

A Regular Meeting of the ABC Board was held on September 16, 2020 at 4:15 P.M. virtual meeting via ZOOM.

Amada D. Curling, City Clerk read the following notice into the record:

IN ACCORDANCE WITH CHAPTER 231 PUBLIC LAWS OF 1975, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY FAX TO THE HERALD NEWS AND PUBLISHED ON JULY 17, 2020 AND PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK.

PURSUANT TO THE OPEN PUBLIC MEETING ACT, BE ADVISED THAT THE ALCOHOLIC BEVERAGE CONTROL BOARD OF THE CITY OF PASSAIC HAS SCHEDULED A SPECIAL MEETING TO BE HELD ON September 16, 2020 AT 4:15 P.M. VIA ZOOM

On call of the roll the following Commissioners responded:

Present: Commissioner Sanchez and Chairman Garcia Sanchez

Absent: Commissioner Rivera

Also, present: Christopher Harriot, ABC Attorney

Absent: Dominick Stampone, Esq. ABC Prosecutor

PLEDGE OF ALLEGIANCE

MINUTES:

On motion by Commissioner Sanchez and second by Chairperson Garcia, all members voting "Aye" as the roll was called the minutes of July 22, 2020 Special Meeting of the Alcohol Beverage Control Board meeting was accepted as engrossed.

COMMUNICATIONS AND PETITIONS

On motion by Commissioner Sanchez and second by Chairman Garcia, the following communications were ordered, received, and place on file, all members voting "Aye" as the roll was called:

Police Officer Edward Valentine, Licensing Officer, submitting the following:

- Police Reports as of July 31, 2020

Amada D. Curling, submitting the following:

- Mayor Hector C. Lora, submitting an Executive order re: Outdoor Seating Hours

ALL MATTERS LISTED HEREUNDER ARE CONSIDERED ROUTINE IN NATURE AND WILL BE RECEIVED AND FILED BY ONE MOTION. ANY COMMISSIONER MAY REQUEST THAT AN ITEM BE REMOVED FOR SEPARATE CONSIDERATION.

RESOLUTIONS:

On motion by Commissioner Sanchez and seconded by Chairperson Garcia, the following **RESOLUTION WAS REMOVED** from the agenda, all members voting "Aye" as the roll was called:

RESOLUTION AUTHORIZING THE BOARD OF ALCOHOLIC BEVERAGE CONTROL

TO MEET IN CLOSED SESSION ON September 16, 2020 TO DISCUSS PENDING LITIGATIONS, CLIENT/ATTORNEY MATTERS AND DELIBERATIONS AS TO MATTERS BEFORE THE BOARD (N.J.S.A. 10:4-12. B (6), (7) AND (9)

On motion by Commissioner Sanchez and second by Chairperson Garcia, the following **RESOLUTIONS WERE ADOPTED**, all members voting "Aye" as the roll was called:

Renewal Resolution No. 017-20

RESOLUTION AUTHORIZING 2020-2021 RENEWAL OF CONCORD LIQUORS, LLC, POCKET LICENSE NUMBER 1607-32-025-005 (SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE LICENSE PURSUANT TO N.J.S.A. 33:12.39)

WHEREAS, the Municipal Board of Alcoholic Beverage Control hereby affirmatively finds and certifies that the Plenary Retail Consumption License Number 1607-32-025-005 issued to CONCORD LIQUORS, LLC, has submitted an application form that is complete in all respects.

WHEREAS, the Licensee has filed with the Director of the Division of ABC a verified petition requesting authorization for the local issuing authority to consider a renewal application for Plenary Retail Consumption License No. 1607-32-025-005 for the 2020-2021 license terms pursuant to the provisions of N.J.S.A. 33:1-12.39.

WHEREAS, the Director, of the Division of ABC reviewed the petition filed and have considered all the facts and circumstances related to the inactive status of this license and finds that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2020-2021 license terms.

WHEREAS, the Board is hereby authorized to consider the application for renewal of the subject license and to thereupon grant or deny said application in the reasonable exercise of its discretion.

WHEREAS, the Board further certifies that the aforementioned licensee has qualified for licensure according to all statutory, regulatory and local governmental ABC laws and regulations; and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control that Alcoholic Beverage License for the year beginning July 1, 2020 expiring June 30, 2021 be and the same is hereby granted to CONCORD LIQUORS, LLC INC. License Number 1607-33-038-005.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby instructed to issue said license, which license shall expire June 30, 2021, except as set forth herein.

RENEWAL RESOLUTION FOR PLENARY RETAIL CONSUMPTION LICENSES FOR THE LICENSING YEAR TERM BEGINNING JULY 1, 2020 AND TERMINATING JUNE 30, 2021.

WHEREAS, the Municipal Board of Alcoholic Beverage Control hereby affirmatively finds and certifies that the following list of licensees have submitted an application form that is complete in all respects; and

WHEREAS, the Board further certifies that the attached list of licensees has qualified for licensure according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the City Clerk has received the tax clearance certificates from the State of New Jersey for the licenses on the list.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control that Alcoholic Beverage Licenses for the year beginning July 1, 2020 and expiring June 30, 2021 be and the same are hereby granted to the applicants as per the attached list and conditions.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby instructed to issue said licenses, which licenses shall expire June 30, 2021.

**RENEWAL RESOLUTION FOR PLENARY RETAIL DISTRIBUTION
LICENSES FOR THE LICENSING YEAR TERM BEGINNING
JULY 1ST, 2020 AND TERMINATING JUNE 30, 2021.**

RENEWAL RESOLUTION 019-20

WHEREAS, the Municipal Board of Alcoholic Beverage Control hereby affirmatively finds and certifies that the following list of licensees have submitted an application form that is complete in all respects; and

WHEREAS, the Board further certifies that the attached list of licensees has qualified for licensure according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the City Clerk has received the tax clearance certificates from the State of New Jersey for the licenses on the list.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control that Alcoholic Beverage Licenses for the year beginning JULY 1, 2020 and expiring JUNE 30, 2021 be and the same are hereby granted to the applicants as per the attached list.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby instructed to issue said licenses, which licenses shall expire JUNE 30, 2021.

**RENEWAL RESOLUTION FOR CLUB LICENSES FOR THE
LICENSING YEAR TERM BEGINNING
JULY 1ST, 2020 AND TERMINATING JUNE 30, 2021.**

RENEWAL RESOLUTION NO. 020-20

WHEREAS, the Municipal Board of Alcoholic Beverage Control hereby affirmatively finds and certifies that the attached list of club licenses has submitted an application form that is

complete in all respects, including submission of the club member list; and

WHEREAS, the Board further certifies that the attached list of club licenses and their officers and directors are qualified for licensure according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the Board has ascertained and reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

WHEREAS, the attached list of club licenses has indicated that they maintain all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control that Alcoholic Beverage Licenses for the year beginning JULY 1, 2020 and expiring JUNE 30, 2021 be and the same are hereby granted to applicants as per the attached list.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby instructed to issue said licenses, which licenses shall expire JUNE 30, 2021.

RESOLUTION NO. 021-20

RESOLUTION 2020-2021 RENEWAL LICENSES PENDING TAX CLEARANCE RECEIVED AS OF JUNE 30, 2021

WHEREAS, the Municipal Board of Alcoholic Beverage Control hereby affirmatively finds and certifies that the attached list of Licenses has submitted an application that is complete in all respects,

WHEREAS, the attached list of License has indicated that they maintain all records required by N.J.A.C. 13:2-8.8 and N.J.A.C. 13:2-8.12.

WHEREAS, the City Clerk has not received the tax clearance certificates from the State of New Jersey for the licenses on the attached list.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control that Alcoholic Beverage License for the year beginning July 1, 2020 and expiring June 30, 2021 and the same are hereby granted to applicants as per the attached list with the following condition:

That the Tax Clearance Certificate must be received by September 30, 2020, if the Certificate is not received by that date; the renewal will become null and void until such time as the Certificate is received by the office of the City Clerk and the license is approved by the Board of Alcoholic Beverage Control of the City of Passaic at their next meeting to be held on October 20, 2020.

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby instructed to issue said license, which licenses shall expire June 30, 2021 except as set forth herein.

There being no further business to come before the Board on motion by Commissioner Sanchez and seconded by Chairperson Garcia voting "AYE" as the roll was called the meeting was adjourned.

Amanda Rivera, Commissioner

Judith Sanchez, Commissioner

Edwin Garcia, Chairperson

Dated: October 22, 2020