Town of West New York
Hudson County, New Jersey

Alcoholic Beverage Control Board

Minutes of Regular Meeting
February 26, 2015

Joan Palazzo
Osvaldo Garcia
Israel Rodriguez
Board of Alcoholic Beverage Control

Attest: Mireya De La Cruz
Board Secretary
Adopted: 10/28/2015

Alcoholic Beverage Control Board

February 26, 2015
Regular Meeting

Reference is made to the official transcript of the February 26, 2015 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:

Members Present
Joan Palazzo/Chairperson
Israel Rodriguez/Member

Absent Member
Osvaldo Garcia/Member

Also in attendance:

ABC Board Attorney Frank R. Gioia, Esq., Mateo Perez, Esq.,-ABC-Prosecutor, Sgt. Marcos Garciga, Captain Brian Fava/West New York Police Department, and Board Secretary, Mireya De La Cruz.

There is a quorum and the meeting continued
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, February 26, 2015, 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 Bulleting 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:

1. *Letters from the State regarding absence of renewal applications for 2013-2014 for "La Hacienda Bar and De Cache Inc.*

2. *Letter to Norberto A. Garcia Esq. requesting discovery of Police Report for Guillermo Rodriguez regarding Tavern Incident on 6/22/2013 on licensed premises of Marinero Grill*

3. *Letter from "Summ Group regarding proposed relocation of license from 5102 Park Ave to 5304 Park Ave.*

4. *Notice of Charges from the State to Bar Sagua, Inc/6501-03 Dewey Ave.*

5. *Appeals of DGNY Group/Son Cubano regarding new teleconference call 03/05/2015.*

BOARD ACTION

Resolutions from Town Clerk as follows:

- *Mateo Perez Esq. as a new ABC Prosecutor,*
- *Reappointment of Osvaldo Garcia as a member*
- *Appointment of Israel Rodriguez as a new member.*

R1 - 02/26/15
RESOLUTION 2015 REGULAR MEETINGS (Revise)
THE WEST NEW YORK
BOARD OF ALCOHOLIC BEVERAGE CONTROL

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 2015 term.
Wednesday- March 18, 2015
Wednesday- April 29, 2015
Wednesday- May 27, 2015
Wednesday- June 24, 2015
Wednesday- July 29, 2015
Wednesday- Aug 26, 2015
Wednesday-Sep 30, 2015
Wednesday-Oct 28, 2015
Wednesday-Nov 18, 2015
Wednesday-Dec 16, 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 the 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: 02/26/2015

Mireya De La Cruz/Board Secretary

Motion to carry by
Israel Rodriguez/Member
Seconded by Joan Palazo
All in Favor; Resolution Adopted

R2 - 02/26/2015
Ratification of Approving Renewal of
Orden Fraternal Unida Application
(Via Conference call on November 21, 2014)
License #0912-31-105-001
ABC - WEST NEW YORK
THE 2014-2015 TERM

(MOTION MOVING THIS RESOLUTION TO NEXT MEETING, WHEN BOTH MEMBER WILL BE PRESENTED)

BE IT RESOLVED by the West New York Board of Alcoholic Beverage Control for the Town of West New York (WNY ABC) that it hereby ratifies all actions taken regarding the renewal of the license listed below and that said license are renewed for the 2014-2015 license term:

WHEREAS, application for renewal of license in accordance with the Provisions of law have been received for the below-listed license; 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 license; 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 License; and

NOW, THEREFORE, BE IT RESOLVED by the WNY ABC hereby ratifies the actions taken by the Board Secretary with regard to said license listed below are renewed for the July 1, 2014 through June 30, 2015 License Term:

The individual Board Members participating in the conference call on November 21, 2014 was Osvaldo Garcia and Joan Palazzo verbally authorized the following:

License #	***Name of Licensee***
0912-31-105-001	***Orden Fraternal Unida.***

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 on
Date of Ratification, February 26, 2015.

Mireya De La Cruz/Board Secretary

Motion to carry by
Member/Israel Rodriguez

Seconded by Joan Palazzo/Chairwoman
All in Favor; Resolution Adopted

R3 – 02/26/2015

RESOLUTION APPROVING RENEWAL OF
APPLICATIONS FOR THE 2013-2014 and 2014-2015 LICENSE TERMS
Pursuant to NJSA 33:1-12.18 for the 2014-2015 License Term and Pursuant to NJSA 33:1-12.39 for the 2013-2014 and 2014-2015 License Terms
Granted by State Director with "Special Ruling"
ABC/WEST NEW YORK OF
TONYS GROCERY #0912-43-020-003

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 for the 2013-2014 and 2014-2015 license terms have been filed in accordance with the provisions of law and all required fees have been received for the below-listed license; 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 this License; and
WHEREAS, the Director of the STATE ABC has issued a Special Ruling which authorizes and permits the local board to consider and act upon the renewal applications,
NOW, THEREFORE, BE IT RESOLVED by the WNY ABC that the license listed below are renewed for the ***July 1, 2013 through June 30, 2014 and July 1, 2014 throught 2015*** License Terms:

Licenses#	***Name***
0912-43-022-003	***Tonys Grocery Co***

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 26, 2015*** *Regular Meeting.*

Mireya De La Cruz /Board Secretary

Motion to carry by
Joan Palazzo/Chairwoman
Seconded by-Israel Rodriguez
All in Favor; Resolution Adopted

R4 – 02/26/2015
RESOLUTION APPROVING RENEWAL OF
LICENSE # 0912-33-022-008 ISSUED TO
THE CLAM HOUSE, LLC. PURSUANT TO TERMS OF
SPECIAL RULINGS

(MOVING THIS RESOLUTION TO NEXT MEETING)

Motion to carry by
Joan Palazzo/Chairwoman
Seconded by-Israel Rodriguez
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 Israel Rodriguez, all voted in favor Meeting adjourned at 7:31 pm

Joan Palazzo, Chairwoman
Board of Alcoholic Beverage Control

Israel Rodriguez, Board Member
Board of Alcoholic Beverage Control

ABSENT
Osvaldo Garcia, Board Member
Board of Alcoholic Beverage Control

Attest:
Mireya De La Cruz/Board Secretary
Adopted: 10/28/2015