARTICLE V - TERMINATION

Section 5.1 BY EITHER PARTY

This Agreement may be terminated by either party upon the happening of either one or both of the following events; provided, however, that this Agreement may not be terminated by a party that is responsible for the occurrence of such event:

(A) In the event that any permit, license, consent, approval or authorization that either the Authority or the Municipality is required to possess in order to carry out its obligations under this Agreement is refused, revoked or withdrawn; or

(B) In the event that any litigation, whether judicial, administrative or otherwise, results in the entry of an order requiring that the Program cease or that the Authority cease to act as the implementing agency for the Program, this Agreement shall be terminated upon the date specified in such order without any responsibility or liability for such termination between the parties hereto, except as otherwise provided herein.

Section 5.2 BY THE AUTHORITY

This Agreement may be terminated by the Authority upon the happening of any one of the following events:

(A) In the event that the Yard Waste Contract is terminated or expires in accordance with its terms;

(B) In the event that funds are unavailable to the Authority for use in funding the Program; or

(C) In the event that the Municipality fails to pay any amounts owed pursuant to this Agreement.

Section 5.3 BY THE MUNICIPALITY

This Agreement may be terminated by the Municipality upon the repeated and persistent failure by the Contractor to materially perform the Yard Waste Recycling and Marketing Services in accordance with the terms and conditions of this Agreement, which failures shall be documented by the Municipality. Prior to termination, the Municipality shall serve notice upon the Authority, which shall specify the Contractor's failure to perform the Yard Waste Recycling and Marketing Services and provide the Contractor with sixty (60) days in which to cure same or seek applicable remedies as set forth within the Yard Waste Contract. Failure of the Contractor to cure shall entitle the Municipality to terminate this Agreement thirty (30) days thereafter.

ARTICLE VI - COVENANTS AND RESPONSIBILITIES

Section 6.1 ADDITIONAL COVENANTS OF MUNICIPALITY

During the Term of this Agreement or any extension thereof, the Municipality warrants and covenants to the Authority as follows:

(A) The Municipality shall comply with applicable federal, state and local laws, approvals and regulations relating to the collection, transportation and storage of Acceptable Yard Materials.

(B) The execution, delivery and performance of this Agreement has been (1) authorized by the governing body of the Municipality; (2) does not require any consent, approval or referendum of voters, and (3) will not violate any judgment, order, law or regulation applicable to the Municipality.

(C) The Municipality shall not take any action which will impede the Authority's ability to use, obtain and/or maintain any Municipal Site.

Section 6.2 ADDITIONAL COVENANTS OF THE AUTHORITY

During the Term of this Agreement or any extension thereof, the Authority represents, warrants and covenants to the Municipality as follows that the execution, delivery and performance of this Agreement has been: (1) authorized by the governing body of the Authority; (2) does not require any consent, approval or referendum of voters; and will not violate any judgment, order, law or regulation applicable to the Authority.

ARTICLE VII - MISCELLANEOUS PROVISIONS

Section 7.1 MERGER CLAUSE

This Agreement (including schedules hereto, if any) constitutes the entire agreement and understanding between the parties in relation to its subject matter, and supersedes all previous

and contemporaneous agreements, understandings, representations and warranties between the parties.

Section 7.2 MODIFICATIONS

The terms and conditions of this Agreement, including any schedules hereto may be modified at any time by mutual agreement of the parties in writing, duly signed by their authorized representatives.

Section 7.3 NOTICES

Any notice or consent required or permitted hereunder shall be in writing and shall be delivered to the other party by registered mail or certified mail, return receipt requested, overnight mail and addressed to the party as set out below, or to such other address as the said party may have specified by notice given in writing to the other party.

To the Authority:

Middlesex County Improvement Authority
101 Interchange Plaza
Cranbury, New Jersey 08512
Attention: Executive Director
Telephone: 609-655-5141
Telefax: 609-655-4748

To the Municipality:

Unless otherwise expressly agreed to by the parties, any such written notice or consent shall be deemed to be given on the date of receipt or rejection indicated on the certified mail return receipt card.

Section 7.4 SUCCESSORS AND ASSIGNS; ASSIGNABILITY

This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto. Neither party hereto shall have the right to assign this Agreement without the express written consent of the other party, said consent shall not be unreasonably withheld.

Section 7.5 SURVIVAL OF ALL INDEMNITIES

All indemnities contained in this Agreement shall survive the termination of this Agreement.

Section 7.6 FORCE MAJEURE

The Authority and/or Municipality shall be excused from performing their respective obligations under this Agreement as a result of fire, natural disaster, catastrophe, casualty, civil commotion, acts of God or the public enemy, governmental prohibitions or regulations, or any other causes beyond the reasonable control of the party relying thereon as justification for not performing any obligation hereunder but only to the extent such act, event or condition actually prevents such performance.

Section 7.7 HEADINGS

Captions and headings in this Agreement are intended for convenience of reference only and shall not be considered as having any bearing on this Agreement.

Section 7.8 GOVERNING LAW

This Agreement and any questions concerning its validity, construction or performance shall be governed by the laws of the State of New Jersey.

Section 7.9 RELATIONSHIP OF THE PARTIES

Except as otherwise explicitly provided herein, no party to this Agreement shall have any responsibility whatsoever with respect to services that are to be provided or contractual obligations that are to be assumed by the other party, and nothing in this Agreement shall be deemed to constitute either party a partner, agent or legal representative of the other party or to create any fiduciary relationship between the parties.

Section 7.10 NO WAIVER

The failure of the Authority or the Municipality, as the case may be, to insist, in any one or more cases, upon the strict performance of any of the terms, covenants, conditions, or provisions of this Agreement or to exercise any option herein contained shall not be construed as a waiver or a relinquishment for the future of any such term, condition, provision, agreement or option. No waiver by the Authority or the Municipality of any term, covenant, condition, or provision of this Agreement shall be deemed to have been made unless expressed in writing and signed by the other party.

Section 7.11 SEVERABILITY

In the event that any provision of this Agreement shall, for any reason, be determined to be invalid, illegal, or unenforceable in any respect, the parties hereto shall negotiate in good faith and agree to such amendments to this Agreement or to such other appropriate actions as, to the maximum extent practicable in light of such determination, shall implement and give effect to the intentions of the parties as reflected herein, and the other provisions of this Agreement, as so amended, shall remain in full force and effect.

Section 7.12 COUNTERPARTS

This Agreement may be executed in any number of counterparts with the same effect as if the signature and seals thereto and hereto were upon the same instrument.

IN WITNESS WHEREOF, the parties each represent to the other that the individuals executing this Agreement are fully authorized and empowered to sign on their behalf.

ATTEST:

Jacque Eaker, Secretary

**MIDDLESEX COUNTY
IMPROVEMENT AUTHORITY**

By: _____
Leonard J. Roseman, Chairman

ATTEST:

Clerk

By: _____
Mayor

dav/mcia/yardwasterecycl
08/15/13

C

TR#: _____

FEE: _____

DATE: _____

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Action ID Code
[] [] [] []
A W D U

RETAIL LIQUOR LICENSE APPLICATION

STATE ASSIGNED LICENSE NUMBER

DATE APPLICATION FILED:

1223-33-013-010

5, 23, 13

[For DIVISION use only _____]

CODE TYPE OF LICENSE (CHECK ONE)

THIS APPLICATION IS FOR:

CLASS C LICENSES [R.S. 33:1-12]

- 31 _____ Club
- 32 Plenary Retail Consumption w/Broad Package Privilege
- 33 _____ Plenary Retail Consumption
- 36 _____ Plenary Retail Consumption (Hotel/Motel Exception)
- 37 _____ Plenary Retail Consumption (Theatre Exception)
- 35 _____ Seasonal Retail Consumption (November 15 through April 30)
- 34 _____ Seasonal Retail Consumption (May 1 through November 14)
- 44 _____ Plenary Retail Distribution
- 43 _____ Limited Retail Distribution

- A New License
- Person-to-Person Transfer (Including Partnership change, except Limited Partnership)
- _____ Place-to-Place Transfer (Including expansion of premises)
- _____ Change of Corporate Structure
- _____ Extension of License (to Executor, Receiver, Administrator, etc.)
- _____ Renewal of License
- _____ Amendment of Application on File
- _____ Other _____

OTHER

- 14 _____ Annual State Permit (R.S. 33:1-42, NJAC 13:2-52)
- 40 _____ Special Permit for a Golf Facility (NJAC 13:2-5.3)

This Area is Reserved for Municipal Use

Municipal Fee \$ 55.00

Effective Date _____/_____/_____
(As Stated in Resolution. Date of resolution unless otherwise established.)

State Fee \$ 200.00

Date Denied _____/_____/_____
(As Stated in Resolution)

Refund Amount \$ _____

Special Conditions Attached: _____ Yes _____ No

PATRICIA O'CONNOR

Type or Print Name (Last Name, First Name, Middle Initial) of Municipal Clerk or ABC Secretary

Patricia O'Connor

Signature of Municipal Clerk or ABC Secretary

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

Application is made on behalf of: 1

- 1 = An Individual
- 3 = A Partnership
- 5 = Incorporated Club

- 2 = Business Corporation
- 4 = Unincorporated Club
- 6 = Limited Partnership

7 = Limited Liability Company

2.1 NAME(S) AS IT DOES OR WILL APPEAR ON THE LICENSE CERTIFICATE (NOT "TRADE" NAME):
License may be held by Individual (Last Name, First Name, Middle Initial), Partnership or Corporation.

ROBBARR, LLC, a New Jersey Limited Liability Company
(Last Name, First Name, Middle Initial or Corporate Name)

2.2 ACTUAL ADDRESS WHERE THE LICENSE IS TO BE USED (SITED PREMISES):

Street Address N/A
Number Street Name

Municipality Zip

Telephone number of business () -
Area Exchange Number

2.3 If no licensed premises exists or if a mailing address is different than the "actual address" given above, provide the mailing address (insert N/A if not applicable):

Street Address 19 Charter Street
Number Street Name

P.O. Box # Municipality South River State NJ

Zip 08882 Telephone () -

2.4 New Jersey Sales Tax Certificate of Authority No. To be provided

2.5 TRADE NAME(S) UNDER WHICH BUSINESS IS TO BE CONDUCTED. ALL TRADE NAMES MUST BE LISTED AND REGISTERED WITH THE N.J. SECRETARY OF STATE [if a corporation] OR COUNTY CLERK [if a partnership or sole proprietor]:
N/A

2.6 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS OTHER THAN APPLICANTS FOR A NEW LICENSE:

A. IS THE LICENSE ACTIVELY USED AT AN OPERATING PLACE OF BUSINESS?
Yes No

B. IF NO, GIVE THE DATE THE BUSINESS STOPPED OPERATING (OR THE DATE THE LICENSE WAS ORIGINALLY ISSUED IF NEVER SITED AT AN OPERATING BUSINESS):
31 01 2012

C. IF THE LICENSE IS INACTIVE AND THE APPLICATION IS FOR A TRANSFER, WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS AFTER APPROVAL?
Yes No

2.7 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY AN APPLICANT FOR A NEW LICENSE:

N/A
A. WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS IMMEDIATELY UPON ISSUANCE?
Yes No

B. IF NO, PROVIDE ANTICIPATED DATE OF LICENSE ACTIVATION:
/ /

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

The following questions identify information about the licensed premises. This describes the area or place which is to be licensed for the sale, service, consumption, delivery, receipt or storage of alcoholic beverages. If the license is inactive and NOT SITED AT A PLACE OF BUSINESS, answer question 3.1 only, entering N/A for "not applicable." [If you use N/A as a response to question 3.1, question 2.2 on Page 2 should also be answered N/A.]

3.1 HOW MANY SEPARATE BUILDINGS ARE TO BE INCLUDED UNDER THIS LICENSE? N/A

If more than one building is to be included under this license, a separate Page 3 is to be submitted covering each building. An up-to-date sketch of the entire licensed premises should be submitted for inclusion in the State ABC license file.

3.2 BUILDING NO. _____ OF _____ TO BE LICENSED.

3.3 IS THE ENTIRE BUILDING TO BE LICENSED? _____ Yes _____ No

If the answer to question 3.3 is "No," specify which floors are to be under license and which ones are not by answering the following questions:

- | | | |
|-----------------------|--------------------|------------------------------|
| 3.4 Basement | _____ Yes _____ No | All of it _____ Yes _____ No |
| 1 st floor | _____ Yes _____ No | All of it _____ Yes _____ No |
| 2 nd floor | _____ Yes _____ No | All of it _____ Yes _____ No |
| 3 rd floor | _____ Yes _____ No | All of it _____ Yes _____ No |

Specify each additional floor number to be included under this license: _____

If only part of any floor is to be licensed, attach a more detailed explanation with sketches to clearly delineate licensed areas from unlicensed areas.

3.5 ARE ANY GROUNDS ADJACENT TO THE BUILDING UNDER LICENSE TO BE INCLUDED AS PART OF THE LICENSED PREMISES?
_____ Yes _____ No

3.6 IS THERE ANY UNLICENSED AREA LOCATED BETWEEN BUILDINGS UNDER THIS LICENSE OR BETWEEN LICENSED ADJACENT GROUNDS?
_____ Yes _____ No

IF THE ANSWER IS "YES," ATTACH A SKETCH OF THE LICENSED AND UNLICENSED AREAS SHOWING DIMENSIONS IN FEET.

- 3.7 DOES THE APPLICANT OWN THE BUILDING? _____ Yes _____ No
- IF "YES," IS THERE A MORTGAGE ON THE BUILDING? _____ Yes _____ No
- DOES THE APPLICANT LEASE THE BUILDING? _____ Yes _____ No

If there is a mortgage on the property, answer question 3.8. If the licensed premise is leased, answer question 3.9.

3.8 MORTGAGEE (HOLDER OF MORTGAGE):

(Last Name, First Name, Middle Initial or Corporate Name)

Street Address _____
Number _____ Street Name _____

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

3.9 LANDLORD (HOLDER OF LEASE):

(Last Name, First Name, Middle Initial or Corporate Name)

Street Address _____
Number _____ Street Name _____

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

NA 4.1 IS THE NEAREST ENTRANCE OF THE PLACE TO BE LICENSED WITHIN 200 FEET OF THE NEAREST ENTRANCE OF ANY CHURCH OR SCHOOL? Yes No

IF THE ANSWER IS "YES," IS A WAIVER SIGNED BY THE APPROPRIATE OFFICIAL ATTACHED TO THIS APPLICATION? Yes No

4.2 DOES THE APPLICANT INTEND TO USE ANY VEHICLES FOR THE TRANSPORT OR DELIVERY OF ALCOHOLIC BEVERAGES? Yes No (A TRANSIT INSIGNIA IS NECESSARY BEFORE ALCOHOLIC BEVERAGES MAY BE TRANSPORTED.)

4.3 HAS THE APPLICANT FILED AN ANNUAL SPECIAL TAX REGISTRATION AND RETURN FORM (TTB F 5630.5) WITH THE FEDERAL ALCOHOL AND TOBACCO TAX AND TRADE BUREAU?

Yes No

IF "YES," DATE FILED / /

NA 4.4 WILL ANY BUSINESS OTHER THAN THE SALE OF ALCOHOLIC BEVERAGES BE CONDUCTED ON THE PREMISES TO BE LICENSED? Yes No

IF THE ANSWER IS "YES," INDICATE THE NATURE OF THE BUSINESS AND WHO WILL CONDUCT IT BY RESPONDING TO THE FOLLOWING QUESTIONS:

- | | | |
|--|------------------------------------|--------------------------------|
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Hotel/Motel | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amusements | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> N.J. Lottery | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Grocery or Delicatessen | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Other (specify) | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |

NA 4.5 IF SOMEONE OTHER THAN THE APPLICANT WILL OPERATE THE OTHER BUSINESS ON THE LICENSED PREMISES, ANSWER THIS QUESTION. IF THERE IS MORE THAN ONE INDIVIDUAL OR COMPANY, ATTACH A SEPARATE PAGE LISTING THE REQUESTED INFORMATION FOR EACH OPERATOR.

Business to be operated _____

Name of company/individual _____
(Last Name, First Name or Corporate Name)

Street Address _____
Number Street Name

Municipality _____ State _____

Zip _____ - _____ NJ Sales Tax Certificate of Authority No. _____

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS ANSWER THE FOLLOWING

5.1 IS THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION A POLICE OFFICER OR HOLD ANY POSITION ENTRUSTED WITH THE ENFORCEMENT OF ANY LAWS CONCERNING ALCOHOLIC BEVERAGES IN ANY MANNER WHATSOEVER?

Yes No

If the answer is "Yes," complete the following:

Name of individual _____
Last Name First Name Middle Initial

Title of position held _____

Name of Employing Agency _____

5.2 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE? Yes No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING:

Name of Individual _____
Last Name First Name Middle Initial

Title of Office _____

Municipality _____

5.3 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, DIRECTLY OR INDIRECTLY, HAVE ANY INTEREST IN ANY BREWERY, WINERY, DISTILLERY, RECTIFYING AND BLENDING PLANT, IMPORTER OR WHOLESALE ALCOHOLIC BEVERAGE BUSINESS, AS OWNER, PART OWNER, LANDLORD, TENANT, MORTGAGE HOLDER OR AS A STOCKHOLDER, OFFICER, DIRECTOR, AGENT, EMPLOYEE OR OTHERWISE?

Yes No

IF THE ANSWER IS "YES," ATTACH AN AFFIDAVIT EXPLAINING THE RELATIONSHIP AND NATURE OF THE INTEREST AND COMPLETE THE FOLLOWING:

A. New Jersey license number, if applicable _____ - _____ - _____

B. IF THE BUSINESS DOES NOT HOLD A NEW JERSEY LIQUOR LICENSE, ANSWER THE FOLLOWING QUESTIONS:

Name of entity conducting business (Corporation, Partnership or Individual)

(Last Name, First Name, Middle Initial or Corporate Name)

Street Address _____
Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Type of Business _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS ANSWER THE FOLLOWING

6.1 HAS THE APPLICANT EVER BEEN DENIED A LIQUOR LICENSE IN NEW JERSEY? Yes No

IF THE ANSWER TO THIS QUESTION IS "YES," ANSWER THE FOLLOWING:

Type of License or Permit Denied: Retail Wholesale Transportation
 Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate if not known) _____ / _____ / _____

Reason for Denial _____

6.2 HAS ANY CORPORATION, PARTNERSHIP OR INDIVIDUAL MENTIONED IN THIS APPLICATION, OTHER THAN THE APPLICANT, BEEN DENIED A LIQUOR LICENSE OR PERMIT? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING:

Name of Entity _____
Last Name First Name Middle Initial

Type of License or Permit Denied: Retail Wholesale Transportation
 Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate if not known) _____ / _____ / _____

Reason for Denial _____

6.3 HAS THE APPLICANT OR ANY OTHER PERSON, CORPORATION OR ENTITY MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN IT, HAD AN INTEREST IN A NEW JERSEY ALCOHOLIC BEVERAGE LICENSE WHICH WAS SURRENDERED, SUSPENDED OR HAD A PENALTY IMPOSED IN LIEU OF SUSPENSION, NOT RENEWED, REVOKED OR CANCELLED WITHIN THE 10 YEARS PRIOR TO THE DATE OF THIS APPLICATION? Yes No

IF THE ANSWER IS "YES," PROVIDE DETAILS OF EACH BELOW [Complete a separate Page 6 for each action]:

Name of Individual _____
Last Name First Name Middle Initial

DATE OF ACTION _____ / _____ / _____ DOCKET NO. _____

PENALTY WAS IMPOSED BY: _____

[Indicate whether by Division of ABC or identify Local Issuing Authority]

PENALTY CONSISTED OF:

FINED \$ _____ [amount] NOT RENEWED
 SUSPENDED _____ (number of days) REVOKED CANCELLED
 OTHER [explain] _____

6.4 HAS THE APPLICANT OR ANY OTHER PERSON OR CORPORATION MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE BUSINESS UNDER LICENSE OR TO BE LICENSED, EVER BEEN CONVICTED OF A CRIMINAL OFFENSE? Yes No

A. IF THE ANSWER IS "YES," ANSWER THE FOLLOWING:

Name of Individual _____
Last Name First Name Middle Initial

Date of Birth _____ / _____ / _____ Conviction Date _____ / _____ / _____

State _____ Court of Jurisdiction _____

Description of offense (specific charge) _____

Disposition (fine, penalty, etc.) _____

Nature of interest in entity to be licensed _____

B. If applicable, provide the date the Director of the N.J. Division of Alcoholic Beverage Control issued an order approving or disapproving disqualification removal: _____ / _____ / _____. (No license may be issued without an order from the Director of the Division of Alcoholic Beverage Control determining no disqualification or removing disqualification.) (See R.S. 33:1-31.2 and N.J.A.C. 13:2-15.)

Provide Agency Docket No. :[NN]- _____

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS) OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?

Yes No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S) AND THE NAME(S) OF THE PERSON(S) OR CORPORATION(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

A. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

B. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

C. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL BECAUSE OF AGE, CRIMINAL CONVICTION OR PROHIBITED INTERESTS IN OTHER LICENSES?

Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION AND THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH, IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Social Security Number _____ - _____ - _____ OR

NJ Sales Tax Certificate of Authority No. _____

Date of Birth _____ / _____ / _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS ANSWER THE FOLLOWING

- 8.1 DOES THE APPLICANT OR ANYONE MENTIONED IN THIS APPLICATION OWE THE STATE OF NEW JERSEY OR THE UNITED STATES ANY LICENSE FEE, PENALTY, INTEREST OR ALCOHOLIC BEVERAGE TAX WHICH HAS ACCRUED PURSUANT TO THE ALCOHOLIC BEVERAGE TAX LAW, THE ALCOHOLIC BEVERAGE LAW OR ANY OTHER NEW JERSEY OR FEDERAL LAW?
 Yes No
- 8.2 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED, FOR A HOTEL/MOTEL AS AN EXCEPTION TO THE POPULATION RESTRICTION UNDER THE PROVISIONS OF R.S. 33:1-12.20?
 Yes No
 IF THE ANSWER IS "YES," IS IT FOR A HOTEL/MOTEL FACILITY OF 50 OR 100 ROOMS?
 CHECK ONE: 50 ROOMS 100 ROOMS
- 8.3 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED, AS AN EXCEPTION TO THE TWO LICENSE LIMITATION LAW (R.S. 33:1-12.32) FOR A HOTEL/MOTEL, RESTAURANT, BOWLING ALLEY OR INTERNATIONAL AIRPORT? Yes No
 IF THE ANSWER IS "YES," CHECK ONE OF THE FOLLOWING: HOTEL/MOTEL
 RESTAURANT BOWLING ALLEY INTERNATIONAL AIRPORT

THE FOLLOWING ARE TO BE ANSWERED WHEN APPLICATION IS FOR A LICENSE TRANSFER.

- 8.4 LICENSE NUMBER SOUGHT TO BE TRANSFERRED 1223 - 33 - 013 - 010
- 8.5 IF THIS IS A REQUEST FOR A PERSON-TO-PERSON TRANSFER, INSERT NAME(S) OF PERSON (Last Name First), PARTNERSHIP OR CORPORATION CURRENTLY HOLDING THE LICENSE:
Ralph's Tavern, Inc. c/o Jennifer Yacovelli
(Last Name, First Name, Middle Initial or Corporate Name)
- 8.6 IF THIS IS A REQUEST FOR A PLACE-TO-PLACE TRANSFER OF A POCKET LICENSE (NO SITED PREMISES), MARK AN X HERE:
 IF THIS IS A REQUEST FOR A PLACE-TO-PLACE TRANSFER OF A SITED LICENSE, INSERT THE ADDRESS OF THE CURRENT SITE FROM WHICH THE LICENSE IS TO BE TRANSFERRED.
 Street Address _____
Number Street Name
 Municipality _____ New Jersey
 Zip _____

THE FOLLOWING ARE TO BE ANSWERED BY APPLICANTS FOR A NEW LICENSE OR A LICENSE TRANSFER.

- 8.7 INSERT THE ANTICIPATED DATES WHEN PUBLIC NOTICE OF APPLICATION WILL BE PUBLISHED. PUBLICATION MAY NOT BE SOONER THAN THE DATE OF FILING OF THIS APPLICATION.
 Date of first notice 7 / 13 / 2013
 Date of second notice 7 / 20 / 2013
- 8.8 NAME OF NEWSPAPER TO PUBLISH NOTICE Home News + Tribune
- 8.9 THE FOLLOWING ARE TO BE ANSWERED BY CORPORATIONS REPORTING A CHANGE OF CORPORATE STRUCTURE WHEREIN A NEW STOCKHOLDER ACQUIRES MORE THAN 1 PERCENT OF THE STOCK OF THE LICENSED COMPANY (ONE PUBLICATION OF NOTICE REQUIRED).
 Date of notice _____ / _____ / _____
 Name of newspaper publishing notice _____

THE FOLLOWING QUESTIONS ARE FOR CLUB LICENSE APPLICANTS ONLY:

- N/A* 8.10 HAS THE CLUB BEEN IN ACTIVE OPERATION IN THE STATE OF NEW JERSEY FOR AT LEAST THREE YEARS CONTINUOUSLY IMMEDIATELY PRIOR TO THE SUBMISSION OF ITS APPLICATION FOR A LICENSE?
 Yes No
- 8.11 IS THE APPLICANT A CONSTITUENT UNIT, CHARTERED OR OTHERWISE DULY ENFRANCISED CHAPTER OR MEMBER CLUB OF A NATIONAL OR STATE ORDER?
 Yes No
- 8.12 HAS THE CLUB HAD EXCLUSIVE POSSESSION AND USE OF CLUB QUARTERS FOR THREE CONTINUOUS YEARS?
 Yes No
- 8.13 DOES THE CLUB HAVE AT LEAST 60 VOTING MEMBERS?
 Yes No

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS ANSWER THE FOLLOWING

- 9.1 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION OR ASSOCIATION OTHER THAN THE APPLICANT HAVE AN INTEREST DIRECTLY OR INDIRECTLY IN THE LICENSE APPLIED FOR OR IS THE STOCK OF ANY STOCKHOLDER HELD IN ESCROW OR PLEDGED IN ANY WAY? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OF INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation _____

 (Last Name, First Name, Middle Initial or Corporate Name)
 Social Security Number _____ - _____ - _____ OR
 NJ Sales Tax Certificate of Authority Number _____
 Street Address _____

 Number Street Name
 P.O. Box # _____ Municipality _____ State _____
 Zip _____ - _____
 Describe Nature of Interest _____

- 9.2 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION OR ASSOCIATION HOLD ANY CHATTEL MORTGAGE OR CONDITIONAL BILL OF SALE OR OTHER SECURITY INTEREST ON ANY FURNITURE, FIXTURES, GOODS OR EQUIPMENT TO BE USED IN CONNECTION WITH THE BUSINESS TO BE OPERATED UNDER THE LICENSE APPLIED FOR? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation _____

 (Last Name, First Name, Middle Initial or Corporate Name)
 Social Security Number _____ - _____ - _____ OR
 NJ Sales Tax Certificate of Authority Number _____
 Street Address _____

 Number Street Name
 P.O. Box # _____ Municipality _____ State _____
 Zip _____ - _____
 Describe Nature of Interest _____

- 9.3 HAS THE APPLICANT AGREED TO PERMIT ANYONE NOT HAVING AN OWNERSHIP INTEREST IN THE LICENSE TO RECEIVE OR AGREED TO PAY ANYONE (BY WAY OF RENT, SALARY OR OTHERWISE) ALL OR ANY PERCENTAGE OF THE GROSS RECEIPTS OR NET PROFIT OR INCOME DERIVED FROM THE BUSINESS TO BE CONDUCTED UNDER THE LICENSE APPLIED FOR? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation _____

 Last Name First Name Middle Initial
 Social Security Number _____ - _____ - _____ OR
 NJ Sales Tax Certificate of Authority Number _____
 Street Address _____

 Number Street Name
 P.O. Box # _____ Municipality _____ State _____
 Zip _____ - _____
 Describe Nature of Interest _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

QUESTIONS TO BE ANSWERED BY CORPORATIONS AND LIMITED LIABILITY COMPANIES ONLY. ANY CORPORATION OR LIMITED LIABILITY COMPANY THAT IS REPORTED TO HAVE AN INTEREST IN THE BUSINESS TO BE LICENSED, WHETHER THE LICENSEE COMPANY, THE PARENT CORPORATION OF THE LICENSED COMPANY, HOLDING COMPANY OR OTHERWISE AFFILIATED IN THE CORPORATE CHAIN, MUST ANSWER THE FOLLOWING USING A SEPARATE PAGE 10 AND PAGE 10A FOR EACH CORPORATION. ANSWER QUESTIONS ON BOTH PAGE 10 AND PAGE 10A FOR EACH CORPORATION.

10.1 Name of corporation Robbarr LLC

10.2 Street address of home office 19 Charter Drive
Number Street Name

Municipality South River

State NJ Zip 08882

10.3 NJ Sales Tax Certificate of Authority Number _____

10.4 IF CORPORATION ADDRESS IN NUMBER 10.2 ABOVE IS OUT OF STATE, REPORT BELOW THE ADDRESS OF ANY OFFICE LOCATION IN NEW JERSEY. INSERT N/A IF NONE.

N/A

Street Address _____
Number Street Name

Municipality _____ New Jersey

Zip _____

10.5 IS THE CORPORATION NOW AN EXISTING, VALID CORPORATION? Yes No

10.6 DATE CHARTERED OR INCORPORATED 05, 17, 2013 STATE NJ

10.7 CERTIFICATE OF INCORPORATION NUMBER 0400574464

10.8 IF NOT INCORPORATED UNDER THE LAWS OF NEW JERSEY, HAS THE CORPORATION RECEIVED AN AUTHORIZATION TO CONDUCT BUSINESS IN NEW JERSEY FROM THE NEW JERSEY OFFICE OF THE SECRETARY OF STATE? Yes No N/A

10.9 HAS THE CORPORATION CHARTER EVER BEEN REVOKED BY THE OFFICE OF THE SECRETARY OF STATE IN NEW JERSEY? Yes No

IF THE ANSWER IS "YES," INSERT THE DATE OF REVOCATION, OR IF SUSPENDED, THE BEGINNING AND ENDING DATE OF THE SUSPENSION.

Date of revocation _____/_____/_____

Beginning date _____/_____/_____

Ending date _____/_____/_____

10.10 INSERT THE NAME AND ADDRESS OF THE REGISTERED OR AUTHORIZED AGENT IN NEW JERSEY UPON WHOM SERVICE OF PROCESS IN ANY PROCEEDINGS AGAINST THE APPLICANT, PURSUANT TO THE NEW JERSEY ALCOHOLIC BEVERAGE LAW, THE ALCOHOLIC BEVERAGE TAX LAW OR PROCEEDINGS IN A STATE OR U.S. DISTRICT COURT, MAY BE MADE.

Name Guindi, Dawn M.
(Last Name, First Name, Middle Initial or Corporation)

Street Address 19 Charter Drive
Number Street Name

Municipality South River New Jersey

Zip 08882 Telephone Number (732) 310 - 3663
Area Exchange Number

10.11 IF THE LICENSED COMPANY IS OWNED BY OTHER CORPORATION(S) OR IS IN A CORPORATE CHAIN, ATTACH A DIAGRAM DEPICTING THE CORPORATE RELATIONSHIPS AND THE PERCENTAGE OF STOCK INTEREST IN THE COMPANY TO BE LICENSED, OWNED BY OTHER CORPORATIONS OR OTHER NON-CORPORATE ENTITIES (INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS).

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

ALL APPLICANTS ANSWER THE FOLLOWING [ADD PAGES AS NECESSARY]

SOLE OWNERS AND PARTNERSHIPS: Complete this page in full.

LIMITED PARTNERSHIPS: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licensed.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on Page 10. Information on this Page, 10A, will identify all officers, directors and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP): ROBBARR, LLC

Name of individual (last name first), stockholder, partner, officer or director:
Guindi Dawn M
 Last Name First Name Middle Initial
 Home Street Address 19 Charter Street
 Number Street Name
 P.O. Box # _____ Municipality South River State NJ
 Zip 08882
 Social Security Number _____ Date of Birth - / /
 Home telephone number (732) 310 - 3663
 Area Exchange Number
 Office telephone number (_____) _____
 Area Exchange Number
 % of business owned or controlled 50% Number of shares 50%
 Check position that applies: _____ Sole owner Partner _____ Stockholder
 _____ President _____ Vice-President _____ Secretary _____ Treasurer _____ Director
 _____ Trustee _____ Manager _____ Agent _____ Executor/Administrator _____ Receiver
 _____ Beneficiary _____ Other (specify) _____

Name of individual (last name first), stockholder, partner, officer or director:
Barvitta Anthony
 Last Name First Name Middle Initial
 Home Street Address 31 Claremont Ave.
 Number Street Name
 P.O. Box # _____ Municipality South River State NJ
 Zip 08882
 Social Security Number _____ Date of Birth - / /
 Home telephone number (732) 651 - 8745
 Area Exchange Number
 Office telephone number (732) 589 - 4405
 Area Exchange Number
 % of business owned or controlled 50% Number of shares 50%
 Check position that applies: _____ Sole owner Partner _____ Stockholder
 _____ President _____ Vice-President _____ Secretary _____ Treasurer _____ Director
 _____ Trustee _____ Manager _____ Agent _____ Executor/Administrator _____ Receiver
 _____ Beneficiary _____ Other (specify) _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

AFFIDAVIT

LICENSE PERIOD APPLIED FOR FROM _____ TO _____

DATE:

State of New Jersey
County of Middlesex

SS:

As provided by law (R.S. 33:1-35),

(Check One)

1. The Individual Applicant

2. Members of the Partnership Applicant

3. _____ of _____
(President/Vice-President) (Corporation or Club Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of the fact, and that the contents of this application are true.

Anthony Barritta
(Signature of Individual Agent / Sole Proprietor) MEMBER
Anthony Barritta

(Corporations Only)
Attestation by Corporate Secretary

(Partnership Name)

(Signature of Partner)

Attest: _____
Corporate Name

(Signature of Partner)

Secretary _____
Signature By _____
(Signature of Corporate President or Vice President)

(Signature of Partner)

Affix Corporate Seal _____
(Signature of Partner)

Sworn to and subscribed before me
this 17th day of May 20 13

AFFIDAVIT MUST BE SIGNED HERE → [Signature]
(Signature of Officer Administering Oath)

BY DULY AUTHORIZED
NOTARY PUBLIC

Walter Toto
(Printed Name of Officer Administering Oath)

OR AN ATTORNEY-AT-LAW
OF NEW JERSEY

Attorney-At-Law State of NJ
(Title of Officer Administering Oath)

(Date of Expiration of
Commission, if applicable)

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 33 - 013 - 010

AFFIDAVIT

LICENSE PERIOD APPLIED FOR FROM _____ TO _____

DATE:

State of New Jersey)
County of Middlesex) SS:

As provided by law (R.S. 33:1-35),

(Check One)

1. The Individual Applicant

2. Members of the Partnership Applicant

3. _____ of _____
(President/Vice-President) (Corporation or Club Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of the fact, and that the contents of this application are true.

[Signature]
(Signature of Individual Agent / Sole Proprietor) MEMBER
DAWN M. GUINDI

(Corporations Only)
Attestation by Corporate Secretary

(Partnership Name)

(Signature of Partner)

Attest: _____
Corporate Name

(Signature of Partner)

Secretary _____
Signature By _____
(Signature of Corporate President or Vice President)

(Signature of Partner)

Affix Corporate Seal

(Signature of Partner)

Sworn to and subscribed before me

this 17th day of May 2013

AFFIDAVIT MUST BE SIGNED HERE

[Signature]
(Signature of Officer Administering Oath)

BY DULY AUTHORIZED NOTARY PUBLIC

Walter Toto
(Printed Name of Officer Administering Oath)

OR AN ATTORNEY-AT-LAW OF NEW JERSEY

Attorney-At-Law - State of NJ
(Title of Officer Administering Oath)

(Date of Expiration of Commission, if applicable)

D

TR#: _____

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Action ID Code
[] [] [] []
A W D U

FEE: _____

DATE: _____

RETAIL LIQUOR LICENSE APPLICATION

STATE ASSIGNED LICENSE NUMBER

DATE APPLICATION FILED:

223 - 44 - 028 - 002

6 125 13

[For DIVISION use only _____]

CODE TYPE OF LICENSE (CHECK ONE)

THIS APPLICATION IS FOR:

CLASS C LICENSES [R.S. 33:1-12]

- 31 _____ Club
- 32 _____ Plenary Retail Consumption
w/Broad Package Privilege
- 33 _____ Plenary Retail Consumption
- 36 _____ Plenary Retail Consumption
(Hotel/Motel Exception)
- 37 _____ Plenary Retail Consumption
(Theatre Exception)
- 35 _____ Seasonal Retail Consumption
(November 15 through April 30)
- 34 _____ Seasonal Retail Consumption
(May 1 through November 14)
- 44 Plenary Retail Distribution
- 43 _____ Limited Retail Distribution

- _____ A New License
- Person-to-Person Transfer
(Including Partnership change,
except Limited Partnership)
- _____ Place-to-Place Transfer
(Including expansion of premises)
- _____ Change of Corporate Structure
- _____ Extension of License (to Executor,
Receiver, Administrator, etc.)
- _____ Renewal of License
- _____ Amendment of Application on File
- _____ Other _____

OTHER

- 14 _____ Annual State Permit
(R.S. 33:1-42, NJAC 13:2-52)
- 40 _____ Special Permit for a Golf Facility
(NJAC 13:2-5.3)

This Area is Reserved for Municipal Use

Municipal Fee \$ 55.00

Effective Date _____ / _____ / _____
(As Stated in Resolution. Date of resolution unless otherwise established.)

State Fee \$ 200.00

Date Denied _____ / _____ / _____
(As Stated in Resolution)

Refund Amount \$ _____

Special Conditions Attached: _____ Yes _____ No

PATRICIA O'CONNOR

Type or Print Name (Last Name, First Name, Middle Initial) of Municipal Clerk or ABC Secretary

Patricia O'Connor

Signature of Municipal Clerk or ABC Secretary

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

Application is made on behalf of: 7

1 = An Individual
3 = A Partnership
5 = Incorporated Club

2 = Business Corporation
4 = Unincorporated Club
6 = Limited Partnership

7 = Limited Liability Company

2.1 NAME(S) AS IT DOES OR WILL APPEAR ON THE LICENSE CERTIFICATE (NOT "TRADE" NAME):
License may be held by Individual (Last Name, First Name, Middle Initial), Partnership or Corporation.

GANDHI TRADING LLC

(Last Name, First Name, Middle Initial or Corporate Name)

2.2 ACTUAL ADDRESS WHERE THE LICENSE IS TO BE USED (SITED PREMISES):

Street Address 49-51 OBERT STREET
Number Street Name

Municipality SOUTH RIVER Zip 08882

Telephone number of business (732) 257 - 2144
Area Exchange Number

2.3 If no licensed premises exists or if a mailing address is different than the "actual address" given above, provide the mailing address (insert N/A if not applicable):

Street Address _____
Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____ Telephone (_____) _____ - _____

2.4 New Jersey Sales Tax Certificate of Authority No. _____

2.5 TRADE NAME(S) UNDER WHICH BUSINESS IS TO BE CONDUCTED. ALL TRADE NAMES MUST BE LISTED AND REGISTERED WITH THE N.J. SECRETARY OF STATE [if a corporation] OR COUNTY CLERK [if a partnership or sole proprietor]:

GANDHI TRADING LLC

2.6 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY ALL APPLICANTS OTHER THAN APPLICANTS FOR A NEW LICENSE:

A. IS THE LICENSE ACTIVELY USED AT AN OPERATING PLACE OF BUSINESS?

Yes _____ No

B. IF NO, GIVE THE DATE THE BUSINESS STOPPED OPERATING (OR THE DATE THE LICENSE WAS ORIGINALLY ISSUED IF NEVER SITED AT AN OPERATING BUSINESS):

_____/_____/_____

C. IF THE LICENSE IS INACTIVE AND THE APPLICATION IS FOR A TRANSFER, WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS AFTER APPROVAL?

_____ Yes _____ No

2.7 THE FOLLOWING QUESTIONS ARE TO BE ANSWERED BY AN APPLICANT FOR A NEW LICENSE:

A. WILL THE LICENSE BE USED AT AN OPERATING PLACE OF BUSINESS IMMEDIATELY UPON ISSUANCE?

Yes _____ No

B. IF NO, PROVIDE ANTICIPATED DATE OF LICENSE ACTIVATION:

_____/_____/_____

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

4.1 IS THE NEAREST ENTRANCE OF THE PLACE TO BE LICENSED WITHIN 200 FEET OF THE NEAREST ENTRANCE OF ANY CHURCH OR SCHOOL? Yes No

IF THE ANSWER IS "YES," IS A WAIVER SIGNED BY THE APPROPRIATE OFFICIAL ATTACHED TO THIS APPLICATION? Yes No

4.2 DOES THE APPLICANT INTEND TO USE ANY VEHICLES FOR THE TRANSPORT OR DELIVERY OF ALCOHOLIC BEVERAGES? Yes No (A TRANSIT INSIGNIA IS NECESSARY BEFORE ALCOHOLIC BEVERAGES MAY BE TRANSPORTED.)

4.3 HAS THE APPLICANT FILED AN ANNUAL SPECIAL TAX REGISTRATION AND RETURN FORM (TTB F 5630.5) WITH THE FEDERAL ALCOHOL AND TOBACCO TAX AND TRADE BUREAU?

Yes No

IF "YES," DATE FILED / /

4.4 WILL ANY BUSINESS OTHER THAN THE SALE OF ALCOHOLIC BEVERAGES BE CONDUCTED ON THE PREMISES TO BE LICENSED? Yes No

IF THE ANSWER IS "YES," INDICATE THE NATURE OF THE BUSINESS AND WHO WILL CONDUCT IT BY RESPONDING TO THE FOLLOWING QUESTIONS:

- | | | |
|---|---|--------------------------------|
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Hotel/Motel | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input type="checkbox"/> Amusements | <input type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> N.J. Lottery | <input checked="" type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Grocery or Delicatessen | <input checked="" type="checkbox"/> Applicant | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Other (specify) <u>cigarettes</u> | <input checked="" type="checkbox"/> Applicant | <input type="checkbox"/> Other |

4.5 IF SOMEONE OTHER THAN THE APPLICANT WILL OPERATE THE OTHER BUSINESS ON THE LICENSED PREMISES, ANSWER THIS QUESTION. IF THERE IS MORE THAN ONE INDIVIDUAL OR COMPANY, ATTACH A SEPARATE PAGE LISTING THE REQUESTED INFORMATION FOR EACH OPERATOR.

Business to be operated NONE

Name of company/individual _____
(Last Name, First Name or Corporate Name)

Street Address _____
Number Street Name

Municipality _____ State _____

Zip _____ - _____ NJ Sales Tax Certificate of Authority No. _____

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS ANSWER THE FOLLOWING

5.1 IS THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION A POLICE OFFICER OR HOLD ANY POSITION ENTRUSTED WITH THE ENFORCEMENT OF ANY LAWS CONCERNING ALCOHOLIC BEVERAGES IN ANY MANNER WHATSOEVER?

Yes No

If the answer is "Yes," complete the following:

Name of individual _____
Last Name First Name Middle Initial

Title of position held _____

Name of Employing Agency _____

5.2 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS APPLICATION, OR ANY PERSON HAVING A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, HOLD OFFICE IN THE UNIT OF GOVERNMENT ISSUING THE LICENSE? Yes No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING:

Name of Individual _____
Last Name First Name Middle Initial

Title of Office _____

Municipality _____

5.3 DOES THE APPLICANT OR ANY OTHER PERSON MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE LICENSED BUSINESS, DIRECTLY OR INDIRECTLY, HAVE ANY INTEREST IN ANY BREWERY, WINERY, DISTILLERY, RECTIFYING AND BLENDING PLANT, IMPORTER OR WHOLESALE ALCOHOLIC BEVERAGE BUSINESS, AS OWNER, PART OWNER, LANDLORD, TENANT, MORTGAGE HOLDER OR AS A STOCKHOLDER, OFFICER, DIRECTOR, AGENT, EMPLOYEE OR OTHERWISE?

Yes No

IF THE ANSWER IS "YES," ATTACH AN AFFIDAVIT EXPLAINING THE RELATIONSHIP AND NATURE OF THE INTEREST AND COMPLETE THE FOLLOWING:

A. New Jersey license number, if applicable _____ - _____ - _____

B. IF THE BUSINESS DOES NOT HOLD A NEW JERSEY LIQUOR LICENSE, ANSWER THE FOLLOWING QUESTIONS:

Name of entity conducting business (Corporation, Partnership or Individual)

(Last Name, First Name, Middle Initial or Corporate Name)

Street Address _____
Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Type of Business _____

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS ANSWER THE FOLLOWING

6.1 HAS THE APPLICANT EVER BEEN DENIED A LIQUOR LICENSE IN NEW JERSEY? Yes No

IF THE ANSWER TO THIS QUESTION IS "YES," ANSWER THE FOLLOING:

Type of License or Permit Denied: Retail Wholesale Transportation
 Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate if not known) _____ / _____ / _____

Reason for Denial _____

6.2 HAS ANY CORPORATION, PARTNERSHIP OR INDIVIDUAL MENTIONED IN THIS APPLICATION, OTHER THAN THE APPLICANT, BEEN DENIED A LIQUOR LICENSE OR PERMIT? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING:

Name of Entity _____
Last Name First Name Middle Initial

Type of License or Permit Denied: Retail Wholesale Transportation
 Warehouse Manufacturer

Unit of Government which denied License or Permit: _____

Date of Denial (approximate if not known) _____ / _____ / _____

Reason for Denial _____

6.3 HAS THE APPLICANT OR ANY OTHER PERSON, CORPORATION OR ENTITY MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN IT, HAD AN INTEREST IN A NEW JERSEY ALCOHOLIC BEVERAGE LICENSE WHICH WAS SURRENDERED, SUSPENDED OR HAD A PENALTY IMPOSED IN LIEU OF SUSPENSION, NOT RENEWED, REVOKED OR CANCELLED WITHIN THE 10 YEARS PRIOR TO THE DATE OF THIS APPLICATION? Yes No

IF THE ANSWER IS "YES," PROVIDE DETAILS OF EACH BELOW [Complete a separate Page 6 for each action]:

Name of Individual _____
Last Name First Name Middle Initial

DATE OF ACTION _____ / _____ / _____ DOCKET NO. _____

PENALTY WAS IMPOSED BY: _____

[Indicate whether by Division of ABC or identify Local Issuing Authority]

PENALTY CONSISTED OF:

_____ FINED \$ _____ [amount] _____ NOT RENEWED
_____ SUSPENDED _____ (number of days) _____ REVOKED _____ CANCELLED
_____ OTHER [explain] _____

6.4 HAS THE APPLICANT OR ANY OTHER PERSON OR CORPORATION MENTIONED IN THIS LICENSE APPLICATION, OR ANYONE WITH A BENEFICIAL INTEREST IN THE BUSINESS UNDER LICENSE OR TO BE LICENSED, EVER BEEN CONVICTED OF A CRIMINAL OFFENSE? Yes No

A. IF THE ANSWER IS "YES," ANSWER THE FOLLOWING:

Name of Individual _____

Last Name First Name Middle Initial

Date of Birth _____ / _____ / _____ Conviction Date _____ / _____ / _____

State _____ Court of Jurisdiction _____

Description of offense (specific charge) _____

Disposition (fine, penalty, etc.) _____

Nature of interest in entity to be licensed _____

B. If applicable, provide the date the Director of the N.J. Division of Alcoholic Beverage Control issued an order approving or disapproving disqualification removal: _____ / _____ / _____. (No license may be issued without an order from the Director of the Division of Alcoholic Beverage Control determining no disqualification or removing disqualification.) (See R.S. 33:1-31.2 and N.J.A.C. 13:2-15.)

Provide Agency Docket No. :[NN]- _____

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS OTHER THAN CLUB LICENSE ANSWER THE FOLLOWING

7.1 DOES THE APPLICANT, A MEMBER OF THE APPLICANT'S IMMEDIATE FAMILY (SPOUSE, CHILDREN, PARENTS, IN-LAWS OR SIBLINGS) OR ANY PERSON WITH A BENEFICIAL INTEREST IN THE SUBJECT LICENSE OF THIS APPLICATION, HAVE ANY INTEREST IN ANY OTHER NEW JERSEY ALCOHOLIC BEVERAGE LICENSE?

Yes No

IF THE ANSWER IS "YES," COMPLETE THE FOLLOWING BY LISTING THE NEW JERSEY LIQUOR LICENSE TWELVE DIGIT NUMBER(S) AND THE NAME(S) OF THE PERSON(S) OR CORPORATION(S) WHO HOLD(S) SUCH INTEREST. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

A. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

B. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

C. License Number _____ - _____ - _____ - _____

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Relationship to Applicant _____

7.2 WOULD ANY PERSON OR CORPORATION NAMED IN THIS APPLICATION FAIL TO QUALIFY FOR OWNERSHIP OF THE LICENSE IF APPLYING AS AN INDIVIDUAL BECAUSE OF AGE, CRIMINAL CONVICTION OR PROHIBITED INTERESTS IN OTHER LICENSES?

Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING BY INSERTING THE NAME OF THE INDIVIDUAL OR CORPORATION AND THE SOCIAL SECURITY NUMBER AND DATE OF BIRTH, IF AN INDIVIDUAL. USE ADDITIONAL PAGE(S) 7 AS NEEDED.

Name _____
(Last Name, First Name, Middle Initial or Corporate Name)

Social Security Number _____ - _____ - _____ OR

NJ Sales Tax Certificate of Authority No. _____

Date of Birth _____ / _____ / _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS ANSWER THE FOLLOWING

8.1 DOES THE APPLICANT OR ANYONE MENTIONED IN THIS APPLICATION OWE THE STATE OF NEW JERSEY OR THE UNITED STATES ANY LICENSE FEE, PENALTY, INTEREST OR ALCOHOLIC BEVERAGE TAX WHICH HAS ACCRUED PURSUANT TO THE ALCOHOLIC BEVERAGE TAX LAW, THE ALCOHOLIC BEVERAGE LAW OR ANY OTHER NEW JERSEY OR FEDERAL LAW?

Yes No

8.2 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED, FOR A HOTEL/MOTEL AS AN EXCEPTION TO THE POPULATION RESTRICTION UNDER THE PROVISIONS OF R.S. 33:1-12.20?

Yes No

IF THE ANSWER IS "YES," IS IT FOR A HOTEL/MOTEL FACILITY OF 50 OR 100 ROOMS? CHECK ONE: 50 ROOMS 100 ROOMS

8.3 HAS THE LICENSE BEEN ISSUED, OR IS IT BEING REQUESTED TO BE ISSUED, AS AN EXCEPTION TO THE TWO LICENSE LIMITATION LAW (R.S. 33:1-12.32) FOR A HOTEL/MOTEL, RESTAURANT, BOWLING ALLEY OR INTERNATIONAL AIRPORT? Yes No

IF THE ANSWER IS "YES," CHECK ONE OF THE FOLLOWING: HOTEL/MOTEL RESTAURANT BOWLING ALLEY INTERNATIONAL AIRPORT

THE FOLLOWING ARE TO BE ANSWERED WHEN APPLICATION IS FOR A LICENSE TRANSFER.

8.4 LICENSE NUMBER SOUGHT TO BE TRANSFERRED 1223 - 44 - 028 - 002

8.5 IF THIS IS A REQUEST FOR A PERSON-TO-PERSON TRANSFER, INSERT NAME(S) OF PERSON (Last Name First), PARTNERSHIP OR CORPORATION CURRENTLY HOLDING THE LICENSE:

EUGENE P SONS, INC

(Last Name, First Name, Middle Initial or Corporate Name)

8.6 IF THIS IS A REQUEST FOR A PLACE-TO-PLACE TRANSFER OF A POCKET LICENSE (NO SITED PREMISES), MARK AN X HERE: _____

IF THIS IS A REQUEST FOR A PLACE-TO-PLACE TRANSFER OF A SITED LICENSE, INSERT THE ADDRESS OF THE CURRENT SITE FROM WHICH THE LICENSE IS TO BE TRANSFERRED.

Street Address _____
Number _____ Street Name _____
Municipality _____ New Jersey
Zip _____

THE FOLLOWING ARE TO BE ANSWERED BY APPLICANTS FOR A NEW LICENSE OR A LICENSE TRANSFER.

8.7 INSERT THE ANTICIPATED DATES WHEN PUBLIC NOTICE OF APPLICATION WILL BE PUBLISHED. PUBLICATION MAY NOT BE SOONER THAN THE DATE OF FILING OF THIS APPLICATION.

Date of first notice 07 / 08 / 13

Date of second notice 07 / 15 / 13

8.8 NAME OF NEWSPAPER TO PUBLISH NOTICE HOME NEWS TRIBUNE

8.9 THE FOLLOWING ARE TO BE ANSWERED BY CORPORATIONS REPORTING A CHANGE OF CORPORATE STRUCTURE WHEREIN A NEW STOCKHOLDER ACQUIRES MORE THAN 1 PERCENT OF THE STOCK OF THE LICENSED COMPANY (ONE PUBLICATION OF NOTICE REQUIRED).

Date of notice _____ / _____ / _____

Name of newspaper publishing notice _____

THE FOLLOWING QUESTIONS ARE FOR CLUB LICENSE APPLICANTS ONLY:

8.10 HAS THE CLUB BEEN IN ACTIVE OPERATION IN THE STATE OF NEW JERSEY FOR AT LEAST THREE YEARS CONTINUOUSLY IMMEDIATELY PRIOR TO THE SUBMISSION OF ITS APPLICATION FOR A LICENSE?

Yes No

8.11 IS THE APPLICANT A CONSTITUENT UNIT, CHARTERED OR OTHERWISE DULY ENFRANCISED CHAPTER OR MEMBER CLUB OF A NATIONAL OR STATE ORDER?

Yes No

8.12 HAS THE CLUB HAD EXCLUSIVE POSSESSION AND USE OF CLUB QUARTERS FOR THREE CONTINUOUS YEARS?

Yes No

8.13 DOES THE CLUB HAVE AT LEAST 60 VOTING MEMBERS?

Yes No

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS ANSWER THE FOLLOWING

- 9.1 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION OR ASSOCIATION OTHER THAN THE APPLICANT HAVE AN INTEREST DIRECTLY OR INDIRECTLY IN THE LICENSE APPLIED FOR OR IS THE STOCK OF ANY STOCKHOLDER HELD IN ESCROW OR PLEDGED IN ANY WAY? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION OF INTEREST. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

(Last Name, First Name, Middle Initial or Corporate Name)

Social Security Number _____ - _____ - _____ OR

NJ Sales Tax Certificate of Authority Number _____

Street Address _____

Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Describe Nature of Interest _____

- 9.2 DOES ANY INDIVIDUAL, PARTNERSHIP, CORPORATION OR ASSOCIATION HOLD ANY CHATTEL MORTGAGE OR CONDITIONAL BILL OF SALE OR OTHER SECURITY INTEREST ON ANY FURNITURE, FIXTURES, GOODS OR EQUIPMENT TO BE USED IN CONNECTION WITH THE BUSINESS TO BE OPERATED UNDER THE LICENSE APPLIED FOR? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

(Last Name, First Name, Middle Initial or Corporate Name)

Social Security Number _____ - _____ - _____ OR

NJ Sales Tax Certificate of Authority Number _____

Street Address _____

Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Describe Nature of Interest _____

- 9.3 HAS THE APPLICANT AGREED TO PERMIT ANYONE NOT HAVING AN OWNERSHIP INTEREST IN THE LICENSE TO RECEIVE OR AGREED TO PAY ANYONE (BY WAY OF RENT, SALARY OR OTHERWISE) ALL OR ANY PERCENTAGE OF THE GROSS RECEIPTS OR NET PROFIT OR INCOME DERIVED FROM THE BUSINESS TO BE CONDUCTED UNDER THE LICENSE APPLIED FOR? Yes No

IF THE ANSWER IS "YES," ANSWER THE FOLLOWING USING A SEPARATE PAGE 9 FOR EACH INDIVIDUAL OR CORPORATION TO BE REPORTED. ATTACH A SEPARATE PAGE OF EXPLANATION IF MORE SPACE IS NEEDED.

Name of Individual (Last Name First) or Corporation

Last Name First Name Middle Initial

Social Security Number _____ - _____ - _____ OR

NJ Sales Tax Certificate of Authority Number _____

Street Address _____

Number Street Name

P.O. Box # _____ Municipality _____ State _____

Zip _____ - _____

Describe Nature of Interest _____

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

QUESTIONS TO BE ANSWERED BY CORPORATIONS AND LIMITED LIABILITY COMPANIES ONLY. ANY CORPORATION OR LIMITED LIABILITY COMPANY THAT IS REPORTED TO HAVE AN INTEREST IN THE BUSINESS TO BE LICENSED, WHETHER THE LICENSEE COMPANY, THE PARENT CORPORATION OF THE LICENSED COMPANY, HOLDING COMPANY OR OTHERWISE AFFILIATED IN THE CORPORATE CHAIN, MUST ANSWER THE FOLLOWING USING A SEPARATE PAGE 10 AND PAGE 10A FOR EACH CORPORATION. ANSWER QUESTIONS ON BOTH PAGE 10 AND PAGE 10A FOR EACH CORPORATION.

10.1 Name of corporation GANDHI TRADING LLC

10.2 Street address of home office 4 KINROSS COURT
Number Street Name

Municipality EDISON

State NJ Zip 08817

10.3 NJ Sales Tax Certificate of Authority Number _____

10.4 IF CORPORATION ADDRESS IN NUMBER 10.2 ABOVE IS OUT OF STATE, REPORT BELOW THE ADDRESS OF ANY OFFICE LOCATION IN NEW JERSEY. INSERT N/A IF NONE.

Street Address N/A
Number Street Name

Municipality _____ New Jersey

Zip _____

10.5 IS THE CORPORATION NOW AN EXISTING, VALID CORPORATION? Yes No

10.6 DATE CHARTERED OR INCORPORATED 11 / 04 / 2011 STATE NJ

10.7 CERTIFICATE OF INCORPORATION NUMBER 0400450027

10.8 IF NOT INCORPORATED UNDER THE LAWS OF NEW JERSEY, HAS THE CORPORATION RECEIVED AN AUTHORIZATION TO CONDUCT BUSINESS IN NEW JERSEY FROM THE NEW JERSEY OFFICE OF THE SECRETARY OF STATE? Yes No

10.9 HAS THE CORPORATION CHARTER EVER BEEN REVOKED BY THE OFFICE OF THE SECRETARY OF STATE IN NEW JERSEY? Yes No

IF THE ANSWER IS "YES," INSERT THE DATE OF REVOCATION, OR IF SUSPENDED, THE BEGINNING AND ENDING DATE OF THE SUSPENSION.

Date of revocation _____ / _____ / _____

Beginning date _____ / _____ / _____

Ending date _____ / _____ / _____

10.10 INSERT THE NAME AND ADDRESS OF THE REGISTERED OR AUTHORIZED AGENT IN NEW JERSEY UPON WHOM SERVICE OF PROCESS IN ANY PROCEEDINGS AGAINST THE APPLICANT, PURSUANT TO THE NEW JERSEY ALCOHOLIC BEVERAGE LAW, THE ALCOHOLIC BEVERAGE TAX LAW OR PROCEEDINGS IN A STATE OR U.S. DISTRICT COURT, MAY BE MADE.

Name GANDHI PANKAJKUMAR
(Last Name, First Name, Middle Initial or Corporation)

Street Address 4 KINROSS COURT
Number Street Name

Municipality EDISON New Jersey

Zip 08817 Telephone Number (732) 208 - 7034
Area Exchange Number

10.11 IF THE LICENSED COMPANY IS OWNED BY OTHER CORPORATION(S) OR IS IN A CORPORATE CHAIN, ATTACH A DIAGRAM DEPICTING THE CORPORATE RELATIONSHIPS AND THE PERCENTAGE OF STOCK INTEREST IN THE COMPANY TO BE LICENSED, OWNED BY OTHER CORPORATIONS OR OTHER NON-CORPORATE ENTITIES (INDIVIDUALS, PARTNERSHIPS, ASSOCIATIONS).

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

ALL APPLICANTS ANSWER THE FOLLOWING [ADD PAGES AS NECESSARY]

SOLE OWNERS AND PARTNERSHIPS: Complete this page in full.

LIMITED PARTNERSHIPS: All information about a general partner or partners of a limited partnership must be reported, whether the general partner is an individual or a corporation. A list of the names and addresses of all limited partners must be submitted as an attachment to this application with an identification of the percentage of each limited partner as it relates to total ownership of the business entity to be licensed.

CORPORATIONS: All corporation applicants or licensees and any corporation that has an ownership interest in the corporation under license or to be licensed must have been reported on Page 10. Information on this Page, 10A, will identify all officers, directors and stockholders holding one percent or more of the shares of the respective company. Club licenses must list names of officers and directors and attach a current membership list.

NAME OF CORPORATION OR CLUB COVERED BY THIS PAGE (COMPLETE ONLY IF APPLICANT OR STOCKHOLDER IS A CORPORATION OR PARTNERSHIP):

Name of individual (last name first), stockholder, partner, officer or director:

GANDHI PANKAJKUMAR Middle Initial _____

Home Street Address 4 KINROSS COURT

Number Street Name

P.O. Box # _____ Municipality EDISON State NJ

Zip 08817 - _____

Social Security Number _____ Date of Birth 1 / 1 / _____

Home telephone number (732) 947 - 4643

Area Exchange Number

Office telephone number (732) 208 - 7034

Area Exchange Number

% of business owned or controlled 50% Number of shares _____

Check position that applies: _____ Sole owner _____ Partner _____ Stockholder

_____ President _____ Vice-President _____ Secretary _____ Treasurer _____ Director

_____ Trustee Manager _____ Agent _____ Executor/Administrator _____ Receiver

_____ Beneficiary _____ Other (specify) _____

Name of individual (last name first), stockholder, partner, officer or director:

GANDHI ASHABEN Middle Initial _____

Home Street Address 4 KINROSS COURT

Number Street Name

P.O. Box # _____ Municipality EDISON State NJ

Zip 08817 - _____

Social Security Number _____ Date of Birth 1 / 1 / _____

Home telephone number (732) 947 - 4643

Area Exchange Number

Office telephone number (732) 208 - 7311

Area Exchange Number

% of business owned or controlled 50% Number of shares _____

Check position that applies: _____ Sole owner _____ Partner _____ Stockholder

_____ President _____ Vice-President _____ Secretary _____ Treasurer _____ Director

_____ Trustee _____ Manager _____ Agent _____ Executor/Administrator _____ Receiver

_____ Beneficiary Other (specify) MEMBER

PLEASE TYPE OR PRINT ALL INFORMATION

STATE ASSIGNED LICENSE NUMBER 1223 - 44 - 028 - 002

AFFIDAVIT

LICENSE PERIOD APPLIED FOR

FROM 11/1/2013 TO 6/30/2014

DATE:

State of New Jersey)
County of Medford) SS:

As provided by law (R.S. 33:1-35),

(Check One)

- 1. The Individual Applicant
- 2. Members of the Partnership Applicant
- 3. _____ of _____

(President/Vice-President) (Corporation or Club Name)

consent(s) that the licensed premises and all portions of the building constituting the licensed premises, including all rooms, cellars, closets, out-buildings, passageways, vaults, yards, attics and every part of the structure of which the licensed premises are a part and all buildings used in connection therewith which are in his/her/their possession or under his/her/their control, may be inspected and searched without warrant at all hours by the Director of the Division of Alcoholic Beverage Control, his or her duly authorized deputies, inspectors or investigators and all other sworn law enforcement officers, and being duly sworn according to law, upon his/her/their oath(s), depose(s) and say(s) that he/she is (they are) the person(s) duly authorized to sign the application, that in instance of corporate ownership, the signator is authorized by corporate resolution to sign on behalf of the corporations; and that the contents of this application represent complete disclosure of the fact, and that the contents of this application are true.

(Signature of Individual Agent / Sole Proprietor)

(Corporations Only)
Attestation by Corporate Secretary

Gandhi Trading LLC
(Partnership Name)

X (Signature of Partner)

Attest:

Corporate Name

A. Gandhi
(Signature of Partner)

Secretary _____
Signature

By _____
(Signature of Corporate President or Vice President)

(Signature of Partner)

Affix Corporate Seal

(Signature of Partner)

Sworn to and subscribed before me

this 25th day of June 20 13

AFFIDAVIT MUST BE SIGNED HERE

(Signature of Officer Administering Oath)

BY DULY AUTHORIZED
NOTARY PUBLIC

JAYSHREE J. PATEL
(Printed Name of Officer Administering Oath)
ATTORNEY AT LAW

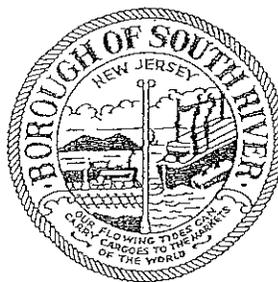
OR AN ATTORNEY-AT-LAW
OF NEW JERSEY

(Title of Officer Administering Oath)

(Date of Expiration of
Commission, if applicable)

JAYSHREE J. PATEL
NOTARY PUBLIC OF NEW JERSEY
ID # 2144245
MY COMMISSION EXPIRES OCT. 14, 2014
22 MERIDIAN ROAD, EDISON, NJ 08820

E



BOROUGH OF SOUTH RIVER
48 WASHINGTON STREET
SOUTH RIVER, NJ 08882
PHONE 732-257-1999
FAX 732-613-6105

APPLICATION FOR MERCANTILE LICENSE

FEES:
\$50.00 NEW
\$25.00 Transfer

NAME OF BUSINESS

Causeway Creamery Company

PROPOSED LOCATION

113 Causeway St., So. River NJ 08882

BLOCK#

LOT#

BUSINESS TELEPHONE

732-254-2130

JUL 29 2013

NATURE OF BUSINESS (Describe Operation)

Ice Cream Store

BOROUGH CLERK

APPLICANT INFORMATION

NAME

Michelle Carey

HOME ADDRESS

509 Giles Ave

CITY, STATE, ZIP

Middlesex NJ 08846

TELEPHONE#

HOME 732-253-0715 CELL 732-433-4104

DATE OF BIRTH

SOCIAL SECURITY #

DRIVER'S LICENSE#

ATTACH A COPY OF YOUR DRIVERS LICENSE - Address on your identification must match the address on this application.

PROPOSED BUSINESS AT THIS LOCATION:

NUMBER OF EMPLOYEES

DAYS AND HOURS OF OPERATION

11am - 10pm

SQ. FOOTAGE OF AREA TO BE OCCUPIED

1330 sq ft

OFF STREET PARKING SPACES AVAILABLE TO SPACE BEING OCCUPIED #

15

DOES OPERATION INVOLVE USE OR STORAGE OF FLAMMABLE/COMBUSTIBLE OR HAZARDOUS MATERIALS YES NO IF YES, SUPPLY QUANTITIES AND MSDS SHEETS ON PRODUCTS INVOLVED (ATTACH TO APPLICATION)

BOROUGH USE ONLY:

REFERRAL DATE

DEPARTMENT	APPROVAL/DENIAL	SIGNATURE	DATE
Zoning/Building	OK	BL	8/13/13
Police	OK	MF	8/14/13
Fire Prevention	OK	AL	7/29/13
Health	OK	CC	8/5/13

8/5/13 needs new food license Borough Health Dept.

NAME Causeway Creamery Company

PREVIOUS BUSINESS AT THIS LOCATION:

DESCRIBE OPERATION OF PREVIOUS BUSINESS

Ice Cream Store

NUMBER OF EMPLOYEES AT PREVIOUS BUSINESS 0 PARKING SPOTS _____

IF CORPORTATION: The information below is required for each officer and each stockholder owning 10% or more of the stock. List the name, address and phone number of each registered agent:

NAME <u>Michelle Carey</u>	NAME _____
ADDRESS <u>509 Giles Ave</u>	ADDRESS _____
<u>Middlesex NJ 08846</u>	_____
PHONE # <u>732 433 4104</u>	PHONE # _____

NAME, ADDRESS AND PHONE OF ATTORNEY (IF ANY):

PLEASE ANSWER THE FOLLOWING:

Applicant(s) ever been denied a license to conduct a business YES NO
If YES, describe in detail. (Date, business, location)

Applicant(s) ever been arrested or convicted of a crime, or violation of any municipal ordinance in the Borough of South River or any other municipality, other than traffic offenses?
 YES NO

Is applicant currently the subject of any outstanding warrants? YES NO

If YES to the above, set forth the date and place of the offense, nature of the offense and the punishment or penalty imposed. (Date, location, disposition)

2011 -- DUI Readington, NJ

The undersigned makes these statements above to induce the Borough of South River to issue the license herein applied for and agrees to comply with all laws and ordinances of the Borough applicable to the subject business above referred to. I certify the information contained in this application is true and correct.

M Carey
Applicant Signature

July 26 2013
Date

F

U

SPECIAL EVENTS PERMIT
Borough Code Chapter 288A
(FORM MUST BE SUBMITTED 30 DAYS PRIOR TO THE EVENT)

RECEIVED

AUG 5 - 2013

APPLICANT

BOROUGH CLERK

Name South River Portuguese Club
 Address 100 John St.
So. River NJ 08882
 Telephone number (732) 254-9517

If applicant is a club/organization/corporation/business:

Contact person:
 Name (Victor Gil) S.R.P.C. (Maria Zarco)
 Address P.O. Box 18
South River NJ 08882
 Telephone (732) 672-6070 732-433-1778

Date submitted 07/22/13

EVENT

Type Annual Picnic + Religious Celebration
 Location (address) 100 John St.
 Date(s) to be held 09/01/13
 Starting time(s) 12 p.m. Ending time(s) 9:00 p.m.
 Number of tickets to be sold — Anticipated attendance (for each day) 300

FACILITY (plan to show location of the following):

Amount of space where event is to be held-excluding parking areas see map (near of club)
 Number of entrances for admittance 2
 Number of exits 2
 Number of buildings to be used 0
 a. Number of entrances for each building 0
 b. Seating capacity for each building _____
 c. Total seating capacity of all buildings _____
 Capacity of open lands to be used _____
 Number of sanitary facilities (show locations on plan) 3 (in bldg.)
 Number of trash, litter and recycling receptacles for the outside activities 10 trash cans
 a. Responsible party for collection & removal members

1. If contracted:

- (a) Name of firm: _____
- (b) Address of firm _____
- (c) Telephone number of firm _____
- (d) Name of contact person _____

PARKING FACILITIES

Location (address) of each _____ 150 spaces _____
 Capacity of each _____
 Total parking capacities _____

EMPLOYEES

Type of staff position volunteers Number of employed for each type 0
 A list of the responsibilities for each position is to be submitted separately

OTHER DOCUMENTS

SUBMITTED

WAIVER

- | | | | | |
|---|--|---------------------------------------|-----------------------------|----------------------------|
| 1. Proof of public liability insurance-\$1,000,000 minimum, with Borough added as an insured. | <input checked="" type="radio"/> (yes) | <input type="radio"/> (no) | <input type="radio"/> (yes) | <input type="radio"/> (no) |
| 2. \$2,500 guarantee performance bond to insure that: | | | | |
| a. Streets will be left in as good a condition as they find them | | | | |
| b. Removal of all trash, litter and rubbish from property used and adjacent streets. | <input type="radio"/> (yes) | <input type="radio"/> (no) | <input type="radio"/> (yes) | <input type="radio"/> (no) |
| 3. Letter of consent from property owner as to use of property <u>N/A</u> | <input type="radio"/> (yes) | <input type="radio"/> (no) | | |
| 4. Are any Legalized Games of Chance to be held If yes, application(s) <u>N/A</u> | <input type="radio"/> (yes) | <input type="radio"/> (no) | <input type="radio"/> (yes) | <input type="radio"/> (no) |
| 5. Will any rides and/or safety equipment to be use for any at event | <input type="radio"/> (yes) | <input checked="" type="radio"/> (no) | | |
| a. If yes, a copy of sufficient evidence of current inspection | <input type="radio"/> (yes) | <input type="radio"/> (no) | | |

- 6. Is alcohol to be sold, served and consumed. (yes) (no)
- a. If yes, a copy of NJABC Special Permit for Social Affair application, if required, including plan of area (yes) (no)

/s/ _____
 Name J. Ann C. [Signature]
 Title PRESIDENTE
 Telephone No: 732 672 6070

Sworn and subscribed before me
 this 29 day of July, 2013

[Signature]
 Notary Public of New Jersey
 My Commission expires 07-19-2017



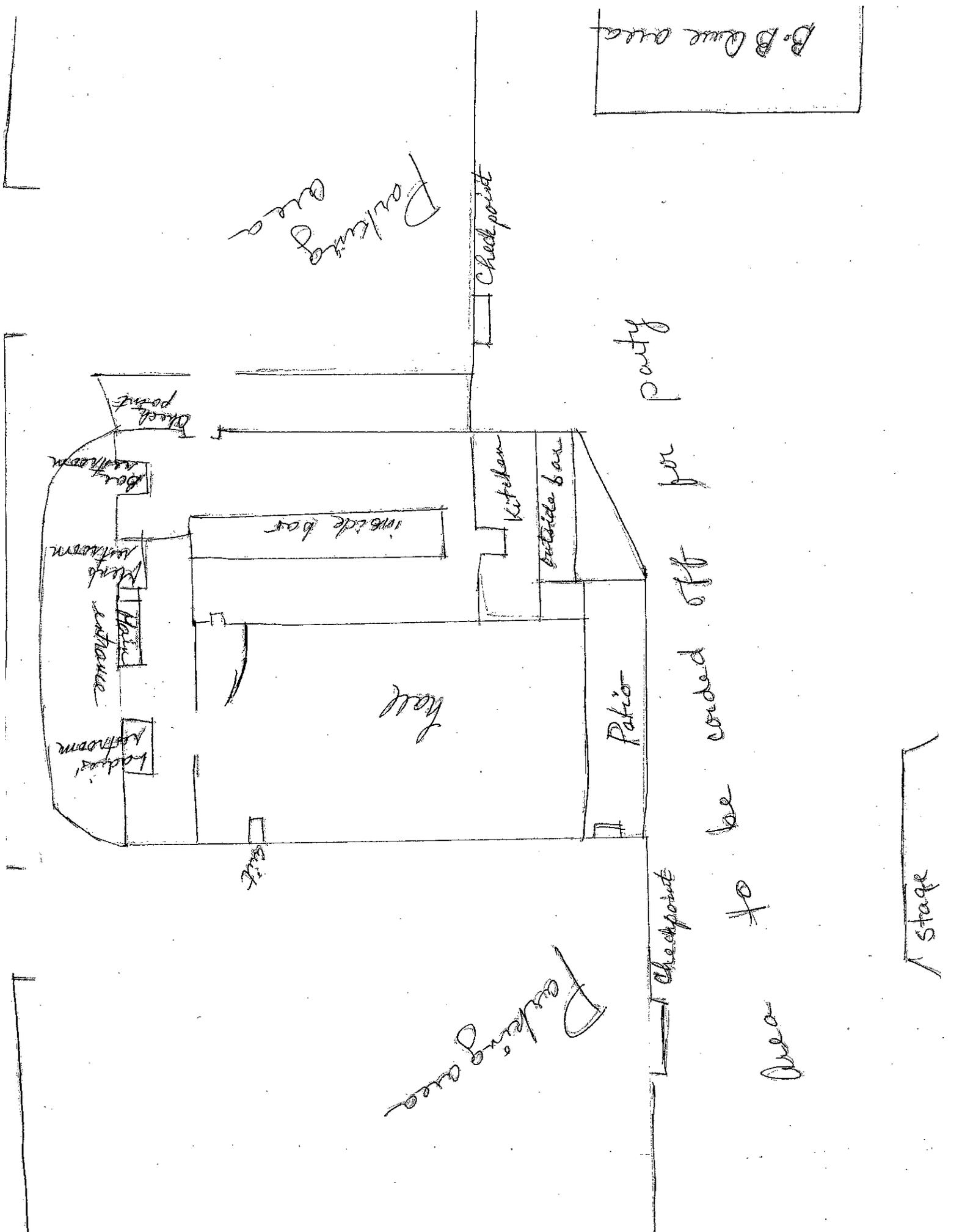
FILING

FEE \$ 75.00 AMOUNT 8-5-13 DATE [Signature] RECEIVED BY

REVIEWS

Department	Date	Approval	Denial
Code Compliance	<u>8/20/13</u>	<u>OK</u>	
Fire	<u>8/18/13</u>	<u>OK</u>	
Rescue Squad	<u>8/8/13</u>	<u>OK</u>	
Health	<u>8/8/13</u>	<u>OK</u>	
Police	<u>8/7/13</u>	<u>OK</u>	
Legal			
Mayor/Council			

8/5/13 Social Affairs permit to be renewed by City.



B.B. Area area

Parking area

Check point

party

for

to be corded off

Area

to

Area

Stage

check point

Bathroom

Men's

Women

Bathroom

inside bar

Kitchen

outside bar

Hall

Patior

Exit

Parking area

check point

G



WAYNE HODGES, Captain
DEPARTMENT HEAD

WILLIAM SYNEK, Asst. Captain
DEPUTY - DEPARTMENT HEAD

PETER GUINDI, Councilman
CHAIRPERSON
PUBLIC SAFETY COMMITTEE

JOHN KRENZEL, Mayor

**BOROUGH OF SOUTH RIVER
DEPARTMENT OF RESCUE
EMERGENCY MEDICAL SERVICES**
6 THOMAS STREET
SOUTH RIVER, NEW JERSEY 08882

TO: Mayor and Council
FROM: Wayne Hodges, Captain
DATE: August 8, 2013
RE: Resolution for Change in Membership Status

The following Cadet Member, having reached the age of 18, has completed his Cadet Membership and has applied for Adult Membership in the Borough of South River, Department of Rescue. I thereby recommend the following applicant for Probationary Membership appointment. Please accept this applicant with my recommendation.

1. Ashley van de Beek - 97 Prospect St - South River, NJ 08882

If there are any questions about the above listed applicant, please feel free to contact me at (732) 684-3464. I have attached a copy of the application for the Borough Clerk's Office records.

Regards,

Wayne Hodges, Captain
South River Rescue Squad

PC: Borough Clerk
Borough Administrator
President, SRRS, Inc.
File

H

ORDINANCE 2013-

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 350 – ZONING

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Mayor and Borough Council of the Borough of South River, County of Middlesex, State of New Jersey as follows:

Borough Code Ch. 350 – ZONING be and is hereby amended as follows:

Chapter 350-13(H) shall be deleted and replaced with the following:

350-13(H). Prohibited uses.

- (1) All adult uses, including sex clubs, juice bars, go-go bars, pole dancing clubs, nude clubs, adult book/novelty sales, unlicensed massage parlors and other sexually oriented businesses as defined by N.J.S.A. 2C: 33-12.2, are prohibited in this zone.
- (2) All uses not specifically permitted are prohibited

Chapter 350-14(I) shall be deleted and replaced with the following:

350-14(I). Prohibited uses.

- (1) All adult uses, including sex clubs, juice bars, go-go bars, pole dancing clubs, nude clubs, adult book/novelty sales, unlicensed massage parlors and other sexually oriented businesses as defined by N.J.S.A. 2C: 33-12.2, are prohibited in this zone.
- (2) All uses not specifically permitted are prohibited

Chapter 350-23(I) shall be deleted and replaced with the following:

350-23(I). Prohibited uses.

- (1) All adult uses, including sex clubs, juice bars, go-go bars, pole dancing clubs, nude clubs, adult book/novelty sales, unlicensed massage parlors and other sexually oriented businesses as defined by N.J.S.A. 2C: 33-12.2, are prohibited in this zone.
- (2) All uses not specifically permitted are prohibited

Furthermore, Chapter 350-18(D) shall be deleted and replaced with the following:

350-18(D). Prohibited uses.

- (1) No building or premises shall be used for any heavy industry, mining trade, or any business or purpose of any kind that is toxic, corrosive, noxious, hazardous, injurious or offensive by reason of the emission of odor, dust, refuse matter, garbage, smoke, gas fumes, vapor or noise that is dangerous to the comfort, peace, enjoyment, health or safety of the community.
- (2) Residential uses and all other uses permitted in any residential zone in the borough.
- (3) Sex clubs and unlicensed massage parlors are prohibited
- (4) No building used as a juice bar, go-go bar or pole dancing club, shall be erected or structurally altered within 200 feet of any residential dwelling in the Borough. Nothing contained herein shall reduce the distance requirements set forth in N.J.S.A. 2C: 34-7 with respect to "sexually oriented businesses" as described in N.J.S.A. 2C: 33-12.2.
- (5) All uses not specifically permitted are prohibited.

SECTION II. The various parts, sections, clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION III. Any ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Dated:

ATTEST:

JOHN M. KRENZEL, Mayor

PATRICIA O'CONNOR, Registered Municipal Clerk

I

Request for Council Action

RECEIVED

AUG 21 2013

BOROUGH ADMINISTRATOR

Date: August 26, 2013

Resolution: Retain (2) Summer Helpers to replace retired employees
Simao Fonseca and Edward Wyluda

Ordinance: _____

Other Reason for Request (Attach Back-up)

See Attached

Funds Appropriated: yes no _____ not applicable _____

Adriano Soares
Department Head

[Signature]
Approval/Disapproved Administrator

[Signature]
New
Business

DPW
Replacements

[Signature]

BOROUGH OF SOUTH RIVER

Department of Public Works

9 Ivan Way

South River, NJ 08882

Phone: (732) 257-9051 Fax: (732) 613-6113



<http://www.southrivernj.org>

Email: dpw@southrivernj.org

MEMORANDUM 13-0054

TO: Frederick C. Carr, Borough Administrator

FROM: Adriano Soares *AS*
Director of Public Works

DATE: August 20, 2013

RE: Recommendation – Simao Fonseca and Edward Wyluda

The Department of Public Works employed four summer helpers this summer. Two of the four, Christopher Ryan and Michael Zyskowski, are moving on to college. The other two, Simao Fonseca and Edward Wyluda I would like to recommend for the positions of Laborer "A" within the Sanitation Department.

Simao Fonseca will be replacing Greg Sitze as of September 1, 2013 and Edward Wyluda will be replacing John Budzin as of November 1, 2013. I would like to retain Edward as a summer helper until November 1st.

Mr. Fonseca's and Mr. Wyluda's starting salary will be \$16.73 per hour per the Local 255, United Service Workers Union Contract, per the above stated start dates.

1. Mr. Simao Fonseca, 81 Prentice Avenue, South River, NJ
2. Mr. Edward Wyluda, 19 Brenning Place, South River, NJ

Please place on the agenda for the Business Meeting to be held on Monday, August 26, 2013.

If you have any questions, please feel free to contact me.

AS:dms

J

Patricia Oconnor

From: Eric Lange [elange@jpnlaw.us]
Sent: Wednesday, August 21, 2013 3:13 PM
To: Patricia Oconnor; Frederick Carr; Matthew Vaughn
Cc: Jim Nolan2
Subject: Ordinance amending peddlers and solicitors ordinance
Attachments: ORDINANCE(2) Amending peddling and soliciting ordinance.doc

In advance of tomorrow's meeting, I enclose for your review a proposed peddlers and solicitor's ordinance. Please note that it is a hybrid of the pre-existing South River ordinance and Woodbridge ordinance. It calls for the applicants to obtain their own background checks at a private facility, to be reviewed by the Chief of Police.

I have also prepared a lease for the boxing club and an ordinance authorizing the lease of the land. However, I am not able to finalize the lease at this time as I am still waiting for the name of the entity that will be taking on the responsibility of running the boxing club. Their attorney was on vacation until this past Monday and has not returned my call to get this information. As soon as I am able to finalize these documents, I will send them to you.

Please note that Jim Nolan will be calling in for tomorrow's 10:00 a.m. meeting. Thanks.

Eric Lange
James P. Nolan & Associates
61 Green Street
Woodbridge, NJ 07095
phone (732) 636-3344
fax (732) 636-1175

First Reading
Final Reading

ORDINANCE 2013-

AN ORDINANCE AMENDING BOROUGH CODE CHAPTER 255 – PEDDLING AND SOLICITING

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Mayor and Borough Council of the Borough of South River, County of Middlesex, State of New Jersey as follows:

SECTION I. Borough Code Ch. 255 – PEDDLING AND SOLICITING be and is hereby deleted and replaced with the following:

Chapter 255 - PEDDLERS, PANHANDLERS, SOLICITORS, CANVASSERS AND TRANSIENT MERCHANTS

255-1 Definitions.

Canvassing shall mean the circulation of a petition or the seeking of contributions for a cause, charitable or otherwise, or the practice of distributing literature, pamphlets, handbills and the like for the purpose of distributing information or seeking support for any legal purpose, from a stationary location on a street or other public place, or by going from house to house, place to place or street to street.

Chief of Police shall mean the Chief of Police of the Borough of South River.

Nonprofit making vendors shall mean a person who sells or collects goods or services the proceeds of which are devoted exclusively to the purposes of the philanthropic charitable or religious society on whose behalf he/she acts as agent.

Peddler shall mean a person or persons engaged in peddling. May also be referred to as “hawkers” or “hucksters”.

Pedding shall mean the practice of selling services or carrying goods, wares or merchandise, for the purpose of selling and delivering to consumers, either from traveling by foot, automotive vehicle or any other form of travel, from house to house, place to place or street to street.

Person shall mean any individual, firm, partnership, corporation, voluntary association, church, religious denomination, society, organization, political association, incorporated association or agent thereof.

Road shows shall mean a transient merchant, whether an individual, corporation or other business entity that travels to different location offering to buy or sell items from or to the public at or from temporary locations for short periods of time. They are typically advertised events held at hotels, banquet halls, convention centers, armories and other similar facilities.

Soliciting shall mean taking or attempting to take orders for the sale or purchase of merchandise or services of any kind, for future performance or immediate delivery, whether or not the solicitor has, carries or exposes, for sale, a sample of the merchandise or services, and whether or not the solicitor is collecting advance payments for such sales or orders, whether any of the foregoing activities are conducted from a stationary location on any street or other public place, or from traveling by foot, automotive vehicle or any other type of travel, from house to house, place to place or street to street.

Solicitor shall mean a person or persons engaged in soliciting.

Transient merchants shall mean and include persons, commonly referred to as either “transient merchants” or “itinerant vendors”, who engage in a merchandising business, including the sale or purchase of goods and merchandise, in the Borough of South River with the intent to close out or discontinue such business within one (1) year from the date of commencement, including those who, for the purpose of carrying on such business, hire, lease or occupy any building, hotel room/banquet facility, lot, structure or railroad car for the exhibition and sale of such goods, wares and merchandise, provided

that nothing herein shall be construed to affect the sale of fruit, vegetables and farm products, such as meats, poultry, butter and eggs.

255-2 License Required.

Soliciting and peddling within the Borough of South River shall be unlawful without first obtaining a license therefore as provided in this section. Transient merchants must also be licensed pursuant to the provisions of this section as well as N.J.S.A. 45:24-1 et seq. The Borough Clerk shall issue all licenses pursuant to the provisions of this section

255-3 Application.

a. Any person seeking a license under this section shall file an application with the Borough Clerk on a form supplied by said Clerk.

b. The application form shall contain the following information:

1. Name, address and telephone number of applicant. The applicant and each representative to be licensed must provide a passport, photo driver's license, or a photo identification card together with a birth certificate and/or a social security card.

2. Date(s) on which soliciting or peddling is to commence and end.

3. The number of representatives of the applicant that will be conducting such activities.

4. Nature of goods or merchandise to be sold or offered for sale or the nature of the services to be furnished.

5. Whether the applicant, or any of its representatives who will be soliciting or peddling, has been convicted of a crime, disorderly persons offense or violation of any ordinance relating to soliciting or peddling, and, if so, when, where and the nature of the offense.

6. The names of other municipalities in New Jersey where the applicant has been issued a permit to solicit or peddle in the past two (2) years.

7. The route planned to be taken or neighborhood(s) in which the applicant plans to visit and the corresponding list of days the applicant will be soliciting or peddling along that route or in that neighborhood.

8. If the applicant claims to be a nonprofit entity, proof of such nonprofit status to be attached.

c. The application shall be accompanied by a letter or other written statement from the individual, firm or corporation employing the applicant certifying that the applicant is authorized to act as the representative of the individual, firm or corporation.

d. If the applicant intends to go from house to house or place to place, the application shall be accompanied with three (3) passport-size photographs for each person who will be soliciting or peddling for the applicant. Upon approval of the license, one (1) such photograph shall be affixed to a badge issued by the Borough Clerk; one (1) such photograph shall be affixed to the license issued; and, one (1) such photograph shall be retained by the Borough Clerk.

e. All applicants for a license under this chapter shall obtain a criminal background check at a private agency approved by the Borough. The results of the criminal background check shall be forwarded by the approved agency directly to the Borough Clerk, who shall in turn forward same to the Chief of Police.

255-4 Investigation of Applicant.

Upon receipt of such applications, the original shall be referred to the Chief of Police, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good, and the conduct of such investigation prior to the issuance of a license hereunder shall be mandatory. If the result of such investigation

is that the application is satisfactory, the Chief of Police shall endorse on such application his recommendation that such application be approved. The application shall then be returned to the Borough Clerk for approval. If as a result of such investigation the applicant's background reveals a prior history involving crimes of moral turpitude within the past ten years or if the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on such application his recommendation that said application be denied, along with his reasons for this recommendation. The application shall then be returned to the Borough Clerk, who shall reject such application.

255-5 Appeals.

Any person aggrieved by the action of the Chief of Police or the Borough Clerk in the denial of an application for a permit or license as provided in § 255-4 of this chapter, or in the decision with reference to revocation of a license as provided in § 255-10 of this chapter, shall have the right of appeal to the Mayor and Council of the Borough of South River. Such an appeal shall be taken by filing with the Mayor and Council within 14 days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds of the appeal. The Mayor and Council shall set a time and place for a hearing on such appeal, and notice of such hearing shall be given to the appellant in the same manner as provided in § 255-10 of this chapter for notice of hearing on revocation. The decision and order of the Council on such appeal shall be final and conclusive.

255-6 Special Prerequisites for Transient Merchant's License.

In addition to the filing of the completed application form referred to in the preceding section, an applicant for a transient merchant's license shall also fully comply with all the provisions of N.J.S.A. 45:24-1 et seq., as amended and supplemented, before his/her application shall be considered.

255-7 Issuance of Licenses; Production on Request; Expiration; Transferability.

a. Upon approval by the Chief of Police and upon payment of the required fees, the Borough Clerk shall issue to the applicant a license, which shall be in the form of a writing bearing the name of the licensee, the purpose for which the license was issued, the date of expiration and the signature of the Borough Clerk.

b. Every person licensed pursuant to the provisions of this section shall carry the license with him/her at all times, while engaged in his trade or occupation in the Borough. Every licensee shall produce his/her license at the request of any officer of the Borough.

c. To every peddler granted a license or licenses pursuant to this section, the Borough Clerk shall also issue for each automobile, vehicle or wagon used in peddling, a badge, bearing the words "Licensed Peddler, Borough of South River" together with the number of the license and the year for which it is issued. In addition, each automobile, wagon, or other vehicle used for such peddling shall have affixed thereon a copy of the license.

d. All licenses and badges shall be valid for a period of one (1) calendar year, and, if issued, shall be nontransferable or assignable to any person. All licenses and badges must be surrendered after cessation of use or the end of the calendar year, whichever comes first.

255-8 Exhibition of Badge.

The Borough Clerk shall issue to each licensee at the time of delivery of his license a badge which shall contain the words "Licensed Solicitor" or "Licensed Peddler," the period for which the license is

issued and the number of the license, in letters and figures easily discernible from a distance of 10 feet. Such badge shall, during the time such licensee is engaged in soliciting, peddling or canvassing, be worn constantly by the licensee on the front of his outer garment in such a way as to be conspicuous. No license or badge issued under the provisions of this chapter shall be used or worn at any time by any person other than the one to whom it was issued.

255-9 License/Application Fees.

The license fee which shall be charged by the Borough Clerk for such licenses shall be as provided in Chapter 155, Fees.

255-10 Suspension or Revocation of License.

a. Licenses issued under this section may be revoked by the Chief of Police, after notice and a hearing, for any of the following causes:

1. Fraud, misrepresentation or false statement in application for the license;
2. Fraud, misrepresentation or false statement made in the course of carrying on the licensed business or solicitation in the Borough;
3. Any violation of this section;
4. Conviction of a crime involving moral turpitude or of a violation of any ordinance concerning soliciting, peddling, panhandling or canvassing. In the case of transient merchants, a conviction of a crime involving moral turpitude or violation of any of the provisions of N.J.S.A. 45:24-1 or this section.
5. Conducting the licensed business or solicitation in the Borough in an unlawful manner or in such a manner as to constitute a menace to the health, safety or general welfare of the public.

b. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be given personally or mailed to the licensee at his/her last known address at least five (5) days prior to the date set for the hearing.

c. Such license may, pending revocation proceedings, be suspended for not more than ten (10) days by the Chief of Police if, in his/her opinion, the conduct of the licensee is detrimental to the health, safety and welfare of the Borough of South River.

d. The Borough Administrator shall serve as hearing officer for any hearing pursuant to this subsection.

255-11 Hours of Operation.

a. No commercial soliciting and/or peddling shall take place on Sundays or other than between the hours of 9:00 a.m. and 5:00 p.m. on weekdays, except by appointment prearranged by the prospective purchaser.

b. Notwithstanding the above, any nonprofit, not-for-profit, bona fide religious, veterans, civic or charitable organizations, the Rescue Squad and public utility organizations or any other bona fide organization which is exempted from full compliance of this chapter by § 255-14 shall be allowed to canvass the Borough between the hours of 9:00 a.m. and 9:00 p.m. on such days as set forth in the request for canvassing.

255-12 Location of Operation- Requirements.

a. Peddling, soliciting and canvassing within any roadway is strictly prohibited. Said activities are permitted on sidewalks and street corners. Only one (1) group or organization may engage in said activities at any one (1) intersection on any given day. Reservations for specific intersections must be made with the Borough Clerk. Reflective outerwear must be worn by all persons engaging in said activities. No person under the age of sixteen (16) shall conduct peddling, soliciting or canvassing activities anywhere in the Borough. Persons under the age of eighteen (18) must be accompanied by an adult. There shall be one (1) adult for every four (4) or less minors.

b. Peddlers.

1. Peddlers cannot stop within one thousand (1,000) feet of a transient merchant or another peddler.
2. Peddlers shall limit the time they remain stationary to thirty (30) minutes and they must move a minimum distance of one thousand (1,000) feet.
3. Peddlers cannot stop within one thousand (1,000) feet of any entrance to a school building, unless such school is closed.
4. The restrictions upon time and place listed above shall not apply to peddlers at a Borough-sponsored or approved event.

255-13 Posted Property.

No peddler, panhandler, solicitor or canvasser shall enter onto any property on which is located a sign or signs stating, "No Solicitors", "No Peddlers" or carrying a similar message forbidding the entry of any person onto the property.

255-14 Exemptions.

Accredited representatives of all bona fide religious, veterans, civic or charitable organizations, the Rescue Squad and public utility corporations shall be exempted from compliance with § 255-3(e) and § 255-9 hereof.

255-15 Applicability.

With the exception of subsections 255-11, 255-12, 255-13, and 255-16 herein, this section shall not apply to the following:

- a. Candidates for public office and persons accompanying such candidates;
- b. Any school, political or civic organization, benevolent society, service club or organization not for profit.
- c. Anyone distributing literature, handbills, pamphlets and the like from person to person in any public forum such as a public park or sidewalk, but nothing in this section shall be construed to have any effect upon enforcement by the Police Department of traffic laws or other laws in the event that there is a violation of any such laws.
- d. Fire Department, Rescue Squad, or the Police Department or related emergency services of the State of New Jersey.
- f. Charitable, religious and historical societies are exempt from the requirements for obtaining a transient merchant's license so long as they comply with the provisions of N.J.S.A. 45:24-7.

255-16 Canvassers to Register with Borough Clerk.

All canvassers intending to canvass within the Borough of South River shall register with the

Borough Clerk prior to commencing any canvassing activities. Such registration shall consist of providing the Borough Clerk with the name of organization that will be canvassing, the proposed dates for which the organization seeks to canvass and the route(s) or neighborhood(s) in which the organization intends to canvass. All nonprofit, religious, and/or political groups canvassing exclusively door-to-door and not in the streets are exempt from this registration requirement.

255-17 Violations and Penalties.

In addition to the revocation or suspension of the license granted under this section, any person who violates any provision of this section shall, upon conviction hereof, be punished by a fine not exceeding one thousand (\$1,000.00) dollars or by imprisonment for a term not exceeding ninety (90) days or both.

255-18 Posting of Bond.

Upon the issuance of a license all panhandlers and solicitors who intend to conduct their activities from a stationary location on a street corner or intersection, or from a sidewalk, shall post a bond, in the form of cash or cash equivalent or surety bond, with the Borough Clerk, the form and sufficiency of which shall be approved by the Director of Law, in an amount not less than one hundred fifty (\$150.00) dollars for the purpose of ensuring proper cleanup of the area in which the licensee shall conduct his or her activities. Said bond shall remain in full force and effect for the entire duration of the license and shall be released after an inspection of the licensee's area of operation has been conducted by the Borough at the end of the license term.

255-19 Prohibited Sales.

a. No person having obtained a license under this section shall be permitted to sell confetti such as that under the brand name "Silly String" or any similar product whereby confetti-type material is dispensed through the use of an aerosol or non-aerosol spray canister.

b. No person having obtained a license under this section shall be permitted to sell toy cigarettes or cigars, edible cigarettes or cigars, including candy cigarettes and chewing gum cigars.

255-20 Solicitation of Donations at Intersections.

Notwithstanding anything contained in this chapter, no license required to permit solicitation of donations at an intersection of two (2) or more roadways within the Borough shall be issued to any organization unless said organization demonstrates that it is a nonprofit organization primarily based in the Borough.

SECTION II. The various parts, sections, clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION III. Any ordinances and parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. This Ordinance shall take effect upon final adoption and publication as may be required by law.

Dated:

APPROVED:

JOHN M. KRENZEL MAYOR

ATTEST:

PATRICIA O'CONNOR, Registered Municipal Clerk



JOHN H. ALLGAIER, 1983-01
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.
TREVOR J. TAYLOR, P.E., P.P.
BEHRAM TURAN, P.E.

August 22, 2013

Borough of South River
48 Washington Street
South River, NJ 08882

Attn: Fred Carr, Borough Administrator

Re: **Topographic Survey of
Block 264.01, Lots 1, 12 and 6.01
New Borough Fire House Site
South River, Middlesex County, New Jersey
Our File No: PSR00542.01**

Dear Mr. Carr:

Pursuant to the Borough's request, we respectfully submit this proposal for the professional land surveying services for the above noted property. Our work will include the following services:

- **Preparation of a Certified Outbound Survey** of the 1.0+/- acre parcels in accordance with the State Board of Professional Engineers and Land Surveyors Administrative Rules and Regulations 13:40-5.1 "Preparation of Land Surveys". Services include:
 - Review Title Report and current adjoining deeds provided by client;
 - Public records research and pre-field records review;
 - Field traverse, locations and data collection;
 - Field survey data reduction and computation;
 - Boundary analysis and survey calculations;
 - Prepare topographic survey with certifications provided by client;
 - All associated CADD work;
 - Provide six (6) copies of the signed & sealed survey;
- **Road Locations and As-Builts along Jackson Street from Wilson to Willet Place and Raritan Avenue from Jackson Street to Grochowiak Street.**

We can provide these services for a cost not to exceed \$7,276.00 without further authorization.





Mr. Fred Carr
PSR00542.01
August 22, 2013
Page 2 of 2

It is anticipated that the Borough will furnish our office with a copy of the most recent title reports and any additional information pertaining to the property such as deeds, easements, covenants, etc., along with all adjoining current deeds.

Exceptions:

The survey will depict only those utilities open to view at the time of survey. Any easements found in the public records supporting underground utilities will be shown on the survey.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Bruce M. Koch, P.E., P.P., C.M.E.
Borough Engineer's Office

BMK/GVP

cc: Mayor John Krenzel
All Council Members
Borough Clerk
Borough Attorney
Chief Financial Officer
Borough Auditor
Director of Public Works

