**MINUTES OF THE REGULAR MEETING OF THE LINDEN**

**BOARD OF ALCOHOLIC BEVERAGE CONTROL HELD**

**WEDNESDAY, OCTOBER 14, 2020**

A regular meeting of the Linden Board of Alcoholic Beverage Control was held virtually due to the Covid-19 Pandemic, on Wednesday, October 14, 2020 at 4:00 p.m.

Chairman Cornwell called the meeting to order and announced that the Notice of this meeting stating the date, place and time was disseminated under the Open Public Meetings Act.

A roll showed the following members in attendance:

Commissioner Chesney

Commissioner Cosby

Chairwoman Cornwell

Also present was ABC Secretary Joseph C. Bodek, and ABC Attorney Deirdre Mason.

Approval of Minutes

Ms. Cosby moved for approval of the minutes of the September 9, 2020 Regular Meeting Minutes and the September 23, 2020 Special Meeting Minutes. The motion was seconded by Mr. Chesney and was ordered approved by all voting yes with the exception of Mr. Chesney who abstained on the minutes of the September 9th meeting.

Mr. Bodek informed all about the reason for the renewal of Cohiba’s license for the 2018-2019 Licensing Period.

**RESOLUTION**

**WHEREAS,** RENEWAL APPLICATION FOR Alcoholic Beverage License for the license terms July 1, 2018 to June 30, 2019 was submitted in proper form, together with the appropriate license fees, and a tax clearance certificates has been received for the following:

**PLENARY RETAIL CONSUMMTION LICENSE - $1,400.00**

**Name and Address LICENSE NUMBER**

**Cohiba Lounge and Restaurant 2009-33-014-007**

(Pocket License)

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Alcoholic Beverage Control of the City of Linden, does hereby approve the renewal of the aforesaid alcoholic beverage licenses for the license term July 1, 2018 to June 30, 2019.

Mr. Chesney moved for the approval of the Resolution. The motion was seconded by Ms. Cosby and was unanimously ordered approved.

Mr. Bodek informed the board that DAR received all of its necessary documents to renew their license for 2019-2020 period and the reason for the delay.

**RESOLUTION**

## **WHEREAS**, renewal applications for Alcoholic Beverage Licenses for the license term July 1, 2019 to June 30, 2020 have been submitted in proper form, together with the appropriate license fees, and tax clearance certificate have been received for the following:

**2019/2020 ABC LICENSEES**

**Name and Address** **License Number**

**PLENARY RETAIL CONSUMPTION**

**FEE PAID $1,400.00**

**DAR LLC 2009-33-039-010**

9 Cedar Avenue

Linden, NJ 07036

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Alcoholic Beverage Control of the City of Linden, does hereby approve the renewal of the aforesaid alcoholic beverage licenses for the license term July 1, 2019 to June 30, 2020.

Mr. Chesney moved for the approval of the Resolution. The motion was seconded by Ms. Cornwell and was unanimously ordered.

Mr. Bodek presented licenses ready for renewal for the 2020-2021 licensing period.

**RESOLUTION**

## **WHEREAS,** on March 9, 2020 Governor Murphy declared a Public Health Emergency created by the COVID-19 Pandemic,

**WHEREAS,** Governor Murphy issued Executive Order No. 104, ordering all State-issued licenses and permits, issued by the Division for the 2019-2020 license term, that expire on June 30, 2020, shall be extended until September 30, 2020;

## **WHEREAS**, renewal applications for Alcoholic Beverage Licenses for the license term October 1, 2020 to June 30, 2021 have been submitted in proper form, together with the appropriate license fees, and tax clearance certificate have been received for the following:

**2020/2021 ABC LICENSEES**

**Name and Address** **License Number**

**PLENARY RETAIL CONSUMPTION**

**FEE PAID $1,400.00**

**Styles Inn, LLC 2009-33-015-006**

t/a Styles Inn

305 N. Stiles Street

Linden, NJ 07036

**PLENARY RETAIL DISTRIBUTION**

**Fee Paid $950.00**

**Simyra Enterpises 2009-44-013-006**

**(pocket License)**

**NOW, THEREFORE BE IT RESOLVED,** by the Board of Alcoholic Beverage Control of the City of Linden, does hereby approve the renewal of the aforesaid alcoholic beverage licenses for the license term October 1, 2020 to June 30, 2021.

Ms. Cosby moved for the approval of the Resolution. The motion was seconded by Mr. Chesney and was unanimously ordered approved.

Mr. Bodek informed all about the TGI Friday’s transfer and explained that due to the corporate structure change a transfer of the license had to be done.

**PERSON-TO-PERSON TRANSFER OF LICENSE 2009-33-067-006 FROM**

**BRIAD RESTAURANT GROUP LLC TO TGI FRIDAY’S INC.**

**WHEREAS,** an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 2009-33-067-006, heretofore issued to Briad Restaurant Group located at 400 South Park Avenue, Linden, New Jersey; 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; and

**WHEREAS,** the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS,** the applicant has disclosed and the issuing authority 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 license business.

**NOW, THEREFORE BE IT RESOLVED** that the City of Linden Board of Alcoholic Beverage Control does hereby approve, effective October 15, 2020 the transfer of the aforesaid Plenary Retail Consumption License, to TGI Friday’s Inc and does hereby direct the A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to TGI Friday’s Inc effective October 15, 2020.”

**PERSON-TO-PERSON TRANSFER OF LICENSE 2009-33-055-009 FROM**

**ALEKOS LLC TO DREAM UPSCALE LOUNGE LLC**

**WHEREAS,** an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 2009-33-055-009, heretofore issued to Alekos LLC, a pocket license; 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; and

**WHEREAS,** the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS,** the applicant has disclosed and the issuing authority 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 license business.

**NOW, THEREFORE BE IT RESOLVED** that the City of Linden Board of Alcoholic Beverage Control does hereby approve, effective October 15, 2020 the transfer of the aforesaid Plenary Retail Consumption License, to Dream Upscale Lounge LLC and does hereby direct the A.B.C. Board Secretary to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Dream Upscale Lounge LLC effective October 15, 2020.”

Mr. Chesney moved for the approval of the resolution. The motion was seconded by Ms. Cosby and was unanimously ordered approved.

**PLACE-TO-PLACE TRANSFER OF LICENSE 2009-33-055-009 BELONGING TO DREAM, UPSCALE LOUNGE, LLC**

**WHEREAS,** an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 2009-33-055-009 issued to Dream, Upscale Lounge, LLC, with a mailing address of 226 Horizon Drive, Edison, NJ 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 the City of Linden Board of Alcoholic Beverage Control does hereby approve, effective October 15, 2020 the Place-to-Place transfer of the aforesaid Plenary Retail Consumption licensed premises, from its former location, a mailing address of 226 Horizon Drive, Edison, NJ, to its new location at 1410 East Elizabeth Avenue, Linden and does hereby direct the Board Secretary to endorse the license certificate as follows: “This license, subject to all of its terms and conditions, is hereby transferred to premises located at 1410 East Elizabeth Avenue, Linden.”

Mr. Chesney moved for the approval of the Resolution. The motion was seconded by Ms. Cosby and was unanimously ordered approved.

The board congratulated Mr. McCleary and wished him well on his new business. Mr. McCleary thanked the board.

**The House**

Mr. Bodek informed all about the continued violations at The House on Washington Avenue. Latest, being an event attended by approximately 200 patrons which was a clear violation of the NJ Executive Order. It resulted with a large police presence and several other surrounding municipalities on standby for assistance. There were also numerous municipal violations and zoning violations. Mr. Bodek advised all that he and the police department had met with the establishment owners a few days prior to the event.

Mr. Bodek presented a few disciplinary options for the board to discuss and possibly proceed with. Mr. Bodek asked the board to hold a special meeting to bring up charges.

Ms. Cosby recommended a warning for the establishment and preferred not to shut the business down.

Mr. Bodek explained the charges and special conditions that may be imposed on the license instead of charges. Ms. Cosby also questioned rules of the executive order violation. Mr. Bodek explained the Executive order and what was observed and the number of people that exceeded the amount allowed.

The board agreed to hold a special meeting on Monday, October 26, 2020.

Public Comment

None

There being no further business to come before the Board, Ms. Cosby moved to adjourn the meeting. The motion was seconded by Mr. Chesney and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 4:25 pm.

Respectfully submitted,

Joseph C. Bodek

A.B.C. Secretary