

February 9, 2021

BOROUGH OF BRADLEY BEACH

RESOLUTION 2021-68

A RESOLUTION IN SUPPORT OF NEW JERSEY SENATE BILL NO. S-2964 AND NEW JERSEY ASSEMBLY BILL A-4925 WHICH ESTABLISHES A RESTRICTED ALCOHOLIC BEVERAGE LICENSE THAT ALLOWS THE SALE OF BEER, WINE, AND CIDER BY THE GLASS ON THE PREMISES OF A RESTAURANT WITH A FULL SERVICE KITCHEN.

Mayor Fox offered the following resolution and moved its adoption:

WHEREAS, the State of New Jersey's liquor license laws date back to the 1950's and the 1960's; and

WHEREAS, under current law, a municipality may issue plenary retail consumption licenses until the combined total number in the municipality is fewer than one license for each 3,000 municipal residents and this restriction creates a shortage of these licenses in some municipalities; and

WHEREAS, the State of New Jersey's liquor license laws has caused an extreme supply imbalance that the statewide average cost of an individual liquor license is \$300,000, an exorbitant amount causing an inequitable landscape among current and potential restaurateurs; and

WHEREAS, the restaurant liquor license standards of other states in the Northeast region enable restaurateurs to join the market at a significantly lower price point than the State of New Jersey, thus giving them a competitive advantage; and

WHEREAS, the COVID-19 Pandemic has put additional burden on New Jersey's small businesses, particularly the restaurant industry; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925, attached, hereto, addresses this shortage by allowing a municipality to issue these limited beer, wine and cider licenses; and

WHEREAS, Senate Bill No. S-2964 and Assembly Bill No. A-4925 also allows the licenses to charge a service or corkage fee to patrons who bring their own beer, wine or cider for consumption on the licensed premises and removes the prohibition on advertising that a restaurant is "BYOB"; and

WHEREAS, in addition to other details related to taxation and application, Senate Bill No. S-2964 and Assembly Bill A-4925 also provides a tax credit against the corporation business tax and gross income tax to compensate license holders for the expected loss in value resulting from the creation of the new restricted licenses.

Seconded by Councilman Gubitosi and adopted on roll call by the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Bonnell	X			
Mr. Gubitosi	X			
Mr. Sexsmith			X	
Mr. Weber	X			
Mayor Fox	X			

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the February 9, 2021 meeting.



Erica Kostyz, RMC, CMR
Municipal Clerk