

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, SEPTEMBER 18, 2014.

The Board met at 6:04 P.M.

The Board Secretary called the roll.

Present were: Board Members Debra Cuseglio, John Minella, and H. Mickey McCabe

Board Member McCabe 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 September 18, 2014 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 September 15, 2014."

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

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Board Member Minella moved that Board Member McCabe be elected Chairman, seconded by Board Member Cuseglio, which motion was adopted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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

WHEREAS, F A Mackenzie Post 165 American Legion Holding Corp., holder of Plenary Retail Consumption License No. 0901-33-001-001, 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 2013-2014 and 2014-2015 LICENSE TERMS PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said F A Mackenzie Post 165 American Legion Holding Corp., has made application for the renewal of the aforesaid license for the 2014-2015 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. 0901-33-001-001 for the period commencing July 1, 2014 through June 30, 2015, be granted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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

WHEREAS, Mitchell Burakovsky, holder of Plenary Retail Consumption License No. 0901-33-009-006, 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 2014-2015 and 2015-2016 LICENSE TERMS PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said Mitchell Burakovsky has made application for the renewal of the aforesaid license for the 2014-2015 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. 0901-33-009-006 for the period commencing July 1, 2014 through June 30, 2015, be granted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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

WHEREAS, James A. Sucato, holder of Plenary Retail Consumption License No. 0901-33-022-010, 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 2014-2015 LICENSE TERM PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said James A. Sucato has made application for the renewal of the aforesaid license for the 2014-2015 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. 0901-33-022-010 for the period commencing July 1, 2014 through June 30, 2015, be granted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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

WHEREAS, Elizabeth Dautrick, holder of Plenary Retail Consumption License No. 0901-33-048-004, 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 2014-2015 and 2015-2016 LICENSE TERMS PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said Elizabeth Dautrick, has made application for the renewal of the aforesaid license for the 2014-2015 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. 0901-33-048-004 for the period commencing July 1, 2014 through June 30, 2015, be granted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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

WHEREAS, Chibay, LLC, holder of Plenary Retail Consumption License No. 0901-33-100-005, 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 2014-2015 LICENSE TERM PURSUANT TO N.J.S.A. 33:1-12.39; and

WHEREAS, the said Chibay, LLC has made application for the renewal of the aforesaid license for the 2014-2015 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, 2014 through June 30, 2015, be granted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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06. The board secretary announced that this is the time and place set for the hearing of disciplinary charges filed by the Chief of Police against Plenary Retail Consumption License No. 0901-33-117-011, issued to Sin Kan LLC t/a Thai O'Brien's for premises located at 57 East 32nd Street.

Assistant City Attorney Susan Ferraro appeared on behalf of the Chief of Police.
Anthony Biancielli, Esq. appeared on behalf of the licensee.

The parties advised that they were negotiating a possible plea arrangement but that additional information was needed.

Board Member Minella moved that matter be tabled to the meeting of October 23, 2014, seconded by Board Member Cuseglio, which motion was adopted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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07. Board Member Minella moved that the following resolution be adopted, seconded by Board Member Cuseglio, which motion was adopted.

RESOLVED, that the time of meetings be changed from 6:00 P.M. to 5:00 P.M.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

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At 6:25 P.M., Board Member Minella moved to adjourn, seconded by Board Member Cuseglio, which motion was adopted.

Ayes - Board Members Cuseglio, Minella, and Chairman McCabe.

H. Mickey McCabe, Chairman

Robert F. Sloan, Secretary