

**RESOLUTION**

**WHEREAS**, SuzyQue's LLC t/a SuzyQue's is the holder of Plenary Retail Consumption License No. 0722-33-009-011; and

**WHEREAS**, LUX 123, LLC has made application for a person to person and place to place (extension of premises) transfer for the above-mentioned license; and

**WHEREAS**, the principal has been investigated by the Township Police Department with no impediments to an interest in an alcoholic beverage license; and

**WHEREAS**, due notice of the proposed transfer was published in the West Orange Chronicle on June 24, 2021 and July 1, 2021 and appropriate fees have been paid by the applicant to the NJ Division of Alcoholic Beverage in the amount of \$200.00 and to the Township of West Orange in the amount of \$227.04; and

**WHEREAS**, the same Special Condition that no amplified outside music shall be permitted after 10:00 p.m., first imposed pursuant to *N.J.S.A. 33:1-32*, in ABC Board Resolution 483-12, adopted on June 12, 2012, and continued at each License renewal thereafter to the present, shall continue; and

**WHEREAS**, current Licensee SuzyQue's LLC t/a SuzyQue's, has a pending charge of ABC violation that on April 5, 2018, the Licensee allowed, permitted or suffered on or about the licensed premises, a brawl, act of violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2), with recommended penalty of 30-day suspension for a first offense, which charge has been recommended for dismissal by the Township's ABC counsel as part of these proposed transfer; and

**WHEREAS**, a public hearing was conducted on July 13, 2021 and no one appeared in opposition thereto; and

**WHEREAS**, Robert C. Williams, Esq. attorney for the transferee presented the application to the ABC Board on July 13, 2021 and was available to answer any questions posed by the Board;

**NOW THEREFORE BE IT RESOLVED** that the Township Council of the Township of West Orange hereby authorizes the person to person and place to place (expansion of premises) transfer of Plenary Retail Consumption License No. 0722-33-009-011 from SuzyQue's LLC t/a SuzyQue's, 34 South Valley Road West Orange, NJ 07052 to LUX 123, LLC t/a LUX, 34 South Valley Road, West Orange, NJ 07052, and said transfer is hereby approved; and

**BE IT FURTHER RESOLVED** that the same Special Condition that no amplified outside music shall be permitted after 10:00 p.m., first imposed pursuant to *N.J.S.A. 33:1-32*, in ABC Board Resolution 483-12, adopted on June 12, 2012, and continued at each License renewal thereafter to the present, shall be continued for the new Licensee for the current License term; and

**BE IT FURTHER RESOLVED** that the pending charge of ABC violation that on April 5, 2018, the then Licensee, SuzyQue's LLC t/a SuzyQue's, allowed, permitted or suffered on or about the licensed premises, a brawl, act of violence and/or disturbance in violation of N.J.A.C. 13:2-23.6(a)(2), with recommended penalty of 30-day suspension for a first offense, which charge has been recommended for dismissal by the Township's ABC counsel as part of these proposed transfers shall be and hereby is dismissed.

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**Karen J. Carnevale, R.M.C, Municipal Clerk/  
ABC Board Secretary**

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**Cindy Matute-Brown, Council President/  
ABC Chairperson**

**Adopted: July 13, 2021  
Effective: July 13, 2021**