

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 August 10, 2017 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:00p.m.

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

ROLL CALL:

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

Also Present: Suzanne Hetman, board secretary, Ben Choi, Esq., attorney for the board; Scott DeRosa, Esq., and Chirali Patel, Esq., attorneys from Corporation Counsel's office as prosecutors for board.

Approval of the Minutes of the July 13, 2017 meeting

Moved to the next meeting.

2017-2018 Liquor License Renewals

(1) **Liquor License #0905-33-042-005, Positively Fourth Street Inc., d/b/a O'Neals Restaurant, 341-343 Park Avenue**

Board secretary advised they are late as we just received their tax clearance certificate; they have been working on an ad interim; and all is in order.

Motion to approval renewal.

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

(2) **Liquor License #0905-44-006-006, Zafar, Chudhry M. & Qaisra, d/b/a Hoboken Liquor & Deli, 98 Willow Avenue**

Board discussed license has special conditions and board secretary advised she provided last year's resolution with the special conditions from last year. Board attorney recommended approving with special conditions carried over to this year.

Motion to approve this renewal with special conditions carried over from last year to this year.

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

(3) Liquor License #0905-33-040-007, 205 First Street Corp., d/b/a Little Town Social, 205-207 First Street

Board secretary advised this is a resolution with special conditions which at the board’s May 25th meeting the conditions were issued. Quick discussion ensued amongst the board and board attorney.

Motion to approve renewal with special conditions.

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

2017-2018 Liquor License Renewal – Special Ruling

Liquor License #0905-44-004-001, Antonio Arroyo, Inc., 260 First Street, Hoboken, NJ

Board secretary advised the liquor store has been closed since Sandy and they are selling the license.

Motion to renew.

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

Hearings:

(1) Liquor License #0905-33-135-009, 121 River Street, LLC, d/b/a Wicked Wolf, 120 Sinatra Drive, Hoboken, NJ, Case Number 17-07

Appearing before the board on behalf of the license were: Tom Jannerone, Esq. on behalf of Wicked Wolf along with John Sullivan, owner and Joseph Parcelli, general manager. Scott DeRosa, Esq., and ABC prosecutor advised the board a resolution was reached in this matter. Complaint was generated as a result of a fight that occurred on March 4, 2017, pursuant to the negotiated agreement the license holder will serve a five day suspension with five days to be held in abeyance and a copy of agreement was provided to the board for review. Discussion as to this being a three count complaint: count one was for fighting, count two is a violation of a City Ordinance and count three was for overserving. Counts two and three are being dismissed.

Motion to accept plea agreement.

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

Board attorney asked if there is a date when the five days will be served. Mr. Jannerone advised he would appeal for a monetary settlement with the state.

(2) Liquor License #0905-33-133-009, 80 River Street, LLC, d/b/a Cadillac Cantina, 80 River Street, Hoboken, NJ, Case Number 17-10

James McCue, owner, appeared before the board. Scott DeRosa, Esq., and ABC prosecutor advised the board an agreement was reached in this matter. Complaint was generated as a result of a fight that occurred inside the premises on May 27, 2017. Due to some mitigating circumstances the fight was between two employees inside the kitchen during lunch time over a soccer game. There was no alcohol served and no patrons were in danger. Due to those circumstances we imposed zero days suspension and five days held in abeyance for a year.

Motion to approve resolution.

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

NEW BUSINESS

Board secretary advised she has one outstanding ad interim for Dino and Harry's – they are supposed to come in tomorrow and pick up application.

Motion to close the meeting was made by Chairman Phillip and both members unanimously agreed to adjourn the meeting.

The meeting was adjourned at 6:30p.m.