

MAY 14, 2013

PAULSBORO, N.J.

6:00 P.M.

SPECIAL MEETING

Council Chamber:

Mayor Hamilton presided at the Special Meeting of Council held on the above date and place.

Mayor Hamilton called the Special Meeting to order.

Borough Clerk VanScoy read the opening statement regarding the Open Public Meetings Act.

Members present were: Giovannitti, Giampola, Haynes, Kidd, Turner. Absent: Stevenson (excused). Also present was John Alice, Esq. for Complainant – Chief of Police and Paulsboro Police Department and John Vassallo, Esq., Attorney for the license holder.

Mayor Hamilton opened the floor to the public.

There wasn't any public participation.

This Special Meeting was scheduled to hold a Liquor License Hearing in regards to charges to Benny's on the Rail which proper notice was given by certified and regular mail on April 19, 2013.

Councilman Haynes stated he has a potential conflict as his daughter is one of the witnesses. It would be in his best interest to recuse himself from the hearing.

At this time, Councilman Haynes left the meeting.

Mayor Hamilton stated Councilman Haynes was excused from the meeting.

Mayor Hamilton informed everyone to speak when called upon or if they are out of order, they will be asked to leave.

Solicitor Angelini stated he will swear in any witnesses under oath and he will make recommendations.

Five (5) witnesses testified as to what they saw take place, what time and day it took place and as to whether a doorman was present.

Mayor and Council recessed at 7:15 p.m.

At 8:20 p.m., the lawyers for all involved convened to discuss a resolution to this matter.

At 8:30 p.m., Solicitor Angelini stated the parties and their Attorneys have taken time to discuss a potential resolution of the matter. A settlement was reached as follows:

1. There will be a 60 day suspension of the bar operation beginning June 10th to August 8th, 2013. No alcoholic beverages will be served or brought onto the bar premises.
2. The package store and food service will continue to operate.
3. All alcohol will be removed from the bar and premises and some bar stools will remain for patrons to eat their food. There will be no "BYOB". People will be allowed to eat inside until the place closes which is at 10:00 p.m. At which time the doors will close. The Bar premises for serving food can open at 9:00 a.m.
4. The Licensee agrees to waive any appeal to the NJABC and the final determination is to be made by the Mayor and Council of the Borough of Paulsboro as the issuing authority.

All parties were in agreement of the above settlement.

R. #100.13: RESOLUTION OF THE BOROUGH OF PAULSBORO SETTING FORTH THE DETERMINATION OF MAYOR AND BOROUGH COUNCIL AND APPROVING RESOLUTION IN THE MATTER OF BILLINGSPOIT SPIRITS

t/a BENNY'S ON THE RAIL. Giampola moved and Giovannitti seconded to adopt R. #100.13. Roll call: Ayes: Giovannitti, Giampola, Kidd, Turner. Nays: None. **Motion carried.**

There wasn't any further Borough business for the Special Meeting.

Giampola moved and Giovannitti seconded to adjourn the meeting at 8:37 p.m. All were in favor of the motion.

This is a brief summary of the Special Meeting of the Mayor and Council of the Borough of Paulsboro held on May 14, 2013 and should not be considered a verbatim transcript of the meeting.

Respectfully submitted,

Kathy A. VanScoy, RMC/CMC
Borough Clerk

W. Jeffery Hamilton, Mayor