

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

Minutes of Regular Meeting
(Regular Session)
June 29, 2010

Rosendo Jimenez
Rafael Martell
Michael Parkes
Board of Alcoholic Beverage Control

Attest: **Cosmo A. Cirillo**
 Board Secretary

Alcoholic Beverage Control Board
June 29, 2010
Regular Meeting

Minutes of a regular stated meeting of the ABC Board of the Town of West New York, in the County of Hudson, State of New Jersey, held in the **Police Training Room, Municipal Building, WNY, NJ** on Tuesday, June 29, 2010 at 7:00 p.m.

Present: Vice-Chairman Rafael Martell, Board Member Jimenez, Board Attorney Frank Gioia, Sgt. Michael Clement and Board Secretary Cosmo A. Cirillo
Absent: Chairman Parkes and Board Prosecutor Marlene Caride

Meeting commenced at 7:00 p.m.

At the request of Board Attorney Frank Gioia, Vice-Chairman Martell made the following announcement:

As presiding officer of this regularly scheduled meeting of the ABC Board of the Town of West New York, held Tuesday, June 29, 2010, at 7:00PM, I do hereby publicly announce, and I direct that this announcement shall be placed in the minutes of this meeting and that the notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in Resolution dated and adopted by the ABC Board of the Town of West New York on June 25, 2009. Said Resolution was transmitted by the ABC Secretary to the Jersey Journal and the 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.

Note: Board Attorney Gioia stated that the Board could begin with the Resolutions listed under Board Action because there were no discussion items at the moment. The first two resolutions were the appointment of Chairman and Vice-Chairman, respectively, for the 2010-2011 Term.

RESOLUTION
RE: APPOINTMENT OF MICHAEL PARKES AS CHAIRMAN OF THE TOWN OF
WEST NEW YORK
ALCOHOLIC BEVERAGE CONTROL BOARD

BE IT RESOLVED by the Board of Alcoholic Beverage Control of the Town of West New York as follows:

1. MICHAEL PARKES is hereby designated to serve as Chairman of the Town of West New York Board of Alcoholic Beverage Control, and shall serve in said capacity for the period of 7/1/2010 to 6/30/2011.
2. A copy of this resolution shall be placed on file and made available for public inspection by the ABC Board Secretary.

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

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RESOLUTION
RE: APPOINTMENT OF RAFAEL R. MARTELL AS VICE-CHAIRMAN OF THE
TOWN OF WEST NEW YORK
ALCOHOLIC BEVERAGE CONTROL BOARD

BE IT RESOLVED by the Board of Alcoholic Beverage Control of the Town of West New York as follows:

3. RAFAEL R. MARTELL is hereby designated to serve as Vice-Chairman of the Town of West New York Board of Alcoholic Beverage Control, and shall serve in said capacity for the period of 7/1/2010 to 6/30/2011.
4. A copy of this resolution shall be placed on file and made available for public inspection by the ABC Board Secretary.

It was regularly moved by Board Member Jimenez, seconded by Vice-Chairman Martell to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Note: Board Attorney Gioia stated that the next item on the agenda is Resolution R-3; approval of minutes from the June 2, 2010 meeting.

RESOLUTION
RE: APPROVAL OF MINUTES

BE IT RESOLVED that the Board of Alcoholic Beverage Control of the Town of West New York approves the Minutes as recorded for the following meetings:

- June 2, 2010 – Regular Session

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Note: Board Attorney Gioia stated that the next item on the agenda is Resolution R-4; liquor license renewals for the 2010-2011 term. He informed the Board that these were licensees that did not have all their paperwork complete for renewal at the Board's last meeting, therefore are ready to be renewed this evening.

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RESOLUTION
RE: RENEWAL OF LIQUOR LICENSES FOR LICENSE TERM 2010-2011

Be It Resolved that the Alcoholic Beverage Control Board of the Town of West New York has no objections and does hereby consent to the granting of the following licenses, a list of which is attached hereto and made a part hereof:

Five (5) Plenary Retail Consumption Licenses
(Includes Restaurant & Bar)

Three (3) Plenary Retail Distribution Licenses
(Includes Liquor Stores)

And

Be It Further Resolved that the Alcoholic Beverage Control Board is not aware of any circumstances or provisions of law or local ordinance, which prohibits the issuance of such licenses.

Be It Further Resolved that the foregoing licenses are hereby renewed.

TOWN OF WEST NEW YORK
RENEWAL OF ALCOHOLIC BEVERAGE LICENSES 2010-2011

<u>License No.</u>	<u>Name</u>	<u>Address</u>
0912-33-015-006	Rogelio Puig t/a Lira II Corp.	514 – 62 nd Street WNY, NJ 07093
0912-33-037-008	Ventura Enterprises LLC t/a Centro Latino	6217 Bergenline Avenue WNY, NJ 07093
0912-33-047-004	Sory Liquors Inc. t/a Havana Club	6103 Van Buren Place WNY, NJ 07093
0912-33-067-008	Bar Sagua Corporation t/a Bar Sagua Corporation	6501-03 Dewey Avenue WNY, NJ 07093
0912-33-101-003	La Hacienda Bar and Lounge Inc.	572 – 57 th Street WNY, NJ 07093
0912-44-038-007 Jenny Liquors	Santa Lucia Corp. WNY, NJ 07093	6108 Palisade Avenue t/a
0912-44-052-006	Hollywood Liquors, Inc. t/a Hollywood Liquors	6006-08 Park Avenue WNY, NJ 07093
0912-44-087-009	GWG Enterprises LLC t/a Giannone Wines & Liquor Company	55-2 Riverwalk WNY, NJ 07093

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

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Note: Board Attorney Gioia stated that the next items on the agenda are Resolutions R-5 and R-6; liquor license renewals for the 2010-2011 term for Goldberg Realty Consulting, Inc. and DGNY Group, Inc. He informed the Board that these were licensees that required a Special Ruling from the Director of the Division of Alcoholic Beverage Control in order to act upon. Both Special Ruling had been obtained and the requirements of each were met. He further recommended that the Board act upon these two resolutions.

RESOLUTION
RE: APPROVING LIQUOR LICENSE 0912-33-069-013
FOR THE 2010-2011 LICENSE TERM
GOLDBERG REALTY CONSULTING, INC.

WHEREAS, licensee has obtained a Special Ruling from Director Jerry Fischer, Director of the State of New Jersey Division of Alcoholic Beverage Control which permits consideration of the application for renewal of the above-referenced liquor license by the Local Board (West New York Board of Alcoholic Beverage Control), and

WHEREAS, a copy of the Special Ruling is incorporated into this Resolution by specific reference thereto and a copy is attached hereto and made a part hereof; and
Whereas, the Board has reviewed the application and being satisfied that the requisite fees have been paid and tax clearance certificate obtained from the NJ Division of Taxation; and

WHEREAS, no objection to renewal has been filed with the Board,

NOW, THEREFORE BE IT RESOLVED on June 29, 2010 at a regular meeting of the issuing authority, that the West New York ABC does hereby approve the renewal application of GOLDBERG REALTY CONSULTING, INC., License No. 0912-33-069-013 for the license term July 1, 2010 through June 30, 2011 upon the following condition:

The license which is now in 'inactive – pocket status' must be restored to active status and sited by the Licensee or otherwise transferred and sited by the successor licensee prior to June 30, 2011.

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

RESOLUTION
RE: APPROVING LIQUOR LICENSE 0912-33-084-004
FOR THE 2010-2011 LICENSE TERM
DGNY GROUP, INC.
T/A SON CUBANO

WHEREAS, licensee has obtained a Special Ruling from Director Jerry Fischer, Director of the State of New Jersey Division of Alcoholic Beverage Control which permits consideration of the application for renewal of the above-referenced liquor license by the Local Board (West New York Board of Alcoholic Beverage Control), and

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WHEREAS, a copy of the Special Ruling is incorporated into this Resolution by specific reference thereto and a copy is attached hereto and made a part hereof; and
Whereas, the Board has reviewed the application and being satisfied that the requisite fees have been paid and tax clearance certificate obtained from the NJ Division of Taxation; and

WHEREAS, no objection to renewal has been filed with the Board,

NOW, THEREFORE BE IT RESOLVED on June 29, 2010 at a regular meeting of the issuing authority, that the West New York ABC does hereby approve the renewal application of DGNV GROUP, INC., t/a Son Cubano, License No. 0912-33-084-004 for the license term July 1, 2010 through June 30, 2011 upon the following condition:

The license which is now in 'inactive – pocket status' must be restored to active status and sited by the Licensee or otherwise transferred and sited by the successor licensee prior to June 30, 2011.

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Note: Board Attorney Gioia stated with reference to Resolution R-7; charges filed against De Cache, Inc., no one was present on behalf of the licensee. He recommended that the Board carry this item until its next meeting and the Board would be able to take action at that time regardless of the licensees appearance.

RESOLUTION AND ORDER
RE: CHARGES FILED AGAINST DE CACHE, INC.
512 – 59TH STREET (0912-33-028-005)

It was regularly moved by Board Member Jimenez, seconded by Vice-Chairman Martell to table this Resolution until the Board's next meeting, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Note: Board Attorney Gioia stated the last item on tonight's agenda was Resolution R-8; ABC meeting dates for the 2010-2011 Term. He stated that these are the dates for all regular meetings of the Board for the next year and upon adoption, the Board Secretary will publish these dates in accordance with the law.

Alcoholic Beverage Control Board

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Regular Meeting

RESOLUTION

RE: MEETING DATES FOR 2010-2011 TERM

Be It Resolved as follows:

The following dates are the dates for the Regular Meetings of the West New York Board of Alcoholic Beverage Control for the 2010-2011 term.

July 28, 2010	January 26, 2011
August 25, 2010	February 23, 2011
September 22, 2010	March 23, 2011
October 27, 2010	April 27, 2011
November 24, 2010	May 25, 2011
December 22, 2010	June 22, 2011

Be It Further Resolved that all meetings shall be held in the Municipal Chambers of the West New York Town Hall, 428-60th Street, West New York, New Jersey.

Be It Further Resolved that all meetings shall start at 7:00PM.

Be It Further Resolved that the Board Secretary shall cause a Notice of the Hearing Dates to be published in the Bergen Record and the Jersey Journal and a copy of said Notice is to be posted on the Bulletin Board located on the First Floor of the Town Hall.

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to accept this Resolution as adopted, which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Public Portion

Note: Vice-Chairman Martell called for the Public Portion.

No one wished to be heard.

It was regularly moved by Vice-Chairman Martell, seconded by Board Member Jimenez to close the Public Portion and adjourn the meeting at 7:35 p.m., which was carried by the following vote:

YEAS: Vice-Chairman Martell and Board Member Jimenez
NAYS: None
ABSENT: Chairman Parkes

Rosendo Jimenez, Member

Rafael Martell, Vice-Chairman

ABSENT

Michael Parkes, Chairman

Board of Alcoholic Beverage Control

Attest: _____
Cosmo A. Cirillo
Board Secretary