

Town of West New York Hudson County, New Jersey

Alcoholic Beverage Control Board

Minutes of Regular Meeting

Wednesday, April 20th, 2016

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

**Attest: Mireya De La Cruz
Board Secretary
Adopted: 05/28/2016**

Alcoholic Beverage Control Board

***Wednesday, April 20, 2016
Regular Meeting***

Reference is made to the official transcript of the April 20, 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 7:05pm

Pledge to the flag

Open Public Meetings Act Notice

Roll Call:

Members Present

Joan Palazzo/Chairperson

Israel Rodriguez/Member

Oswaldo Garcia /Member (via phone)

Also in attendance:

ABC Board Attorney Frank R. Gioia, Esq., (via phone), Mateo Perez, Esq., Police Department, Sgt. Jorge Ramos, Cap. Brian Fava and Board Secretary/Mireya De La Cruz.

Also present, from the public Richard Perez, Maria Notario and Angel Hernandez.

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, April 20, 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:

- ***Marinero Grill Inc.- License #0912-33-042-012, letter from the Office of Christos Diktas advising the ABC Board that they are closed for renovation and no beverage has been sold there since January 15th, 2016 the status of this license is on “pocket status”, which means it’s closed and does not have an active site. We will be receiving another letter from the lawyers advising that it’s taken out of “pocket status” and restored to the site.***
- ***DGNY Group Inc./Son Cubano –that matter, are still going on. Conference call which is going to be for April 27th. Hopefully, these matters will be resolved, and I’ll be able to tell you that next month.***

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 6108 Palisade Corp (Jenny's Liquor Store)*

R1 – 04/28/2016

Approving Minutes from January 27th, 2016
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:

- ***January 27th, 2016***

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

Joan Palazzo

Second by Osvaldo Garcia

All in Favor; Resolution Adopted

R2 – 04/28/2016

Approving Minutes from February 24, 2016
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 24th, 2016***

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

By Israel Rodriguez

Second by Joan Palazzo

All in Favor; Resolution Adopted

R3 – 04/20/2016
RESOLUTION APPROVING
Transfer Person to Person for License # 0912-33-015-006
Rogelio Puig to Lira II Corp

WHEREAS, an application has been filed for Person-to-Person Transfer of Plenary Retail Consumption License #0912-33-015-006, heretofore issued to “Lira II Corp”; 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 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title ; and

WHEREAS, this transfer involves the transfer of this license from individual ownership to ownership by a business entity solely owned and controlled by that individual and does not involve a purchase of the license;; 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, : “This license, subject to all its terms and conditions, is hereby transferred from “**Rogelio Puig to Lira II Corp.** ”Effective April 20, 2016.”*

***Be It Further Resolved** that the approval of the proposed person-to-person transfer of the aforesaid license-#0912-33-015-006- is the condition precedent to the transfer of all of the outstanding shareholder of “Lira II Corp”, which is owned by Rogelio Puig and Diana Puig shall operate at the same address 514 – 62nd Street..*

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 20, 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*

R4 – 04/20/2016
RESOLUTION APPROVING
Transfer of License # 0912-33-022-009 from
“The Clam House LLC” to “Taqueria La Mexicanita Corp.”

WHEREAS, an application has been filed for Person-to-Person and Place to Place of License #0912-33-022-009, heretofore issued to “The Clam House LLC”; which license is currently in inactive, pocket status but which is to be sited and become active upon transfer; 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 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 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 20, 2016** the transfer of the aforesaid License to **“Taqueria La Mexicanita Corp”**, 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 **“Taqueria La Mexicanita Corp”**, effective April 20, 2016.*

Be It Further Resolved that the place-to-place transfer and Person to Person of the aforesaid license #0912-33-022-009 and its change in status from an inactive license to an active license at that site is hereby approved effective **April 20, 2016** 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 premises located at 5000-5002 Bergenline Ave, and 444-C -50TH Street, West New York, New Jersey.

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 20, 2016 Regular Meeting.

Mireya De La Cruz/Board Secretary

*Motion to carry by
By Israel Rodriguez
Second by Osvaldo Garcia
All in Favor; Resolution Adopted*

R5 – 04/20/2016
APPROVING A NEW RESOLUTION
AMENDING A PRIOR RESOLUTION
ON FILE FROM - FEBRUARY 24, 2016
ACTIVE DATE APRIL 14, 2016
FOR “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:

NOW, THEREFORE BE IT RESOLVED that the West New York ABC does hereby **approve effective this date, February 24, 2016** 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% updating **application on file effective, April 14, 2016.**

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 20, 2016 Regular Meeting.

Mireya De La Cruz /Board Secretary

Motion to carry by
Israel Rodriguez
Second by Joan Palazzo
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 7:18pm

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

Osvaldo Garcia, Board Member
Board of Alcoholic Beverage Control

Attest: _____
Mireya De La Cruz/Board Secretary
Adopted: 06/28/2016