

# ALCOHOLIC BEVERAGE CONTROL BOARD

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DAWN ZIMMER  
Mayor



Robert W. Phillips, Chairman  
Michael Blumenfeld, Vice Chairman  
Steven Bauman, Commissioner

## Minutes of the May 14, 2015 Alcoholic Beverage Control Board Meeting

The meeting was called to order at 6:06p.m.

The Open Public Meeting Act statement was read by Suzanne Hetman, Board Secretary.

### ROLL CALL:

BOARD MEMBERS	
Chairman Robert W. Phillips	✓
Vice Chairman Michael Blumenfeld	✓
Commissioner Steven Bauman	✓

Also Present: Suzanne Hetman, board secretary; Alysia Proko, attorney for the board; Jon Tooke, Director of Public Safety; and Daisy Amado, recording secretary.

### APPROVAL OF THE MINUTES OF THE MARCH 26, 2015 MEETING:

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips		✓	✓			
Vice Chairman Blumenfeld	✓		✓			
Commissioner Bauman					✓	

### APPROVAL OF THE MINUTES OF THE APRIL 23, 2015 MEETING:

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips					✓	
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman	✓		✓			

### PERSON TO PERSON TRANSFER

(1) Liquor License #0905-44-001-010, BLUE RIBBON WINES LIQUORS & GROCERIES INC. d/b/a Blue Ribbon Wines Liquors, 450 First Street TO NAIYA BEVERAGE GROUP LLC d/b/a Blue Ribbon Wine Liquors, 450 First Street, Hoboken, New Jersey

Ms. Kanchi Patel, buyer and sole owner, appeared before the board and was sworn in. Board secretary advised this is a completely new owner, same address and a distribution license. Commissioner Bauman asked Ms. Patel whether she owned any other licenses in Hoboken to which she replied no.

Motion to approve the transfer.

BOARD MEMBER	Motion	Second	Yes	No	Abstain	No Vote
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman			✓			

**PERSON TO PERSON TRANSFER**

**(2) Liquor License #0905-33-133-007, RIVER STREET LIQUOR, LLC d/b/a Cadillac Cantina, 80 River Street, Space 1D&1E TO 80 RIVER STREET RESTAURANT, LLC, d/b/a Cadillac Cantina, 80 River Street, Space 1D&1E**

Robert Smith, attorney for the applicant appeared before the board along with James McCue, the buyer and the seller. Mr. Smith explained this is a corporate re-structuring and they are switching from one LLC to another. The owners remain the same. Mr. McCue explained this arose from a tax issue that they needed to correct. Board secretary advised that this is something they needed to do and Lt. Roofe checked and everything is good to go. Board attorney advised that the license has an outstanding charge against it that will be transferred to the new license. Board attorney suggested board secretary add the following language to the resolution: this transfer is subject to case number 14-16 single charge.

Move to accept transfer of license as proposed.

BOARD MEMBER	Move	Second	Yes	No	Abstain	No Vote
Chairman Phillips			✓			
Vice Chairman Blumenfeld	✓		✓			
Commissioner Bauman		✓	✓			

**HEARINGS**

**(1) Liquor License #0905-33-155-013, HAZEL ROCK, INC. d/b/a Green Rock Bar & Grill, Case number 15-1**

Postponed to the June 11<sup>th</sup> board meeting – administrative adjournment.

**(2) Liquor License #0905-33-075-005, MAXVEN, LLC d/b/a Maxwells Tavern, 1039 Washington Street, Case number 15-2**

Jim Burke, attorney for Maxven appeared before the board and stated his client accepts the plea but wants to discuss that they believe five days closed with five held in abeyance is excessive. Peter Carr, owner and Eric Sorkin, owner also appeared before the board with Mr. Burke. Board attorney advised the owner hindered investigation, used expletive language during a noise complaint investigation. Mr. Burke stated: ‘Mr. Carr came out of back room used language he should have not used. The investigation was completed, the music was turned down. The five day closure is a bit unfair. We are concerned about our employees, many that live here in Hoboken. Mr. Carr will apologize.’ Mr. Carr did apologize to the board and said that they have worked hard to ensure the sound does not bleed out of their establishment. The last noise complaint was in the middle of January. Eric Sorkin stated ‘we learned our lesson.’ Board attorney advised she takes no position whether the board should mitigate the five days. Board asked Mr. Carr why he was so upset at the police. Mr. Carr stated he felt he was being harassed, been working hard sound proofing and he had a long day and he apologizes. Board attorney clarified that the officers were within their jurisdiction. Board discussed how noise complaints are the biggest problem.

Motion to a two day suspension with five held in abeyance.

<b>BOARD MEMBER</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>No Vote</b>
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman			✓			

**NEW BUSINESS**

Commissioner Bauman shared an article from a few weeks ago in connection to the Texas Arizona incident that took place last August. Commissioner Bauman discussed how he never heard of this through this board. Director Tooke stated there were a large number of graduates of the port authority agency and they were celebrating their graduation. Texas Arizona was not their first stop. They became extremely disorderly and ownership called police. Hoboken Police Department notified Port Authority leadership and that gave basis for the story. Incident happened to owner that is why there are no tavern sheets. Per the board why was alcohol continued to be served and Director Tooke said per the reports they were helping themselves. Board discussed investigating matter. Board attorney advised we are within our rights to request investigation and if so we have to do it soon as it is coming up on a year. Board asked board attorney to move forward with requesting investigation.

**CLOSED SESSION**

**PURPOSE: DISCUSS PENDING LITIGATION**

MOTION to go into closed session at 6:39 p.m.

<b>BOARD MEMBER</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>No Vote</b>
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman			✓			

Chairman Phillips motioned to come out of close session at 6:54p.m

<b>BOARD MEMBER</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>No Vote</b>
Chairman Phillips	✓		✓			
Vice Chairman Blumenfeld		✓	✓			
Commissioner Bauman			✓			

Motion to adjourn the meeting made by Chairman Phillips.

The meeting was adjourned at 6:54p.m.