

**BOROUGH OF BUENA**

**SPECIAL MEETING  
MINUTES**

**January 16, 2024**

**PAGE 1**

**MEETING CALLED TO ORDER: 5:00 P.M.**

**MEETING ADJOURNED: 6:33 P.M.**

**CALL MEETING TO ORDER: FLAG SALUTE**

**ROLL CALL OF ATTENDANCE:**

<b>Council Member</b>	<b>Present</b>	<b>Absent</b>
GIOVINAZZI	<b>X</b>	
ALVAREZ		<b>X</b>
ADAMS		<b>X</b>
BARSUGLIA	<b>X</b>	
ANDALORO	<b>X</b>	
DESTEFANO	<b>X</b>	

Council President Adams arrived to the meeting at 5:11pm

**SUNSHINE LAW:** This meeting is being held in compliance with the Open Public Meetings Act and notices of this meeting have been provided, via email, to The Press of Atlantic City and The Daily Journal January 9, 2024, as well as having been posted on the bulletin board at Borough Hall.

**MAYOR:** PUBLIC COMMENT: OPPORTUNITY FOR ANYONE TO COMMENT WITH A LIMIT OF FIVE (5) MINUTES PER SPEAKER. PLEASE REFER TO THE FOLLOWING STATEMENT:

PUBLIC COMMENT PROVIDES AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE MAYOR AND GOVERNING BODY ABOUT THEIR VIEWS. THE MAYOR AND GOVERNING BODY PRESCRIBES TO COUNCIL'S BY-LAWS AND THE NEW JERSEY STATUTES ON OPEN PUBLIC MEETINGS WHEN ENGAGING DURING PUBLIC COMMENT. AS SUCH, EACH INDIVIDUAL SHALL HAVE A 5 MINUTE LIMIT TO COMMENT; AN INDIVIDUAL CANNOT YIELD TIME TO ANOTHER INDIVIDUAL; AN INDIVIDUAL MAY ONLY APPROACH THE PODIUM ONCE DURING PUBLIC COMMENT FOR ANY ONE TOPIC; VULGAR OR OFFENSIVE LANGUAGE IS PROHIBITED AND MAYOR AND COUNCIL WILL NOT ENGAGE IN DIALOGUE WITH THE PUBLIC DURING THIS TIME. THE GOVERNING BODY MAINTAINS MODEL COURTESY AND RESPECT AND REQUIRES MEMBERS OF THE PUBLIC TO DO THE SAME.

**PUBLIC PORTION OF THE MEETING:**

**MOTIONED TO OPEN THE PUBLIC PORTION OF THE MEETING:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
GIOVINAZZI			<b>X</b>				
ALVAREZ			<b>X</b>				
ADAMS			<b>X</b>				
BARSUGLIA		<b>X</b>	<b>X</b>				
ANDALORO	<b>X</b>		<b>X</b>				
DESTEFANO			<b>X</b>				

**Solicitor Tonetta** opened the public portion of the meeting by addressing the public regarding items on the agenda such as Ellewoodsoto Hospitality LLC noting other matters could be addressed.

**BOROUGH OF BUENA**

**SPECIAL MEETING  
MINUTES**

**January 16, 2024**

**PAGE 2**

**Jamie Soto, co-owner of L's Jersey Central Station Bar and Grill**, stated he established a family business and commended all current employees on their work in the restaurant including safety concerns on a recent situation of January 6. Mr. Soto stated his motto "All aboard." Mr. Soto shared an overview of how he and his business would partner with the community to provide a safe solution moving forward.

**George Dixon, neighbor of establishment**, shared his concern regarding the activity and noise levels during and after closing hours.

**Eric Pierce, manage ,son of the owners**, shared his enthusiasm for having a role in the family business and acknowledged ongoing complaints noting he is striving to establish solutions and continue to grow the business.

**Dejan, owner's daughter**, spoke of her mother, Laurelle's accomplishments and the positive impact she has had on the community. Dejan spoke of the current issues recognized by Laurelle and she would work hard to resolve them.

**Sydney D'Angelo, neighbor of establishment**, mirrored Mr. Dixon's concerns regarding the level of activity and noise coming from the restaurant. He expressed his concerns regarding activity over the years prior to the current owners.

**Christina Velez, employee of L's**, shared her experience as an employee noting that the restaurant hosts a friendly and diverse culture. Ms. Velez explained that the restaurant has security and the 20 employee's livelihood would depend on the establishment remaining opened.

**Angelic Hernandez, patron of the restaurant and Laurelle's childcare center**, explained that she has always felt safe when attending the restaurant and bar and noted that if a situation arose, it was always handled quickly and professionally.

**Dana Dixon, bar manager**, discussed the current events at the establishment and expressed to those in attendance that the events do not reflect on the owners. Ms. Dixon reiterated that she and all staff wish to see the establishment succeed and continue to be a welcoming environment for everyone.

**Arnie Rivera, a case manager**, explained knowing Laurelle from both her businesses and noted is a regular customer at the restaurant and always feels safe when there.

**Jasmine Gomez Devy, restaurant patron**, spoke about the restaurant noting that the owners continue make all feel welcome and do their best to ensure the safety of their customers and finalizing that she did not want to see the restaurant shut down.

**Elijah Cortez, security personnel**, explained his willingness to work with law enforcement to ensure the safety of the establishment's employees and patrons.

**Larry Fernan, restaurant manager**, discussed his relationship with the owner's and noted their concerns for the safety of their customers and employees of the restaurant.

**William Flores, restaurant patron**, noted he has been a customer since the current owners have taken over. He also explained that even with the stress of the current events, he will continue to go to the restaurant.

**Kimberly Roberts, Buena Borough resident and restaurant customer**, explained that she had never felt unsafe and unwelcomed when visiting the restaurant.

**Richard Baggs, area resident**, expressed his opinion noting that potentially revoking the businesses' license instead of punishing the patrons who caused the incidents would not solve the issues at the establishment.

A retired law enforcement officer spoke about the atmosphere at L's noting the numerous fun events that the owner provides to the community and did not want to see the establishment shut down.

**Frank Ortiz, retired corrections officer/restaurant patron**, explained that he frequently attends the restaurant with his son noting that the owner makes him feel as family and safe while he is at the restaurant.

**BOROUGH OF BUENA**

**SPECIAL MEETING  
MINUTES**

**January 16, 2024**

**PAGE 3**

**MOTIONED TO CLOSE PUBLIC PORTION:**

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
GIOVINAZZI			X				
ALVAREZ						X	
ADAMS			X				
BARSUGLIA		X	X				
ANDALORO	X		X				
DESTEFANO			X				

Solicitor Tonetta referenced an isolated incident in January discussed during public portion and wanted to clarify that those charges were not related to what occurred in January which were not intended to be discussed but of 6 incidents occurring between December 18, 2022 and July 21, 2023 of police intervention. Solicitor Tonetta also explained that it is the legal responsibility of an ABC liquor license holder to control the patrons of their establishment. Solicitor Tonetta explained that he met with licensee's attorney, Attorney Peter Rhodes, and Chief DeCesari and they discussed the charges and provided the following recommendation to council: The first part of the penalty would be that the establishment would stop serving alcohol at 10 P.M. It was noted that the unwanted activities would substantially reduce with this penalty in place. The second portion of the penalty would be to suspend the alcohol license for thirty (30) days.

Solicitor Tonetta explained that he is asking council to consider if the 30-day suspension should be continuous uninterrupted or broken up into weekly increments as requested by Attorney Rhodes, counsel for licensee.

Attorney Rhodes offered his suggestion that the 30-day suspension be served two days per week over a period of time up until the 30-day suspension is complete. Attorney Rhodes explained his reasoning for the increments is so that the business does not lose its employees and the economic impact on the licensee. Attorney Rhodes recommended the restaurant cease the serving of alcohol at 10 P.M. with the 30-day suspension in increments of two days per week over the course of fifteen weeks which would substantially reduce the impact of unsavory group attending the establishment.

Mrs. Soto explained that she opened the establishment to help her children create a future and to provide a diverse place for her customers whom she acknowledged were in attendance. Mrs. Soto asked Council to see that the criminals who have attended her establishment have not been held accountable for their crimes but she feels as though she and her staff are being held accountable for their actions. She explained how she is trusted by the State of New Jersey in her other position but feels she is being betrayed due to other's actions. Mrs. Soto explained that due to the recent events, she would pay for a police officer to be present at the establishment to assist in preventing any further unwanted activity from happening. It was noted that the restaurant would change their name to Laurelle's Station Restaurant and the words bar and grille would be removed from the name. Mrs. Soto explained that the bar area is being shortened, more booths are being added, and linens are being added to create a classier ambiance.

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Mayor and Council recessed to deliberate recommendations. Solicitor prepared following resolution. Attorney Rhodes pleaded NON-VULT.

**BOROUGH OF BUENA**

**SPECIAL MEETING  
MINUTES**

**January 16, 2024**

**PAGE 4**

**RESOLUTION NO. 40-2024**

In the Matter of Disciplinary )

Proceedings against Ellewoodsoto Hospitality LLC )  
t/a/ L’s Jersey Central Station Bar & Grill  
Plenary Retail Consumption License  
No. 0104-33-001-004

Licensed Premises: 408 Wheat Road ) **RESOLUTION AND ORDER**  
Buena Borough, New Jersey 08310

<b>Council Member</b>	<b>By</b>	<b>2nd</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>	<b>Recuse</b>
GIOVINAZZI			X				
ALVAREZ						X	
ADAMS	X		X				
BARSUGLIA		X	X				
ANDALORO			X				
DESTEFANO			X				

**WHEREAS**, charges have been heretofore duly served upon the above-named licensee, making the following charges:

Charge 1. On or about and between the dates of December 18, 2022 through July 21, 2023, you allowed, permitted or suffered your licensed place of business (L’s Jersey Central Station Bar and Grill) to be conducted in such a manner as to become a nuisance adversely affecting the quality of life of the municipality in which the license is sited, to wit the Borough of Buena, NJ. Violation of N.J.A.C. 13:2-23.6(b). More specifically there were loud noise and music complaints on the following dates requiring police intervention; May 14, May 20, June 2, June 10, June 11, July 21[1<sup>st</sup> through 6<sup>th</sup> offense]

Charge 2. On or about and between the dates of December 18, 2022 through July 21, 2023, you allowed, permitted or suffered your licensed place of business (L’s Jersey Central Station Bar and Grill) to be conducted in such a manner as to become a nuisance requiring police intervention on not less than 36 events, or adversely affecting public safety or rights of the public. Violation of N.J.A.C. 13:2-23.6(b). [1<sup>st</sup> offense through 35<sup>th</sup> offense] (see police printout of calls)

Charge 3. On or about and between the dates of December 18, 2022 through July 4, 2023, you engaged in, allowed, permitted or suffered the violation of a municipal ordinance or regulation of the issuing authority or municipal governing body of the Borough of Buena. Violation of N.J.S.A. 33:1-31h. [1<sup>st</sup> offense through 35<sup>th</sup> offense] (see police printout of calls)

Charge 4. On or about and between the dates of December 18, 2022 through July 4, 2023 you allowed, permitted or suffered in or upon the licensed premises lewdness, immoral activity or foul, filthy or obscene language or conduct or any brawl, act of violence, disturbance or unnecessary noise or engage in or allowed, permitted or suffered in or upon the licensed premises any activity which is prohibited by federal, state, county or local laws; nor shall any licensed place of business to be conducted in such manner as to become a nuisance. Violation of the Code of the Borough of Buena, Chapter 64 (Licensing and Rules of Operation). [1<sup>st</sup> offense through 35<sup>th</sup> offense] (see police printout of calls)

Charge 5. On or about January 21, 2023 you allowed, permitted or suffered in or upon the licensed premises lewdness, immoral activity or foul, filthy or obscene language or conduct or any brawl, act of violence, disturbance or unnecessary noise or engage in or allowed, permitted or suffered in or upon the licensed premises any activity which is prohibited by federal, state, county or local laws; nor shall any licensed place of business to be conducted in such manner as to become a nuisance in that a patron arrived with a gun in his hand in violation of N.J.A.C. 13:2-23.6(a)2 requiring police investigation. [36<sup>th</sup> offense]

Charge 6. On or about December 18, 2022 you sold, served or delivered or allowed, permitted or suffered the sale, service or delivery of an alcoholic beverage, directly or indirectly, to a person actually or apparently intoxicated or allowed, permitted or suffered the consumption of an alcoholic beverage by such person on your licensed premises by serving Mark Ganci while visibly intoxicated in violation of N.J.A.C. 13:2-23.1(b). [1<sup>st</sup> offense]

**BOROUGH OF BUENA**

**SPECIAL MEETING**

**MINUTES**

**January 16, 2024**

**PAGE 5**

Charge 7. On or about December 18, 2022, you engaged in or allowed, permitted or suffered on or about your licensed premises a brawl or act of violence involving one Mark Ganci striking Security Officer Enoch Crouch and unknown female patron in violation of N.J.A.C. 13:2-23.6(a)2 [1<sup>st</sup> offense]

Charge 8. On or about March 6, 2023 you engaged in or allowed, permitted or suffered on or about your licensed premises a brawl or act of violence involving a fight with “brass knuckles” requiring the victim to be transported to Cooper Trauma Center suffering from 15 stitches to the left eye, a broken left orbital socket and broken nose in violation of N.J.A.C. 13:2-23.6(a)2. [2<sup>nd</sup> offense]

Charge 9. On or about April 22, 2023 you engaged in or allowed, permitted or suffered on or about your licensed premises a brawl or act of violence involving a fight requiring police intervention in violation of N.J.A.C. 13:2-23.6(a)2. [3<sup>rd</sup> offense]

Charge 10. On or about June 23, 2023 you engaged in or allowed, permitted or suffered on or about your licensed premises a brawl or act of violence involving a fight with gunfire amounting to the arrest of one Shaquille Battle in violation of N.J.A.C. 13:2-23.6(a)2. [4<sup>th</sup> offense]

**WHEREAS**, Ellewoodsoto Hospitality LLC, t/a L’s Jersey Central Station Bar & Grill, Plenary Retail Consumption License No. 0104-33-001-004 has entered a plea of NON-VULT to charges No. 1, No. 6, No. 8, and No. 10 and the Solicitor has recommended a penalty of a special restriction on License No. 0104-33-001-004 requiring the discontinuation of the sale of alcoholic beverages as of 10 o’clock pm each day of the week on the licensed premises and the suspension of the sale of alcoholic beverages for a period of 30 days commencing on Friday January 19, 2024 and continuing through February 2, 2024 to be served in 15 consecutive days. Commencing February 5, 2024 alcohol sales shall be prohibited on Monday and Tuesday and prohibited on Monday and Tuesday of each week thereafter through March 25, 2024 for a total of an additional 15 days

**WHEREAS**, the Council of the Borough of Buena finds it to be in the best interest of the Borough to accept the NON-VULT pleas to Charges No 1, No 6, No. 8 and No. 10 and to accept the recommended penalty as set forth herein.

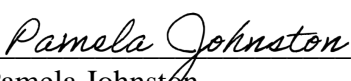
**NOW THEREFORE BE IT RESOLVED AND ORDERED**, that the Plenary Retail Consumption License, /License No. 0104-33-001-004 heretofore issued by the Borough of Buena to Ellewoodsoto Hospitality LLC t/a L’s Jersey Central Station Bar & Grill for the premises located at 408 Wheat Road, Buena Borough, New Jersey, 08310 be suspended for a period of 30 days commencing on Friday January 19, 2024 and continuing through February 2, 2024 to be served in 15 consecutive days. Commencing February 5, 2024 alcohol sales shall be prohibited on Monday and Tuesday and prohibited on Monday and Tuesday of each week thereafter through March 25, 2024 for a total of an additional 15 days.

**BE IT FURTHER RESOLVED AND ORDERED** that a special condition be placed upon the License No. 0104-33-001-004 that the sale of alcoholic beverages be discontinued at 10 o’clock PM on each day of the week subject to the approval of the Director of the State of New Jersey Department of Law and Public Safety, Division of Alcoholic Beverage Control.

**BE IT FURTHER RESOLVED AND ORDERED** that nothing herein shall prohibit Ellewoodsoto Hospitality LLC from the preparation and sale of food to the general public as a restaurant.

**BE IT FURTHER RESOLVED AND ORDERED** that should the Director deny the special conditions set forth herein, the plea agreement specified herein shall be withdrawn and rescinded and all charges shall be brought before Borough Council for consideration after a hearing and testimony taken.

Meeting adjourned: M/ Barsuglia S/ DeStefano RCVU

  
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Pamela Johnston  
Acting Clerk