

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 July 23, 2015 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:13p.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	✓ <small>(arrived after roll call)</small>
Commissioner Steven Bauman	✓

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

APPROVAL OF THE MINUTES OF THE JUNE 25, 2015 MEETING:

Motion to approve the minutes.

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

2015-2016 LIQUOR LICENSE RENEWAL

1. LIQUOR LICENSE #0905-32-160-008, 76 RIVER STREET INVESTMENT CORP. d/b/a Texas Arizona, 76 River Street, Hoboken, New Jersey

Commissioner Bauman requested the license holder come before the board as he read an article in the NY Times about the Port Authority officers' incident at Texas Arizona yet never heard about the matter through the board. James McCue, 33 1/3 percent license holder appeared before the board and explained that the story was sensationalized since Port Authority was involved. Mr. McCue further explained that there were new Port Authority cadets out celebrating and drinking. The scene escalated from fun to rowdy where employees felt in danger so they were asked to leave. 'Port Authority police officers were right across the street and came over right away and cadets mouthed off to superiors. We gave the Port Authority all our tapes. Hoboken Police department was called second.' Mr. McCue said he believes out of twelve cadets ten were dismissed or disciplined. Board asked whether there were any allegations that bar had overserved the cadets. Mr. McCue replied no, they were out celebrating and this was not their first stop. Board asked

when does bar stop serving rowdy patrons. Mr. McCue advised the minute they feel in danger. Board asked whether Texas Arizona made any changes as a result of this incident. Mr. McCue advised that the Hoboken Police department is to be called first and they added more cameras and memory to surveillance equipment. Mr. McCue stated a lot of people were asking for tapes and they handed everything they had to Port Authority. Per the tapes, the Port Authority cadets were all ushered outside. The bar is located in a very high traffic area and they depend on the Port Authority police that stand outside the Path station, said they help out about 2/3 times per week. Board was glad to hear Texas Arizona made changes.

Motion to renew without condition.

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

2015-2016 LIQUOR LICENSE RENEWALS – EXHIBIT B

Vice Chairman Blumenfeld had some questions as to Village Pourhouse tradename, Holster Group and Trinity. Discussion ensued among board and board secretary while reviewing renewal list.

Motion to accept the resolution.

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

PERSON TO PERSON AND PLACE TO PLACE TRANSFER (EXPANSION)

Liquor License #0905-33-154-008, RUSTY MUG INC d/b/a Trinity, 306 Sinatra Drive TO THE UNION HALL LLC d/b/a The Union Hall, 306 Sinatra Drive

Robert Williams attorney for Union Hall appeared before the board along with David Macey, partner/member. Mr. Williams advised they will close for renovations and open as Union Hall. Explained that our records were confusing and we did not have room behind establishment on our plans. Mr. Macey explained the concept will be small plates; new American cuisine with \$6 to \$12 appetizers to be shared; people will order five or six small appetizers instead of entrée. They will serve food from 11a.m. to 11p.m. and remain open until 1:30a.m. Board discussed brawls and/or noise issues late at night in that area. Expansion will be storage area but they want that to be part of license and wanted to ensure the record included same. Capacity is 181 inside but will be 232 with proposed changes and 50 for outside. Outdoor cafes close at 10p.m.

Motion to approve person to person and place to place transfer with expansion.

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

HEARINGS

(1) Liquor License #0905-33-106-005, WET WILLIE’S BAR & GRILL LLC d/b/a Marty O’Briens Social Club, 94-98 Bloomfield Street, Case Number 15-3

John Lynch, attorney appeared before the board on behalf of Wet Willie’s. Board attorney advised they wish to plea two day closure with five held in abeyance for one year from February 7th which

was the day of the incident, serving a person under age of 21. Mr. Lynch advised that he had a brief discussion with board’s counsel and was told the closure has to be the same day as the day in which the incident occurred, asked the board to consider two consecutive Mondays as they have no issues in ten years. The incident occurred outside the bar, nothing happened inside. Board discussion developed as to how it is always practice for the closure to take place on same day as occurrence and subsequently agreed to August 24 & 25th.

Motion to accept plea of two day closure with five held in abeyance, on August 24 and 25, 2015.

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

(2) Liquor License #0905-33-012-008, JT MUGS INC d/b/a Farside Bar & Grill, 531 Washington Street, Case Number 15-06

John Sivo, license owner appeared before the board. Board attorney advised that Mr. Sivo chose not to have counsel represent him and he wants to plead no contest to ordinance with two days closure and five held in abeyance. Incident occurred on February 15, 2015 – serving intoxicated person. Discussion ensued amongst the board and July 26 & 27th were agreed to as closure dates. Board attorney will send copy of plea agreement to Mr. Sivo.

Move to accept the plea of non-vault, count one with July 26 and 27 as closure dates.

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

CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION

Move to go into closed session at 6:47p.m.

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

Motion to close the meeting was made at 7:17p.m.

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

The meeting was adjourned at 7:17 p.m.