

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 30, 2013.

The Board met at 5:02 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 May 30, 2013 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 23, 2013."

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.

RESOLVED, that the hearing of disciplinary charges preferred by the Chief of Police against Plenary Retail Consumption License No. 0901-33-011-006, issued to Pair of Jacks, LLC t/a Pair of Jacks for premises located at 812 Broadway, be adjourned to the meeting of June 20, 2013 at 5:00 P.M.

Ayes - Board Members 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.

RESOLVED, that the renewal of Plenary Retail Consumption Licenses for the period commencing July 1, 2013 through June 30, 2014 , be granted to the following licensees:

<u>LICENSEE</u>	<u>LICENSED PREMISES</u>	<u>LICENSE NO.</u>
0901-33-004-001	Assumption Lyceum Bowling	

	Alley Assoc. t/a Our Lady of Assumption	61-105 West 23 rd St.
0901-33-008-008	Agios Fanourios, Inc. t/a Lighthouse Restaurant	667-669 Broadway
0901-33-023-005	Briad Restaurant Group, LLC t/a TGI Fridays	50 Bayonne Crossing Way
0901-33-052-006	Bayonne Restaurant LLC t/a Houlihans	LeFante Way & Route 440 Bldg F
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
0901-33-073-007	Rincon De Espana, Inc.	616 Broadway
0901-33-078-004	Rare Hospitality International Inc. t/a Longhorn Steakhouse	Rt. 440 New Hook Access
0901-33-086-005	Mediterraneo Restaurant, Inc. t/a Mediterraneo Restaurant	930-932 Broadway
0901-33-102-002	McGinnis, Inc. t/a Makar's Tavern	1106 Avenue C
0901-33-108-010	Rye @ 279 Broadway, LLC t/a Rye Whiskey Bar	279 Broadway
0901-33-115-001	Polish American Home, Inc. t/a Polish American Home	27-31 West 22 nd St.
0901-33-121-007	15-17 East 21 st Street Corp. t/a McFadden's Pub & Restaurant	15-17 East 21 st St.
0901-33-122-002	Our Lady of Assumption Post 16 Catholic War Veterans	18 West 23 rd Street
0901-33-145-006	Walczyk's Tavern, Inc.	173 Avenue F

Ayes - Board Members 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 renewal of Plenary Retail Distribution Licenses for the period commencing July 1, 2013 through June 30, 2014, be granted to the following licensees:

<u>LICENSEE</u>	<u>LICENSED PREMISES</u>	<u>LICENSE NO.</u>
Hari Akshar Inc. t/a Eddy's Wine & Liquors	490 Avenue C	0901-44-046-005

Puja Corp. t/a Irv's Wines & Liquors	1099 Avenue C	0901-44-047-005
M & N Liquors LLC t/a Times Square Liquors	891 Broadway	0901-44-062-006
Shree Krishna, Inc. t/a Massarelli Liquors	403 Broadway	0901-44-095-008

Ayes - Board Members 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.

RESOLVED, that the renewal of Plenary Retail Consumption Licenses with Broad Package Privilege for the period commencing July 1, 2013 through June 30, 2014, be granted to the following licensees:

<u>LICENSEE</u>	<u>LICENSED PREMISES</u>	<u>LICENSE NO.</u>
Eddy's Bar & Liquors, Inc.	504 Kennedy Blvd.	0901-32-012-003

Ayes - Board Members Colasurdo and Chairman McCabe.

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

RESOLVED, that the renewal of Club Licenses for the period commencing July 1, 2013 through June 30, 2014, be granted to the following licensees:

<u>LICENSEE</u>	<u>LICENSED PREMISES</u>	<u>LICENSE NO.</u>
Bayonne Post 19 American Legion	683 Broadway	0901-31-154-001
Sicilian Citizens Club	445 Avenue C	0901-31-164-001
Spanish American Citizens Club	382 Broadway	0901-31-165-001

Ayes - Board Members Colasurdo and Chairman McCabe.

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

WHEREAS, Francesco Entertainment LLC, holder of Plenary Retail Consumption License No. 0901-33-171-008, 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 2012-2013 LICENSE TERMS PURSUANT TO N.J.S.A. 33:1-12.39 under Docket No. 07-12-7708 issued September 11, 2012; and

WHEREAS, the said Francesco Entertainment LLC, has made application for the renewal of the aforesaid license for the 2012-2013 and 2013 and 2014 license terms, 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 No. 0901-33-171-008 for the period commencing July 1, 2012 through June 30, 2013, be granted.

Ayes - Board Members Colasurdo and Chairman McCabe.

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07. Board Member Colasurdo moved that the following disciplinary charges be received and filed and that the resolution following same be adopted, seconded by Chairman McCabe, which motion was adopted.

April 24, 2013

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

Dear Commissioners,

Attached hereto is a synopsis of a case against Double B Food Services Inc. t/a "The Rock" located at 206 Broadway, Bayonne, N.J., and holder of Plenary Retail Consumption Liquor License Number 0901-33-055-006.

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

N.J.S.A. 13:2-23.6(a)2. (NUIS2-N) Prohibition against immoral activities;
Disturbance; nuisance on premises
N.J.S.A. 33:1-31h (HRS1) Suspension, revocation of license
N.J.S.A. 33:1-31h (HRS2) Suspension, revocation of license

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

Ralph Scianni
Chief of Police
City of Bayonne

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Synopsis of Case

License: Plenary Retail Consumption License
Number: 0901-33-055-006
Owners: Double B. Food Services, Inc.
T/A: The Rock
Location: 206 Broadway, Bayonne, NJ

Registered agent: Brian Boruch

Persons Involved:

Police: Captain Sisk
P.O. Zajac
P.O. Newman
P.O. Lowicki

Patron: James Wade

Bartenders/Owner: Brian Boruch

Complaining Officer: Det. Sgt. A. Gonzalez S67

A.B.C. Supervisor: Captain George Farley

Violations:

NUIS2-N

On or about March 17, 2013, you allowed, permitted or suffered your licensed place of business to be conducted in such a manner as to become a nuisance requiring police intervention, or adversely affecting public safety or rights of the public, specifically between the hours of 8:20 pm and 9:15 pm Bayonne Police Officers responded on numerous occasions to your licensed establishment on reports of fights, patrons of your establishment blocking the sidewalk, patrons of your establishment urinating in public and by your patrons adversely affecting the quality of life in the neighborhood by their disorderly behavior inside and outside of your establishment. Reference 2013-18804.

13:2-23.6(b) Prohibition against immoral activities; disturbance; nuisance on premises. Every licensee shall operate its business in an orderly and lawful fashion, so as not to constitute a nuisance. A licensee's responsibility under this subsection includes the conduct of the licensee, its employees and patrons, if such conduct is contrary to the public health, safety and welfare.

FETAL

On March 5, 2013, you the holder of a retail license failed to prominently post a warning notice prepared by the Department of health in any service area as well as on a wall, towel dispenser or other appropriate location in any public rest room for women patrons on the licensed premises warning the alcohol consumption during pregnancy has been determined to be harmful to the fetus in violation of N.J.S.A. 33:1-12a.

§33:1-12a. Posting of notice required:

A person who holds a Class C license, except a plenary retail transit license, or a club license shall ensure that a warning notice prepared by the Department of Health is posted prominently in any service area as well as on a wall, towel dispenser or other appropriate location in any public rest room for woman patrons on the licensed premises. The notice shall warn patrons that alcohol consumption during pregnancy has been determined to be harmful to the fetus and can cause birth defects, low birth weight and Fetal Alcohol Syndrome, which is one the leading causes of mental retardation.

HRS1

On February 23, 2013, at approximately 3:09 A.M., you sold or delivered alcoholic beverages before or after the legal hour of sale as set forth in a Municipal Ordinance or

in the Division of Alcoholic Beverage Control's regulation, viz., by serving a patron, Donte Porter, in violation of N.J.S.A. 33:1-31h, N.J.A.C. 13:2-38.1 or – 38.2.

§33:1-31. Suspension, revocation of license.

Any license, whether issued by the director or any other issuing authority, may be suspended or revoked by the director, or other issuing authority may suspend or revoke any license issued by it, for any of the following causes:

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

HRS1

On October 18, 2012, at approximately 5:30 A.M., you sold or delivered alcoholic beverages before and after the legal hour of sale as set forth in a municipal ordinance or in the Division of Alcoholic Beverage Control's regulations, specifically by serving patron James Wade in violation of N.J.S.A. 33:1-31h

33:1-31. Suspension, revocation of license. Any license, whether issued by the director or any other issuing authority, may be suspended or revoked by the director, or the other issuing authority may suspend or revoke any license by it, for the following causes: *h. Any violation of any ordinance, resolution or regulation of any other issuing authority or governing board or body; City Ordinance 6-5.1 Hours of Operation:*

a. No alcoholic beverages shall be sold, served or delivered by licensees of any class nor shall any such licensee suffer or permit the sale, service or delivery of any alcoholic beverages directly or indirectly upon the licensed premises on the following days, between the hours set forth opposite such days:

*Weekends, except Saturdays, Sundays and legal holidays, 2:00 a.m. to 6:00 a.m.
Saturdays and legal holidays, except holidays falling on Sunday, 3:00 a.m. to 6:00 .m.
Sundays, 3:00 a.m. to 9:00 a.m..* in violation of N.J.S.A. 33:1-31h.

b. All licensed premises shall be securely closed, locked and made inaccessible to any person except the licensee or his employees on the following days between the hours set forth opposite such days:

*Weekends, except Saturdays, Sundays and legal holidays, 2:00 a.m. to 6:00 a.m.
Saturdays and legal holidays, except holidays falling on Sunday, 3:00 a.m. to 6:00 .m.
Sundays, 3:00 a.m. to 9:00 a.m..*

1. Exceptions. Licensed premises, having halls for hire or who provide catering shall be permitted to open the premises for functions, such as communion breakfast, or any other Sunday before-noon affairs, for ticket holders, providing a special permit to cater or to hold the affair is issued by the Municipal Council. There shall be no fee for this permit.

c. Paragraphs a. and b. of this subsection shall not apply on January 1 in any year. (1972 Code § 8-6.1)

HRS2

On October 18, 2012, at approximately 5:30 A.M., you allowed, permitted or suffered the presence of a non-employee on the licensed premises before or after the legal hour of sale as set forth in municipal ordinance, specifically by allowing patron James Wade to remain inside the licensed premises in violation of N.J.S.A. 33:1-31h

33:1-31. Suspension, revocation of license. Any license, whether issued by the director or any other issuing authority, may be suspended or revoked by the director, or the other issuing authority may suspend or revoke any license by it, for the following causes: h. Any violation of any ordinance, resolution or regulation of any other issuing authority or governing board or body; City Ordinance 6-5.7 *Closing Provisions*:

During the hours when sales of alcoholic beverages are prohibited, the entire licensed premises shall be closed and no person shall be admitted or permitted to remain thereon except the licensee or bona fide employees of the licensee; provided however, that such requirement for the closing of the premises shall not apply to bona fide hotels or restaurants as defined in N.J.S.A. 33:1-1(t) and to clubs eligible for a club license under N.J.S.A. 33:1-12(5) and to other establishments where the principal business is other than the same of alcoholic beverages. (New)

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BE IT RESOLVED, that the Alcoholic Beverage Control Board hereby receives and files disciplinary charges preferred by the Chief of Police against Double B Food Services, Inc. t/a The Rock , holder of Plenary Retail Consumption License No. 0901-33-055-006, for premises located at 206 Broadway , Bayonne, NJ; and be it further

RESOLVED, that the board hereby fixes Thursday, June 20, 2013 , at 5:00 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.

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08. Board Member Colasurdo moved that the following disciplinary charges be received and filed and that the resolution following same be adopted, seconded by Chairman McCabe, which motion was adopted.

May 10, 2013

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

Dear Commissioners,

Attached hereto is a synopsis of a case against Lot 13 LLC t/a Lot 13 Longbar and Restaurant located at 167-169 Avenue E Bayonne, N.J., and holder of Plenary Retail Consumption Liquor License Number 0901-33-058-011.

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

N.J.S.A. 33:1012a	(FETAL)	Posting of Notice Required
N.J.A.C. 13:2-23.13(a)3	(E141)	Maintaining Current List of Employees
N.J.A.C. 13:2-23.30	(BOOKS2)	Records to be maintained on the licensed premises
N.J.A.C. 13:2-13(a)2	(APP1)	Maintaining a photostatic or other true copy of Last long form
N.J.A.C. 13:2-13(a)2	(APP1)	Maintaining a photostatic or other true copy of last filed short form
N.J.S.A. 13:2-23.6(a)	(NUIS2-N)	Prohibition against immoral activities; disturbance; nuisance on premises

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

Ralph Scianni
Chief of Police
City of Bayonne

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Synopsis of Case

License: Plenary Retail Consumption License
Number: 0901-33-058-011
Owners: Lot 13 LLC.
T/A: Lot 13 Londgbar and Restaurant
Location: 167-169 Avenue E, Bayonne, NJ

Registered agent: Jean Morrison Stewart, 167-169 Avenue E, Bayonne, NJ

Persons Involved:

Police: Detective Sergeant Gonzalez #S67
Detective Caroselli
Detective Rhodes
Detective Lillo
Police Office A. Pelliccio
Police Office L. Gordon
Police Office M. Cannella
Police Office T. Lynch

Owner: Jean Stewart
Doorman: Hank Hung
Bartender: Shannon Milani
Elizabeth Hill
Shannon Cook
Patrons: Gloria Stauss
Laura Cox
Patryk Rusznica
Leo Ortiz
Cosmo De Pinto
Natasha Sawh

Complaining Officer: Detective Domenico G. Lillo #234

A.B.C. Supervisor: Captain George Farley
Sergeant Anthony Gonzalez #67

Violations:

E141

On March 29, 2013 you conducted your licensed business without keeping on your licensed premises or having available for inspection upon demand an employee list complete in all respects in violation of N.J.A.C. 13:2-23.13(a)3.

13:2-23.13(a)3 Maintaining copies of current license certificate; 3. A list, on a form prescribed by the Director, containing the names and addresses of, and required information with respect to, all persons currently employed on retail licensed premises, is kept on the licensed premises. A licensee shall be deemed to have complied with this requirement if this information is contained in a computer system, accessible from the licensed premises, and the information can be immediately produced.

FETAL

On March 29, 2013, you the holder of a retail license failed to prominently post a warning notice prepared by the Department of Health in any service area as well as on a wall, towel dispenser or other appropriate location in any public rest room for women patrons on the licensed premises warning that alcohol consumption during pregnancy has been determined to be harmful to the fetus in violation of N.J.S.A. 33:1-12a

§33:1-12a. Posting of notice required:

A person who holds a Class C license, except a plenary retail transit license, or a club license shall ensure that a warning notice prepared by the Department of Health is posted prominently in any service area as well as a wall, towel dispenser or other appropriate location in any public rest room for women patrons on the licensed premises. The notice shall warn patrons that alcohol consumption during pregnancy has been determined to be harmful to the fetus and can cause birth defects, low birth weight and Fetal Alcohol Syndrome, which is one of the leading causes of mental retardation.

BOOKS1

On March 29, 2013, you failed to keep or maintain books of account which were true, complete and accurate in all respects on your licensed premises or failed to produce same for inspection upon demand in violation of N.J.A.C. 13:2-23.32

Reference is made to an A.B.C. inspection conducted by Detective Lillo #234 and Detective Sergeant Gonzales on 3/29/2013, under case 2013-13668:

Records to be maintained on the licensed premises; other required records.
(d) All licensees shall produce the above-enumerated records for inspection immediately upon request by the Director, the issuing authority or the agents or representatives thereof and any other law enforcement officer, peace officer or any other person whose powers or duties include the enforcement of the Alcohol Beverage Control Act and officers as defined by N.J.S.A. 33:1-1(P), unless a different time period is prescribed in N.J.A.C. 13:2-29.4, at a location designated by the requester. The

failure to comply with this subsection shall be considered in violation of N.J.S.A. 33:1035 and N.J.A.C. 13:2-23.30.

APP1

On March 29, 2013 you conducted your licensed business without keeping and having on your licensed premises available for inspection a true copy of the application for your current license or a true copy of the last filed long form application in violation of N.J.A.C. 13:2-23.13(a)2.

13:2-23.13(a)2. A photostatic or other true copy of the application for the current license as well as the last filed long-form application is kept on the licensed premises; and such application copy and such list shall be available for inspection by the Director, the Director's deputies, inspectors and investigators, and by any officer defined by N.J.S.A. 33:1-1(p)

APP1

On March 29, 2013 you conducted your licensed business without keeping and having on your licensed premises available for inspection a true copy of the application for your current license or a true copy of the last filed long form application in violation of N.J.A.C. 13:2-23.13(a)2.

13:2-23.13(a)2. A photostatic or other true copy of the application for the current license as well as the last filed short-form application is kept on the licensed premises; and such application copy and such list shall be available for inspection by the Director, the Director's deputies, inspectors and investigators, and by any officer defined by N.J.S.A. 33:1-1(p)

NUIS2-N

On February 17, 2013, you allowed, permitted or suffered your licensed place of business to be conducted in such a manner as to become a nuisance requiring police intervention, or adversely affecting public safety or rights of the public, viz., At 11:46 P.M. on 2/16/2013, (CC#2013-12143), Detective Lillo #234 responded to your establishment on a report of a patron that was assaulted on the inside. Detective Lillo along with Officer's Cannella and Pelliccio spoke to Gloria Stauss of Bayonne, NJ (patron inside your establishment). She stated she was assaulted inside the tavern while seated in the bar area. Ms. Stauss claims that Laura Cox of Cranford, NJ slapped her multiple times in the face.

On February 23, 2013, you allowed, permitted or suffered your licensed place of business to be conducted in such a manner as to become a nuisance requiring police intervention, or adversely affecting public safety or rights of the public, viz., At 2:51 A.M. on 2/23/2013, (CC #2013-13668), Officers responded to your establishment on a

report of a male assaulted. Upon arrival, Officers observed a young male, standing in front of your establishment bearing a large laceration (approximately three to four inches) to the left side of his face. While speaking to your patron, he stated that he was inside your establishment drinking with friends. Your patron was involved in a verbal confrontation which resulted beer being spilled onto someone's head. Your patron was escorted out of the establishment by your security employee, Martino St. Bello. With your assistance, Detectives were able to view the incident from your video surveillance. In viewing recorded video surveillance date 2/23/2013, at 2:43 hours, it was observed a male standing against a parked motor vehicle. A few minutes later, a male exits the establishment, walk directly over to the male standing by the parked vehicle, and without hesitation, strike him on the left side of his face with what appeared to be a bottle. Moments later it is seen, a second male assault the same victim in the face several times.

The above detailed acts are in violation of N.J.A.C. 13:2-23.6(b)

13:2-23.6(b) Prohibition against immoral activities; disturbance; nuisance on premises.

(b) Every licensee shall operate its business in an orderly and lawful fashion, so as not to constitute a nuisance. A licensee's responsibility under this section includes the conduct of the licensee, its employees and patrons, if such conduct is contrary to the public health, safety and welfare.

Complaints have been registered with the police department over a period of time. The complaints range from excessive noise from loud music, unruly crowds outside the bar during the early morning hours, and fights inside and outside of the bar at closing time.

03/30/2013 Bayonne Police A.B.C. Supplemental Investigation File #2013-13668

On 03/30/2013 at approximately 19:30 hours, Detective Sergeant Gonzalez and Detective Lillo conducted an A.B.C. inspection of Lot 13 LLC t/a Lot 13 Longbar and Restaurant, License #0901-33-058-001.

Upon entering the establishment, they were met by Shannon Milani who identified herself as the bartender. At their request, Ms. Milani contacted the owner of the establishment, (Jean Morrison Stewart) who responded. Mrs. Stewart was advised that they were there to conduct an A.B.C. inspection of the establishment. Upon completion of the inspection, the following administrative violations were discovered.

1. No long form on premises
2. No short form on premises
3. No employee list

4. No fetal alcohol warning in the main bar area
5. Records were stored off premises without valid premises records permit.

Upon completion of the inspection, Mrs. Stewart was provided with copies of the Retail Inspection Worksheet and Notice of Inspection.

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BE IT RESOLVED, that the Alcoholic Beverage Control Board hereby receives and files disciplinary charges preferred by the Chief of Police against Double B Food Services, Inc. t/a The Rock , holder of Plenary Retail Consumption License No. 0901-33-055-006, for premises located at 206 Broadway , Bayonne, NJ; and be it further

RESOLVED, that the board hereby fixes Thursday, June 20, 2013 , at 5:00 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.

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

WHEREAS, ORGUMA LLC, t/a SARELLI'S, residing or located at 241 Broadway in the City of Bayonne, County of Hudson, State of New Jersey, holder of Plenary Retail Consumption License No. 0901-33-070-008, has made application for a place to place transfer to expand the licensed premises to include a portion of the sidewalk in the front of the licensed premises for use as an outdoor cafe, and the board having heard objections to the expansion from neighbors of the licensed premises and having concluded that there being no good cause why the said transfer should not be allowed; now, 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. 0901-33-070-008, above described, be and is hereby transferred from premises located at 241 Broadway

to an expanded premises located including a portion of the sidewalk in front 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 will be reconsidered by this board if the outdoor café license is not granter; and be it further

RESOLVED, that the effective date of the said transfer is June 3, 2013.

Ayes - Board Members Colasurdo and Chairman McCabe.

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10. 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 15, 2013, be and the same are hereby approved.

Ayes - Board Members Colasurdo and Chairman McCabe.

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

BE IT RESOLVED, that the Alcoholic Beverage Control Board hereby reschedules the meeting scheduled for Thursday, June 27, 2013 to Thursday, June 20, 2013, at 5:00 P.M.

Ayes - Board Members Colasurdo and Chairman McCabe.

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At 5:11 P.M., Board Member Colasurdo moved to adjourn, seconded by Chairman McCabe, which motion was adopted.

Ayes - Board Members Colasurdo and Chairman McCabe.

H. Mickey McCabe, Chairman

Robert F. Sloan, Secretary