

**BOROUGH OF WESTWOOD  
SPECIAL MEETING OF THE MAYOR & COUNCIL  
JANUARY 25, 2011 MINUTES  
MUNICIPAL COMPLEX  
101 Washington Avenue  
7:00 pm**

**1. Opening of the Meeting:**

The special meeting was called to order by Mayor Birkner at 7:50 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Phayre - Present  
Councilmember Quinn – Present  
Councilmember Sciara - Present  
Councilmember Waneck - Present  
Council President Miller - Present  
Borough Attorney Huntington - Present  
Borough Clerk Hughes – Present

**3. Flag Salute**

Mayor Birkner led those present in the salute to the flag.

Mayor Birkner explained that the meeting was being held to hear the matter of ABC violations against Sai Ganesh, LLC t/a Center Convenience.

**4. Resolution #11-37 : Executive Closed Session**

Motion: Councilmember Sciara Second: Council President Miller

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes  
Councilmember Quinn - Yes  
Councilmember Sciara – Yes  
Councilmember Waneck - Yes  
Council President Miller – Yes

**5. Reopen the Meeting:**

**Motion to reopen the meeting:** Councilmember Grefrath Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:24 pm.

**6. Hearing on ABC Violation Charges against Sai Ganesh, LLC t/a Center Convenience**

Arthur Chigaris, representing the licensee, entered a plea of non vult with the following

stipulations:

1. Pay a fine of \$10,000 within 30 days;
2. License will be suspended for 30 days, which will be held in abeyance for one year. If no further incidents occur, the suspension will terminate.
3. During this time period if anyone suspected of being underage shows invalid id, the id will be confiscated. Licensee has an ultraviolet detector to determine that. Licensee will immediately call the Police Department to report the incident and turn over the ID.
4. Licensee will post signs indicating everyone purchasing will have their id checked.

Mr. Huntington asked if Mr. Chigaris' clients are present and concur. Nayen Patel was present and agreed on behalf of Sai Ganesh.

Borough Prosecutor Ed Johnson reiterated that any incident within a one year period causes the license suspension to be activated immediately. The Police Department must be called for suspected underage purchasers. They will collect false ids and arrest offenders.

Mayor Birkner asked if the fine is not paid within 30 days whether the suspension being held in abeyance would be activated. Mr. Huntington said that would be considered a violation.

**Resolution #11-38 : Settlement in the Matter of ABC Violations by Sai Ganesh, LLC, t/a Center Convenience**

Motion: Councilmember Sciara Second: Council President Miller

Roll Call: Councilmember Grefrath - Yes

Councilmember Phayre - Yes

Councilmember Quinn - Yes

Councilmember Sciara – Yes

Councilmember Waneck - Yes

Council President Miller – Yes

Mr. Huntington commended everyone for putting an end to an ongoing problem at this location. Mr. Johnson said the procedures have been put in place which he thinks it is the right road.

Motion to close Public Hearing on Sai Ganesh, LLC ABC Violations: Councilmember Waneck Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**7. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Grefrath

Second: Councilmember Phayre

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Voice Vote: A voice vote was taken with all present voting in the Affirmative.

**No one wished to be heard.**

**Motion to close the Agenda/Public Forum:** Councilmember Grefrath

Second: Councilmember Phayre

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**8. Adjournment:**

**Motion to adjourn:** Councilmember Sciara

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:34 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk