

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

*Minutes of Regular Meeting
May 22, 2014*

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

Alcoholic Beverage Control Board

***May 22, 2014
Regular Meeting***

Reference is made to the official transcript of the May 22, 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

Joan Palazzo/Chairwoman

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, Sgt. Marcus Garciga, and Board Secretary, Mireya De La Cruz.

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

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, May 22, 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.

pointing out to Mr. Pojanowski that this new objection would be consolidated with pending objections before ALJ Moscowitz as he well knows. As a result of the appellate matters before the ALJ there will be no hearing of this objection by the West New York ABC.

Counsel further advised the Board that there is a teleconference on the appeals scheduled for July 15th involving the attorneys for the parties. There are also matters pending Superior Court matters involving Son Cubano, Roseland Properties and the Tenant Associations and Mrs. Piscitelli and what the parties are attempting to do is to see if there can be a global settlement of all outstanding issues.

BOARD ACTION

The Board adjourned to review proposed Minutes

The Board returned from Recess and the meeting continued.

R1-05/22/2014

Ratification/Approving Minutes from February 27, 2014

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:

- ***February 27, 2014***

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 carry by
Vice-Chairman Julio Garcia
Seconded by Osvaldo Garcia/Member
All in Favor; Resolution Adopted

R2-05/22/2014

Approving Minutes from April 24, 2014

ADOPTION OF MINTUES

R3 - 5/22/2014

RESOLUTION APPROVING

Transfer of License Person to Person # 0912-44-018-006 from Antonio J and Maria F Cerqueira/Europa Café & Deli To “Summ Group LLC”

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 **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 May 22 2014 the transfer of the aforesaid Plenary Retail Consumption License to **“Summ Group LLC”**, and does hereby direct the. Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to **“Summ Group LLC”** effective May 22, 2014.”

Be It Further Resolved that the person-to-person transfer of the aforesaid license #0912-44-018-006 and its change in status from an inactive license to an active license at that site is hereby approved effective May 22, 2014 and the Board does hereby direct the A.B.C. Board Secretary to endorse the license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to new owners at the same place located at 5102 Park Ave. **West New York, New Jersey.**

R4 -05/22/14
RESOLUTION 2014-2015 REGULAR MEETINGS
THE WEST NEW YORK
BOARD OF ALCOHOLIC BEVERAGE CONTROL
REGULAR MEETING FOR 2014-2015 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 2014-2015 terms.

Thursday, July 24, 2014

Thursday, January 22, 2015

Thursday, August 21, 2014

Thursday, February 26, 2015

Thursday, September 25, 2014

Thursday, March 26, 2015

Thursday, October 23, 2014

Thursday, April 23, 2015

Wednesday, November 19, 2014

Thursday, May 21, 2015

Thursday, December 18, 2014

Thursday, June 25, 2015

Be it Further Resolved that all meetings shall be held in West New York Town Hall, Police Training Room – 2nd Floor, 428 – 60th Street, West New York Town, New Jersey 07093.

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 located on the first floor of the Town Hall.

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.

Adopted: 05/22/2014

Mireya De La Cruz/Board Secretary

Motion to carry by

Vice-Chairman Julio Garcia

Seconded by Osvaldo Garcia

All in Favor; Resolution Adopted

R5-05/22/2014
RESOLUTION APPROVING LIQUOR LICENSE RENEWAL
APPLICATIONS FOR THE 2014-2015 TERM
ABC/WEST NEW YORK

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, 2014 through June 30, 2015 License Term:

The total number of Liquor Licenses approved for the July 1, 2014 through June 30, 2015 License Term at this time is nine (9), which total is comprised of the following:

<u><i>Licenses#</i></u>	<u><i>Name</i></u>
<i>1. 0912-33-036-005</i>	<i>EL RINCONCITO COLOMBIANO</i>
<i>2. 0912-33-040-004</i>	<i>PFCCB EDGEWATER LLC</i>
<i>3. 0912-33-054-007</i>	<i>ERIKAS LLC/LAS PALMAS REST</i>
<i>4. 0912-33-067-008</i>	<i>BAR SAGUA CORPORATION</i>
<i>5. 0912-33-069-013</i>	<i>GOLDBERG REALTY INC</i>
<i>6. 0912-43-059-004</i>	<i>J & A GROUP ASSOCIATES</i>
<i>7. 0912-44-013-005</i>	<i>MUDRA GANDHI CORP</i>
<i>8. 0912-44-007-002</i>	<i>STAR LIQUORS CORP</i>
<i>9. 0912-44-075-004</i>	<i>LOS PADRINOS CORP</i>

- *Class C : 31 Club License-0*
- *Class C : 32 Plenary Retail Consumption with Broad Package Privilege-0*

As of the date of the adoption of this Resolution, the total number of Liquor Licenses approved for the July 1, 2014 through June 30, 2015 License Term is nine (9) which total is comprised of the following:

- ***Class C : 31 Club License-0***
- ***Class C : 32 Plenary Retail Consumption with Broad Package Privilege-0***
- ***Class C : 33 Plenary Retail Consumption -5***
- ***Class C : 43 Limited Retail Distribution - 1***
- ***Class C : 44 Plenary Retail Distribution -3***

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.

Adopted: 05/22/2014

Mireya De La Cruz/Board Secretary

*Motion to carry by
Chairwoman, Joan Palazzo
Seconded by Osvaldo Garcia
All in Favor; Resolution Adopted*

PUBLIC PORTION

Public present: No One Addressed the Board

ADJOURNMENT

Motion to adjourn made by Chairwoman Joan Palazzo seconded by Osvaldo Garcia, all voted in favor

Meeting adjourned at 7:30 pm

Joan Palazzo, Chairwoman
Board of Alcoholic Beverage Control