

Licensing Committee
Wednesday, January 13th, 2021, 6:30 PM
***** Minutes *****

Present: Isidro Medina (Chair), Gerard Dengel (Asst Chair), Rosy Perez, Ashley Fernandez, Angel Vasquez, Marielle Ali

Excused: Leo Jimenez

Absent: Cindy Matos, Robin Cruz

Board Members: Francisco Lopez, Elizabeth Ritter

Guests: Miguel Acosta, Arelia Tavares, Martin Restituyo, Madeline Almanza

A. Welcome & Opening Remarks –

Committee Chair Isidro Medina called the meeting to order at 6:33 pm when the quorum was met. Isidro reminded attendees that translation services are available and how to access them. He then distributed tasks amongst committee members and asked for all members to introduce themselves. He clarified that the decisions made on this committee are suggestions and the final vote lies with the board. Gerard then took a roll call of all restaurants.

B. State Liquor Authority Renewal Licenses:

On-Premise Liquor License

1. El Jefe Eatery Group Inc. dba El Jefe - 186 Dyckman Street (btw Sherman Ave ^ Broadway)

Merchant: Miguel Acosta, representative, Madeline Almanza, President, and Martin Restituyo were present. Due to the alarming number of tickets they received from Sept 2019-Dec 2019 that Restituyo indicated were building tickets issued by police. The SLA nor the Building Dept had any issues with El Jefe. Restituyo said the tickets were dismissed except one, which was for the use of an extension cord in which a \$150 fine was paid. El Jefe wrote a letter to the CCRB due to the frequency and absence of merit to the tickets. Miguel clarified that though the sign says 74 people, the establishment has been re-assessed and granted the capacity of almost 200 people from the Building Department. Miguel shared that El Jefe has gone through a shift in management who are diligently working to ensure that the restaurant complies with all regulations. Restituyo wanted to clarify that the violations were dismissed and that when he went to court the basis for the violations was found without merit.

34th Precinct: Indicated several different violations that include capacity and noise issues both pre and post-pandemic. Lt Taveras shared that the double parking issues in that area have created an increase in 311 complaints so much so that buses cannot get through. Officer Aim mentioned that the previous

Public: Francisco Lopez, a current board member shared his experience of visiting El Jefe and mentioned the importance of speaking to people who visit and frequent restaurants. In his personal opinion, El Jefe can hold more than 75 people in the back of the establishment. Arelia Tavares mentioned that she visited during the Covid pandemic and found that the restaurant went above and beyond to keep customers safe. She mentioned her fears that if we do not support our businesses during this time, people will suffer and lose their jobs leading to an increase in crime.

Committee: Isidro commented on his own experience and observations, stating that he saw the establishment too crowded to comply with the social distancing regulations in addition to it being open beyond the agreed-upon operating hours. Isidro mentioned that there was an absence of a phone number, a good neighbor sign, and the use of an ID scanner which was agreed upon at the last renewal. Gerard wanted to clarify the capacity issues which was later revealed by the 34th precinct according to Lt Tavares reviewing the body-worn camera that the occupancy which was beyond the allowed capacity of 75 people. Restituyo cited that the overcrowding tickets pre-dated the covid capacity related issues. Marielle expressed her concerns that El Jefe had not agreed to their original stipulations such as a good neighbor sign and the use of an ID scanner. Angel asked why El Jefe decided to not take action with the manager when the violations were occurring. Gerard shared that it is the establishment's responsibility to ensure there is up to date paperwork, not on the precincts or the residents.

Vote:

Yes: RP

No: MA, AV

Abstain: IM, GD, AF

2. Euro El Tina Restaurant Lounge & Billiards Corp -- 500 W 207th Street (btw Post & Nagle Avenues)

Merchant:

34th Precinct: The only issue the 34th precinct has had has been double parking on account of the high amount of taxis. Other than that, they have not experienced major issues.

Public: No commentary

Committee: Isidro mentioned that in the past the committee has had no issue with this restaurant and shared that he has had great experiences with this establishment.

Vote: passed unanimously 6-0-0

3. Terravita Corp. - 4193 Broadway (btw W 177th & W 178th Streets)

Merchant: Arelia Taveras, representative, and Jose Rosa, owner were present

Committee: No commentary.

33rd Precinct: Officer Brown said that there were 5 311 calls in May and June for failure to comply with social distancing rules. There have been none since then and he assumes they addressed the issue. There have been a few noise complaints about the summer on account of outdoor seating but nothing too concerning. There are some double parking issues but they share the street with several restaurants.

Public: Martin Collins shared in the chat that this establishment brings something positive into the community.

Committee: Isidro mentioned that he has frequented the establishment and had a very positive experience. Angel also shared positive support for this business.

Vote: passed unanimously 6-0-0

4. Kismat Indian Restaurant Inc - 603 Fort Washington Avenue (at the corner of W 187th Street)

Merchant: Owner, Sammy (Shamim) Ahmed, have been in the community for the last 30+ years

34th Precinct: No complaints with the restaurant and cited that they are a good example for the community.

Public: Martin Collins sent a letter of support as well as Liz Ritter who expressed her support

Committee: Isidro questioned that given the license has expired what has the owner done with the alcohol. Sammy mentioned that they have closed their bars, removed their beer lists from the menu and tables. Isidro also raised questions on the health code violations and Sammy said all has been addressed but then COVID came and the Health Department closed. Isidro mentioned that there seems to be a trend of health code violations. Sammy mentioned that they share a basement with a supermarket and they had plumbing issues that attracted mice which they addressed by putting four inches of cement to close the gap.

Vote: passed unanimously 6-0-0

Restaurant Wine

5. EMS Gourmet Corp dba Capri Restaurant - 1342 Saint Nicholas Avenue (at the corner of W 177th Street)

Merchant: not present

33rd Precinct: No 311 complaints or concerns for this establishment

Public: No commentary

Committee: No commentary

Vote: passed unanimously 6-0-0

C. State Liquor Authority Method of Operation Change License:

To change closing hours on Friday & Sundays to 3 am and Wednesdays to 2 am & add DJ, Karaoke, & Live Music

6. Mexican Bistro Corp - 3803 10th Avenue (btw W 203rd & 204th Streets)

Merchant: Miguel Acosta, representative, and Angel Tejada, the manager were present. He mentioned that he has input a sound limiter into the establishment and wanted to think ahead for karaoke night or a mariachi band for events like Cinco de Mayo. In regards to the parking situation, they are away from the influx of restaurants so that should not be a problem.

34th Precinct: Only concerns are parking and music given that it is a residential area

Public: No commentary

Committee: Gerard wanted to echo that given that they are in a commercial area, residents of the Dyckman Houses can also be affected by the noise so just encouraged the restaurant to be considerate. Isidro mentioned the last time they came to the board there was no opposition from the board but wanted to share stipulations. Isidro recommended that they put a good neighbor sign with a phone number of a manager in charge. Isidro also requested the establishment buy and use a portable ID scanner to prevent underage consumption.

Vote: passed unanimously 7-0-0

7. Pinchos Grill Inc - 105A Dyckman Street (at the corner of Nagle Avenue)

Merchant: no representative present

Precinct: Not present

Public: no commentary

Committee: Isidro mentioned that because of an alteration change we cannot accept the change with no one present

Vote: rejected unanimously 0-7-0

D. State Liquor Authority Class Change License:

From Restaurant Wine to On-Premise Liquor License

8. Il Posto Trattoria Rustica Corp dba Cafe Tabu -- 227 Dyckman Street (btw Seaman Avenue & Broadway)

Merchant: Arelia Taveras, the representative was present

34th Precinct: There were 33 311 calls in all of 2020 usually because of the parking situation. Unrelated to Cafe Tabu, usually at night after the restaurants close they like to hang out in and around the park which is not the establishment's fault so there are no major concerns.

Public: Board Member Liz Ritter mentioned that this is a good example for an establishment to establish themselves as a good business and it would be appropriate to grant them this next step.

Committee: Isidro mentioned their last appearance to the board the vote passed and there were no major complaints or concerns. Isidro questioned who the bartenders are which Arelia said will all be ATAP certified. Carlota Chevere, a staff member has run the business with no covid violation or other violations. Given that they have proven themselves with restaurant wine, it is encouraged that they are now upgraded.

Vote: passed unanimously 7-0-0

D. State Liquor Authority Alteration License

Endorsement to change the business address

9. Il Posto Trattoria Rustica Corp dba Cafe Tabu -- 227 Dyckman Street (btw Seaman Avenue & Broadway)

Merchant: Arelia Taveras

34th Precinct: Not present.

Public: No commentary

Committee: There has been a renumbering of the building done by the Building Department. For the SLA purposes, the address is 227 Dyckman Street but the real address is 229 A/B Dyckman Street. They want to avoid any issues with the 34th precinct.

Vote: passed unanimously 7-0-0

10. Eskina 214 Corp dba Cafe Tabaco y Ron - 501 W 214th street (at the corner of W 214th Street)

Addition of another space to fit 74 persons

Merchant: Arelia Tavera, the representative was present. She said that the changes being made are to accommodate more people with more space on account of social distancing regulation. They will move the bar to the window, essentially moving it from the left to the right.

34th Precinct: In 2020, there have been 31 311 calls on account of loud music given that it is a residential area. There are no other concerns.

Public: no commentary

Committee: Isidro mentioned they have yet to get a grade from the Health Department and his concern with the 311 complaints. Arelia said she will take the concerns to the owner and request that there is a sound limiter. Isidro provided some stipulations: a phone number to be displayed that is visible of the manager who is in charge and a good neighbor sign.

Vote: passed unanimously 7-0-0

11. El Jefe Eatery Group Inc. dba El Jefe - 186 Dyckman Street (btw Sherman Ave ^ Broadway) **Withdrew Before meeting**

F. State Liquor Authority New License

Eating Place Beer

14. La Catrina Restaurant Mexican Deli Corp - 2083 Amsterdam Avenue (at the corner of 163th Street)

Merchant: Miguel Acosta, the representative was present.

33rd Precinct: Officer Brown mentioned that the location has had no complaints and they have no objections

Public: no comment

Committee: Isidro stated that the application was complete. There will be a jukebox but no DJ, no karaoke, no live music, and a sound limiter has been properly installed

as well as soundproofing. The hours of operation are 9 am-4 am daily. Isidro expressed that he is concerned about the hours. Miguel mentioned they originally wanted to be a 24-hour deli but because of COVID and other limitations, they just wanted to accommodate all customers. Gerard expressed his concern that despite it only being beer, there were some concerns about people buying beer at 4 am with open spaces nearby. Isidro mentioned that in 2018 when they did come in front of the board it was passed but then rejected because there was never a receipt submitted of a sound limiter. Isidro wanted to include the following stipulations: proof of a sound limiter no later than 1/25 as well as a good neighbor sign and a phone number to be displayed on the premise of a manager in charge. Marielle asked how the restaurant is handling the health code violations it received on March 3, 2020, to which Miguel had no clear answer as he was unaware. The establishment was closed by the Health Department. Miguel stated that he will find out about the violations but if they were allowed to reopen according to the Health Department then he assumes that they addressed the issue. In addition to the earlier stipulations, Isidro added that Miguel presents a note on clearance from the health department before the general board meeting as well by 1/25 at 5 pm.

Vote: passed unanimously 7-0-0

G. New Business/Adjournment