

RESOLUTION NO. 2021-156

RESOLUTION AUTHORIZING ISSUANCE OF PLENARY RETAIL CONSUMPTION LICENSE FOR EAST COAST BREWING CO. LLC FOR PERIOD ENDING JUNE 30, 2022

WHEREAS, application has been made for Plenary Retail Consumption License No. 1306-33-014-008 by EAST COAST BREWING CO LLC; and

WHEREAS, said application is accompanied by reports from the borough inspection officials, health inspector and the Chief of Police if applicable.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that a Plenary Retail Consumption License for the period from July 1, 2021 to June 30, 2022 both dates inclusive, be issued to the following, subject to the Special Conditions that no alcoholic beverages shall be sold, served, delivered to, or consumed in, or allowed to be sold, served, delivered to or consumed in the licensed premises during such times as the number of persons, exclusive of employees, occupying the licensed premises exceeds the number of persons as listed below:

1306-33-014-008, East Coast Brewing CO. LLC for the premises at 801 Main Street. Occupancy limited to: 437, per Belmar Construction Official and Fire Marshall. The breakdown is as follows: First Floor Bar Area, 97 persons, Second Floor Restaurant, 100 persons, Second Floor Brewery/ Tap Room, 240 persons.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to sign and deliver license certificate to said applicant after making notation of the aforementioned Special Conditions upon the face of said license.

1. The following conditions shall be placed on the license:
 1. Service and sale of alcoholic beverages is to be permitted only in the licensed areas as described above.
 2. No alcoholic beverages shall be sold, served, delivered to, or consumed in the license premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limit established herein or by the Fire Official, whichever is less.
 3. It is the requirement that all wait staff, bartenders, and personnel involved with the sale or service of alcohol undergo TAMS training within 30 days of being hired; records of this requirement are to maintained by the license and available upon request.
 4. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses, and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee's attendance will be provided to the Belmar Police Department, upon request. This training is to be completed within 30 days of the date of employment at the establishment.
 5. The following employees are required to obtain and maintain an Alcoholic Beverage Control Card, issued by the Belmar Police Department. Employees involved in the handling, sale and/or service of alcoholic beverages, shall include, but not limited to managers, and/or supervisors, servers, cashiers, bartenders, barbacks, bouncers, ad security guards. This identification card is required to be updated annually with the police department. Employees must register within 24

hours of new employment with the Belmar Police Department in order to start the process of obtaining an ABC card to work in the establishment.

6. Live music in the inside bar/dining area will be permitted provided that it shall be in full compliance with Belmar's noise and any New Jersey noise restrictions that are applicable and shall conclude no later than 1:30am. Live music in the outdoor dining/seating areas shall conclude no later than 10:00pm.
7. All sales of alcoholic beverages in the restaurant and at the bar shall cease pursuant to their hours of operation.
8. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in ServSafe program as well as have knowledge of the local ordinances. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, they will be immediately asked to leave. If a patron refuses, management will notify the Borough of Belmar Police Department.
9. Intoxicated Patrons: All personnel may not sell, dispense, or give away alcohol to any person who is deemed intoxicated. When a customer has been "cut-off", the server will notify the other employees. Management will support the server's decision to terminate service to any customer. The customer will be asked to leave and management will secure a sober driver or provide a taxi service to take the patron home. If the customer refuses, management will notify the Belmar Police Department with a description of the person and the license plate number of the vehicle, if possible.
10. False IDs: All identification cards used to prove age must be valid (i.e., may not be expired), and must be government issued. If the identification card is expired or appears at all questionable to the employee, the employee shall request a second form of identification. The employee shall make sure that the individual purchasing the liquor resembles the identification card. All employees are encouraged to ask purchasers questions relating to identification in order to verify the information. If the employee checking an ID has a suspicion that an ID is false, altered, or belongs to someone other than the person presenting the ID, he/she shall confiscate the ID and turn it over to management, to be presented to the police.
11. Control/Supervision of Patron under 21 (restaurant applications) Licensee will request proof of age from any customer who appears to be under the legal age and will refuse service to any customer who cannot produce adequate ID.
12. Circumstances under which the Police will be called: The police will be called, in a timely manner, any time management or staff has information to believe a crime has been or about to be committed and/or whenever a threat of or act of violence occurs in the premises or off the premises in areas that would be considered in view or earshot of the establishment.
13. Handling of Physical Disturbances, including fights: Security or management will ask anyone who is fighting to leave. If necessary, security or management will call the local law enforcement agency for assistance. Licensee will permanently refuse admittance to any chronic problem customer.
14. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses, and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee's attendance will be provided to the Belmar Police Department, upon request. This training is to be completed within 30 days of the date of employment at the establishment.

15. CCTV cameras will be installed on the property, which will include both entrances/ exits, exterior dining area, administrative areas, bar areas, interior dining area, liquor storage area and points throughout the perimeter. An alarm activation system is necessary for all office, liquor storage areas, and refrigerated areas. Video must be maintained for 30 days and available upon request from the Belmar Police Department.
16. Theme nights or any other special event function must be submitted in writing and approved by Mayor and Council.
17. Private parties will adhere to the hours of operation of the restaurant. There will be no exception to the closing time for and private parties or special events.
18. The License shall reimburse the Borough of Belmar for the cost of additional police patrol hours in the affected areas that are made necessary because of the operation of the Licensee. The determination of need for extra police patrol hours shall be in the sole discretion of the Police Chief and the cost shall be based on the hourly rate of the cost of the patrol.
19. The licensed premise must comply with all State, County, and Local guidelines as it pertains to health department regulations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council that the license be approved for the period of July 1, 2021 to June 30, 2022 both dates inclusive.

BE IT FURTHER RESOLVED that the Borough Clerk be and is authorized to deliver a copy of this resolution to the applicant and the Local Alcoholic Beverage Control Board.

offered the above resolution and moved its adoption.

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

| Council members: | AYES | NAYS | ABSTAIN | ABSENT |
|------------------|------|------|---------|--------|
| Mayor Walsifer | | | | |
| Mr. Carvelli | | | | |
| Mr. McCracken | | | | |
| Ms. Wann | | | | |
| Mr. Brennan | | | | |

Adopted: