

# ALCOHOLIC BEVERAGE CONTROL BOARD

City Hall, 94 Washington Street  
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RAVINDER S. BHALLA  
Mayor

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

## Minutes of the January 11, 2018 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:09 p.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	X

Also Present: Ben Choi, Esq., attorney for the board; Suzanne Hetman, board secretary; Scott DeRosa, Esq., attorney from Corporation Counsel's office as prosecutor for the board; and Daisy Amado, recording secretary.

### Approval of the Minutes of the December 14, 2017 meeting

*Motion to approve the minutes as amended to include Ben Choi present at the meeting.*

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

### Person to Person Transfer

**Liquor License #0905-33-068-011, Chu Yong Chun, 1300 Park Avenue, Hoboken, NJ 07030  
TO Lornay, LLC d/b/a Barbes Restaurant, 1300 Park Avenue, Hoboken, New Jersey 07030**

Shavon Beere, Esq., attorney representing Lornay, LLC appeared before the board along with Mr. Omar Balouma and Ms. Abdeliah Kslyer from Lornay. Board asked if establishment will be run as a restaurant to which Mr. Balouma advised 100% restaurant with hours of Monday through Friday 3 to midnight and Saturday and Sundays 12 to midnight. Board inquired whether everything passed and board secretary advised there is no Certificate of Occupancy yet. This is an inactive license and they cannot open until they receive the COO. Once they do receive the COO, they may open within ten days. Board asked if they own any other licenses, Ms. Beere advised they do own another license in New York City. This will be a French Moroccan restaurant.

***Motion to approve.***

<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			<b>X</b>			
Vice Chairman Blumenfeld		<b>X</b>	<b>X</b>			
Commissioner Bauman	<b>X</b>		<b>X</b>			

**HEARINGS:**

**(1) Liquor License #0905-33-036-004, Antique Spirits, LLC, d/b/a Antique Bar & Bakery, 122 Willow Avenue, Hoboken, New Jersey, Case Number 17-09**

Thomas Jannerone, Esq. present before the board – waiting on client to arrive. Matter tabled to later in the meeting.

**(2) Liquor License #0905-33-155-013, Hazel Rock, Inc., d/b/a Green Rock Bar and Grill, 70 Hudson Street, Hoboken, New Jersey, Case Number 17-12**

Commissioner Bauman recused himself from this matter. Frank Marciano, Esq. attorney for Hazel Rock present before the board. Michael Galecci also appeared before the board and was sworn in by Mr. Choi. Scott DeRosa advised a resolution was reached in this matter which was a five count complaint – most based on fights. License holder agreed to plea as follows: Counts 1, 3, 4 and 5 will be dismissed. Seven days to be served on Count 2 – two days to be served and five days to be held in abeyance. With board’s approval, to serve the days on: May 21, 2018 to May 28, 2018. Scott further advised licensee was before the board on June 8, 2017 wherein he agreed to install security cameras, which he did. Board asked if video from establishment was viewed and Scott advised the video was not provided. Scott mentioned he did speak with the Hoboken Police Department. Discussion ensued as to common nexus to all complaints.

***Motion to approve plea.***

<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	<b>X</b>		<b>X</b>			
Vice Chairman Blumenfeld		<b>X</b>	<b>X</b>			
Commissioner Bauman					<b>X</b>	

***OFF THE RECORD AT 6:29PM FOR A ‘TEN MINUTE RECESS WHILE THE BOARD WAITS FOR LICENSEE TO ARRIVE FROM ANTIQUE BAR.***

***BACK ON THE RECORD AT 6:41PM***

**HEARINGS:**

**Liquor License #0905-33-036-004, Antique Spirits, LLC, d/b/a Antique Bar & Bakery, 122 Willow Avenue, Hoboken, New Jersey, Case Number 17-09**

Tabled earlier in the meeting. Thomas Jannerone, Esq. appeared before the board representing Vintage Spirits along with Paul Gerard a principal from Vintage Spirits – sworn in by Mr. Choi. Mr. Choi advised a plea has been worked out. Scott DeRosa advised no formal agreement has been drafted as one was just reached. Five count complaint all noise violations by same individual who is also present tonight. License holder agrees to plea guilty to Count 3 with two days held in abeyance. Substantial steps have been taken by license holder to reduce noise including: purchasing of smaller speakers, sound proof windows, disconnected subwoofer, spent \$10,000 on

equipment, had a sound expert come in. Mr. DeRosa advised actions taken by license holder have been substantial. Board asked if establishment is restaurant and license holder confirmed.

Mr. William Xing, complainant, appeared before the board and was sworn-in. Mr. Xing confirmed he understands the agreement. He also mentioned he and his wife moved in February of last year when establishment was a bakery. Mr. Xing stated the restaurant generates serious noise. He stated the property has a large shared wall and sometimes late night there is ‘serious disturbance.’ He wants to work together with them and does not want them to be punished. Mr. Xing stated we are neighbors and he and his wife just want to live peacefully. He said on December 22 there was a “strong party” until 3am. He wants to work out a solution as he and his wife both work and simply want to rest and also plan on having a baby soon.

License holder advised he has done a lot of modifications to the sound system including scribbling all levels on all songs so they are all the same volume.

Scott DeRosa advised the board will have the written agreement within a week.

***Motion to approve verbal plea agreement.***

<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	X		X			
Vice Chairman Blumenfeld			X			
Commissioner Bauman		X	X			

**NEW BUSINESS**

- Commissioner Bauman mentioned all the publicity on the Santa Con day and he is a bit surprised nothing has been bought before the board yet. Scott DeRosa advised his office will be going through all the Tavern Reports. Scott also advised there is an Ordinance on the next council meeting to strengthen the ABC codes on overcrowding. Bars will be held accountable on the responsibility of counting people and security measures. Ben Choi read a law on violating ABC provision on both state and local levels. Commissioner Bauman inquired whether we have tavern sheets coming and Scott DeRosa confirmed.

***Chairman Phillips moved to close the meeting and Commissioner Bauman seconded with all three members unanimously agreeing to adjourn the meeting.***

**The meeting adjourned at 7:02 p.m.**