

**BOROUGH OF RED BANK**

**COUNTY OF MONMOUTH**

**RESOLUTION NO. 14-199**

**A RESOLUTION AUTHORIZING RENEWAL OF  
PLENARY RETAIL CONSUMPTION LICENSE FOR CHUBBYS WATERSIDE CAFÉ  
INC., T/A VIBE FOR THE PERIOD JULY 1, 2014 THROUGH JUNE 30, 2015**

Councilman Murphy offered the following resolution and moved its adoption:

**WHEREAS**, Chubby's Waterside Café, Inc., t/a VIBE ("VIBE"), located at 26 West Front Street in the Borough of Red Bank (the "Borough"), is the owner of a Plenary Retail Consumption License No. 1340-33-0260-008 (the "License"); and

**WHEREAS**, in accordance with the applicable regulations of the Division of Alcoholic Beverage Control ("ABC"), VIBE made application to the Borough for renewal of the License for the period July 1, 2014 through June 30, 2015; and

**WHEREAS**, in accordance with *N.J.A.C. 13:2-2.9*, the Borough's Police Department conducted a thorough investigation of VIBE's application for renewal of its License and based on that investigation has recommended that VIBE's License be renewed subject to the imposition of certain special conditions; and

**WHEREAS**, pursuant to *N.J.S.A. 33:1-40*, the Borough, as the issuing authority, may regulate the conduct of any business licensed to sell alcoholic beverages at retail and the nature and condition of the premises upon which such business is conducted; and

**WHEREAS**, pursuant to *N.J.S.A. 33:1-32*, the Borough may, by resolution, subject to the approval of the Director of the ABC, impose any condition or conditions to the issuance of any license deemed necessary and proper to accomplish the objects of the Alcoholic Beverage Law; and

**WHEREAS**, the Borough has determined that is necessary and in the best interests of the Borough to impose certain conditions in connection with the renewal of VIBE's License; and

**WHEREAS**, VIBE has consented to the terms and conditions of the renewal as set forth below.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Red Bank that VIBE's License for the period July 1, 2014 through June 30, 2015 is hereby renewed subject to the following conditions:

1. No music after 1:30 am.
2. All windows and doors are to be closed when music is playing;
3. At all times, a ratio of one security officer to seventy five (75) patrons will be in effect;
4. A minimum of two security staff members will be stationed outside of the property from 1:30 am to the point which the crowd has disbursed to ensure that patrons leave the area in a safe and orderly manner;
5. All floor and security staff will be distinctively and uniformly attired, making them easily identifiable to both patrons and police;
6. Identifying information on ejected and/or arrested patrons will be retained on a "banned list". These patrons should not be allowed subsequent re-entry;

7. Posting of a professional looking sign containing patron code of conduct rules inside the establishment near the entrance;
8. Staff will immediately report all criminal activity to police as it occurs or is about to occur.
9. Notify the Chief of Police of special events, appearances and promotions within 72 hours of the event;
10. Meet on a monthly basis with the Chief of Police or his designee to review incidents at location, policies and procedures;
11. All flyers, handbills, cups and debris etc should be cleaned from in front of the premises throughout the night; and
12. Designate specific employees to conduct occupancy counts throughout the night.

**BE IT FURTHER RESOLVED** that the within resolution be submitted to the Director of the ABC for approval pursuant to *N.J.S.A. 33:1-32*; and

**BE IT FURTHER RESOLVED** that renewal of VIBE’s License and the conditions for renewal set forth herein shall not become effective until all required approvals are obtained from the Director of the ABC.

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

	Yes	No	Abstain	Absent
Councilman Murphy	( x )	( )	( )	( )
Councilwoman Burnham	( x )	( )	( )	( )
Councilwoman Horgan	( x )	( )	( )	( )
Councilwoman Lewis	( x )	( )	( )	( )
Councilman Zipprich	( x )	( )	( )	( )
Councilman DuPont	( x )	( )	( )	( )

Dated: July 23, 2014