

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

*Alcoholic Beverage Control Board*

*Minutes of Regular Meeting  
April 24, 2014*

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

## ***Alcoholic Beverage Control Board***

***Abril 24, 2014  
Regular Meeting***

***Reference is made to the official transcript of the Abril 24, 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 7:11pm*

*Pledge to the flag*

*Open Public Meetings Act Notice*

*Roll Call:*

### **Members Present**

Joan Palazo/Chairwoman

Julio Garcia/Chairman

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: Osvaldo Garcia/Member

ABC Board Attorney read the following announcement at the request of the Chairwoman

### **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, April 24, 2014, at 7:00 P.M. in West New York Town Hall, Police Training Room – 2<sup>nd</sup> Floor, 428 – 60<sup>th</sup> 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:

Cubano, Roseland Properties, the tenant associations and others.

It was further explained that an effort is being made to see if there can be a global settlement of all the issues that are out there involving Son Cubano.

C2. Pressler & Pressler letter re El Balcon

It was explained that the Board Secretary received a letter from Pressler & Pressler regarding “El Balcon Restaurant”. El Balcon is no longer an active licensee. The law firm is looking for information for “El Balcon Restaurant”. They want to know who the principals are and if there’s been any changes. The Board Attorney explained that a letter would be sent by the Board Secretary which he will review regarding this request.

C3. Letter from State re Majai Amba

This applies to Hudson Wine and Liquors which is at 56<sup>th</sup> and Hudson Avenue. This deals with State Charges which have been settled by entry of a guilty plea at the state level. This is a letter advising us of the outcome.

**BOARD ACTION**

The Board adjourned to review proposed Minutes

The Board returned from Recess and the meeting continued.

***R1-04/24/2014***

***Ratification/Approving Minutes from February 27, 2014***

***ADOPTION OF MINTUES***

***(MOTION TO TABLE THIS TO THE NEXT MEETING***

***When Osvaldo Garcia/ABC Member will be presented)***

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

***April 27, 2014***

**R2 - 04/24/2014**  
**RESOLUTION APPROVING**  
**Transfer of License Person to Person # 0912-44-018-006 from Antonio .**  
**and Maria F Cerqueira/Europa Café & Deli**  
**To “Summ Group LLC”**

**(MOTION TO TABLE THIS TO THE NEXT MEETING)**

*WHEREAS, an application has been filed for Person-to-Person Transfer of Plenary Retail Consumption License #0912-44-018-006, heretofore issued to Summ Group LLC.; which is currently in active status; and*

*WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and*

*WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 44 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title ; 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 transfer has been properly advertised and proof of publication submitted and no objections to transfer have been received by or filed with the **Board Secretary** and the **Board Attorney** and 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*

*WHEREAS, a Tax Clearance Certificate for Transfer has been received from the NJ Division of Taxation.*

***NOW, THEREFORE BE IT RESOLVED** that the West New York ABC does hereby approve, effective April 24, 2014 the transfer of the aforesaid Plenary Retail Consumption License to*

**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 April 24, 2014 Regular Meeting.*

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*Mireya De La Cruz/Board Secretary*

Motion to carry by  
Vice-Chairman Julio Garcia  
Seconded by Joan Palazo  
*All in Favor; Resolution Adopted*

***R3 – 04/24/2014***  
***Ratification of Approving***  
***Consolidated Background Investigation***  
***Amendment of Application on File (Officer Changes)***  
***PF Chang's Bristo-Edgewater, LLC.***  
***LICENCE # 0912-33-040-004***

***(Table to next meeting, because this requires some review from  
Sgt. Michael Clement)***

**WHEREAS**, the Division of Alcoholic Beverage Control Enforcement Bureau has completed the criminal background investigation of members of the above mentioned license, as a result of that investigation it has been determined that,

- **JAMES M. DIBBO**

Do not have any criminal disqualifications that would prevent anyone of them from holding an Alcoholic Beverage License.

**THEREFORE**, the Change in Corporate Directors renewal of the above-referenced Liquor License has been approved by the State.

***CERTIFICATION***

**PUBLIC PORTION**

Public present: No One Addressed the Board

**ADJOURNMENT**

Motion to adjourn made by Vice-Chairman Julio Garcia; seconded by Chairwoman Joan Palazzo and all voted in favor

Meeting adjourned at 7:26 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

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**(ABSENT)**  
Osvaldo Garcia, Board Member  
Board of Alcoholic Beverage Control

**Attest:** \_\_\_\_\_  
**Mireya De La Cruz**  
**Board Secretary**  
**Adopted: 05/22/2014**