REGULAR MEETING

OF THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE CITY OF BAYONNE, IN THE COUNTY OF HUDSON, NEW JERSEY, HELD IN THE COUNCIL CHAMBER, MUNICIPAL BUILDING, 630 AVENUE C, ON THURSDAY, MAY 19, 2011.

The Board met at 6:00 P.M.

The Board Secretary called the roll.

Present were: Board Member Patrick Colasurdo, and Chairman H. Mickey McCabe
Absent was: Board Member Donna Marie James

The Chairman announced, "I would like to advise all those present that notice of this Regular Meeting of the Alcoholic Beverage Control Board of the City of Bayonne of May 19, 2011 has been provided to the public in accordance with the provisions of the Open Public Meetings Act of the State of New Jersey. Notice of time and place of the meeting has been included in the annual notice of meetings, which was posted and filed with the City Clerk, and with the Jersey Journal and the Star Ledger. an additional notice of time and place was posted and filed with the City Clerk and was forwarded the Jersey Journal and the Star Ledger by fax and regular mail on May 17, 2011."

The board secretary led the Pledge of Allegiance to the Flag.

* * * * * * * *

01. Board Member Colasurdo moved that the following disciplinary charges be received and filed and that the resolution following them be adopted, which motion was adopted.

May 5, 2011

Alcoholic Beverage Control Board
Municipal Building
630 Avenue C
Bayonne, NJ

Dear Commissioners,

Attached hereto is a synopsis of a case against Liquid Lounge located at 269 Broadway, Bayonne, N.J., and holder of Plenary Retail Consumption Liquor License Number 0901-33-054-004.

As Chief of Police of the City Of Bayonne, I recommend that disciplinary proceedings be brought against said license for the following violations:

4-22.2 – License Required
33:1-31h – Violation of City Ordinances

Upon receipt of your notification as to time and place of hearing, the necessary witnesses from this department will be instructed to appear for this case.

Very truly yours

/s/ Robert Kubert
Chief of Police
City of Bayonne

- - - - - - - - - - -

Synopsis of Case

License:	Plenary Retail Consumption License	
Number:	0901-33-054-004	
Owners:	Batory Corporation	
T/A:	Liquid Lounge	
Location:	269 Broadway, Bayonne, NJ	
Registered agent:	Robert Bator 32 west 3rd Street Bayonne, NJ 07002	
Persons Involved:	**Police:**	Sergeant James Donovan #70 Police Officer Fabbricatore #235 Police Officer Lewis 3215
	Civilian:	Charles Carangelo (Manager) Marc Coco (Bartender) Janet Rotella (Owner of "Sparties) Maria Lampadarios (Masseuse) Toni Decuicies (Patron)
Complaining Officer:	Detective Timothy Donaway #236	
A.B.C. Supervisor:	Detective Kevin Gallagher #S31	

Violations:

4-22.2 License Required.

a. Massage Establishments. No person shall operate any establishment or utilize any premises in the City as, or for, a massage establishment, unless or until there first has been obtained a license for such establishment or premises from the City Clerk in accordance with the terms and provisions of this section.

b. Message Therapist. No person shall render or perform services as a massage therapist, or engage in the business of or be employed as a message therapist, unless and until he or she has obtained a massage therapist's license from the City Clerk in accordance with the terms and provisions of this section. Such application shall contain a photograph or portrait of the applicant together with a medical certificate showing the applicant to be in good health.

33:1-31h – Violation of City Ordinances

h. Any violation of any ordinance, resolution or regulation of any other issuing authority or governing board or body.

Upon receipt of your notification as to time and place of hearing, the necessary witnesses from this department will be instructed to appear for this case.

Synopsis of incident:

03/11/2011 Bayonne Police File #2011-18825

On March 11, 2011 Sgt. Donovan along with P.O's Fabbricatore and Lewis responded to the Liquid Lounge to investigate a "Massage Party" which was being advertised on the Facebook Social network. This party was being subcontracted by a mobile spa named "Sparties".

Upon arrival the officers entered the establishment and observed two massage tables set up in the rear bar. P.O. Lewis spoke to Janet Rotella, the owner of Sparties. Ms. Rotella was unable to produce any type of massage license and stated that she is not a masseuse licensed in New Jersey. Mrs. Lampadarios was also unable to produce a massage license.

Maria Lampadarios, Janet Rotella, Marc Coco and Charles Carangelo were issued a Special Form of Complaint Summons in violation of City Ordinance 4-22.2, License Required.

While issuing the complaints, Ms. Toni DeCuicies, a patron of the bar inquired into why summonses were being issued, stating that last week the Liquid Bar hosted a "Passion Party" where sexual enhancement products were sold in the open. Mrs. Decuicies stated that "dildos", "vibrators" and "anal beads" were sold in the open to the Liquid Lounge patrons.

- - - - - - - -

BE IT RESOLVED, that the Alcoholic Beverage Control Board hereby receives and files disciplinary charges preferred by the Chief of Police against Batory Corporation t/a Liquid Lounge, holder of Plenary Retail Consumption License No. 0901- 33-054-004 , for premises located at 269 Broadway, Bayonne, NJ; and be it further

RESOLVED, that the board hereby fixes Thursday, June 23, 2011 , at 6:00 P.M. and the Council Chambers, or the Municipal Court Room, Municipal Building, 630

Avenue C, Bayonne, NJ, as the time and place when and where the Board will meet to hear and consider such charges; and be it further

RESOLVED, that the Board Secretary be and is hereby directed to notify the licensee to show cause why the license should not be suspended or revoked.

Ayes - Board Members Colasurdo and Chairman McCabe.
Absent – Board Member James

* * * * * * * *

02. Board Member Colasurdo moved that the following resolution be adopted, seconded by Chairman McCabe, which motion was adopted.

RESOLVED, that the hearing of disciplinary charges against Plenary Retail Consumption License No. 0901-33-054-004 held by Batory Corporation be adjourned to the meeting of Thursday, June 23, 2011, at 6:00 P.M.

Ayes - Board Members Colasurdo and Chairman McCabe.
Absent – Board Member James

* * * * * * * *

03. Board Member Colasurdo moved that the following resolution be adopted, seconded by Chairman McCabe, which motion was adopted.

BE IT RESOLVED, that the official minutes of the regular meeting of the Alcoholic Beverage Control Board of the City of Bayonne held Thursday, April 28, 2011, be and the same are hereby approved.

Ayes - Board Members Colasurdo and Chairman McCabe.
Absent – Board Member James

* * * * * * * *

04. Board Member Colasurdo moved that the following resolution be adopted, seconded by Chairman McCabe, which motion was adopted.

RESOLVED, that the June meeting of the Alcoholic Beverage Control Board be rescheduled to Thursday, June 23, 2011 at 6:00 P.M.

Ayes - Board Members Colasurdo and Chairman McCabe.
Absent – Board Member James

* * * * * * * *

At 6:04 P.M., Board Member Colasurdo moved to adjourn, seconded by Chairman McCabe, which motion was adopted.

Ayes - Board Members Colasurdo and Chairman McCabe.
Absent – Board Member James

_____
H. Mickey McCabe, Chairman

_____
Robert F. Sloan, Secretary