

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

## **Alcoholic Beverage Control Board**

**Minutes of Regular Meeting  
October 24, 2012**

**Joan Palazzo  
Julio C. Garcia  
Oswaldo *Garcia*  
Board of Alcoholic Beverage Control**

# **Alcoholic Beverage Control Board**

**October 24, 2012**

***Regular Meeting***

**Reference is made to the official transcript of the October 24, 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 7PM

Pledge to the flag

Open Public Meetings Act Notice

Roll Call:

## **Present**

Member Palazzo

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 Mireya De La Cruz.

Chairwoman, Joan 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, October 24, 2012 at 7PM 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      **Update regarding PFCCB Edgewater LLC, d/b/a P.F. Chang's China Bistro PRC License No. 0912-33-040-004; this is an Amendment of Application on File (change**

## **R1 – 10/24/2012**

### **ADOPTION OF MINUTES**

BE IT RESOLVED by the West New York Board of Alcoholic Beverage Control that proposed Minutes are approved and adopted for the following meeting:

**September 27, 2012**

And the Board Secretary is directed to have the Official Minutes executed by the Board Members and placed into the records of this Board

Motion to adopt by Chairwoman Palazzo  
Seconded by Vice-Chairman J. Garcia  
All in Favor; Resolution adopted

## **R 2 – 10/24/2012**

### ***RESOLUTION OF THE WEST NEW YORK BOARD OF ALCOHOLIC BEVERAGE CONTROL AMENDING A PRIOR RESOLUTION OF THE BOARD ADOPTED ON JUNE 28, 2012 REGARDING DATES FOR THE REGULAR MEETING. RE: REVISED MEETING DATED FOR 2012-2013 TERM***

*Be it resolved as follows:*

*The following dates are the dates for the Regular Meeting of the West New York Board of Alcoholic Beverage Control for the 2012-2013 terms.*

*July 26, 2012*

*January 24, 2013*

*August 23, 2012*

*February 28, 2013*

*September 27, 2012*

*March 28, 2013*

*\*October 24, 2012*

*April 25, 2013*

*\*November 29, 2012*

*May 23, 2013*

*\*December 20, 2012*

*June 27, 2013*

*Be it Further Resolved that all meetings shall be held in Public School No. 4, 6300 Palisade Avenue We New York Town, New Jersey.*

*Be it Further Resolved that all meetings shall start at 7:00 p.m.*

*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*

# R3 - 10/24/2012

## RATIFICATION OF AUTHORIZATION OF BOARD SECRETARY TO ENDORSE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR (HERMANDAD DE SAN MARTIN DE PORRES, OCTOBER 27, 2012)

**WHEREAS**, an application for Special Permit for Social Affair has been filed by **HERMANDAD DE SAN MARTIN DE PORRES** within the jurisdiction of the West New York Board of Alcoholic Beverage Control; and

**WHEREAS**, the submitted application form is complete in all respects; and

**WHEREAS**, the State of New Jersey Division of Alcoholic Beverage Control requires the aforementioned signatures prior to processing any request for a Special Permit for Social Affair;

**WHEREAS**, on **OCTOBER 27, 2012** the Director of the West New York Police Department signed and certified that the West New York Police Department has no objection to the granting of a Special Permit to the above applicant;

**NOW, THEREFORE BE IT RESOLVED** on **OCTOBER 24, 2012** at a regular meeting of the West New York Board of Alcoholic Beverage Control that said Board does hereby authorized the Board Secretary to endorse the Application for **Special Permit for Social Affair**.

### *CERTIFICATION*

*I, Mireya De La Cruz, 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 **October 24, 2012 Regular Meeting**.*

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*Mireya De La Cruz*  
*Board Secretary*

Motion to adopt by Chairwoman Palazzo  
Seconded by Vice-Chairman J. Garcia  
All in Favor: Resolution adopted

## **R4 – 10/24/2012**

### **RATIFICATION OF AUTHORIZATION OF BOARD SECRETARY TO ENDORSE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR (ST. JOSEPH OF THE PALISADES ELEMENTARY SCHOOL, NOVEMBER 3, 2012)**

**WHEREAS**, an application for Special Permit for Social Affair has been filed by **St. JOSEPH OF THE PALISADES ELEMENTARY SCHOOL** within the jurisdiction of the West New York Board of Alcoholic Beverage Control; and

**WHEREAS**, the submitted application form is complete in all respects; and

**WHEREAS**, the State of New Jersey Division of Alcoholic Beverage Control requires the aforementioned signatures prior to processing any request for a Special Permit for Social Affair;

**WHEREAS**, on **NOVEMBER 3, 2012** the Director of the West New York Police Department signed and certified that the West New York Police Department has no objection to the granting of a Special Permit to the above applicant;

**NOW, THEREFORE BE IT RESOLVED** on **OCTOBER 24, 2012** at a regular meeting of the West New York Board of Alcoholic Beverage Control that said Board does hereby authorized the Board Secretary to endorse the Application for Special Permit for Social Affair.

#### *CERTIFICATION*

*I, Mireya De La Cruz, 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 **October 24, 2012** Regular Meeting.*

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*Mireya De La Cruz*  
*Board Secretary*

Motion to adopt by Chairwoman Palazzo  
Seconded by Vice-Chairman J. Garcia  
All in Favor; Resolution adopted

**R5 – 10/24/2012**

**RESOLUTION APPROVING LIQUOR LICENSE RENEWAL APPLICATIONS FOR  
THE 2012-2013 TERM  
WEDNESDAY, OCTOBER 24, 2012**

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; and

WHEREAS, the below listed Licenses have ***“Special Ruling to Permit Renewal of Inactive License”*** are going to be special conditions for both the licensed has to be taken out of Pocket Status by June, 30 2013.

NOW, THEREFORE, BE IT RESOLVED by the WNY ABC hereby ratifies the actions taken by the Board Secretary with regard to said licenses and that the licenses listed below are renewed for the July 1, 2012 through June 30, 2013 License Term:

0912-33-012-006 Reyes Management LLC  
0912-33-005-010 Albuja Karla P.

The total number of Liquor Licenses approved for the July 1, 2012 through June 30, 2013 License Term at this time is two (2), which total is comprised of the following:

- Class C : 31 Club License - 0

- Class C : 44 Plenary Retail Distribution - 13

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 and be it further resolved that the previous transmittal of documentation of the three liquor licenses to Director of the State ABC and the issuance of the Licenses to the named Licensees by the Board Secretary is hereby ratified and approved and the Board shall further memorialize such actions in a separate Resolution at its next regular meeting.

#### CERTIFICATION

I, Mireya De La Cruz, Secretary of the WNY ABC, do hereby certify that the foregoing is a true copy of a resolution duly adopted by WNY ABC

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Mireya De La Cruz  
Board Secretary

Motion to adopt by Chairwoman Palazzo  
Seconded by Vice-Chairman J. Garcia  
All in Favor; Resolution adopted

#### **PUBLIC PORTION**

Public present:

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

Meeting adjourned at 7:20 pm

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Joan Palazzo, Chairwoman  
Board of Alcoholic Beverage Control

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Julio Garcia, Vice Chairman  
Board of Alcoholic Beverage Control