

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

Minutes of Special Meeting
June 14, 2012

Joan Palazzo
Julio C. Garcia
Osvaldo Garcia
Board of Alcoholic Beverage Control

Alcoholic Beverage Control Board

June 14, 2012
Special Meeting

Reference is made to the official transcript of the June 14, 2012 which is incorporated into these minutes by specific reference thereto; if there is any inconsistency between the official transcript and these minutes, the official transcript is deemed to be controlling.

Meeting starts 6:10 PM

Pledge to the flag

Open Public Meetings Act Notice

Roll Call:

Present

Member Palazzo

Member Garcia

Member Garcia

There is a quorum and the meeting continued

Also in attendance:

Board Attorney Frank R. Gioia, Esq., Sgt. Michael Clement, and Board Secretary Milena Castaneda

Chairwoman Palazzo made the following announcement regarding the **OPEN PUBLIC MEETING ACT**

This special meeting of the ABC Board of the Town of West New York held Thursday, June 14, 2012 at 6 PM at P.S. # 4 School and it is publicly announced and directed that this announcement be placed in the minutes of this meeting that the notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given and published in the Jersey Journal, and Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and filed with the Town Clerk. Copies are available to the public in accordance with the Law.

1. Correspondence: Discussed by Board Attorney:

naming the West New York ABC as defendants; the Board Attorney advised the Board that he reviewed the Complaint which objects to the disposition of charges against Son Cubano which occurred at the April 19, 2012 Special Meeting and concluded that it is filled with errors and misrepresentations and without merit and that he had been informed by Town Attorney Gilberto Garcia, Esq. that the Law Department would file an Answer.

- C-6 Letter from Trustee Swylok regarding the Guillermo Renteria bankruptcy; Board Attorney explained that Renteria is the sole principal of ENROBERT CORP and that he had filed for bankruptcy and this letter was to inform the Board that an Order had been entered by the Bankruptcy Judge permitting the trustee to sell the liquor license.
- C-7 Copy of email sent to David Epstein, Esq. and John O'Donnell, Esq. advising that the Board had been polled by the Secretary regarding their joint application to adjourn the hearing on objections to renewal of the Son Cubano license and that the request had been approved

BOARD ACTION

1. R-1 Resolution Approving Extension of Enrobert Corp. liquor license to Trustee in Bankruptcy

Resolution 1-06/14/12

RESOLUTION EXTENDING ENROBERT CORP. LICENSE (No. 0912-33-066-007) to the Chapter 7 Trustee-John Sywilok

WHEREAS, an application has been filed for the extension of Plenary Retail Consumption License 0912-33-066-007 issued to Enrobert Corp. to John Sywilok, Chapter 7 Trustee; and

WHEREAS, the submitted application form is complete in all respects, including proof of appointment to act as Chapter 7 Trustee;

NOW, THEREFORE BE IT RESOLVED that the West New York Board of Alcoholic Beverage Control (WNY ABC) does hereby approve, effective June 14, 2012, the extension of the aforesaid Plenary Retail Consumption License to John Sywilok, Chapter 7 Trustee to conduct business under the privileges, terms and conditions of the license as Chapter 7 Trustee for the remainder of the 2011-2012 License Term or until such time as the License is transferred in compliance with applicable Law

2. R-2 Resolution Approving Certain Licenses for the July 1, 2012 through June 30, 2013 License Term.

Resolution 2-06/14/12

**RESOLUTION APPROVING LIQUOR LICENSE RENEWAL
APPLICATIONS FOR THE 2012-2013 TERM**

BE IT RESOLVED by the West New York Board of Alcoholic Beverage Control for the Town of West New York (WNY ABC) that:

WHEREAS, applications for renewal of license in accordance with the provisions of law have been received for the below-listed licenses; and

WHEREAS, the said WNY ABC is satisfied that a review of the applications has been made by the Board Secretary and the Board Attorney and that no remonstrance, protests, objections or complaints have been filed with the WNY ABC by any person or entity or by the West New York Police Department regarding renewal of said licenses; and

WHEREAS, the Division of Taxation has issued the required Tax Clearance Certificate for Renewal and all required fees paid for each of the below-listed Licenses

NOW, THEREFORE, BE IT RESOLVED by the WNY ABC that the licenses listed below are renewed for the July 1, 2012 through June 30, 2013 License Term:

LICENSE NUMBER	NAME
0912-31-096-001	ORDEN FAMILIA DE LA LUZ
0912-32-073-006	MAI JAI AMBA CORP
0912-33-009-006	LOURDES RODRIGUEZ
0912-33-037-008	VENTURA ENTERPRISES
0912-33-040-004	PFCCB EDGEWATER LLC

0912-43-059-004	J & A GROUP ASSOCIATES
0912-44-002-004	BLVD EAST SALES INC
0912-44-007-002	STAR LIQUEUR CORP
0912-44-013-005	MUDRA GANDHI CORP
0912-44-038-005	SANTA LUCIA CORP
0912-44-052-006	HOLLYWOOD LIQUORS
0912-44-071-006	EMPIRE LIQUORS

As of the date of the adoption of this Resolution, the total number of Liquor Licenses approved for the July 1, 2012 through June 30, 2013 License Term is twenty (20) which total is comprised of the following:

- Class C : 31 Club License - 1
- Class C : 32 Plenary Retail Consumption with Broad Package Privilege – 1
- Class C : 33 Plenary Retail Consumption – 10
- Class C : 43 Limited Retail Distribution - 2
- Class C : 44 Plenary Retail Distribution - 6

BE IT FURTHER RESOLVED that the Board Secretary is to transmit a certified copy of this resolution to the State Director of Alcoholic Beverage Control along with the Application, copy of the Tax Clearance Certificate and required State Fee and is further directed to place a certified copy of this Resolution into the file folder of every Licensee listed herein.

CERTIFICATION

I, Milena Castaneda, Secretary of the WNY ABC, do hereby certify that the foregoing is a true copy of a resolution duly adopted by WNY ABC at its June 14, 2012 Special Meeting.

Milena Castaneda

BE IT RESOLVED by the West New York Board of Alcoholic Beverage Control for the Town of West New York (WNY ABC) that:

WHEREAS, Christine Piscitelli has filed a Verified Complaint In Lieu of Prerogative Writ in Superior Court of New Jersey – Law Division : Hudson County under Docket No. L – 2355-12 in which the Alcoholic Beverage Control Board of the Town of West New York is named as a Defendant

The WNY ABC does hereby appoint and authorize the Law Department of the Town of West New York to represent it in said litigation and to take all steps necessary to defend its interests.

The Board Secretary is to transmit a certified copy of this resolution to Gilberto Garcia, Esq., Town Attorney.

CERTIFICATION

I, Milena Castaneda, Secretary of the WNY ABC, do hereby certify that the foregoing is a true copy of a resolution duly adopted by WNY ABC at its June 14, 2012 Special Meeting.

Milena Castaneda

Motion to adopt by Chairwoman Palazzo

Seconded by Vice-Chairman J. Garcia

All in Favor; Resolution adopted

Public portion -

No member(s) of the Public present

Julio Garcia, Vice Chairman

Oswaldo Garcia, Member

Board of Alcoholic Beverage Control

Attest: _____

Milena Castaneda

Board Secretary