

# **Town of West New York Hudson County, New Jersey**

## **Alcoholic Beverage Control Board**

Minutes of Regular Meeting  
June 28, 2012

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

**Alcoholic Beverage Control Board**

**June 28, 2012**  
***Special Meeting***

**Reference is made to the official transcript of the June 28, 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 7:10 PM

Pledge to the flag  
Open Public Meetings Act Notice  
Roll Call:

Present

Member Palazzo  
Member Garcia

Absent

Member O. 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 regular meeting of the ABC Board of the Town of West New York held Thursday, June 28, 2012 at 7 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:**

- C-1 Letter from Mohammed a former shareholder of Boulevard East Sales advising that in 2009 he conveyed his 50% interest in the Corporation but did not consent to any

## **BOARD ACTION**

### **1. R-1 Approval of Liquor Licenses for the 2012-2013 License Term**

#### **Resolution 1-06/28/12**

#### **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:

0912-33-003-004	MESON ESPANOL INC.
0912-33-015-006	ROGELIO PUIG/LIRA II
0912-33-016-008	EXTRA SUPER RESTAURANT CORP
0912-33-025-011	LUNA RESTAURANT INC
0912-33-029-011	ADRIANA PARRA CENTRO SUR RESTAURANT
0912-33-036-005	EL RINCONCITO COLOMBIANO
0912-33-042-010	MARINERO GRILL
0912-33-056-003	MI JARDIN t/a EL BALCON CORP.
0912-33-064-003	EL FONCECA BAR & RESTAURANT
0912-33-069-013	GOLDBERG REALTY INC
0912-33-089-005	SAMMY'S BAR CORP.
0912-43-020-003	TONYS GROCERY

- Class C : 33 Plenary Retail Consumption – 11
- Class C : 43 Limited Retail Distribution - 1
- Class C : 44 Plenary Retail Distribution - 6

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 thirty-eight (38) 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 – 21
- Class C : 43 Limited Retail Distribution - 3
- Class C : 44 Plenary Retail Distribution - 12

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.

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Motion to adopt by Chairwoman Palazzo

Seconded by Vice-Chairman J. Garcia

All in favor; Resolution adopted

**2. R-2 Resolution Approving Renewal of Goldberg Realty, Inc., t/a Lusso  
Pizza Bar & Grill License for the 2012-213 term with Special Conditions**

**Resolution 2-06/28/12**

**Resolution Approving Renewal of Goldberg Realty, Inc., t/a Lusso**

WHEREAS, objections to renewal of the above-mentioned liquor license were filed by Grandview I and II Condominium Associations; and

WHEREAS, pursuant to applicable law, the WNY ABC scheduled a hearing regarding said objections to be held on June 21, 2012; and

WHEREAS, the Licensee and the Objectors reached agreement on the objections filed; and

WHEREAS, the WNY ABC, upon review of the proposed settlement of objections, finds it to be fair and reasonable and disposes of the objections to renewal before it

THEREFORE, the renewal of the above-referenced Liquor License for the July 1, 2012 through June 30, 2013, carries with it the following agreements and stipulations:

The outdoor dining area is to close at 11 PM; no outdoor music shall be permitted; indoor music shall not be audible in the outdoor dining area; Grandview I and II and the Licensee each reserve any and all rights they may have pursuant to existing Law and including Municipal Ordinance 25-11 which is currently the subject of litigation

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Motion to adopt by Chairwoman Palazzo

Seconded by Vice-Chairman J. Garcia

All in Favor; Resolution adopted

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The Board Attorney distributed a License Grid form which reflected the current status of licenses with regard to renewal for the 2012-2013 license term. There was general discussion of the form and the Attorney advised as to those licenses which could not be acted upon because Special Rulings were required from the State Director of ABC before the WNY Board had jurisdiction over them.

**Public portion -**

No member(s) of the Public present

Motion to adjourn made by Member Palazzo; seconded by Member Garcia and all voted in favor

Meeting adjourned at 7:27 pm

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Joan Palazzo, Chairwoman