

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

***Minutes of Regular Meeting
February 24th, 2016***

***Joan Palazzo
Osvaldo Garcia
Israel Rodriguez
Board of Alcoholic Beverage Control***

**Attest: Mireya De La Cruz
Board Secretary
Adopted: 04/20/2016**

Alcoholic Beverage Control Board

February 24, 2016

Regular Meeting

Reference is made to the official transcript of the February 24, 2016 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/Chairperson

Israel Rodriguez/Member

Oswaldo Garcia /Member

Also in attendance:

ABC Board Attorney Frank R. Gioia, Esq., Mateo Perez, Esq., Police Department, Lieutenant Marcos Garciga, 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 Wednesday, February 24, 2016, 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:

None

Discussed by Board Attorney:

Report from Board Attorney Regarding Pending Matters:

- 1. Pending/Renewal for Luna Restaurant at 508-55th Street***
- 2. Transfer/Person to Person of S&FI LLC.***
- 3. Transfer of Clam House to “Taqueria la Mexicanita Restaurant”***
- 4. Transfer of 6108 Palisade Corp (Jenny’s Liquor Store)***

R1- 2/24/2016
RESOLUTION APPROVING
CORPORATE STRUCTURE APPLICATION
AAS INC - License # 0912-43-030-006

WHEREAS, an application has been filed for a Change in Corporate Structure of Plenary Retail Distribution License # 0912-43-030-006, hereto issued to “AAS INC.”

614 – 61th Street
West New York, New Jersey 07093

WHEREAS, the submitted application form is complete in all respects, the corporate shareholder is qualified to be licensed according to all standards established by Title 43 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 43; and

WHEREAS, the Licensee has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the shares of stock of the Corporate Licensee and any and all additional financing obtained in connection with the license business; and

WHEREAS, the proposed Change in 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 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

*NOW, THEREFORE BE IT RESOLVED that the West New York ABC does hereby approve effective, **February 24, 2016** the Change in Corporate Structure of “AAS INC.”, of the aforesaid Plenary Retail Distribution License and does hereby direct the Secretary of ABC Board to endorse the license to the new ownership as follows: **Mr. Mohammad Abdallah” 100% stockholder.***

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 24, 2016 Regular Meeting.***

Mireya De La Cruz/Board Secretary

Motion to carry by
By Israel Rodriguez
Seconced by Joan Palazzo
All in Favor; Resolution Adopted

R2 – 02/24/2016
RESOLUTION APPROVING
Transfer Person to Person for License # 0912-44-021-007
OM Liquor Store Inc. to Shree Krishnay LLC

“This Resolution should become effective on February 29th, 2016”

WHEREAS, an application has been filed for Person-to-Person Transfer of Plenary Retail Consumption License #0912-44-021-007, heretofore issued to “Shree Krishnay 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, the current Licensee and proposed Licensee understand that neither this Liquor License or any Liquor Inventory shall be considered as security for the performance of any contractual obligation between them regarding the purchase of this liquor 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 February 29, 2016 the transfer of the aforesaid Plenary Retail Consumption License to “**Shree Krishnay 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 “**Shree Krishnay LLC**” effective February 29, 2016.”*

***Be It Further Resolved** that the approval of the proposed person-to-person transfer of the aforesaid license-#0912-44-021-007- is the condition precedent to the transfer of all of the outstanding shares of stock of **OM Liquor Store Inc. to Shree Krishnay LLC**, which is owned **Urvish Patel and Kheuna Patel** and that **Shree Krishnay LLC** shall operate at 5115 Hudson Avenue which is the current site of **OM Liquor Store Inc.** and that*

said business shall continue to use the trade name “Latino Liquors”.

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 24, 2016 Regular Meeting.

Mireya De La Cruz/Board Secretary

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

**R3 – 02/24/2016
RESOLUTION APPROVING**

***Approving Transfer Person to Person from Rogelio Puig to
Lira II Corp.- Lic #0912-33-015-006***

This resolution has been pulled and is going to be added to the agenda for next meeting.

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

**R4 – 02/24/2016
RESOLUTION APPROVING
PLACE TO PLACE TRANSFER
512 WNY LLC - License 0912-33-005-011
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, an application has been filed which provides for: (a) approval of a Place to Place transfer of the above liquor license with the new site to be 512 59th Street at which location the License will be operated under the trade name “**Social 59 Restaurant and Lounge**” and (b) a change in corporate structure to permit the sale of 1% outstanding shares of stock to Social 59 LLC which is owned by Christian Cepeda and Jonny Diaz; and
WHEREAS, the application has 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 application has been made by the Board Secretary, the Board Attorney and the Police Liaison Officer 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 the application; and having determined that the Christian Cepeda and Jonny Diaz meet the requirements to acquire an interest in a liquor license under NJ Law; and
WHEREAS, the Division of Taxation has previously issued the required Tax Clearance Certificate for Renewal and the License has been renewed for the current term and all required fees paid for this License; and
NOW, THEREFORE BE IT RESOLVED that the West New York ABC does hereby approve effective this date, the Place to Place Transfer of this License "512 WNY LLC" and does hereby direct the Secretary of ABC Board to endorse the license to the new ownership as follows: 512 WNY LLC shall be owned as follows: James Perez 99% shares and Social 59 LLC 1%

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 24, 2016 Regular Meeting.

Mireya De La Cruz /Board Secretary

*Motion to carry by
By Joan Palazzo
Seconded by Israel Rodriguez
All in Favor; Resolution Adopted*

PUBLIC PORTION

Public present: No One Addressed the Board

ADJOURNMENT

Motion to adjourn made by Israel Rodriguez, seconded by Joan Palazzo, all voted in favor Meeting adjourned at 7:15pm

*Motion to carry by
By Israel Rodriguez
Seconded by Joan Palazzo
All in Favor; Resolution Adopted*

Joan Palazzo, Chairwoman
Board of Alcoholic Beverage Control

Israel Rodriguez, Board Member
Board of Alcoholic Beverage Control

Oswaldo Garcia, Board Member
Board of Alcoholic Beverage Control

*Attest: _____
Mireya De La Cruz/Board Secretary
Adopted: 04/20/2016*