

Community Board 12 Licensing Committee

Minutes

Wednesday, February 12th, 2020

Committee Members Present: Isidro Medina (IM) Chair, Gerard Dengel (GD) Assistant Chair, Osi Kaminer (OK) Co-Assistant Chair, Robin Cruz (RC), Naysha Diaz (ND), Cindy Matos (CM)

Committee Members Excused: Matthew Levy (ML)

Committee Members Absent:

CB12 Members Present:

CB12 Staff Members Present: Ebenezer Smith, Shinelle Paniagua

Government Officials Present: None

Community Members Present: Carl C. Cutting (Pate Palo), Jacqueline Cutting (Pate Palo), Richard Wong (Raices), VIP Room, Jorge Luis Rosario Quezada, Michael Alberto (CU), Shane Mercado, Joe Irizarry (Patrick's Dyckman Bar), Julio Betances, Dominga Tyson, Carlos Severino, Ryan Desso, Ariel Ferreira, Osorio Susana (Chinitolatino), Ricardo Muregreo, David Thom (IOC), Federico Benafort, Arelia Tavares, David Dishy (Mofongo),

33rd Precinct Representative: Detective Valentine, Lt. Concepcion

34th Precinct Representative: Lt Contreras, Detective Pena

Minutes: Submitted by Osi Kaminer

The meeting was called to order at 6:34pm

A. Welcome & Opening Remarks – Isidro Medina, chairperson.

1.1. Although requests to all applicants were made from the CB12 District Office, applicants for agenda items 1, 5 & 12 did NOT submit a completed CB12 questionnaire in advance of the meeting.

1.2 Establishments that fail to submit the required documentation per their signed stipulations on or before Monday February 12th, 2020 at 5PM, will be reversed to a negative resolution!

1.3 Shane Mercado has resided above the Caridad restaurant at 554 west 181st Street for 36 years. The music emitting from the establishment is very loud and on-going for about 20 years. The new manager, Ray Ortiz, advised Mercado that he cannot call 3-1-1 and asked Mr. Mercado to call him whenever there is noise emitting from the establishment. DEP came to Mr. Mercado's apartment a number of years ago yet nothing changed. Mr. Mercado continued to call the restaurant when the music was too loud but never got the issue resolved.

Mr. Mercado has photos and videos of the restaurant owner screaming at him. He filed police reports and was told that he will be able to obtain *an order of protection* if there is one more incident at the location. Last week, when his mother was visiting, Mr. Ortiz yelled that he is calling the police as Mercado and his mother left the apartment building while yelling at Mercado's mother "you are nothing but a fucking faggot. I didn't want to call the police because I don't want it to be a hate crime." Mr. Mercado's mother called the police herself. Mr. Mercado called the DA's office and was told he cannot get an order of protection after all. He is concerned for his own safety as the owner of the restaurant lives across the street from him.

The licenses for this establishment were expired but they were still selling alcohol. The 34th Precinct visited the establishment due to loud music and spoke to the owner about the issue. Although he agreed to keep the music down Mr. Ortiz violated the agreement a few hours later. The 34th Precinct is aware of the various issues in the establishment and alert the SLA. Mr. Mercado was contacted by the SLA and asked to complete an affidavit so they can continue the investigation.

During the discussion the Licensing Committee was made aware that the owner, Mr. Ortiz, plays music outside the establishment that is a direct violation of SLA rules. Mr. Mercado filed one SLA complaint and over 200 x 3-1-1 complaints. He has photos, video and records of all the complaints he filed.

Osi K. moved to pass a resolution about the potential hate crime allegation against the owner of Caridad; 2nd by Cindy M.; all in favor. The Chair will invite Mr. Ortiz to the next Licensing Committee meeting before submitting a resolution to the SLA.

1.4 Floridita: the owner of the establishment was very disturbed by the loss of life at the establishment. They surrender their license by their own accord. Information that the SLA wanted to pose a \$50k summons is incorrect! However, due to this incident there are threats against the staff who work at the establishment. The 34th Precinct cannot speak about this issue since the investigation is still on-going but had this to say: this incident was preventable, the Precinct asks all establishments to search male and female patrons before they enter the restaurant and to hire male and female security guards since male patrons pass weapons to female patrons as they are not being searched. The 34th is asking all restaurants seeking security guards to also purchase a metal detector wand. Alcohol was not the trigger of this incident. At the December meeting the owners indicated that they hired a female guard, but it is not clear that they did as there was only one male security guard the night of the shooting.

**B. State Liquor Authority Renewal Licenses
On-Premises Liquor License**

1. Mary K Mac Inc. dba Patrick’s Dyckman Bar – 221 Dyckman Street (btw Seaman Avenue & Broadway) 10034

Establishment Information	License # 1027729 Expiration 2/29/20 On-Premises Liquor License, Renewal Bar Tavern: menu meets minimum food requirements
Owner Information	Kowalczyk Joseph, Joe Irizarry manager 917-794-6095 646-360-3018 deejay360@gmail.com dyckmandbar@gmail.com
Representative Information	Carlos Severino manager
Method of Operation	DJ, Recorded music only
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes
Security Camera / How Many?	8
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes

Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	No
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Sunday to Thursday 5PM to 1AM Friday & Saturday 5PM to 3:30AM
Total Space Capacity / Number of persons permitted by law	74
Total Number of Employees	14
Total Number of Tables / Chairs Indoors	10 / 30 / 10 bar stools
How many SLA violations has this establishment previously been charged with	N/A
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	N/A
Are there any pending SLA charges against this establishment	No
How many DEP / noise complaints has this establishment received since receipt or renewal of license	N/A
34th Precinct	<ul style="list-style-type: none"> • 11/24/19 overcrowding to the point where the safety of patrons was an issue and they were asked to close. Also, one guard was not licensed. They received a summons for both violations • 2/8/20 a patron left with an open can of Corona • Must address these issues with the security personal • Tinted windows must be taken down <p>Rep reply:</p> <ul style="list-style-type: none"> • Made an appointment to remove the tint off the windows • The security company that was hired had un-licensed guards which was not known to the owner • Sound limiter was installed
Stipulations	<ul style="list-style-type: none"> • Send photos to CB12 office demonstrating tints have been removed from windows on or before 2/24/20 at 5PM
Community Comments	Dave Thom (IOC): please be mindful that this is a residential neighborhood with commercial overlay, not the other way around
Notes	<ul style="list-style-type: none"> • CB12 resolution for a renewal dated 3/26/18: no objection w/stips: post a GN sign • DOH grade as of 5/29/19: C
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

2. Vida in China LLC dba Chinito Latino – 122 Dyckman Street (btw Sherman & Nagle Avenue) 10040

Establishment Information	License # 1292924 Expiration 2/28/20 On-Premises Liquor License, Renewal Restaurant: full kitchen and menu
Owner Information	Osorio Carmen Susana 646-590-3628 917-518-5224 susana@mamajuanacafenyc.com
Representative Information	
Method of Operation	DJ, recorded music, karaoke, live music: acoustic
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes / if needed
Security Camera / How Many?	32
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Monday to Friday 3PM to 2AM Saturday & Sunday 12PM to 2AM
Total Space Capacity / Number of persons permitted by law	115
Total Number of Employees	25
Total Number of Tables / Chairs Indoors	23 / 84 / 8 bar stools
How many SLA violations has this establishment previously been charged with	0
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	N/A
Are there any pending SLA charges against this establishment	None
How many DEP / noise complaints has this establishment received since receipt or renewal of license	0
34th Precinct	No objection
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • CB12 resolution for a new license dated 11/30/15: no objection • CB12 resolution for change to method of operation dated

	5/2/19: no objection w/stips: backyard will operate no later than 12am Mon.-Thu. And 1am Fri.-Sun. No music playing in the back yard <ul style="list-style-type: none"> • DOH grade: A
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

3. Vida Enterprises Inc. dba Pat'e Palo – 251-253 Dyckman Street (btw Payson & Seaman Avenue) 10034

Establishment Information	License # 1268583 Expiration 3/31/20 On-Premises Liquor License, Renewal Restaurant, full menu and kitchen
Owner Information	Cutting Carl 646-918-6242 646-863-4375 cutting7505@gmail.com patepalony@gmail.com
Representative Information	
Method of Operation	Juke box, DJ, recorded music, karaoke, lived music: not specified
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes / 2-3
Security Camera / How Many?	15
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	Unenclosed Sidewalk Café
Hours of Operations	Monday to Thursday 3PM to 2AM Friday & Saturday 3PM to 4AM Sunday 11AM to 2PM
Total Space Capacity / Number of persons permitted by law	75
Total Number of Employees	11
Total Number of Tables / Chairs Indoors	26 / 22 / 12 bar stools
How many SLA violations has this establishment previously been charged with	1
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	0 w/ current owner

Are there any pending SLA charges against this establishment	Yes from pervious owner / management
How many DEP / noise complaints has this establishment received since receipt or renewal of license	0
34th Precinct	No objection
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> Owned the establishment for a year, renovated the restaurant before re-opening SLA license: Live, recorded music: doors and windows must be closed after 10PM CB12 resolution for a renewal dated 5/2/18: no objection w/stips: install soundproofing, buy ID scanner, place GN sign Restaurant grade: A
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

4. Trustees of Columbia University in the City of NY dba Faculty Club – 630 W 168th Street (btw Fort Washington Avenue & Broadway) 10032

Establishment Information	License # 1236374 Expiration 2/29/20 On-Premises Liquor License, Renewal Faculty club; full kitchen and menu
Owner Information	Trusty of Columbia U. faculty club 212-305-0092 ma494@cumc.columbia.edu
Representative Information	Michael Alberto 212-305-0092 ma494@cumc.columbia.edu
Method of Operation	DJ, live music for special limited events
Sound Limiter installed on all associated equipment	No
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed”?	Yes / 1 the club is on the 4 th fl, security personal for the building
Security Camera / How Many?	5
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Left blank

Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Monday to Friday 9AM to 6PM Saturday & Sunday open for special events only
Total Space Capacity / Number of persons permitted by law	150
Total Number of Employees	12
Total Number of Tables / Chairs Indoors	20 / 120 / 2 bar stools
How many SLA violations has this establishment previously been charged with	0
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	0
Are there any pending SLA charges against this establishment	No
How many DEP / noise complaints has this establishment received since receipt or renewal of license	0
33rd Precinct	No objection
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • Club on the 4th fl • CB12 resolution for a renewal dated 3/6/18: no objection • DOH grade: A
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

5. La Rueda Restaurant Inc. dba Tu Sabor Latino Restaurant- 3862 3864 Broadway (at the corner of W 161st Street)
10032

Establishment Information	License # 1259597 Expiration 1/31/20 On-Premises Liquor License, Renewal Restaurant: full kitchen and menu
Owner Information	Martinez Rosa I 212-740-1313
Representative Information	
Method of Operation	Recorded music only
Sound Limiter installed on all associated equipment	

Space “effectively” soundproofed	
Third Party Promoters & regulations	
Security Personnel? / How Many? / “New York State Licensed” ?	
Security Camera / How Many?	
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	
Total Space Capacity / Number of persons permitted by law	
Total Number of Employees	
Total Number of Tables / Chairs Indoors	/ / bar stools
How many SLA violations has this establishment previously been charged with	
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	
Are there any pending SLA charges against this establishment	
How many DEP / noise complaints has this establishment received since receipt or renewal of license	
33rd Precinct	No objection, no 3-1-1 complaints
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • CB12 resolution for a renewal dated 1/24/18: no objection • DOH grade: A
	Committee Vote
Yes	IM GD OK RC CM
No	
Abstain	ND
Not Voting	

6. 565 West Side Café Corp. dba Raices- 565 W 207th Street (btw Vermilyea & Sherman Avenue) 10034

Establishment Information	License # 1276473 Expiration 2/29/20 On-Premises Liquor License, New Restaurant: full kitchen and menu
Owner Information	Richard Wong, owner 212-729-3814 917-673-4055 dolittlerich@gmail.com raicesny565@gmail.com
Representative Information	
Method of Operation	DJ, recorded music, karaoke only
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes / left blank
Security Camera / How Many?	16
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Monday to Thursday 4AM to 2AM Friday to Sunday 1PM to 2AM
Total Space Capacity / Number of persons permitted by law	74
Total Number of Employees	10-12
Total Number of Tables / Chairs Indoors	12 / 48 / 8 bar stools
How many SLA violations has this establishment previously been charged with	10
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	\$3,000.00
Are there any pending SLA charges against this establishment	Yes
How many DEP / noise complaints has this establishment received since receipt or renewal of license	No
34th Precinct	<ul style="list-style-type: none"> • 12/11/18 complaint of an assault of 3rd degree after fight inside the establishment. Summons issued for disorderly premises • 1/11/19 disorderly premises due to a fight outside the establishment and obstructed view

	<ul style="list-style-type: none"> • 1/12/19 after inspection at the venue the 34th issued 8 summons for various violation • 12/25/19 large fight inside the location, overcrowding, the 34th was unable to control the crowd and had to call multiple resources in to control the crowd. 11 summonses issued that evening. One-woman patron was arrested for kicking a police van window and she had a fake ID. She was charged with forgery and criminal mischief • 12/26/19 a day after the fight, one of the security guards called the Precinct and reported that he found a loaded gun. He saw a patron drop the gun the night before, picked it up, took it home and called the Precinct the following day • 12/27/19 at another large fight inside the location, one patron went to his car and took out a fake gun and walked it towards the crowd around brunch time. The security personal grabbed the patron and called the 34th. The patron was heavily intoxicated and was arrested for possessing an imitation firearm. During that fight, 3 summons issued for overcrowding, and other related issues • 12/28/19 overcrowded by at least 100 people, the business had to be shut down for the night • 1/7/20 joint inspection with the SLA and DOH multiple violations found <p>Owner reply: Fired the manager in January 15, 2020</p>
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • Owner came back last June but the issues continued even after that • Owner would like to cut the hours of operation • Owner tried to sell the business at some point last year • CB12 resolution for a renewal dated 3/7/18: objection due to failure to post occupancy sign, overcrowding, un-licensed security guard, owner promoted DJ even though it is not in the establishment's method of operation • The business was under a different manager while the owner had to step away due to sickness in the family • DOH grade: A
	Committee Vote
Yes	
No	OK
Abstain	IM GD RC ND CM
Not Voting	

7. La Casa del Mofongo 207 LLC dba La Casa del Mofongo- 546 W 207 Street (at the corner of Sherman Avenue)
10034

Establishment Information	License # 1305595 / 1305596 Expiration 3/31/20 On-Premises Liquor License, Renewal Restaurant: full kitchen and menu
Owner Information	David Dishi 212-544-8888 212-567-2017 casadelmofongo207@gmail.com
Representative Information	
Method of Operation	SLA license: DJ, Recorded music only CB12 questionnaire: Juke box, DJ, recorded music, karaoke, live music
Sound Limiter installed on all associated equipment	Yes
Space "effectively" soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / "New York State Licensed" ?	Yes 4-6
Security Camera / How Many?	48
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	6AM to 4AM seven (7) days a week
Total Space Capacity / Number of persons permitted by law	548
Total Number of Employees	53
Total Number of Tables / Chairs Indoors	126 / 291 / 31 bar stools
How many SLA violations has this establishment previously been charged with	0
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	0
Are there any pending SLA charges against this establishment	0
How many DEP / noise complaints has this establishment received since receipt or renewal of license	0
34th Precinct	No objection
Stipulations	None

Community Comments	Dave Thom (IOC): this establishment has open zoning violations: They have no C of O because they operate contrary to what the certificate said. In a residential zoning bar, restaurants and even small clubs are permissible (use Group 6). Large establishments permissible if there is no entertainment and not over 200-person capacity. But large venue over 200-person capacity cannot have show times, cover charges or concerts. 1/30/20 hearing: applicant does not know what the was hearing about
Notes	<ul style="list-style-type: none"> • SLA license: CB stips: sports bar 4PM -3AM 7 days, rest 6AM-4AM, close by 4AM -6AM. Recorded & occasional DJ music: no dancing, CB stips: all liquor service ceases by 3AM • CB12 resolution for a new application dated 10/3/17: no objection w/stips; install 4 GN signs, proof of soundproofing and sound limiter, proof of parking contract, no valet parking signs, CB12 will participate in hiring process, sport bar section closes at 3am, restaurant will close 4-6am, no liquor after 3am, post phone# of manager, no valet parking • DOH grade: Pending
	Committee Vote
Yes	IM GD RC CM
No	OK
Abstain	
Not Voting	ND

C. NYC Department of Consumer Affairs Renewal of Enclosed Sidewalk Café License:

8. Broadway & 166th, LLC dba Dallas BBQ - 3956 Broadway (at the corner of W 166th Street) 10032

Establishment Information	DCA license # 1075763-DCA License # 1105328 Expiration 9/30/20 Enclosed Sidewalk Café Renewal Restaurant: full kitchen and menu
Owner Information	Wetanson Herbert, Wetanson Gregor 212-568-3700 joseph@dallasbbq.com
Representative Information	Neil Weisbard 212-326-0465 nweisbard@paroncashman.com
Method of Operation	Recorded music only
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed”?	No
Security Camera / How Many?	16
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes

Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	Enclosed sidewalk café 19 / 48, café 12 / 48
Hours of Operations	Monday to Thursday 11AM to 12AM Friday 11:30AM to 1AM Saturday 12PM to 1AM Sunday 12PM to 12AM
Total Space Capacity / Number of persons permitted by law	150 indoors
Total Number of Employees	65
Total Number of Tables / Chairs Indoors	50 / 150 / 9 bar stools
How many SLA violations has this establishment previously been charged with	0
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	0
Are there any pending SLA charges against this establishment	N/A
How many DEP / noise complaints has this establishment received since receipt or renewal of license	N/A
33rd Precinct	No objection
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • CB12 resolution for a renewal dated 10/2/18: no objection • DOH grade: A
	Committee Vote
Yes	IM GD OK RC CM
No	
Abstain	
Not Voting	ND

D. State Liquor Authority Alteration License:

9. Opus 202 Corp. – 417 W 202nd Street (btw 9th & 10th Avenue) 10034

Was withdrawn via email prior to the meeting

Establishment Information	License # 1265181 Expiration 6/31/21 On-Premises Liquor License, Alteration Bar / Tavern, food meets minimum requirements
Owner Information	Castro Victor M, new owner Frank Polanco opusloungeNYC@gmail.com
Representative Information	Areliya Taveras 518-763-5400 areliya@nybusinesslicensing.com

Method of Operation	DJ, recorded music, live music: musicians
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	
Security Personnel? / How Many? / “New York State Licensed” ?	8-12
Security Camera / How Many?	124
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Tuesday, Friday to Sunday 6PM to 4AM Monday, Wednesday, Thursday closed
Total Space Capacity / Number of persons permitted by law	199
Total Number of Employees	20
Total Number of Tables / Chairs Indoors	28 / 83 / 18 bar stools
How many SLA violations has this establishment previously been charged with	None
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	None
Are there any pending SLA charges against this establishment	None
How many DEP / noise complaints has this establishment received since receipt or renewal of license	None
34th Precinct	
Stipulations	
Community Comments	
Notes	<ul style="list-style-type: none"> • Worked at Umbrella for 2-3 years • Nathaniel Green, the President of the Dyckman Resident Association submitted a letter of support • NYS Assembly De La Rosa submitted a letter of support • CC YR submitted a letter of support • CB12 resolution for renewal dated 7/1/19: objection violations stated by the 34th: fights, 9/28/18, 30 violations issued by SLA, 16 by the 34th, other issues in 2018 and 2017. • DOH grade “A” • The restaurant is on the street level of a 1 story commercial

	and office building
	Committee Vote
Yes	
No	
Abstain	
Not Voting	

E. State Liquor Authority Method of Operation Change License:

Change Closing Hours Sunday - Wednesday to 3am & Thursday - Saturday to 4am

10. La Mina Bar Restaurant Inc. – 3859 10th Avenue (at the corner of W 206th Street) 10034

Establishment Information	License # 1309434 Expiration 5/31/20 On-Premises Liquor License, change to method of operation Restaurant: full kitchen and menu
Owner Information	Tyson Dominga, President Pedro Richiez E 646-372-4818 646-869-1210 detyson@hotmail.com
Representative Information	Miguel Acosta 917-529-0966 migueljr.coposblancos@gmail.com
Method of Operation	DJ, recorded music only
Sound Limiter installed on all associated equipment	Left blank
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes / 3
Security Camera / How Many?	10
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Left blank
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Sunday to Thursday 12PM to 12AM Friday & Saturday 12PM to 3AM Agreed for: Sunday to Thursday 12PM to 2AM Friday & Saturday 12PM to 4AM
Total Space Capacity / Number of persons permitted by law	Left blank
Total Number of Employees	5
Total Number of Tables / Chairs Indoors	20 / 68 / bar stools
How many SLA violations has this establishment previously been charged with	Left blank

What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	Left blank
Are there any pending SLA charges against this establishment	Left blank
How many DEP / noise complaints has this establishment received since receipt or renewal of license	Left blank
34th Precinct	There is a concern about extended hours in this location and the potential for it to become a nightclub. There was a big fight in 2018 although there were no issues since then.
Stipulations	None
Community Comments	Jorge Quezada: support expanding the hours of operation, businesses in this community need to be thriving and extending hours is necessary
Notes	<ul style="list-style-type: none"> • The owners is in business for 12 years • SLA license: CB12 stips: Su-We 12pm -12am; Th 12PM – 2AM, Fr/Sa 12pm-3am, recorded music only, DJ, no dancing • CB12 resolution for a change of method of operation dated 3/7/19: objection; patron leaving the establishment was robbed outside, crowd observed leaving the establishment out of control, DJ advertised although not in the establishment's method of operation, security guards locked the doors in order to control crowd in 2 separate occasions • DOH grade: A
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

F. State Liquor Authority New Licenses:

On Premise Liquor License

11. Soledad 4160 Inc. – 4160 Broadway (at the corner of W 176th Street) 10033

Establishment Information	License # 1311999 Expiration 12/21/20 On-Premises Liquor License, New Bar Tavern: minimum legal food requirement
Owner Information	Yairton García II Raúl Acosta 407-790-2347 yairtongarcia@gmail.com
Representative Information	Arelija Taveras 518-763-5400 arelija@nybusinesslicensing.com
How many On-Premise (OP) Liquor licenses are within 500 feet of this premise?	<u>SLA LAMP</u> : 8 and 3 pending <u>SLA form</u> : Yes <u>CB12 questionnaire</u> : 8
Is this premise within 200 feet of any school or	Yes, United Palace

place of worship?	
Method of Operation	Juke box, DJ, Recorded music, karaoke, live music: acoustic jazz
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes
Security Camera / How Many?	15
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	11AM to 2AM seven (7) days a week
Total Space Capacity / Number of persons permitted by law	103
Total Number of Employees	6
Total Number of Tables / Chairs Indoors	25 / 58 / 10 bar stools
How many SLA violations has this establishment previously been charged with	None
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	None
Are there any pending SLA charges against this establishment	None
How many DEP / noise complaints has this establishment received since receipt or renewal of license	None
33rd Precinct	The concern is that this location will become another Vapor Lounge since this is a sports bar that by its nature will attract the same crowd Vapor did. Rep reply: All tinted windows, flyers, posters were taken down, there is only clear glass, and flood lighting installed outdoors
Stipulations	<ul style="list-style-type: none"> • I will display a Good Neighbor sign in a location that is visible to the public when viewing the establishment from the outside • Residents may contact manager/owner at the phone number and / or email address below, which shall be displayed in a publicly visible location, and any complaints will be addressed immediately. I will revisit the above stated hours if necessary,

	in order to minimize my establishment's impact on my neighbors
Community Comments	None
Notes	<ul style="list-style-type: none"> • The owner is in the restaurant business for 16 years • 500 ft hearing • Operating a bar for 8 years on East Tremont in the Bronx • The establishment is on a street level of 1 story C8-3 mixed residential & commercial building
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

12. Abisinias Café Lounge Inc. dba Nava NYC- 377-381 Audubon Avenue (at the corner of W 184th Street) 10033

Establishment Information	License # Expiration On-Premises Liquor License, New Restaurant: full kitchen and menu
Owner Information	Ancelmo Pena, president 347-632-1555 anselmopena@yahoo.com
Representative Information	Arelia Taveras 518-763-5400 arelia@nybusinesslicensing.com
How many On-Premise (OP) Liquor licenses are within 500 feet of this premise?	<u>SLA LAMP</u> : 5 and 2 pending <u>SLA form</u> : Yes <u>CB12 questionnaire</u> : 5
Is this premise within 200 feet of any school or place of worship?	No
Method of Operation	Juke box, DJ, Recorded music, Karaoke live music: small duo bands jazz ensemble, patron dancing
Sound Limiter installed on all associated equipment	Yes
Space "effectively" soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / "New York State Licensed" ?	Yes / 2 on weekends
Security Camera / How Many?	Yes / 16
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	7AM to 2AM seven days a week

Total Space Capacity / Number of persons permitted by law	74
Total Number of Employees	6
Total Number of Tables / Chairs Indoors	17 / 22 / 6 bar stools
How many SLA violations has this establishment previously been charged with	None
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	None
Are there any pending SLA charges against this establishment	None
How many DEP / noise complaints has this establishment received since receipt or renewal of license	None
34th Precinct	The 34 th met with the owner and he knows that there are issues with this location Rep reply: The owner will install flood lights and 16 cameras
Stipulations	<ul style="list-style-type: none"> • I will provide proof of purchase and installation of soundproofing and/or sound limiter on or before the next GM • I will display a Good Neighbor sign in a location that is visible to the public when viewing the establishment from the outside • Residents may contact manager/owner at the phone number and / or email address below, which shall be displayed in a publicly visible location, and any complaints will be addressed immediately. I will revisit the above stated hours if necessary, in order to minimize my establishment's impact on my neighbors • Proof of purchase of metal detector to be provided to the office
Community Comments	None
Notes	<ul style="list-style-type: none"> • Last month applicant withdrew the application because the owner was unable to be present at the meeting and there were unanswered questions • Owner purchased the supermarket next-door and there will be floodlights on the front of the supermarket as well. The owner has no desire to combine the supermarket with this new establishment • 500 ft hearing • CB12 resolution for a new license dated 11/30/18: no objections w/stips: establishment operation 8AM to 1AM Mon-Thu, 8AM-2AM Fri-Sat, 8AM-12AM Sun. Install sound limiter, place a GN sign, provide proof of purchase of sound limiter • The establishment is on a street level of 6 story R7-2 mixed residential & commercial building with 21 residential units
	Committee Vote

Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

13. Chillgrin Corp. – 1261 Saint Nicholas Avenue (at the corner of W 173rd Street) 10033

Establishment Information	License # Expiration On-Premises Liquor, New Restaurant/Bar: full kitchen and menu
Owner Information	Alexis Pérez 646-637-5754 alexisperezprd@gmail.com
Representative Information	Ariel Ferreira 917-202-1297 license@nycrbs.com
How many On-Premise (OP) Liquor licenses are within 500 feet of this premise?	<u>SLA LAMP</u> : 1 <u>SLA form</u> : No <u>CB12 questionnaire</u> : 0
Is this premise within 200 feet of any school or place of worship?	No
Method of Operation	DJ, recorded music, karaoke, live music Acoustic trio bands
Sound Limiter installed on all associated equipment	Yes
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	Yes
Security Camera / How Many?	Yes / not specified
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Monday to Wednesday 7AM to 2AM Thursday to Sunday 7AM to 4AM
Total Space Capacity / Number of persons permitted by law	163
Total Number of Employees	35
Total Number of Tables / Chairs Indoors	28 / 118 / 15 bar stools
How many SLA violations has this establishment previously been charged with	Not applicable. Not open yet.
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	Not applicable. Not open yet.

Are there any pending SLA charges against this establishment	Not applicable. Not open yet.
How many DEP / noise complaints has this establishment received since receipt or renewal of license	Not applicable. Not open yet.
33rd Precinct	No objection
Stipulations	<ul style="list-style-type: none"> • I will provide proof of purchase of metal detector on or before 2/24/20 at 5PM • I will display a Good Neighbor sign in a location that is visible to the public when viewing the establishment from the outside • Residents may contact manager/owner at the phone number and / or email address below, which shall be displayed in a publicly visible location, and any complaints will be addressed immediately. I will revisit the above stated hours if necessary, in order to minimize my establishment's impact on my neighbors
Community Comments	None
Notes	<ul style="list-style-type: none"> • DJ in the basement floor only; upstairs no live music • Worked in restaurants for 5 years but no management experience. Owner will hire a company to help out managing • CB12 resolution for renewal dated 12/1/17: no objection • DOH grade • The establishment is on a street level and basement of 5 story R7-2/C2-4 mixed residential & commercial building with 36 residential units
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

14. Taqueria El Gallito Corp. – 52 A Sherman Avenue (btw Arden & Thayer Street) 10040

Establishment Information	License # Expiration Eating Place Beer, New Restaurant: full kitchen and menu
Owner Information	Federico Peñafort Moran Evelio Vivar Balbuena president 646-858-5408 347-986-3402 frid12@gmail.com
Representative Information	Miguel Acosta 917-529-0966 migueljr.coposblancos@gmail.com
How many On-Premise (OP) Liquor licenses are within 500 feet of this premise?	<u>SLA LAMP</u> : 3 <u>SLA form</u> : No <u>CB12 questionnaire</u> : 3
Is this premise within 200 feet of any school or place of worship?	No
Method of Operation	Recorded Music only

Sound Limiter installed on all associated equipment	No
Space “effectively” soundproofed	Yes
Third Party Promoters & regulations	No
Security Personnel? / How Many? / “New York State Licensed” ?	No
Security Camera / How Many?	5
Does / will this business operate in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Are all current / previous alterations in compliance with all applicable NYC / NYS Agency Codes & Regulations	Yes
Licensed Outdoor Area Total Tables / Chairs	None
Hours of Operations	Sunday to Thursday 10AM to 12AM Friday 10AM to 1AM Saturday 10AM to 2AM
Total Space Capacity / Number of persons permitted by law	40
Total Number of Employees	3
Total Number of Tables / Chairs Indoors	10 / 20 / 0 bar stools
How many SLA violations has this establishment previously been charged with	N/A
What is the total (\$) value of SLA fines this establishment has received to date since receipt of renewal of the license	N/A
Are there any pending SLA charges against this establishment	N/A
How many DEP / noise complaints has this establishment received since receipt or renewal of license	N/A
34th Precinct	No objection
Stipulations	None
Community Comments	None
Notes	<ul style="list-style-type: none"> • CB12 resolution for renewal dated 12/1/17: no objection • DOH grade: A • The establishment is on a street level of 6 story R7-2/C1-4 mixed residential & commercial building with 75 residential units
	Committee Vote
Yes	IM GD OK RC ND CM
No	
Abstain	
Not Voting	

G. Old Business/ New Business / Adjournment

2.1. Rud Morales requested that the Business Development Committee produce a resolution that calls for the removal of Isidro Medina as the Chair of the Licensing Committee due to conflict of interest since he is the Executive Director of the WH BID.

Rud Morales has continued efforts to discredit the Licensing Committee and its members. At the Business Committee meeting on February 4th, 2020 she threatened a Licensing Committee member, Cindy Matos. Per Cindy, she said in part, “she will get her ass...” and, “prepare a lawyer...”.

Isidro Medina was cleared by the NYC Conflict of Interest Board that said in the following letter that was sent via email dated February 7, 2020:

“As we discussed, and based in your representations, it will not violate the City’s conflict of interest law for you to serve as Chair of the CB 12 Licensing Committee, provided that you follow these rules:

- First, you are “associated” with your employer, the Washington Heights BID, and therefore may not vote on any matter involving the BID.
- You are also “associated” with any person who “may hire or terminate” you as Executive Director of the BID, such as the BID’s governing board. This means that you may not vote on any matter that would benefit a BID board member or the business of a BID board member.
- Unless the owner or a representative is a board member of the BID, you are not “associated” with a business within a geographic district of the BID. I understand that it is your practice not to vote on matters involving businesses within the BID. While this is a practice that could avoid the appearance of impropriety, it is not required by Chapter 68.
- You may not chair any meeting of the Licensing Committee where a vote involving one of your “associated” persons or firms will be taken.

Finally, and we did not discuss this, but please let me know if you anticipate that the Licensing Committee will regularly review a matter involving the same associated person or firm (the BID itself or a BID Board Member, but NOT other business with the district), three or more times within one year.”

2.2. Dave Thom asked that the Committee hold 2-3 meetings in Inwood so residents can attend them more easily.

The meeting was adjourned at 9:42PM

All background information collected from:

NY SLA application provided by the applicant

CB12M LC Questionnaire completed by the applicant

Goggle Map (<https://www.google.com/maps/@40.8691816,-73.9272924,15z>)

DOH Restaurant grade (<http://a816-restaurantinspection.nyc.gov/RestaurantInspection/SearchBrowse.do>)

DCP GIS map ZOLA (<http://www1.nyc.gov/site/planning/zoning/index-map.page>)

SLA Mapping Project LAMP (<http://lamp.sla.ny.gov/nysla/index.htm>)

From: "Bartlett, Adele (ManhattanBP)"
<ABartlett@manhattanbp.nyc.gov>
Date: February 7, 2020 at 2:26:50 PM EST
To: Eli Bueno <ebueno.chaircb12@gmail.com>
Cc: "Espino, Natalie (ManhattanBP)"
<NEspino@manhattanbp.nyc.gov>, "Mendez, Rosaura (ManhattanBP)"
<RMendez@manhattanbp.nyc.gov>

Eleazar,

Per your request, and as we discussed:

In January of 2019, I discussed with counsel at the New York City Conflicts of Interest Board whether it was permissible for a board member, who also serves as executive director of a local Business Improvement District, to serve as chair of the board's licensing committee. I was informed that there was no per se bar to the member serving as chair. However, if a matter was scheduled to come before the committee that would impact a member of the governing board of the chair's employer, of course, they would have to recuse themselves from chairing the meeting at which that matter was scheduled to be discussed. That, of course, is the case for any chair when a conflict arises.

Thank you,

Adele Bartlett

General Counsel

Office of Manhattan Borough President Gale A. Brewer

1 Centre Street, 19th Fl.

New York, New York 10007

212-669-8139

Cell: 917-648-2906

abartlett@manhattanbp.nyc.gov



Isidro Medina <medina.sid@gmail.com>

Conflict of Interest on CB 12

2 messages

Isidro Medina <medina.sid@gmail.com>
To: Hammer@coib.nyc.gov

Fri, Feb 7, 2020 at 11:51 AM

Good morning Mr. Hammer.

It was a pleasure speaking with you earlier today in reference to my job as Executive Director of the Washington Heights BID and my participation at the Community Board 12 as Chair of the Licensing Committee and how the Conflict of interest regulations are defined. Can you please send me the opinion of the General Council based the conversation we had and how as it relates to this matter.

Many thanks,

Isidro Medina, Chair
CB 12 Licensing Committee

Chris Hammer <Hammer@coib.nyc.gov>
To: Isidro Medina <medina.sid@gmail.com>

Fri, Feb 7, 2020 at 2:06 PM

Dear Mr. Medina:

Thank you for your email and your call this morning.

As we discussed, and based on your representations, it will not violate the City's conflicts of interest law for you to serve as Chair of the CB 12 Licensing Committee, provided that you follow these rules:

- First, you are "associated" with your employer, the Washington Heights BID, and therefore may not vote on any matter involving the BID.
- You are also "associated" with any person who "may hire or terminate" you as Executive Director of the BID, such as the BID's governing board. This means that you may not vote on any matter that would benefit a BID board member or the business of a BID board member.
- Unless the owner or a representative is a board member of the BID, you are not "associated" with a business within the geographic district of the BID. I understand that it is your practice not to vote on matters involving businesses within the BID. While this is a practice that could avoid the appearance of impropriety, it is not required by Chapter 68.
- You may not chair any meeting of the Licensing Committee where a vote involving one of your "associated" persons or firms will be taken.

Finally, and we did not discuss this, but please let me know if you anticipate that the Licensing

Committee will regularly review a matter involving the same associated person or firm (the BID itself or a BID Board Member, but NOT other businesses within the district), three or more times within one year.

Sincerely,

Chris

Christopher M. Hammer
Deputy General Counsel
New York City Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, New York 10007
(212) 437-0721
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hammer@coib.nyc.gov
www.nyc.gov/ethics

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