

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, APRIL 26, 2012.

The Board met at 5:04 P.M.

The Board Secretary called the roll.

Present were: Board Member Patrick Colasurdo 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 April 26, 2012 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 April 24, 2012."

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

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

WHEREAS, BAYONNE BUY RITE, LLC., holder of Plenary Retail Consumption License with Broad Package Privileges No. 0901-32-037-006, 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 and 2012-2013 LICENSE TERMS PURSUANT TO N.J.S.A. 33:1-12.39 under Docket No. 03-12-7388, issued March 27, 2012; and

WHEREAS, the said BAYONNE BUY RITE, LLC., has made application for the renewal of the aforesaid license for the 2011-2012 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 with Broad Package Privileges No. 0901-32-037-006 for the period commencing July 1, 2011 through June 30, 2012, be granted.

Ayes - Board Member Colasurdo and Chairman McCabe.

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

WHEREAS, Scarab Entertainment, LLC, t/a Scarab, residing or located at 147 Avenue E in the City of Bayonne, County of Hudson, State of New Jersey, has made application for the transfer to it of Plenary Retail Consumption License No. 0901-33-150-003, now held by Happy 24 Hours, Inc. for premises located at 147 Avenue E and in the City of Bayonne, and there being no good cause why the said transfer should not be allowed; and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business, and all additional financing obtained in connection with the licensed business; and

WHEREAS, a tax clearance certificate issued by the New Jersey Division of Taxation has been received in connection with this application; now, therefore, be it

RESOLVED, that Plenary Retail Consumption License No. 0901-33-150-003, above described, be and is hereby transferred from Happy 24 Hours, Inc., the present holder of the same, to Scarab Entertainment, LLC, t/a Scarab; 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 the effective date of the said transfer is April 27, 2012.

Ayes - Board Member Colasurdo and Chairman McCabe.

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03. 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 preferred by the Chief of Police against Plenary Retail Consumption License No. 0901-33-150-004, issued to Plenary Retail Distribution License No. 0901-44-131-006, issued to SOUTH COVE ENTERTAINMENT, LLC t/a Wine Warehouse for premises located at 1 LeFante Way, be adjourned to the meeting of May 31, 2012 at 5:00 P.M.

Ayes - Board Member Colasurdo and Chairman McCabe.

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04. 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, March 16, 2012, be and the same are hereby approved.
Ayes - Board Member Colasurdo and Chairman McCabe.

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At 5:09 P.M., Board Member Colasurdo moved to adjourn, seconded by Chairman McCabe, which motion was adopted.

Ayes - Board Member Colasurdo and Chairman McCabe.

H. Mickey McCabe, Chairman

Robert F. Sloan, Secretary