

**TOWNSHIP OF WARREN
RESOLUTION NO. 2018-91
ACCEPTING THE HIGHEST BID
FOR A NEW PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE**

WHEREAS, a request for bids for plenary retail distribution liquor license, with a minimum bid of \$380,000 was approved by the Township Committee by Resolution 2018- 50 and was advertised on February 8, 2018 and February 22, 2018, in the Echoes Sentinel and the Star Ledger. Qualification applications and bids were received on March 9, 2018 at 3:00 PM. Qualified Bidders, as specified in Section 5 of Resolution 2018-50, were announced on March 29, 2018 at 10:00 AM; with the bid opening of the 2 qualified bidders to be held on April 3, 2018 at 10:00 AM; and

WHEREAS, the qualified bidders submitted bids as follows:

Sharon Fusco	\$701,000.00
Shyam Foods, LLC	\$550,000.00; and

WHEREAS, there was an error by the successful bidder in completing Paragraph 1 of the Bid Form by identifying in numbers the sum of "\$701,000" but in words "Seven Hundred and One-----Dollars"; and

WHEREAS, The Township Committee, after due consideration, deems such error immaterial under the totality of the circumstances, further determines the error was not deemed to offer an unfair advantage over other bidders, and still further determines that the error can be and is hereby waived in the exercise of sound and measured judgment; and

WHEREAS, it is the recommendation of the Township Attorney, Special ABC counsel and Township Clerk to accept the highest bidder, Sharon Fusco, in the amount of \$701,000.00; and

WHEREAS, this Committee desires to accept the recommendations of the Township Attorney, Special ABC counsel and Township Clerk and award the right to apply for the Plenary Retail Distribution License to Sharon Fusco; and

WHEREAS, the issuance of the license to Sharon Fusco shall be subject to each of the requirements of Sections 9a. through 9g. as detailed in Resolution No. 2018-50.

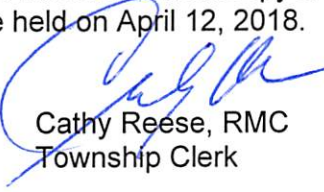
NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Warren, County of Somerset, State of New Jersey, that it does hereby accept the highest bid of \$701,000.00 from Sharon Fusco in connection with the issuance of a new Plenary Retail Distribution Liquor License, subject to the successful bidder's compliance with the requirements of Sections 9a. through 9g., as detailed in Resolution No. 2018-50; and

BE IT FURTHER RESOLVED that the deposit of Shyam Foods, Inc. be returned within ten (10) days of the date this Resolution is adopted.

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
		LAZO	x			
x		MARION	x			
	x	GARAFOLA	x			
		DINARDO	x			
		SORDILLO	x			

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on April 12, 2018.



Cathy Reese, RMC
Township Clerk