

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

Minutes of Regular Meeting February 27, 2014

Joan Palazzo (Absent)

Julio C. Garcia

Oswaldo *Garcia*

Board of Alcoholic Beverage Control

Alcoholic Beverage Control Board

February 27, 2014

Regular Meeting

Reference is made to the official transcript of the February 27, 2014 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 7:00pm

Pledge to the flag

Open Public Meetings Act Notice

Roll Call:

Members Present

Julio Garcia/Chairman

Oswaldo Garcia/Member

There is a quorum and the meeting continued

Also in attendance:

ABC Board Attorney Frank R. Gioia, Esq., Sgt. Michael Clement, and Board Secretary, Mireya De La Cruz.

Absent: Joan Palazzo/Chairwoman

ABC Board Attorney, made the following announcement.

OPEN PUBLIC MEETING ACT

As presiding officer of this regular meeting of the A.B.C. Board of the Town of West New York, held **Thursday, February 27, 2014, at 7:00 P.M. in West New York Town Hall, Police Training Room – 2nd Floor, 428 – 60th Street, West New York, New Jersey 07093**, I do hereby publicly announce, and 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 transmitted by the A.B.C. Secretary to the Jersey Journal and the Bergen Record and publicly posted on the Municipal Bulletin Board, Town Hall, and Municipal Website and filed with the Town Clerk.

Copies are available to the public in accordance with the law.

Correspondence: Discussed by Board Attorney:

Report from Board Attorney Regarding pending matters.

- C1. Update on DGNY Group/Son Cubano, notice from the Office of Administrative Law regarding a conference which was held on January 31st, 2014. It was a telephonic conference, and the next conference in this matter which involves Son Cubano/DGNY, these are the appeals. They are three years' worth of appeals that are pending now before the Administrative Law Judge. It goes back that long. Have always been objections to renewal of their license and the license has not been renewed in three years. So, now it is going to be decided by the administrative law judge. We are having these monthly conferences to see whether or not there is a possibility that the matter can be resolved because there is discussion going on now between attorneys for Roseland, the management company, Grandview One, Grandview Two, Son Cubano, to see if all the issues that are pending between the parties can resolved. The next one is on March 31st.

BOARD ACTION

The Board adjourned to review proposed Minutes

The Board returned from Recess and the meeting continued.

R1-02/27/2014

***Ratification/Approving Minutes from November 26, 2013
ADOPTION OF MINTUES***

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

- ***November 26, 2013***

R 2 – 02/27/2014
RESOLUTION APPROVAL IN CORPORATE STRUCTURE APPLICATION
EL FONCECA INC - License # 0912-33-064-003

WHEREAS, an application has been filed for a Change in Corporate Structure of Plenary Retail Consumption License # 0912-33-064-003, hereto issued to “El Fonceca Inc.”

6302 Dewey Ave
West New York, New Jersey 07093

WHEREAS, the submitted application form is complete in all respects, the applicant is qualified to be licensee according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business; and

WHEREAS, the proposed for this Corporate Structure has been properly advertised and proof of publication submitted and no objections have been received by or filed with the Board Secretary and the Board Attorney an 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 this license; and

NOW, THEREFORE BE IT RESOLVED that the West New York ABC does hereby approve effective, February 27, 2014 the Change in Corporate Structure of “El Fonceca Inc.”, of the aforesaid Plenary Retail Consumption License and does hereby direct the Secretary of ABC Board to endorse the license to the new ownership as follows: Martha G. Turcios 50% and Angel Urbina 50% stockholders.

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 February 27, 2014 Regular Meeting.

Mireya De La Cruz/Board Secretary

Motion to adopt by
Vice Chairman Julio Garcia

R3 – 02/27/2014
Resolution Approving
La Hacienda Bar and Lounge Inc.
Lic.0912-33-101-003 as Inactive License.

WHEREAS, an application has been filed for an Amendment of Application on file for “La Hacienda Bar & Lounge Inc.” License #0912-33-101-003 to permit the license to be placed in “Inactive” status

NOW, THEREFORE, BE IT RESOLVED, that the Board of Alcoholic Beverage Control of the Town of West New York does hereby approve, the designation of this license as being in “inactive” status effective February 27, 2014 and the Board Secretary is instructed to obtain the License from the Licensee and maintain it until such time as Licensee files an application to restore this license to “active” status and said application is approved by the Board.

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 February 27, 2014 Regular Meeting.

Mireya De La Cruz
Board Secretary

Motion to adopt by
Vice-Chairman Julio Garcia
Seconded by Board Member Osvaldo Garcia
All in Favor; Resolution Adopted

R 4 – 02/27/2014

RATIFICATION/AUTHORIZATION OF BOARD SECRETARY TO ENDORSE APPLICATION/SPECIAL PERMIT FOR SOCIAL AFFAIR (HOLY REDEEMER PARISH/ST PATRICK'S DAY DINNER (MARCH 15, 2014))

WHEREAS, an application for Special Permit for Social Affair has been filed by **HOLY REDEEMER PARISH** 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 **February 3, 2014** 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 **February 27, 2014** 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 **February 27, 2014 Regular Meeting**.*

*Mireya De La Cruz
Board Secretary*

Motion to adopt by
Vice-Chairman Julio Garcia
Seconded by Board Member Osvaldo Garcia
All in Favor; Resolution Adopted

R 5 – 02/27/2014
RESOLUTION OF LIQUOR LICENSE
“Sory Liquors, Inc”
Licensee #0912-33-047-004
Charges-Against Licensee

Whereas, on November 26, 2013 during the Regular Meeting of the Board of Alcoholic Beverage Control of the Town of West New York, the Board accepted the “non vult” plea of Licensee Sory Liquors, Inc., 0912-33-047-004;and

Whereas, the penalty imposed by way of plea agreement as set forth on the record was entry of plea of “non vult” to all outstanding charges with the imposition of a twenty-one (21) suspensio starting January 2, 2014 through January 22, 2014, with the license surrendered to the Board Secretary until January 23, 2014 when it was to be returned to the Licensee; said plea was entered by Roberto Rodriguez upon advice of his Counsel, Alexander Locatelli, Esq.

Now, therefore, the Board formally adopts this resolution in memorialization of the action and resolution adopted on November 26, 2013

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 February 27, 2014 Regular Meeting.

Mireya De La Cruz/Board Secretary

Motion to adopt by
Vice-Chairman Julio Garcia
Seconded by Board Member Osvaldo Garcia
All in Favor; Resolution Adopted

R 6 – 02/27/2014
RESOLUTION
BAR SAGUA CORPORATION
LICENSE # 0912-33-067-008
AMENDING PRIOR APPLICATION ON FILE

WHEREAS, an application was filed and complete in all respects, the transfer fees were paid, and the license was properly renewed for the current license term but the Licensee has been advised by the State Director that certain specified changes to its application are required on pages 1, 2, 4, 10 and 10A; and

Whereas, **BAR SAGUA CORPORATION** has complied with directions received and has submitted complete 12 page application with the aforementioned changes

NOW, THEREFORE, BE IT RESOLVED that the amended application is approved as submitted; and

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.

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 February 27, 2014 Regular Meeting.

Mireya De La Cruz /Board Secretary

Motion to adopt by
Vice-Chairman Julio Garcia
Seconded by Board Member Osvaldo Garcia
All in Favor; Resolution Adopted

PUBLIC PORTION

Public present: No One Addressed the Board

ADJOURNMENT

Motion to adjourn made by Member Osvaldo Garcia; seconded by Vice-Chairman Julio Garcia and all voted in favor

Meeting adjourned at 7:15 pm

(ABSENT)

Joan Palazzo, Chairwoman
Board of Alcoholic Beverage Control

Julio Garcia, Vice Chairman
Board of Alcoholic Beverage Control

Osvaldo Garcia, Board Member
Board of Alcoholic Beverage Control

Attest: _____
Mireya De La Cruz
Board Secretary
Adopted: 05/22/2014