

**TOWNSHIP OF WEST ORANGE, ESSEX COUNTY, NEW JERSEY
ALCOHOLIC BEVERAGE AND CONTROL BOARD**

RESOLUTION

WHEREAS, the Township Council of the Township of West Orange (“Township”) serves as the Township of West Orange Board of Alcoholic Beverage Control (“ABC Board”); and

WHEREAS, an application has been filed by Las Palmeras, Inc. t/a La Dolce Vita Bar Restaurante (“Licensee”), 364 Valley Road, West Orange, NJ, for the renewal of its Plenary Retail Consumption License, bearing License #0722-33-045-005, for the License Period **July 1, 2026 through June 30, 2027**; and

WHEREAS, the Licensee’s application for renewal complies with the New Jersey State Laws regulating the sale, consumption, and distribution of alcoholic beverages; and

WHEREAS, the Licensee, in or about early June 2016, resolved with the State of New Jersey at least ten (10) charges filed by the Office of the Attorney General, Department of Law and Public Safety, Division of Alcoholic Beverage Control, alleging that the Licensee had committed various and serious offenses during 2014, and seeking suspension of the license for 209 days, the resolution of which included payment of \$8,600 in lieu of a 72 day suspension, with 45 days held in abeyance for a period of 2 years, and the mitigating factor that the Township had imposed Special Conditions on this Licensee, including, but not limited to, the requirement to install and maintain a video security system, and the Township learning of such disposition shortly after the Licensee’s License had been renewed for the 2016-2017 License term; and

WHEREAS, the Special Conditions existing on the Licensee for that License Term were as follows”

1. The Licensee shall hire one off-duty WOPD Officer or private security guard at prevailing rates to provide for exterior security at the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
2. The Licensee shall hire a licensed security company to provide security for the interior of the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
3. The Licensee shall install and maintain a video surveillance system to cover the interior of the Licensed Premises, including the bar area, the front and back entrances and exits and the front sidewalk area on Valley Road, which surveillance system shall be maintained in good working order and operating during all hours when the Licensed Premises is open for business, and recordings shall be kept and made available to the West Orange Police Department upon request for at least thirty (30) days following the date of recording, and the Licensee shall cooperate with the West Orange Police Department in the implementation and maintenance of this video surveillance system; and that

4. The Licensee, every day it is open, shall close its doors to new customers at 12:30 a.m., shall cease the sale of alcoholic beverages at 1:00 a.m., and all customers shall be off the premise by 1:30 a.m.; and

WHEREAS, new ABC charges were brought by the Township against this Licensee in February 2017, as follows: On or about November 27, 2016, at or about 11:20 p.m., in the Township of West Orange, County of Essex and State of New Jersey, at and about the Licensed premises of the Licensee located at 364 Valley Road, West Orange, New Jersey, the Licensee did conduct the premises so as to allow, permit or suffer in, upon and about that premises, an act of violence and disturbance, specifically a patron shoving and throwing a bottle at another patron, who was highly intoxicated, and causing a laceration above the victim's left eye, in violation N.J.A.C. §13:2-23.6(a)2, and the Licensee has violated N.J.A.C. §13:2-23.6(b), in that it has repeatedly and over a period of at least the past three years allowed, permitted, or suffered in or upon the licensed premises assaults, acts of violence and/or disturbances, including, but not limited to seventeen incidents requiring police intervention in or about the year 2014, adversely affecting public safety or the rights of the public, to which a non-vult plea was entered and disposition made on June 1, 2016, by the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control, Trans. No. R42991, as well as fifteen incidents of affrays, two incidents of aggravated assault, an incident of strong arm robbery, urinating in public, disorderly conduct, and ten noise complaints, all occurring in 2015, as well as twenty-one incidents of affrays, four incidents of simple assault, an aggravated assault, assault with a weapon, fighting, strong arm robbery, disorderly conduct, theft and noise complaints in 2016, all contrary to the public health, safety and welfare, requiring many calls to and interventions by the West Orange Police Department, such that the operation of this licensed premises has become, and its operation is, a nuisance, the Licensee unable to maintain control of its patrons and its licensed and surrounding premises; and

WHEREAS, counsel for the Licensee had advised that the Licensee employed a new Co-Manager in February 2017, and had voluntarily self-imposed certain time constraints on its operation since that time, which were greater constraints than those currently existing Special Conditions, in an effort to eliminate the incidents which have given rise to the pending and earlier ABC charges and Special Conditions during the past several years; and

WHEREAS, the West Orange Township ABC Board and the Licensee agreed with respect to said pending charges to proceed as follows:

The Township ABC Board shall adjourn the hearing on the pending ABC charges for a period of ninety (90) days, from the currently scheduled June 27, 2017, to the second regular Council Meeting in September, or first such meeting in October 2017, and shall then determine based upon the Licensee's operation in the interim whether there is a need to go forward with prosecution of those charges, or to forego them in view of the Licensee's improved and acceptable operation during 2017; and

The Licensee agrees to continue its to date self-imposed modifications to the previously imposed Special Condition no. 4, closing its doors to new customers at 12:00 a.m., rather than 12:30 a.m., ceasing the sale of alcoholic beverages at 12:15 a.m., rather than at 1:00 a.m., and having all customers off the premises by 1:00 a.m., instead of at 1:30 a.m., all of those limitations applicable every day the Licensee is open; and

The Licensee understands and acknowledges that Special Conditions 1 and 2, previously imposed and to continue for the 2017-2018 License Term, contemplate that any security company and security guard, or officer, shall be licensed and registered pursuant to the “Security Officer Registration Act” (“SORA”), N.J.Stat. §45:19A-1, *et seq.*, the terms “security guard” and “security officer” meaning the same thing, and, if not already in full compliance with “SORA”, full compliance shall be achieved within sixty (60) days of enactment of this Resolution; and

WHEREAS, by Resolution No. 757-25, adopted on February 6, 2025, Licensee was found guilty as follows:

- Failing to produce a complete employee list in violation of N.J.A.C. 13:2-23.13(a)(3)
- Failing to comply with special condition to make available video surveillance in violation of N.J.A.C. 13:2-23.1
- Brawl- allowed, permitted or suffered on or about the premises a brawl, act of violence and/or disturbance in violation of N.J.A.C. 3:2-23.6(a)(2)
- A suspension was imposed on the Licensee for 35 days from February 10, 2025 until March 17, 2025.

WHEREAS, by Resolution No. 761-25, adopted on March 13, 2025, the parties placed a settlement on the record as follows:

- Sold, served, delivered, allowed service to person underage in violation of N.J.A.C. 13:2-23(a)
- Sold, served, delivered, allowed service to person apparently intoxicated in violation of N.J.A.C. 13:2-23(b)
- A suspension was imposed on Licensee for 45 days, of which 15 was served from March 17, 2025 to April 1, 2025, and the remaining 30 days, Licensee was given the option to convert the suspension to a monetary fine.

WHEREAS, by Resolution No. 776-25, adopted on June 24, 2025, the parties agreed to a settlement as follows:

1. License #0722-33-045-005 shall be suspended for 100 days total, as follows:
 - a) Thirty (30) days to be served, which shall begin on Tuesday, July 15, 2025 at 10:00A.M. and continue through until Thursday, August 14, 2025 at 10:00A.M.;
 - b) Twenty (20) days held in abeyance for one (1) year, to be served in the event the Licensee is found guilty of serving an actually or apparently intoxicated person, in violation of N.J.A.C. 13:2-23.1(b);
 - c) Monetary payment to the State, in lieu of fifty (50) day suspension.
2. Security:
 - a) All security will provide Security Officer Registration Act (“SORA”) cards within thirty (30) days;
 - b) All security will participate in training programs, suggested by the State Police, with a focus on de-escalation.

3. Any violations of the following offenses, between July 1, 2025 and June 30, 2026, will be charged as a successive violation, consistent with N.J.A.C. 13:2-19.11(f):
 - a) Ordinance Violation, N.J.S.A. 33:1-31(h);
 - b) Special Condition Violation, N.J.S.A. 33:1-31(h);
 - c) Brawl, N.J.A.C. 13:2-23.6(a)(2);
 - d) Serving an actually or apparently intoxicated person, N.J.A.C. 13:2-23.1(b);
 - e) Hindering an investigation, N.J.S.A. 33:1-35/N.J.A.C. 13:2-23.30;
 - f) Sale or consumption beyond the scope of the license, N.J.S.A. 33:1-12/N.J.A.C. 13:2-23.1(a); and
 - g) Nuisance, N.J.A.C. 13:2-23.6(b).
4. Should this corrective action not facilitate a change in the Licensee's violations, future violations after July 1, 2025 will be considered towards non-renewal of the license for future years.
5. The Licensee shall enter a non-vult plea to all pending Charges.
6. The Licensee shall withdraw its Appeal regarding the March 13, 2025 Hearing result, wherein the Licensee was found guilty of violating N.J.A.C. 13:2-23.6(b), and the license was suspended for thirty (30) days.

WHEREAS, by Consent Order dated October 17, 2025, between the State Division of Alcoholic Beverage Control ("ABC" and Licensee, Licensee's appeal to convert its 50-day suspension to a monetary fine was resolved, resulting in the Licensee paying a monetary fine of \$5,000 to the State ABC.

WHEREAS, new incidents have occurred since resolution of those charges and for which written charges are being prepare, but during the current licensing term, the following incidents occurred at, or originated from the licensed premises:

- | | | |
|-----|--------------------|---|
| 1. | July 5, 2025 | Excessive Noise- summons issued |
| 2. | July 7, 2025 | Driving While Intoxicated |
| 3. | September 15, 2025 | Excessive Noise- summons issued |
| 4. | October 10, 2025 | Excessive Noise- summons issued |
| 5. | November 9, 2025 | Simple Assault/Intoxicated person |
| 6. | November 24, 2025 | Simple Assault/Multiple brawls in parking lot |
| 7. | March 8, 2026 | Simple Assault/Serving underage persons |
| 8. | March 15, 2026 | Driving While Intoxicated |
| 9. | March 21, 2026 | Burglary to Motor Vehicle/Intoxicated Persons |
| 10. | April 2, 2026 | Adulterated Beverages/Employee Hindering |
| 11. | April 23, 2026 | Special Condition Violation |
| 12. | May 10, 2026 | Driving While Intoxicated |
| 13. | May 11, 2026 | Driving While Intoxicated |

_____(check if Licensee is renewed)

WHEREAS, the purpose of the ABC regulatory scheme is to protect the health, safety and welfare of the people of the State of New Jersey, and the fostering of moderate and

responsible use and consumption of alcoholic beverages, and the proposed special conditions being logically related to the regulatory scheme and being reasonable efforts to promote the purposes of that scheme;

_____(check if Licensee is denied)

WHEREAS, the Licensee has not conformed its behavior for which new charges are being prepared, which result in multiple second violations for which penalties will be more substantial, the ABC Board believes that it is obligated to protect the health, safety and welfare of the people of the State of New Jersey, and even with Special Conditions imposed, the Licensee is operating a business that is to the determinant of the health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP ALCOHOLIC BEVERAGE CONTROL BOARD OF THE TOWNSHIP OF WEST ORANGE, does hereby

_____approve

_____deny

the renewal of the Plenary Retail Consumption License heretofore issued to the Licensee bearing License #0722-33-045-005, for the **2026-2027** Licensing term

If said License is renewed said renewal is subject to the following Special Conditions pursuant to N.J.S.A. §33:1-32, all of which Special Conditions having been found by the Township ABC Board to be necessary and proper to accomplish the objects of Title 33 and secure compliance with its provisions, and submitted promptly for approval by the Director of the Division of Alcoholic Beverage Control in accordance with law:

1. All security will provide Security Officer Registration Act (“SORA”) cards within thirty (30) days;
2. All security will participate in training programs, suggested by the State Police, with a focus on de-escalation.
3. The Licensee shall hire one private security guard, pursuant to the “Security Officer Registration Act” (“SORA”), N.J.Stat. §45:19A-1, et seq., at prevailing rates to provide for exterior security at the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to 1:30 a.m.;
4. The Licensee shall hire a licensed security company, pursuant to the “Security Officer Registration Act” (“SORA”), N.J.Stat. §45:19A-1, et seq., to provide security for the interior of the Licensed Premises on Friday, Saturday and Sunday nights from 9:30 p.m., to closing at 1:00 a.m.;
5. The Licensee shall install and maintain a video surveillance system to cover the interior of the Licensed Premises, including the bar area, the front and back entrances and exits and the front sidewalk area on Valley Road, which surveillance system shall be maintained in good working order and operating during all hours when the Licensed Premises is open for business, and recordings shall be kept and made available to the West Orange Police Department upon request for at least thirty (30) days following the date of recording, and the

- Licensee shall cooperate with the West Orange Police Department in the implementation and maintenance of this video surveillance system; and that
6. The Licensee shall provide the West Orange Police Department with remote access to its video surveillance camera system including surveillance camera web address, username and password log-in information, allowing for periodic review of video by West Orange Police Department personnel.
 7. The Licensee, every day it is open, shall close its doors to new customers at 11:00 a.m., shall cease the sale of alcoholic beverages at 11:30 a.m., and all customers shall be off the premises by 12:00 a.m.; and

AND BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Director of the Division of Alcoholic Beverage Control of the State of New Jersey for the Director's approval before implementation and for that Division's records, and shall be maintained in the Township's permanent Alcoholic Beverage Control records.

The above Resolution was passed by the Township Council of the Township of West Orange serving as the West Orange Board of Alcoholic Beverage Control at the Board's regular meeting held on **June 24, 2026**.

KAREN J. CARNEVALE, RMC
ABC Board Secretary

SUSAN SCARPA
ABC Board Member

Adopted: June 24, 2026
Effective: June 24, 2026