



Chairperson, Martha Taylor

*The City of New York
Borough of Queens*

Community Board 8

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District Manager, Marie Adam-Ovide

Liquor License Committee Meeting

Date: Tuesday, March 21, 2017
Time: 7:30 p.m.
Place: Community Board 8 Office
197-15 Hillside Avenue
Hollis, NY 11423

Michael Hannibal, *Liquor License Committee Chair*

Board Members: Carolann Foley, Marc A. Haken, Michael Hannibal and Frank Magri.

Also in attendance: Alex Torres, Manager - Cuzco Peru BBQ Chicken, Inc.
Frank Nalevaiko, Representative for Adriana Torres, Owner
Marie Adam-Ovide, Community Board 8 District Manager
Alma Karassavidis, Community Board 8 Staff

Liquor License Committee Chair Michael Hannibal called this meeting to order at 7:48 p.m. This was followed by self-introductions of all Board Members, staff and others present. Frank Nalevaiko stated that he was representing Adriana Torres, Owner – Cuzco Peru BBQ Chicken, Inc. who was unable to attend the meeting. Her husband Alex Torres, Manager of the establishment was present.

Purpose:

This is to introduce the applicants to the Community Board to make them aware of the expectations of the Board for businesses with on-premises liquor licenses. This establishment is applying for a Class Change from Beer and Wine to a Full Liquor license for a Restaurant.

Cuzco Peru BBQ Chicken, Inc.
138-13B Queens Boulevard, Briarwood, NY 11435

Michael Hannibal –

Due to the fact that you are only broadening your application, we will depart from our usual questions. At this time, I will open up to the members of the Committee to ask any questions that they feel will be relevant to the expansion of the application.

Marc A. Haken –

Will you have a bar?

Answer: [Alex Torres] – Yes there is a bar now.

How many seats are at the bar?

Answer: *[Alex Torres] – 10 seats.*

Right now how many seats are there?

Answer: *[Alex Torres] – Now there are 3.*

So right now people come in for food and do not come in and spend 2 hours drinking at the bar. Correct?

Answer: *[Alex Torres] – Yes.*

You want to expand the bar by taking out a table or two and adding seats?

Answer: *[Alex Torres] – Yes.*

So then you will not only be serving food but will have people sitting and drinking at the bar for a time without food?

Answer: *[Alex Torres] – Right.*

What is the occupancy of the restaurant?

Answer: *[Frank Nalevaiko] – It's a large place. I don't think the C of O has an exact number. It's below 74 legally, but it is large.*

In addition, there will be recorded music. Will there also be dancing?

Answer: *[Frank Nalevaiko] – No. He can't apply for a cabaret license. He will not have dancing. The restaurant is getting a younger crowd (in their 30's) that have moved into the area, coming in a little later between 9:00-11:00 p.m. asking for full liquor.*

Carolann Foley –

What are your hours of operation?

Answer: *[Alex Torres] – 11:00 a.m. to 2:00 a.m. Right now the hours are 11:00 a.m. to 11:00 p.m.*

I understand that, but you are going to be serving liquor and expanding the bar to seat 10 people. Customers generally will not come to eat between 11:00 p.m. and 2:00 a.m. but will want to drink. What kind of security are you going to have to make sure that there is no underage drinking or no drinks being taken outside of the establishment onto the street? My concern is the 11:00 p.m. to 2:00 a.m. hours. We will know if there are complaints being made. You have to make provisions to make sure that the street and your establishment are secure. It's a lot to think about and those are answers that we need. When you have people drinking they are going to want to smoke. They will be outside smoking, throwing their cigarette butts on the ground.

Answer: *[Alex Torres] – We will have the kitchen opened late.*

Answer: *[Frank Nalevaiko] – They will continue to serve food. The point is well taken.*

My point is that people will most likely only want snack foods at that hour if they are drinking.

Marc A. Haken –

Typically in Hispanic neighborhoods dinner is eaten later.

Carolann Foley –

Yes, but if you are having a younger crowd ages 20-25, they are not coming there to eat, they are going there to drink. Do you understand?

Answer: *[Frank Nalevaiko] – The main idea was to extend hours to bring in more revenue, not to become a bar or a dance place.*

Carolann Foley –

If you have 10 seats at the bar and a party of 15 guests walk in and want to drink, so instead of sitting at the bar, they will sit at the tables and they will be drinking. You will have the same atmosphere. I have heard good things about your establishment. Alcohol without any security in place, you will have issues.

Answer: *[Frank Nalevaiko] – We haven't really discussed the hiring of security*

Who will be responsible for tagging everyone coming in? You can't expect the bartender to keep track of everyone coming in and out of the door, while also watching that someone is not passing drinks back to the table to underage drinkers. You will become an establishment where people are going to want to come and socialize after 11:00 p.m.

Answer: *[Frank Nalevaiko] – I think that on the weekend, Friday and Saturday, we will definitely have to look into security to keep watch and check IDs. We may also want to buy a security scanner.*

Michael Hannibal –

We usually have formal questions that would have been presented to you. It was our understanding that this was just an expansion. We didn't realize you would be increasing the size and adding the later hours. We would ask for the Certificate of Occupancy to anyone applying for a full liquor license. Since there was a positive history already established with the community we were just going to ask you some minor questions. Thankfully you have given us this additional information. So at this point, I will just start over.

Frank Magri –

Are you extending the bar or just removing a table and adding seats?

Answer: *[Alex Torres] – Yes removing the table.*

So you are not adding a bigger bar?

Answer: *[Alex Torres] – No.*

Carolann Foley –

You are not making it longer?

Answer: *[Alex Torres] – No.*

You are not extending the bar, just moving the tables around it?

Answer: *[Alex Torres] – Right.*

Marc A. Haken –

Then where will you put 10 chairs?

Frank Magri –

I think that was a hopeful number.

Michael Hannibal –

What is the present occupancy limit?

Answer: *[Frank Nalevaiko] – I think it is 20, according to this C of O. This is an old one though. (Reviewed C of O with Michael Hannibal)*

Only a total of 20 people can fit in there at any given time?

Answer: *[Frank Nalevaiko] – Typically it is under 74. The C of O is showing 20. The location was divided. There was another store next to it, which was split up. Not sure if the address is for both stores. Maybe that number was for the other store. 138-13 Union Turnpike is the restaurant address. It looks like there is a range of addresses. Maybe it was a grocery/fruit stand and it was divided up.*

It says here [C of O] that there are seven (7) stores?

Answer: *[Frank Nalevaiko] – I don't understand how they can say you can only put 20 people into seven (7) stores.*

Do you know what is the maximum number of people that can fit now?

Answer: *[Frank Nalevaiko] – Under 74. Looking at the size of the place, it is 91 feet deep. It's a big store. It's almost 1500 SF.*

Marc A. Haken –

How wide is it?

Answer: *[Frank Nalevaiko] – 16 feet.*

Yes, but when you take away the bar space, the kitchen, the bathrooms, you are not talking about 1500 SF anymore. Maybe there is 1000 SF left.

Michael Hannibal –

The current hours are Noon to 11:00 p.m.?

Answer: *[Alex Torres] – 11:00 a.m. to 11:00 p.m.*

What do you expect your hours to be in the future?

Answer: *[Alex Torres] – Weekends until 2:00 a.m.*

Answer: *[Frank Nalevaiko] During the week (Monday, Tuesday, Wednesday, Thursday) maybe until Midnight.*

Answer: *[Alex Torres] – It depends. If there are no people we will close. Usually around 11:00 p.m.*

Answer: *[Frank Nalevaiko] – He is planning on the later hours for the weekends. He wasn't trying to change the business model. Earlier it is more family oriented and the younger crowd in their 30's would come in later on.*

Carolann Foley –

That is exactly what I am talking about, the younger crowd. The only reason I am asking this is because I don't want to see a good thing go sour. There have been many establishments within this Community Board that have gone bad. It's what happens when they know that this establishment is open late and there is nothing else opened around them at that hour. You have to have all the security provisions ready because you don't know what you are up against. You don't want to be surprised by it.

Answer: *[Frank Nalevaiko] – Alex and his wife have a lot of years of experience in the business. They currently own another restaurant on Queens Blvd.*

Do they serve liquor there?

Answer: *[Frank Nalevaiko] – Beer and wine.*

Frank Magri –

How long are you in business?

Answer: *[Alex Torres] – 18 years*

I like the fact that you are not increasing the bar.

Marie Adam-Ovide –

Are you also in Lynbrook?

Answer: *[Alex Torres] – Yes we were, but we closed. The building next door had a movie theater and they closed it down so we lost business.*

Frank Magri –

You received very good advice from the Community Council President Carolann regarding security. You should adhere to that considering you are extending the hours on the weekend. Not only for the community but for your sake as well.

Marc A. Haken –

There is a 6-week certification course that we recommend someone from your establishment to complete. It is called ATAP (*Alcohol Training Awareness Program*)

Carolann Foley –

Do you currently have a bartender or do you waiters and waitresses do the serving?

Answer: *[Alex Torres] – Yes the waiters and waitresses do.*

Will you be hiring a permanent bartender?

Answer: *[Alex Torres] – I have licensed bartenders. Now they are servers but they can do both.*

Michael Hannibal –

What about security?

Answer: *[Alex Torres] – We will find someone. There are many companies. Monday through Thursday is quiet. There are not too many people.*

Carolann Foley –

We want you to stay there. We want to protect you, to make sure that no one gets hurt there. We want to make sure that the NYPD doesn't have to babysit for your establishment on the weekend. We don't want you to get a bad name in this community. I do want to give your establishment a liquor license but I have some doubts with no answers to these questions. None of the other stores on the block are going to be opened from 11:00 p.m. to 2:00 a.m. There will be people out there talking loud, throwing cigarette butts on the ground, but you have to have more than an employee controlling that.

Answer: *[Alex Torres] – Right next door there is a grocery store that is open 24 hours. There are many problems and complaints for this store.*

Michael Hannibal –

We understand that, but we are giving you the license, not them.

Answer: *[Alex Torres] – I know, but they sell beer and wine.*

If they came before the Board we would ask them the same questions that we are asking you. There are still a few questions unanswered. I would feel better if I was hearing that you were saying that you will have security, training, etc., but I am not hearing that. That is what is concerning me. Do you understand?

Answer: *[Frank Nalevaiko] – Yes. We have not discussed this enough. I think finances are probably blocking what we need to talk about. He needs the full time bartender on Fridays and Saturdays who needs to complete that Alcohol Awareness Certification. As for security, that is a definite issue.*

Carolann Foley –

You will need to add some ashtrays outside and keep them clean, then bring them inside at closing time.

Michael Hannibal –

Can you assure us that you will have security in place for Fridays and Saturdays particularly between 11:00 p.m. and 2:00 a.m.?

Answer: *[Frank Nalevaiko] – Yes for sure.*

Marc A. Haken –

The reason why we ask “can you assure us” is because in a few years you will be coming back for the renewal.

Answer: *[Frank Nalevaiko] – Yes, he is aware of what companies to call. He has to do that.*

There is a motel across the street. Is there a sit-down bar in that motel?

Answer: *[Frank Nalevaiko] – I don't know.*

Marie Adam-Ovide –

What location are you talking about Marc? I have a list of four (4) locations in that area that have full liquor licenses; Crystal - 138-31 Queens Boulevard, Alba's Pizza – 137-65 Queens Boulevard, Hado Sushi – 138-38 86th Avenue and Flagship Diner – 138-20 Queens Boulevard.

Carolann Foley made a motion to approve the application for a Full Liquor License for Cuzco Peru BBQ Chicken, Inc. located at 138-13B Queens Boulevard with the guarantee from the applicant that the Community Board has proof of security, a full time bartender with Alcohol Awareness Certification and their plan and action to maintain the front of the premises, seconded by Marc A. Haken.

Michael Hannibal –

I would like to add a timeline asking that we would like to receive something in writing from the applicant within two (2) weeks.

Marie Adam-Ovide –

What hours do we want the security in place? What days of the week?

Marc A. Haken –

May I suggest from 8:00 p.m. to closing?

Carolann Foley –

Thursday, Friday and Saturday nights.

Votes in favor: 4

Votes against: 0

Board Members who voted in favor: Carolann Foley, Marc A. Haken, Michael Hannibal and Frank Magri.

Board Members who voted against: None.

Michael Hannibal acknowledged that the motion was accepted.

Carolann Foley –

As President of the 107th Precinct Community Council may I suggest that you stay in contact with the 107th Precinct. Our Community Council meetings are held on the 4th Tuesday of each month. I encourage you to call the 107th Precinct and speak to the Special Ops Lt. and form a good relationship so if you ever need any help they know you and you know them. I will provide you with their contact information.

Michael Hannibal –

You are already established in this community. We try to provide full liquor licenses to everyone. The questions that we are asking you are the same that we would ask any other applicant. When it is just Wine, Beer and Cider it is manageable. Once you bring liquor into any equation, we start getting the phone calls. We want to try and prevent that. If there is any issue at your establishment, we want to hear about it first, along with the NYPD. We are your first line of defense. We want to hear your side of the story so that if anyone from the community calls we will have your side as well. We are here for you too. Call us and let us know what you need. We are here to listen and to help. We expect to see something in writing from you within two (2) weeks.

Answer: *[Frank Nalevaiko] – Right. So you require a written description for the security, bartender, alcohol awareness course and outside cleanup.*

Marie Adam-Ovide –

Tomorrow you will get a copy of the letter we will send to the SLA letting them know that we met and what we asked of you. They asked that we give them something by tomorrow so you should see it by Noon.

Carolann Foley –

We welcome you and wish you the best of luck!

Michael Hannibal –

Continued success!

Carolann Foley made a motion to adjourn this meeting at 8:20 p.m.

*Respectfully submitted,
Alma Karassavidis, Community Board 8 Staff
March 28, 2017*