

**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 September 24, 2015  
Alcoholic Beverage Control Board Meeting**

The meeting was called to order at 6:11p.m.

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

**ROLL CALL:**

<b>BOARD MEMBERS</b>	
Chairman Robert W. Phillips	✓
Vice Chairman Michael Blumenfeld	✓
Commissioner Steven Bauman	✓

Also Present: Suzanne Hetman, board secretary; Alysia Proko, attorney for the board; Ben Choi, Esq., will be attorney for the board commencing October 3; Jon Tooke, Director of Public Safety; and Daisy Amado, recording secretary.

**APPROVAL OF THE MINUTES OF THE SEPTEMBER 10, 2015 MEETING:**

Move to approve the minutes.

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

**2015-2016 LIQUOR LICENSE RENEWAL – SPECIAL RULING**

**Liquor License #0905-44-004, Antonio Arroyo, Inc. d/b/a Arroyo Liquor Store, 260 First Street**

Board secretary advised this is the liquor store on First Street which closed after Hurricane Sandy. Owner applied for a Special Ruling for two years. The owner, who owns the property and the building, has been actively trying to sell the license and has a buyer. There is a Special Ruling from the State, and this vote is just for renewal for 2015-2016.

Move to approve.

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

**2015-2016 LIQUOR LICENSE RENEWALS – EXHIBIT E**

Discussion among the Board in connection to Empire Ten as it is an inactive license. Board attorney advised if Empire Ten is not opened by next year they will require a Special Ruling. Renewing Empire Ten as inactive license. The other three renewals on Exhibit E are active.

Motion to approve the resolution.

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

**HEARING**

**(1) Liquor License #0905-33-099-007, Hudson Project Corp.II., d/b/a The Ale House, 1034 Willow Avenue, Case Number 15-05**

James Berg, attorney for license holder appeared before the board. Board attorney advised they have two counts which will be consolidated into one violation for nuisance and the penalty is closure for two days with five held in abeyance. Mr. Berg explained his client is a relatively new bar owner, purchased the bar last January. His client had an issue with a problematic tenant that would constantly call the police. He further stated this is their only issue, no issues before or since this occurrence. His client is entering a plea of non-vault for counts one and two. Board attorney advised that both occurred about an hour apart. Mr. Berg asked if the board could consider the closure days to a Monday and Tuesday. Chairman advised that it is practice to close on the same day as violation occurred. Board attorney advised we would give you a closure day today within forty five days as we have to put it in a resolution and the State needs to know. Mr. Joseph Berg was sworn in and is 100% license owner. Mr. Berg said he remodeled the bar. He also said he has met all condo association members and everyone has his cell number. He has security at both doors; patrons are not allowed to go outside and come back in; he has all games inside the bar; and the problematic tenant no longer lives there. Board open to exploring alternate dates and discussed.

Move to approve November 9 and 10 to satisfy plea of non-vault.

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

**(2) Liquor License #0905-33-194-002, 225 Liquor Licensee, LLC., d/b/a Lulu’s W Hotel, 225 River Street, Case Number 15-07**

No one appeared before the board today on behalf of the license. Per board attorney we have to give them an adjournment. She also said the license holder also owns Pier 13 and will be before the board on that matter on October 22.

Motion to adjourn to October 22. They are entitled to one adjournment since they did not call anyone, after the 22<sup>nd</sup> the case will be heard.

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

**NEW BUSINESS**

Board gave a special thank you to Alysia Proko for all her years of counsel/hard work with the board and wished her well in her future endeavors.

Motion to close.

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

The meeting was adjourned at 6:31p.m.