

ALCOHOLIC BEVERAGE CONTROL BOARD

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DAWN ZIMMER
Mayor

Robert W. Phillips, Chairman
Michael Blumenfeld, Vice Chairman
Steven Bauman, Commissioner

**Minutes of the October 8, 2015
Alcoholic Beverage Control Board Meeting**

The meeting was called to order at 6:05p.m.

The Open Public Meeting Act statement was read by Suzanne Hetman, Board Secretary.

ROLL CALL:

BOARD MEMBERS	
Chairman Robert W. Phillips	✓
Vice Chairman Michael Blumenfeld	✓
Commissioner Steven Bauman	ABSENT

Also Present: Suzanne Hetman, board secretary; Ben Choi, Esq., attorney for the board; Jon Tooke, Director of Public Safety; and Daisy Amado, recording secretary.

APPROVAL OF THE MINUTES OF THE SEPTEMBER 24, 2015 MEETING:

Move to approve the minutes.

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips		✓	✓			
Vice Chairman Blumenfeld	✓		✓			
Commissioner Bauman						✓

2015-2016 LIQUOR LICENSE RENEWAL

Liquor License #0905-33-151-003, Eriola Drishti, Executrix for Zylfije Drishti d/b/a Benny Tudino's Pizza & Restaurant, 622 Washington Street, Hoboken, New Jersey

Board secretary advised the board the license holder is currently operating on an ad-interim as they had not received their tax certificate, however everything is in order. License remains in the name of the estate. Short board discussion ensued.

Move to approve the license.

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips		✓	✓			
Vice Chairman Blumenfeld	✓		✓			
Commissioner Bauman						✓

PERSON TO PERSON TRANSFER

Liquor License #0905-33-117-005, Park Avenue Principals, LLC, 306-308 Park Avenue, Hoboken, New Jersey TO Mad 12 Brewing LLC, Pocket License-mailing address: 907 Hudson Street, Hoboken, New Jersey

Robert C. Williams, Esq. appeared before the board along with both principals of the license, Mr. Nathaniel Palmer and Mr. Shane Bowem. Mr. Williams stated that his clients are actively looking for a location and this is the former Victory Restaurant. This is a consumption license. Board discussion.

Move to approve the transfer of the license.

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips		✓	✓			
Vice Chairman Blumenfeld	✓		✓			
Commissioner Bauman						✓

HEARINGS

(1) Liquor License #0905-33-083-005, Guerin & Wall Enterprises, Inc., d/b/a the Shannon, 106 First Street, Case Number 15-12

Maurice McLaughlin, Esq. appeared before the board along with Tara Whalen. Board attorney advised the board the license holder is entering a plea of non-vault to count one. Board asked whether there are any days held in abeyance. Mr. McLaughlin explained there was an overcrowding charge back in January 2014 and days in abeyance expired. Board attorney advised this is the first instance to this charge and the penalty is zero days with seven days suspension held in abeyance. Mr. McLaughlin stated that his client is agreeing to the charge but would like to be heard for the days held in abeyance. He stated the Shannon has been in business for fifty nine years and is a female, family-owned business, and their security is way over what is required. The Shannon calls police anytime there is the ‘slightest hint of anything.’ Mr. McLaughlin stated he does not want the business to be in fear of making calls as a result of this incident. On this occurrence, a regular patron called the police as a woman was having issues in the bathroom and fell down. Security came and took the person out to meet EMT. Board said the charge is over serving, not making calls and therefore would like to stick to the plea schedule.

Motion to accept plea.

BOARD MEMBER	Motion	Second	Yes	No	Abstain	No Vote
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman						✓

(2) Liquor License number 0905-32-103-006, Fourteenth Street Corp., d/b/a City Bistro, 58 14th Street, Case number 15-11

Thomas Jannarone, Esq. appeared before the board with this client John Avaletto. Board attorney advised this incident occurred on May 8, 2015; loud noise; causing a nuisance; count one; and he spoke with attorney who is entering plea which is zero days with five held in abeyance; and this is their first violation. Board discussed upstairs roof top bar and complainant attending the meeting tonight and would like to allow her to speak. Board attorney advised, for limited purposes, they plead to it. Mr. Jannarone stated they are making plea but they are unaware there were other tavern sheets and has asked prosecutor to send those to him. Unclear whether it is the deejay or

voices carrying however his client wants to fix the problem. Board attorney advised the board to accept the plea first then discuss proposed penalty.

Motion to accept plea.

BOARD MEMBER	Motion	Second	Yes	No	Abstain	No Vote
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman						✓

Jennifer Witt of 53 Fourteenth Street appeared before the board and was sworn in. Ms. Witt stated she moved in two years ago and has called the police numerous times. She said the noise is not just from the rooftop deck. She further said this has been going on for a year and half. She has called the police once or twice for fights. Board asked if the problem could be mitigated. Mr. Jannarone said there should be dialogue between complainant and owner; said his client will give her his cell phone number. Board discussed how noise complaints are taken seriously and how a solution may be dialogue between person having issue and owner. Board also discussed how the problem should be abated as the bar’s reputation is at stake, and with the money spent on hiring an attorney, etc. Board attorney advised the penalty is zero days with five held in abeyance. Ms. Witt and license holder exchanged a few words. Board discussion ensued.

Motion to accept plea of zero days with five days held in abeyance.

BOARD MEMBER	Motion	Second	Yes	No	Abstain	No Vote
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman						✓

Motion to close the meeting.

BOARD MEMBER	Motion	Second	Yes	No	Abstain	No Vote
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman						✓

The meeting was adjourned at 6:36p.m.