

ALCOHOLIC BEVERAGE CONTROL BOARD

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



RAVINDER S. BHALLA
Mayor

Robert W. Phillips, Chairman
Steven Bauman, Commissioner
Paul Blanos, Commissioner

Minutes of the February 22, 2018 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:20 p.m.

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

ROLL CALL:

| BOARD MEMBERS | |
|-----------------------------|--------|
| Chairman Robert W. Phillips | X |
| Commissioner Steven Bauman | ABSENT |
| Commissioner Paul Blanos | X |

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

Approval of the Minutes of the January 11, 2018 meeting
Tabled to the next meeting.

2016-2017 Liquor License Renewal

Liquor License #0905-33-085-007, Three Plus Two, Inc., d/b/a Dino and Harry's Steakhouse, 163 14th Street, Hoboken, New Jersey 07030

Motion to approve the 2016-2017 liquor license renewal.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

2017-2018 Liquor License Renewal

Liquor License #0905-33-085-007, Three Plus Two, Inc., d/b/a Dino and Harry's Steakhouse, 163 14th Street, Hoboken, New Jersey 07030

Motion to approve the 2017-2018 liquor license renewal.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Scott DeRosa, prosecutor for the board requested to suspend the agenda and hear case 17-20 first.

HEARINGS:

Liquor License #0905-33-032-011, Skyboy, Inc. d/b/a Northern Soul, 700 First Street, Hoboken, New Jersey, Case Number 17-20

Per Scott DeRosa, the license holder’s attorney, Thomas Jannarone, advised his client is ill, therefore Scott requested an adjournment. Board agreed to carry to the next meeting.

Liquor License #0905-33-040-007, 205 First Street Corp., d/b/a Village Pourhouse, 205 207 First Street, Hoboken, New Jersey, Case Number 17-36

The board agreed to also carry this matter to the next meeting of March 8.

Liquor License #0905-33-074-005, Ronbon, LLC, d/b/a The Answorth, 310 Sinatra Drive, Hoboken, New Jersey, Case Number 17-29

Per Scott DeRosa, a plea agreement was entered of non vult to count one with the remainder of the charges dismissed. Matter stems from a December 16, 2017 nuisance charge. Licensee agreed to five day suspension on April 2nd to April 6.

Motion to accept the plea.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Scott DeRosa requested a five minute recess. Off the record at 6:29pm.

Back on the record at 6:41pm.

Liquor License #0905-33-083-005, Guerin and Wall Enterprises, Inc., d/b/a The Shannon, 106 First Street, Hoboken, New Jersey, Case Number 17-27

Scott DeRosa advised a plea of non vult was entered to count one of the complaint and the remaining charges will be dismissed. Matter stems from an incident on December 16, 2017 where a brawl occurred on the premises. Two days to be served on count two beginning on March 3 and March 4, 2018. Maurice McLaughlin, Esq. appeared on behalf of the license holder along with Tara Kovatch, general manager at The Shannon. This is a three count complaint. Board asked if there were any injuries. Scott DeRosa advised patrons standing outside bar and one police officer did sustain injuries. No prior violations on this license.

Motion to accept the plea of two day license suspension on March 3 and 4, 2018.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

6:44pm recess was taken – off the record.

Back on the record at 6:47pm.

Liquor License #0905-33-060-010, 230 Washington Street Partners, LLC, d/b/a Hoboken Bar and Grill, 230 Washington Street, Hoboken, New Jersey, Case Number 17-22; Case Number 17-26; and 17-30.

Scott DeRosa advised the licensee has been charged with various ABC offenses. A plea agreement was entered to resolve all of the outstanding charges. License holder agreed to serve a forty five day suspension with thirty days to be served immediately starting on February 23, 2018 and fifteen days to be held in abeyance. Said days in abeyance shall automatically come into effect if license holder pleads guilty or is found guilty of any future charges. License holder agreed not to apply to State ABC Board to convert suspension to a monetary fine. Per Scott, three separate complaints all stem from fights on the premises. Three fights on three different nights. Joe Napolitano, owner appeared before the board.

Motion to accept the plea of forty five day suspension beginning on February 26 with fifteen days held in abeyance.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Liquor License #0905-33-067-009, 500 Grand Corp., d/b/a Grand Vin, 500 Grand Street, Hoboken, New Jersey, Case Number 17-18

Frank Marciano, Esq. appeared before the board on behalf of license holder. Prosecutor Scott DeRosa advised a plea was entered of non vult to count one of the complaint and the remainder of the charges will be dismissed. The license holder agreed to five days suspension on count one beginning on May 25 to May 29 2018. Scott advised this is a four count complaint for a noise issue over a two day period on November 2 and November 5, 2017. Board asked if any members of the public were present on this matter – no one appeared.

Motion to accept the plea of five day suspension beginning on May 25, 2018.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

***6:53pm recess/off the record.
 6:59pm back on the record.***

Liquor License #0905-32-104-006, Basic Flavor, LLC, d/b/a Turtle Club, 936 Park Avenue, Hoboken, New Jersey, Case Number 17-34

Michael Orozco appeared before the board on behalf of the license. Scott DeRosa advised the license holder has a three charge complaint from November 5, 2017. A plea of non vult has been entered for a ten day suspension all held in abeyance. The license holder will apply to the State for a monetary fine. The incident occurred on November 5, 2017 from a fight in bar against City Ordinance 68-11C brawl inside the premises.

Motion to accept the plea as stipulated.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

***7:05pm recess/off the record.
 Back on the record at 7:36pm***

Liquor License #0905-33-164-010, Whiskey Bar, LLC, d/b/a Mills Tavern, 125 Washington Street, Hoboken, New Jersey, Case Number 17-28; Case Number 17-31; Case Number 17-32; and Case Number 17-33.

Scott DeRosa advised this stems from four complaints. Robert C. Williams, Esq. attorney for the license holder appeared before the board. Scott stated that a global resolution was reached of a twenty four day suspension as follows: March 3 through March 8, 2018; May 26 through May 31, 2018; and July 1 through July 12, 2018. License holder agreed not apply to State ABC board for monetary fine in lieu of suspensions. Three fights occurred on Santa Con and one incident was a non-fight.

Motion to accept the plea of twenty four day suspension.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

***7:40pm recess/off the record.
Back on the record at 7:51pm***

Liquor License #0905-33-167-009, Teak on the Hudson, LLC, d/b/a Hoboken Ultra Bar, 16-18 Hudson Place, Hoboken, New Jersey, Case Number 17-19

Scott DeRosa advised a resolution has been reached on a three count complaint stemming from an incident that occurred on October 28, 2017 of a brawl outside premises. License holder entered a plea of non vult agreeing to a ten day suspension with five served and five held which the licensee may appeal to the state. Robert C. Williams, Esq. appeared, attorney for the license holder.

Motion to accept the plea of five day suspension on April 2-April 5 with five days held in abeyance and if any further incidents occur within the next six months those five days in abeyance will be served.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Liquor License #0905-33-133-009, 80 River Street, LLC, d/b/a Cadillac Cantina, 80 River Street, Hoboken, New Jersey, Case Number 17-25

Scott DeRosa advised there was a fight on December 16, 2017, Santa Con, and all counts related to outside the premises. License holder entered a plea of non vult to count three and the remaining charges will be dismissed with a ten day suspension – five days served and five held in abeyance. License holder will apply to the State for a monetary fine. Robert C. Williams, Esq. appeared before the board as attorney for license holder along with James McCue, principal.

Motion to accept the plea of five day suspension April 2-April 5 with five days held in abeyance and if any further incidents occur within the next six months those five days in abeyance will be served.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|--------|--------|-----|----|---------|---------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Liquor License #0905-33-108-005, Wet Willies Bar & Grill, Inc., d/b/a Marty O’Brien’s, 94 Bloomfield Street, Hoboken, New Jersey, Case Number 17-23

Robert C. Williams, Esq., attorney for license holder appeared before the board along with James Rienzi, principal of establishment. Scott DeRosa advised this is a three count complaint stemming from an incident that occurred on October 29, 2018. License holder entered a plea of non vult to count three and remaining counts one and two will be dismissed with a five day suspension serving a two day closing on May 26 and 27, 2018 and remaining three days will apply to the State for a monetary fine.

Motion to accept the plea.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|---------------|---------------|------------|-----------|----------------|----------------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Robert Williams thanked the board and Scott DeRosa for all his efforts and courtesies in resolving these matters.

***8:01pm recess/off the record.
Back on the record at 8:09pm***

Liquor License #0905-33-155-013, Hazel Rock, Inc., d/b/a Green Rock Tap and Grill, 70 Hudson Street, Hoboken, New Jersey, Case Number 17-24

Alyssa Bongiovanni, prosecutor for the board and Frank Marciano, Esq. attorney for the license holder appeared before the board along with Michael Gallucci. Alyssa advised a plea of non vult was entered for count one with a twenty day suspension beginning March 3 for nineteen days consecutively for case number 17-12 beginning May 21 through May 28, 2018. Incident involved a patron calling Hoboken Police Department as a patron was put in a choke hold by a bouncer. Once the police arrived they found out the patron was under legal drinking age. Mr. Gallucci advised that the patron presented a “fake ID” and that is how he entered the establishment. Agreement is twenty day suspension, with first day on March 3, 2018, Leprecon Day, and then beginning the remainder of the days on May 28th.

Motion to accept the plea.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|---------------|---------------|------------|-----------|----------------|----------------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

***8:14pm recess/off the record.
Back on the record at 8:22pm***

Charges Against: Jerome Harris “Covered’ Employee, 1 Republik Restaurant Corp., Liquor License #0905-33-005-008, Case Number 17-16

Mr. Jerome Harris appeared before the board. Scott DeRosa advised the prosecution is seeking to revoke Mr. Harris’ bar card, however Mr. Harris is requesting to have his own personal counsel present therefore Scott is requesting this matter be adjourned. Board consented to adjourn to the next board meeting of March 8.

Motion to adjourn to March 8, 2018 meeting.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|---------------|---------------|------------|-----------|----------------|----------------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Charges Against: Tamaine Boyd “Covered” Employee, 1 Republik Restaurant Corp., Liquor License #0905-33-005-008, Case Number 17-17

Scott DeRosa advised that Mr. Boyd is not present and that the prosecution is seeking to revoke his bar card from an incident that occurred on December 2, 2017. Scott is willing to carry this matter to give Mr. Boyd a chance to appear.

Motion to carry to March 8, 2018 meeting.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|---------------|---------------|------------|-----------|----------------|----------------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

Liquor License #0905-33-059-008, Donandru’s Inc., d/b/a Mulligan’s Pub, 159 First Street, Hoboken, New Jersey, Case Number 17-21

Alyssa Bongiovanni advised she spoke with attorney for license holder, Paul Casteleiro, and they agreed to adjourn the matter until the next board meeting of March 8, 2018 and board agreed.

Liquor License #0905-33-097-008, Finnegan’s Pub, LLC, d/b/a Finnegan’s Pub, LLC, 734 Willow Avenue, Hoboken, New Jersey, Case Number 18-01

Alyssa Bongiovanni advised she spoke with attorney for license holder, Frank Marciano, and they agreed to adjourn the matter until the next board meeting of March 8, 2018 and board agreed.

***8:31pm recess/off the record.
Back on the record at 8:37pm***

Liquor License #0905-33-005-008, 1 Republik Restaurant Corp., d/b/a 1 Republik, 221 Washington Street, Hoboken, New Jersey, Case Number 17-14 and Case Number 17-35

Paul Casteleiro, Esq. appeared on behalf of the license holder. Scott DeRosa advised this is a four count complaint stemming from a December 16, 2017 incident of overserving. Scott further stated there were three counts of fighting inside the premises. A global agreement was reached of a thirty day suspension as follows: close the bar on Saturday March 3, Leprecon Day, then on Monday May 21 for the remaining days. Attorney for license holder advised the establishment will not be re-opening as they are selling the license, therefore as of May 21st the bar will be closed for good.

Motion to accept plea.

| BOARD MEMBER | Motion | Second | Yes | No | Abstain | No Vote |
|---------------------|---------------|---------------|------------|-----------|----------------|----------------|
| Chairman Phillips | X | | X | | | |
| Commissioner Bauman | | | | | | X |
| Commissioner Blanos | | X | X | | | |

NEW BUSINESS

No new business.

Chairman Phillips motioned to close the meeting and Commissioner Blanos seconded with both members unanimously agreeing to adjourn the meeting.

The meeting adjourned at 8:44 p.m.