

AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE CONTROL LICENSE NO: 0722-33-063-005, RAGHAV VARMA FOR THE 2026-2027 LICENSING TERM PURSUANT TO ABC ADVISORY NOTICE AN-2025-01

WHEREAS, pursuant to N.J.S.A. 33-1-1 et seq., an application was filed for renewal of Plenary Retail Consumption License 0722-33-063-005, which is owned by RAGHAV VARMA, and;

WHEREAS, License 0722-33-063-005 is not currently being used at an open, active retail consumption business within the Township of West Orange, nor is it associated with any specific location within the Township of West Orange, and accordingly is what is commonly known as a "pocket" liquor license; and,

WHEREAS, the New Jersey Division of Alcoholic Beverage Control ("state ABC") has advised that authority over the renewal of inactive licenses now falls on individual municipalities, as P.L. 2023, c. 290 eliminated the requirement that inactive license holders apply to the state ABC for relief under N.J.S.A. 33:1-12.39; and,

WHEREAS, the state ABC has further taken the position that after August 1, 2024 a retail consumption license that has not been "actively used" for two consecutive years, cannot be renewed, shall expire, unless the municipality, in the exercise of its discretion, renews the license for an additional year; and,

WHEREAS, the state ABC has issued Advisory Notice AN-2025-01, providing certain guidance as to the implementation of the liquor license reforms contained in P.L.. 2023, c. 290 with respect to inactive licenses; and,

WHEREAS, Advisory Notice AN-2025-01 addresses the definition of "active use" in the context of PL. 2023, c. 290, and states that on a case-by-case basis, a municipality may consider and balance certain factors that demonstrate whether a licensee has taken significant steps to activate an inactive liquor license so as to determine whether it meets the definition of "actively used" and may be renewed notwithstanding the license is not currently being used at an open, active retail business; and,

WHEREAS, RAGHAV VARMA has confirmed his intention to utilize this liquor license at an open, active retail business as soon as possible and is taking steps to ensure that will happen in the foreseeable future, and accordingly, the governing body, in the exercise of the discretion granted to it, as more fully described in Advisory Notice AN-2025-01, has determined that it is appropriate to renew License 0722-33-063-005 rather than let it expire; and,

WHEREAS, RAGHAV VARMA is cautioned that in the event this liquor license is not being used at open, active retail business by the end of the 2026-2027 licensing term, further renewals are not guaranteed, and the governing body will consider renewing same in the exercise of its continued discretion; and,

WHEREAS, the application for renewal of the License 0722-33-063-005 is complete in all respects, the municipal and state fees have been paid with the exception of a Tax Clearance Certificate.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Orange, serving as the Township of West Orange Alcoholic Beverage Control Board, County of Essex, State of New Jersey that they are hereby satisfied that all requirements have been met and will approve the renewal of

License No. 0722-33-063-005 upon receipt of a Tax Clearance Certificate and the License should not be permanently retired.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to file a certified copy of this Resolution with the Director of the Division of Alcoholic Beverage Control with respect to the above-referenced liquor license, and is further authorized to issue a liquor license for the 2026-2027 licensing term on the form and certificate approved by the Alcoholic Beverage Control Commission in the State of New Jersey for the above-referenced liquor license; and,

BE IT FURTHER RESOLVED, that any further renewals of this liquor license for an additional term shall be dependent upon RAGHAV VARMA continuing to demonstrate significant steps to activate the license and establish an open, active retail consumption business within the Township of West Orange, remaining subject to all existing legal requirements of the State of New Jersey and the Township of West Orange for the operation of a Plenary Retail Consumption License.

The undersigned certifies that the foregoing Resolution was passed by the Township Council of the Township of West Orange serving as the West Orange Board of Alcoholic Beverage Control at the Board's meeting on July 27, 2026.

KAREN J. CARNEVALE, RMC, Municipal Clerk
ABC BOARD SECRETARY

SUSAN SCARPA, Chairperson

Adopted: July 27, 2026

Effective: July 27, 2026