

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, JUNE 23, 2011.

The Board met at 7:03 P.M.

The Board Secretary called the roll.

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

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 ** 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 June 17, 2011."

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

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01. Board Member James moved that the following resolution be adopted, seconded by Board Member Colasurdo, which motion was adopted.

RESOLVED, that the renewal of Plenary Retail Consumption Licenses for the period commencing July 1, 2011 through June 30, 2012, be granted to the following licensees:

<u>LICENSE NO.</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0901-33-004-001	Assumption Lyceum Bowling Alley Assoc. t/a Our Lady of Assumption	61-105 West 23 rd St.
0901-33-007-007	Lucy's Café LLC	Inactive
0901-33-011-006	Pair of Jacks Pub, LLC t/a Pair of Jacks Pub	812 Broadway
0901-33-016-003	Brother's Tavern Inc. t/a Mi Pueblito Mexican Rest	369 Broadway
0901-33-025-002	Magnet & Steel Inc t/a	

	H & H Pub	1092 Avenue C
0901-33-027-003	Chance's Lounge, Inc. t/a Chances	1028 Broadway
0901-33-029-004	Churchill's Inn Inc. t/a Churchill's Inn	879 Broadway
0901-33-031-002	Columbian Institute, Inc.	667 Avenue C
0901-33-032-003	Crisonino, Philip & Marie t/a Chris' Corner	113 West 2 nd Street
0901-33-033-007	Turigo, Inc. t/a Da Noi	1105 Avenue C
0901-33-035-005	The Starting Point Bar and Grille, LLC	2 Avenue A
0901-33-045-007	Luce LLC t/a Piccolino	550-552 Broadway
0901-33-048-003	East Mesa Corp, Inc. t/a Chippy's Lounge	Inactive
0901-33-049-007	Four Fifteen Broadway, Inc. t/a Fratelli's	415-417 Broadway
0901-33-052-006	Bayonne Restaurant LLC t/a Houlihans	LeFante Way & Route 440 Bldg F
0901-33-053-004	Apples of Bayonne, Inc. t/a The Big Apple Sports Palace	412-414 Broadway
0901-33-054-002	Batory Corporation t/a Liquid	269 Broadway
0901-33-055-006	Double B Food Services Inc. t/a The Rock	206 Broadway
0901-33-056-005	Amici's Food Services t/a Amici's Restaurant	184 Broadway
0901-33-059-006	Bad Associates, LLC t/a	

	Buon Appetito	906-908 Broadway
0901-33-061-005	Bayonne Golf Club, Inc.	1 LeFante Way
0901-33-063-007	Mona Lisa Pizzeria, Inc. t/a Mona Lisa Pizzeria	163-165 Broadway
0901-33-065-003	Hi Hat Club, Inc. t/a Hi Hat Caterers	Inactive
0901-33-073-007	Rincon De Espana, Inc. t/a Rincon De Espana	616 Broadway
0901-33-077-003	Kuhl's Tavern	53 Prospect Avenue
0901-33-078-004	Rare Hospitality Int'l Inc. t/a Longhorn Steakhouse of Bayonne	Rte 440 New Hook Access Road
0901-33-086-005	Mediterraneo Restaurant	930-932 Broadway
0901-33-094-004	Erin Eileen, Inc. t/a Massa's Bar & Grill	563 Avenue A
0901-33-097-008	Remajules LLC t/a Sevenforthseven	747 Broadway
0901-33-102-002	McGinnis Inc. t/a Makar's Tavern	1106 Avenue C
0901-33-103-006	BRR Corp t/a Chandelier Restaurant & Broadway Diner	10705-83 Broadway
0901-33-106-003	263 Broadway, Inc. t/a Danny Boy's Pub	263 Broadway
0901-33-108-010	Rye @279 Broadway, LLC t/a Rye	279 Broadway
0901-33-111-007	Piccola Venecia Ristorante LLC t/a Nuovo Venezia Ristorante	392 Broadway

0901-33-115-001	Polish American Home	27-31 West 22 nd Street
0901-33-116-005	Primi Corp. t/a Café Bello	1044-46 Avenue C
0901-33-117-011	Sin Kan LLC	57 East 32 nd Street
0901-33-121-007	15-17 East 21 st Street t/a McFadden's Pub & Restaurant	15-17 East 21 st Street
0901-33-122-002	Our Lady of Assumption Post 16 Catholic War Veterans	18 West 23 rd Street
0901-33-125-002	St. John's Byzantine Catholic Church	14-24 East 27 th Street
0901-33-126-003	Vinnie & Richie, Inc. t/a Pizza Master	528-532 Broadway
0901-33-141-008	Cibao Envita Restaurant LLC	749 Broadway
0901-33-145-006	Walczyk's Tavern, Inc.	173 Prospect Avenue
0901-33-149-007	Russo-Coviello LLC t/a 8 th Street Diner & Bistro	226 Broadway
0901-33-151-003	Kileen, Inc. t/a DiGiorgio's	990 Broadway

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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

RESOLVED, that the renewal of Plenary Retail Distribution Licenses for the period commencing July 1, 2011 through June 30, 2012, be granted to the following licensees:

<u>LICENSE NO.</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0901-44-046-005	Hari Akshar, Inc. t/a Eddy's Wine	

	& Liquors	490 Avenue C
0901-44-047-005	Puja Corp. t/a Irv's Wines & Liquors	1099 Avenue C
0901-44-062-006	M & N Liquors LLC t/a Times Square Liquors	891 Broadway
0901-44-084-007	National Liquors Store, Inc. t/a Stanley's Liquors Store	732 Broadway
0901-44-088-006	S & J Liquors, Inc t/a Bayonne Liquors	553 Broadway
0901-33-095-008	Shree Krishna Inc. t/a Massarelli Liquors	403 Broadway
0901-44-139-005	169 Broadway Inc. t/a J & V Liquors	169 Broadway

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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

RESOLVED, that the renewal of Plenary Retail Consumption Licenses with Broad Package Privilege for the period commencing July 1, 2011 through June 30, 2012, be granted to the following licensees:

<u>LICENSE NO.</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0901-32-012-003	Eddy's Bar & Liquors t/a Eddy's Bar & Liquors	504 Kennedy Blvd.
0901-32-093-006	Fine Quality Wine & Liquor Corp t/a Fine Wine & Liquors	177A Avenue A
0901-32-140-006	Lady Bella Liquors, LLC t/a Shop Rite Liquors	567-589 Avenue C

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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

RESOLVED, that the renewal of Club Licenses for the period commencing July 1, 2011 through June 30, 2012, be granted to the following licensees:

<u>LICENSE NO.</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0901-31-154-001	Bayonne Post 19 American Legion	683 Broadway
0901-31-156-001	Carpatho Russian American Citizens Club, Inc.	95 West 27 th Street
0901-31-159-002	Pride of Bayonne Lodge 461 IBPOE of W Elks	92 West 20 th Street
0901-31-160-001	Italian American Democratic Club, Inc.	526 Boulevard
0901-31-161-002	Mount Carmel Lyceum Inc.	38 East 23 rd Street
0901-31-163-002	Robbins Reef Yacht Club Inc.	21 Pavonia Court
0901-31-164-001	Sicilian Citizens Club	445 Avenue C
0901-31-165-001	Spanish American Citizens Club	382 Broadway

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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05. Board Member James moved that the following resolution be adopted, seconded by Board Member Colasurdo, which motion was adopted.

WHEREAS, Briad Restaurant Group, LLC t/a TGI Friday, holder of Plenary Retail Consumption License No. 0901-33-023-004, which has been inactive for more than two years has made application to and received from the Director of the Division of Alcoholic Beverage Control, a SPECIAL RULING TO PERMIT THE FILING OF RENEWAL APPLICATION OF AN INACTIVE LICENSE FOR THE 2011-2012 LICENSE TERM PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said Briad Restaurant Group, LLC t/a TGI Friday, has made application for the renewal of the aforesaid license for the 2010-2011 license term, and

has paid the appropriate fees and satisfied all other requirements for renewal; now therefore, be it

RESOLVED, that the renewal of Plenary Retail Consumption License No. 0901-33-100-005 for the period commencing July 1, 2011 through June 30, 2012, be granted.

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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06. Board Member James moved that the following resolution be adopted, seconded by Board Member Colasurdo, which motion was adopted.

WHEREAS, BAD Associates LLC, t/a Buon Appetito, residing or located at 906-908 Broadway in the City of Bayonne, County of Hudson, State of New Jersey, holder of Plenary Retail Consumption License No. 0901-33-059-006, has made application for a place to place transfer to expand the licensed premises to include a portion of the sidewalk in the front and the side of the licensed premises for use as an outdoor cafe, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; now, therefore be it

RESOLVED, that Plenary Retail Consumption License No. 0901-33-059-006, above described, be and is hereby transferred from premises located at 906-908 Broadway to an expanded premises located including a portion of the sidewalk in front and the side of the premises for use as an outdoor café as described in a sketch submitted as part of the place to place transfer application, pursuant to the conditions and requirements of section 21-32 of the Revised General Ordinances of the City of Bayonne, including hours of operation; and be it further

RESOLVED, that the Board Secretary be and is hereby authorized and directed to execute the endorsement of the transfer herein made, upon the said license on behalf of the Alcoholic Beverage Control Board; and be it further

RESOLVED, that said expansion is subject to the approval by the Health Department of the City of Bayonne of the licensee's application for an outdoor café license; and be it further

RESOLVED, that the following special condition be imposed on the license: That, in accordance with the requirements of the Revised General Ordinances of the

RESOLVED AND ORDERED, that the said Batory Corporation, be and is hereby determined to be found guilty of the charges of violations of:

4-22.2 – License Required
33:1-31h – Violation of City Ordinances (2 Counts)
N.J.A.C. 13:2-23.7(a) 1 – Prohibited Activities during Suspension
N.J.A.C. 13:2-23.7(a)2 – Prohibited Activities during Suspension’
6-5.1(a) – Hours of Operation
6-5.1(b) – Hours of Operation; and be it further

RESOLVED AND ORDERED, that the license of the said Batory Corporation, heretofore issued by the Municipal Council of the City of Bayonne be suspended for 40 days, with 10 days remitted in consideration of the plea of guilty, for a total suspension of 30 days, effective from 2:00 A.M. Friday, the 24th day of June, 2011 to 6:00 A.M. Sunday, the 24th day of July, 2011, both dates inclusive.

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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08. Board Member James moved that the following resolution be adopted, seconded by Board Member Colasurdo, 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, May 19, 2011, be and the same are hereby approved.

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

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09. At 6:17 P.M., Board Member James moved that the following resolution be adopted, seconded by Board Member Colasurdo, which motion was adopted.

RESOLVED, That the Alcoholic Beverage Control Board hereby adjourns to Thursday, June 30, 2011 at 5:00 P.M. in the Office of the City Clerk, Municipal Building, 630 Avenue C, Bayonne, NJ.

Ayes - Board Members Colasurdo, James, and Chairman McCabe.

H. Mickey McCabe, Chairman

Robert F. Sloan, Secretary