

ALCOHOLIC BEVERAGE CONTROL BOARD

City Hall, 94 Washington Street
Hoboken, New Jersey 07030
Tel: 201-420-2396 Fax: 201-420-5644

DAWN ZIMMER
Mayor



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

Minutes of the June 26, 2014 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:04p.m.

Open Public Meeting Act Statement read by Suzanne Hetman, Board Secretary.

ROLL CALL: Chairman Robert Phillips – present
Vice-Chairman Michael Blumenfeld – present
Commissioner Steven Bauman – present

Also Present: Suzanne Hetman, Board Secretary– present
Alysia Proko, Attorney for the Board – present
Jon Tooke, Director of Public Safety – absent
Daisy Amado (taking minutes) – present

APPROVAL OF MINUTES: Motion to approve the minutes of the May 22, 2014 meeting was made by Commissioner Bauman and seconded by Vice Chairman Blumenfeld and approved by all three members of the board during roll call vote.

Move to approve the minutes of the June 12, 2014 meeting was made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three members of the board during roll call vote.

PLACE TO PLACE TRANSFER

LIQUOR LICENSE #0905-44-079-003,
THE CHEESE STORE, LLC
720 MONROE STREET, SUITE E-103, HOBOKEN, NEW JERSEY
TO
720 MONROE STREET, SUITE C-102, HOBOKEN, NEW JERSEY

No one appeared before the board on behalf of the license holder. Board Secretary advised the board location is 720 Monroe on the ground level and are simply moving over to a different suite within the building but it is the same operation.

Move to approve the transfer was made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three members of the board during roll call vote.

2014-2015 LICENSE RENEWAL – SPECIAL RULINGS

LIQUOR LICENSE #0905-33-068-010,
JFP GROUP, LLC
d/b/a TONIC BAR AND LOUNGE
1300 PARK AVENUE

No one appeared before the board on behalf of the license holder. Board discussed that the State's Special Ruling and license cited at the location. Board Secretary advised this is a buying issue then Zoning issue.

Motion to approve the extension was made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three members of the board during roll call vote.

LIQUOR LICENSE #0905-33-100-006,
MARIO STERITI
MAILING ADDRESS: 935 WILLOW AVENUE, #2N, HOBOKEN, NEW JERSEY

No one appeared before the board on behalf of the license holder. Board Secretary advised this is a cited location at the upper end of Willow and just received Zoning Board approval.

Move to approve the transfer was made by Vice Chairman Blumenfeld and seconded by Chairman Phillips and approved by all three members of the board during roll call vote.

2014-2015 LICENSE RENEWAL – EXHIBIT B

Board Secretary advised that all licenses on Exhibit B have met the criteria for renewal. Brief discussion ensued among the board.

Motion to approve licenses on Exhibit B was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by all three members of the board during roll call vote.

2014-2015 LICENSE RENEWALS

LIQUOR LICENSE #0905-33-034-004,
CRYDON CORP.
d/b/a MCSWIGGAN'S
110 FIRST STREET

Paul Casteleiro, attorney for McSwiggan's appeared before the board along with Paul Pickton, for McSwiggan's who was sworn in by Board Attorney. Also appearing was Ms. Aubrey Goldstein of 100 Bloomfield Street. Ms. Goldstein stated that McSwiggans has not honored the plea agreement of closing their doors during sports events and closing doors by 7p.m. Ms. Goldstein further stated that they have violated the noise ordinance over and over. Board asked if there are any tavern sheets or noise complaints for this location to which the Board secretary advised there are none. Board Attorney advised that the plea agreement is from 2008 we need to reaffirm this condition. License holder stated that he never knew there was an issue and this is the first he is hearing about it. Chairman Phillips advised Ms. Goldstein that we cannot enforce since this is an old condition. Chairman asked the license holder to give Ms. Goldstein his card. Board Attorney gave Ms. Goldstein a business card for the Public Safety Director, Jon Tooke, to assist her with procedures on tavern sheets or noise complaints, etc. Board advised that when neighbors and business owners work together it is extremely effective and encouraged both Mr. Pickton and Ms. Goldstein of same.

Motion to renew liquor license was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-44-006-006,
ZAFAR CHUDHRY M. & QAISRA
d/b/a WILLOW LIQUOR AND DELI
98 WILLOW AVENUE

Paul Casteleiro attorney appeared before the board and Mr. Qaisra. Board Secretary advised that Chairman Phillips asked her to pull as no one showed up at the last meeting and this is purely a renewal. Board received a note from Public Safety Director and Chief of Police concerning this location. Mr. Casteleiro asked for a copy of complaint. Board Attorney advised she would send a copy.

Move to conditionally approve license until July 31, 2014 made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-33-114-011,
WORLD FAMOUS ENTERTAINMENT, INC.
d/b/a ROOM 84
84 WASHINGTON STREET

Joseph E. Branco appeared before the Board, 90% owner of the license. Mr. Branco was sworn in by Board Attorney. Board advised Mr. Branco of two conditions secure bottles and written security plan. Discussion ensued between board and Mr. Branco.

Motion to renew the license with the following two conditions: 1) glassware is kept in a locked container once discarded; and 2) within the next sixty days must have a Security/Safety Plan motion made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-32-028-005,
LOUNGE 11 BAR & RESTAURANT, INC.
d/b/a THE WEST FIVE SUPPER CLUB
503-505 MADISON STREET

Nicole Percotino appeared before the board, 50% owner to license and was sworn in by Board Attorney. Board mentioned concern of past license conditions – discussion ensued. All things are in place.

Motion to renew the license with no conditions made by Chairman Phillips and seconded by Commissioner Bauman and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-44-004-001,
ANTONIO ARROYO, INC.
d/b/a ARROYO LIQUOR STORE
260 FIRST STREET

No one appeared before the Board on behalf of the license holder. Board Secretary advised this is advertised for a lease; Mr. Arroyo owns the entire building and is looking to sell the license; and whoever purchases the license leases the space. This is an active license but an inactive business.

Motion to approve the license was made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three board members during roll call vote.

HEARINGS

Board Attorney advised the board that there are a number of cases on agenda tonight for overcrowding and that Mr. Casteleiro would like to discuss the plea schedule. Board Attorney further asked if the Board is willing to abide by the old plea schedule of 0 days, 5 in abeyance and one year.

Since Mr. Casteleiro is the attorney for four (4) of license holders on the agenda scheduled for hearings, the following matters/license holders appeared before the board as a group:

- LIQUOR LICENSE #0905-33-060-006, BLUTO ENTERTAINMENT, LLC, d/b/a CORK CITY, 239 BLOOMFIELD STREET, CASE NO. 14-7
- LIQUOR LICENSE #0905-33-034-004, CRYDON CORP., d/b/a MCSWIGGANS PUB, 110 FIRST STREET, CASE NO. 14-5
- LIQUOR LICENSE #0905-33-106-005, WET WILLIES BAR & GRILL, INC., d/b/a MARTY O'BRIENS SOCIAL CLUB, 94-98 BLOOMFIELD STREET, CASE NO. 14-1
- LIQUOR LICENSE #0905-33-059-008, DONANDRU'S INC., d/b/a MULLIGANS, 159 FIRST STREET, CASE NO. 14-6

Appearing before the board:

1. Daniel DeCamper from Cork City, 100% owner
2. Paul Pickton from McSwiggins, manager
3. James Rienzi from Marty O'Briens
4. Paul Dawson from Mulligans, 50% owner

Board Attorney asked all if they understood the plea and all answered yes.

Move to accept the plea for group on all of the above cases was made by Vice Chairman Blumenfeld and seconded by Commissioner Bauman and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-32-028-005
LOUNGE 11 BAR AND RESTAURANT, INC.
d/b/a WEST FIVE SUPPER CLUB
503-505 MADISON STREET
CASE NO. 14-3

Nicole Percotino appeared before the board. Plea with same, 0 days, 5 days held in abeyance.

Motion to accept the plea of 0 days with 5 held in abeyance was made by Chairman Phillips and seconded by Commissioner Bauman and approved by all three board members during roll call vote.

LIQUOR LICENSE #0905-33-083-005
GUERIN & WALL ENTERPRISES, INC.
d/b/a SHANNON LOUNGE
106 FIRST STREET
CASE NO. 14-4

Commissioner Bauman excused himself and exited the room as he has a conflict. Maurice Brockman, attorney for license holder appeared before the board (along with two females who never spoke). Mr. Brockman stated that the name is Shannon no longer Shannon Lounge – the name has been shortened and changed years ago. Mr. Brockman advised they would like to plead no contest but for the record would like to state that the owners take overcrowding very seriously. They have a 239 capacity and do not let in over 220 patrons at one time. They take a physical headcount and someone counts everyone that comes in, someone else counts everyone that comes out. They also take a headcount every twenty minutes. They paid \$250 fine. Two people from the Fire Department, their counts were different from one another. Mr. Brockman asked the board if they would consider a plea of fewer days. Chairman Phillips advised they cannot do that.

Motion to accept the plea of 0 days and 5 days held in abeyance was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by both the Chairman and Vice Chairman during roll call vote (Commissioner Bauman did not vote).

LIQUOR LICENSE #0905-33-021-006
SUMMERFIELD, INC.
d/b/a HAVANA CAFÉ & LOUNGE
32-34 NEWARK STREET
CASE NO. 14-8

Board Attorney, Alysia Proko stated she has a conflict with this matter and excused herself and left the room. Mr. Fox, manager for Havana appeared before the board. Board discussed overcrowding issue.

Motion to accept the plea of 0 days with 5 days held in abeyance was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by all three board members during roll call vote.

NEW BUSINESS

Board discussed thirty day closure for Room 84, World Famous Entertainment, Case 13-22, Resolution Number 77.

Motion to adopt the resolution was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld and approved by both the Chairman and Vice Chairman during roll call vote. Commissioner Bauman abstained.

Board discussed list of inactive and active renewals and ad interims. Board Secretary advised that ones that are active are:

- Havana – no tax clearance certificate
- 700 1st Street – no tax clearance certificate
- Dino & Harry’s – closed until July 13th
- Wicked Wolf – no tax clearance certificate
- Benny Tudino’s – no tax clearance certificate
- G. I. Joe’s – on Madison & 9th – did receive ad in
- Helmer’s – Board Secretary gave them application yesterday. We made it clear to them and attorney no more chances. Board Attorney advised that the Board does not have to notify them.

A motion to close the meeting was made by Chairman Phillips and seconded by Vice Chairman Blumenfeld.

The meeting was adjourned at 7:13p.m.

(Minutes taken by D. Amado)