

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
BOARD OF COMMISSIONERS

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Jefferson Elementary School
3400 Palisade Avenue
Union City, New Jersey

January 7, 2014
Commencing at 7:01 p.m.

M E M B E R S P R E S E N T:

BRIAN P. STACK, MAYOR
MARYURY A. MARTINETTI, COMMISSIONER
CELIN VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER

M E M B E R S A B S E N T:

LUCIO P. FERNANDEZ, COMMISSIONER

A L S O P R E S E N T:

LAURA M. MILLER, ACTING CITY CLERK

SCARINCI HOLLENBECK
BY: CHRISTINE M. VANEK, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

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1 (Whereupon, the Pledge of Allegiance was
2 said.)

3

4 ACTING CITY CLERK: This is a call to order
5 a Regular Public Meeting of the Union City Board
6 of Commissioners, being held on Tuesday, January
7 7th, 2014, at seven p.m., at Jefferson Elementary
8 School, 3400 Palisade Avenue, Union City, New
9 Jersey.

10 This meeting has been called in accordance
11 with Chapter 231, Public Law of 1975, the Open
12 Public Meetings Act.

13 Adequate notice of this meeting has been
14 provided as follows: Notice of this meeting
15 setting forth the time, date, location, and the
16 agenda, to the extent known, was forwarded to The
17 Jersey Journal, The Record and The Hudson
18 Reporter, has been posted on the bulletin board
19 in City Hall and has been made available to the
20 public in the office of the Municipal Clerk.

21

22 **ROLL CALL:**

23

24 ACTING CITY CLERK: May I have roll call
25 please?

1 Commissioner Fernandez?

2 Absent.

3 Commissioner Rivas?

4 COMMISSIONER RIVAS: Here.

5 ACTING CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Present.

7 ACTING CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Here.

10 ACTING CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes. Present.

12

13 **APPROVAL OF MINUTES:**

14

15 ACTING CITY CLERK: The first item on the
16 agenda is the approval of previous meeting
17 minutes of the meeting of the Board of
18 Commissioners held on December 3rd, 2013.

19 Is there a motion to approve the minutes?

20 COMMISSIONER MARTINETTI: Motion.

21 MAYOR STACK: Motion.

22 Second.

23 COMMISSIONER MARTINETTI: Second.

24 ACTING CITY CLERK: Motion made by

25 Commissioner Martinetti.

1 Seconded by Mayor Stack.

2 Roll call.

3 Commissioner Rivas?

4 COMMISSIONER RIVAS: Abstain.

5 ACTING CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 ACTING CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 ACTING CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12

13 **COMMUNICATION:**

14

15 1. Memoranda from Municipal Financial Officer
16 Regarding Results of the HCIA Bond Anticipation
17 Note Sale and Special Emergency Note Sale

18

19 ACTING CITY CLERK: Next on the agenda is
20 Communication consisting of Memoranda from
21 Municipal Financial Officer Regarding Results of
22 the HCIA Bond Anticipation Note Sale and Special
23 Emergency Note Sale.

24 This is a matter of information required to
25 be transmitted to the Commissioners and no action

1 needs to be taken.

2

3 **ORDINANCES FOR HEARING AND ADOPTION**

4 **CONSIDERATION:**

5

6 () AN ORDINANCE ESTABLISHING REGISTRATION
7 REQUIREMENTS FOR VACANT AND ABANDONED PROPERTIES

8

9 ACTING CITY CLERK: The next item before
10 the Board are two Ordinances for Hearing and
11 Adoption Consideration.

12 The first is an Ordinance Establishing
13 Registration Requirements for Vacant and
14 Abandoned Properties.

15 MAYOR STACK: Christine, you want to just
16 state for the record what this does?

17 MS. VANEK: Sure.

18 Mayor, this Ordinance was drafted in order
19 to ensure that properties that are vacant are --
20 remain safe and remain up to Code.

21 We've had numerous problems where the Code
22 has not been maintained, buildings start to fall
23 down and we can't find the owner.

24 So this requires the owners of the vacant
25 properties to register within 60 days with the

1 Rent Control Administrator. They must provide
2 the name and address of a person who can be
3 served with process, served with municipal
4 summonses.

5 It also provides for municipal inspection
6 of those properties within a certain period of
7 time after vacancy so that we can make sure that
8 we notify the owner of Code violations.

9 The owner also has to post a sign on the
10 building identifying who the -- the responsible
11 party would be for maintaining the building so
12 that the public, as well as the City, knows of
13 the information.

14 The Ordinance also provides for a
15 registration fee each year. It begins at \$500.00
16 per year for the vacant property and graduates to
17 \$5,000.00.

18 It also provides for offenses to be set by
19 the municipal court between the range of \$500.00
20 and \$2,000.00 for each violation. And for each
21 day that there's a violation they can impose
22 those separate penalties.

23 MAYOR STACK: Anyone wishing to comment on
24 this Ordinance at this time please step forward.

25 Seeing none.

1 ACTING CITY CLERK: Motion to close the
2 public hearing made by Mayor Stack.

3 COMMISSIONER VALDIVIA: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Valdivia.

6 Roll call.

7 Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 ACTING CITY CLERK: Is there a motion to
17 adopt the Ordinance?

18 MAYOR STACK: Motion.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER MARTINETTI: Second.

21 ACTING CITY CLERK: Seconded by
22 Commissioner Martinetti.

23 Roll call.

24 Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11

12 () AN ORDINANCE STAYING ENFORCEMENT OF
13 RESTRICTED RESIDENTIAL PERMIT PARKING PROGRAM

14

15 ACTING CITY CLERK: The second Ordinance
16 for Consideration is an Ordinance Staying
17 Enforcement of Restricted Residential Permit
18 Parking Program.

19 MAYOR STACK: This would hold it off until
20 enforcement for July 1st, right, for the public?

21 MS. VANEK: Correct, Mayor.

22 MAYOR STACK: Anyone wishing to comment on
23 this Ordinance at this time please step forward,
24 state your name and address for the record.

25 Seeing none.

1 ACTING CITY CLERK: Motion to close the
2 public hearing made by Mayor Stack.

3 COMMISSIONER RIVAS: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Rivas.

6 Roll call.

7 Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 ACTING CITY CLERK: Is there a motion to
17 adopt the Ordinance?

18 MAYOR STACK: Motion.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER RIVAS: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Rivas.

23 Roll call.

24 Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8

9 **CONSENT AGENDA:**

10

11 (1) Resolution Approving the Payment of Claims

12 (2) Resolution Approving the Payment of

13 Concurring Claims

14 (3) Resolution Approving the City Payroll for
15 the Period of December 17, 2013 through December
16 30, 2013

17 (4) Resolution Approving the Library Payroll
18 for the Period of December 17, 2013 through
19 December 30, 2013

20 (5) Resolution Approving the Redevelopment
21 Agency Payroll for the Period of December 17,
22 2013 through December 30, 2013

23 (6) Resolution Authorizing Amendment to
24 Contract for Accounting Services

25 (7) Resolution Clarifying Appointments to the

- 1 Union City Planning Board
- 2 (8) Resolution Amending Contract for Legal
3 Services to Whipple Azzarello, LLC
- 4 (9) Resolution Designating January 11 of Each
5 Year as "Human Trafficking Awareness Day" and
6 January of Each Year as "Human Trafficking
7 Awareness Month"
- 8 (10) Resolution Awarding Contracts to BSN
9 Sports/US Games and Stan's Sports Center, Inc.
10 for Wrestling Supplies and Equipment
- 11 (11) Resolution Awarding a Contract to Jedstock,
12 Inc. for 48 Gallon Black Powder Coated Mesh
13 Weatherproof Outdoor Receptacles
- 14 (12) Resolution Authorizing the Refund of
15 Premium Monies Collected at the Tax Sale
- 16 (13) Resolution Authorizing the Refund of
17 Redemption Monies to Outside Lienholders
- 18 (14) Resolution Authorizing the Refund of a Tax
19 Appeal Issued by the Tax Court of New Jersey
- 20 (15) Resolution Authorizing the Refund of a Tax
21 Appeal Issued by the Hudson County Board of
22 Taxation
- 23 (16) Resolution Authorizing the Refund of a
24 Duplicate Payment
- 25 (17) Resolution Authorizing the Refund of Senior

1 Citizen Deductions

2 (18) Any other matter of City business that may
3 arise

4

5 ACTING CITY CLERK: Next before the Board
6 is the Consent Agenda. These are items which can
7 be approved by one vote.

8 There are 17 items on tonight's Consent
9 Agenda.

10 COMMISSIONER RIVAS: Don't close it.

11 I'm sorry.

12 ACTING CITY CLERK: That's okay.

13 COMMISSIONER RIVAS: Sorry. I'm sorry.

14 ACTING CITY CLERK: Perfectly okay.

15 Number one.

16 Resolution Approving the Payment of Claims.

17 Number two.

18 Resolution Approving the Payment of
19 Concurring Claims.

20 Number three.

21 Resolution Approving the City Payroll for
22 the Period of December 17th, 2013 through December
23 30th, 2013.

24 Number four.

25 Resolution Approving the Library Payroll

1 for the Period of December 17th, 2013 through
2 December 30th, 2013.

3 Number five.

4 Resolution Approving the Redevelopment
5 Agency Payroll for the Period of December 17th,
6 2013 through December 30th, 2013.

7 Number six.

8 Resolution Authorizing Amendment to
9 Contract for Accounting Services.

10 Number seven.

11 Resolution Clarifying Appointments to the
12 Union City Planning Board.

13 Number eight.

14 Resolution Amending Contract for Legal
15 Services to Whipple Azzarello, LLC.

16 Number nine.

17 Resolution Designating January 11 of Each
18 Year as Human Trafficking Awareness Day and
19 January of Each Year as Human Trafficking
20 Awareness Month.

21 Number ten.

22 Resolution Awarding Contracts to BSN
23 Sports/US Games and Stan's Sports Center,
24 Incorporated for Wrestling Supplies and
25 Equipment.

1 Number 11.

2 Resolution Awarding a Contract to Jedstock,
3 Incorporated for 48 Gallon Black Powder Coated
4 Mesh Weatherproof Outdoor Receptacles.

5 Number 12.

6 Resolution Authorizing the Refund of
7 Premium Monies Collected at the Tax Sale.

8 Number 13.

9 Resolution Authorizing the Refund of
10 Redemption Monies to Outside Lienholders.

11 Number 14.

12 Resolution Authorizing the Refund of a Tax
13 Appeal Issued by the Tax Court of New Jersey.

14 Number 15.

15 Resolution Authorizing the Refund of a Tax
16 Appeal Issued by the Hudson County Board of
17 Taxation.

18 Number 16.

19 Resolution Authorizing the Refund of a
20 Duplicate Payment.

21 And number 17.

22 Resolution Authorizing the Refund of Senior
23 Citizen Deductions.

24 Does the Mayor wish to take public comment
25 on any items on the Consent Agenda?

1 MAYOR STACK: Anyone wishing to comment on
2 the Consent Agenda, please step forward, state
3 your name and address for the record.

4 MS. DILLON: Over by Miss Vanek, Mr. Price.

5 MAYOR STACK: Yeah.

6 MS. DILLON: Right there.

7 MR. PRICE: Larry Price, 1006 Palisade
8 Avenue.

9 Question on item number seven.

10 What are the Clarifying Appointments to the
11 Planning Board?

12 MAYOR STACK: Christine?

13 MS. VANEK: Sure.

14 The Resolution clarifies the terms as to
15 certain Board members.

16 If you want specific names; Planning Board
17 members Jay Shah, Carolina Fernandez, Julio
18 Fernandini and Franklin Medina were appointed to
19 five-year terms, ending on July 1, 2017.

20 And the terms, pursuant to statute, should
21 have been noted as four year terms.

22 So that's just amended to expire in 2016.

23 MR. PRICE: Yeah, okay.

24 MS. VANEK: Same thing with respect to the
25 alternate Planning Board members Jeanne Koehler

1 and Jose Guareno and their terms ended August
2 15th, 2013 and they are reappointed as of that
3 date.

4 MR. PRICE: To?

5 MS. VANEK: Alternates. On the Planning
6 Board.

7 MR. PRICE: Alternate but to four-year
8 terms?

9 MS. VANEK: The alternate Planning Board
10 members get two-year terms.

11 MR. PRICE: To two-year terms.

12 MS. VANEK: Um-hum.

13 MR. PRICE: Okay.

14 Thank you.

15 MAYOR STACK: Anyone else on the Consent
16 Agenda?

17 Seeing no other.

18 ACTING CITY CLERK: Motion to close the
19 public comment on the Consent Agenda --

20 COMMISSIONER RIVAS: Second.

21 ACTING CITY CLERK: -- made by Mayor Stack.

22 COMMISSIONER RIVAS: Second.

23 ACTING CITY CLERK: Seconded by
24 Commissioner Rivas.

25 Roll call.

1 Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 ACTING CITY CLERK: Is there a motion to
11 approve all items on the Consent Agenda?

12 MAYOR STACK: Motion.

13 ACTING CITY CLERK: Motion by Mayor Stack.

14 COMMISSIONER VALDIVIA: Second.

15 ACTING CITY CLERK: Second by Commissioner
16 Valdivia.

17 Roll call.

18 Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner

23 Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 ACTING CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2

3 **REGULAR AGENDA:**

4

5 (1) Resolution Authorizing Lease of the Ronald
6 A. Dario Pool Complex to the Union City Board of
7 Education

8 (2) Resolution Authorizing Shared Services
9 Agreement with the Union City Board of Education
10 for Crossing Guards

11 (3) Resolution Authorizing Submission of Grant
12 Application for the Improvement of Ellsworth Park
13 to the County of Hudson

14 (4) Any other matter of city business that may
15 arise

16

17 ACTING CITY CLERK: Next for this evening
18 is the Regular Agenda.

19 The first item on the Regular Agenda is a
20 Resolution Authorizing Lease of the Ronald A.
21 Dario Pool Complex to the Union City Board of
22 Education.

23 MS. VANEK: Mayor, for the record we would
24 typically recommend that Commissioners Martinetti
25 and Valdivia recuse from this matter.

1 However, under the doctrine of necessity we
2 would request that Commissioner Valdivia vote on
3 item number 1 and 2.

4 MAYOR STACK: I'll move it.

5 ACTING CITY CLERK: All right, motion to
6 approve item 1 on the Regular Agenda made by
7 Mayor Stack.

8 COMMISSIONER RIVAS: I second.

9 ACTING CITY CLERK: Seconded by
10 Commissioner Valdivia (sic).

11 Roll call.

12 Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti; recusing?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21 ACTING CITY CLERK: The second item on the
22 Regular Agenda is a Resolution Authorizing Shared
23 Services Agreement with the Union City Board of
24 Education for Crossing Guards.

25 MS. VANEK: Again, Mayor, Commissioner

1 Martinetti should recuse on this item.

2 MAYOR STACK: I'll move it.

3 ACTING CITY CLERK: Motion made by Mayor
4 Stack.

5 COMMISSIONER RIVAS: Second.

6 ACTING CITY CLERK: Seconded by
7 Commissioner Rivas.

8 Roll call.

9 Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner
14 Martinetti; recusing.

15 Mayor Stack?

16 MAYOR STACK: Yes.

17 ACTING CITY CLERK: Third item on the
18 Regular Agenda is a Resolution Authorizing
19 Submission of Grant Application for the
20 Improvement of Ellsworth Park to the County of
21 Hudson.

22 MS. VANEK: Mayor, for the record, we
23 recommend that Commissioner Rivas recuse himself
24 from this item.

25 MAYOR STACK: I'll move it.

1 COMMISSIONER MARTINETTI: Second.

2 ACTING CITY CLERK: Motion made by Mayor
3 Stack.

4 Seconded by Commissioner Martinetti.

5 Roll call.

6 Commissioner Rivas; recusing.

7 Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner
10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 ACTING CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

15 **OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:**

16

17 ACTING CITY CLERK: Next on the agenda is
18 an Opportunity for Citizens to Address the Board.

19 MAYOR STACK: Anyone wishing to address the
20 Board at this time please step forward, state
21 your name and address for the record.

22 Seeing none.

23 ACTING CITY CLERK: Motion to close the
24 public comment portion of the meeting made by
25 Mayor Stack.

1 COMMISSIONER MARTINETTI: Second.

2 ACTING CITY CLERK: Seconded by

3 Commissioner Martinetti.

4 Roll call.

5 Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

7 ACTING CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner

10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 ACTING CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

15 **APPLICATION REGARDING LIQUOR LICENSE**

16 **#0901-43-079-007 FOR A PLACE TO PLACE TRANSFER**

17 **(FROM A POCKET LICENSE TO 2817 BERGENLINE AVENUE)**

18 **AND A PERSON TO PERSON TRANSFER (FROM OSMARA**

19 **PANEQUE TO LOS PRECIOS CORP.)**

20

21 ACTING CITY CLERK: Next before the Board
22 is an Application Regarding Liquor License number
23 0901-43-079-007 for a Place to Place Transfer
24 from a Pocket License to 2817 Bergenline Avenue
25 and a Person to Person Transfer from Osmara

1 | Paneque to Los Precios Corporation.

2 | MS. VANEK: Mayor, with respect to this
3 | application we received a request for an
4 | adjournment from an attorney who's representing
5 | an objector. He had just a personal scheduling
6 | conflict. And the applicant consented to an
7 | application to adjourn this matter to the next
8 | meeting, which would be January 21st.

9 | MAYOR STACK: Great.

10 | ACTING CITY CLERK: Is there a motion to
11 | adjourn?

12 | MAYOR STACK: Motion.

13 | ACTING CITY CLERK: Motion made by Mayor
14 | Stack.

15 | COMMISSIONER MARTINETTI: Second.

16 | ACTING CITY CLERK: Seconded by
17 | Commissioner Martinetti.

18 | Roll call.

19 | Commissioner Rivas?

20 | COMMISSIONER RIVAS: Yes.

21 | ACTING CITY CLERK: Commissioner Valdivia?

22 | COMMISSIONER VALDIVIA: Yes.

23 | ACTING CITY CLERK: Commissioner
24 | Martinetti?

25 | COMMISSIONER MARTINETTI: Yes.

1 ACTING CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. RG Enterprise Entertainment t/a Therapy
4 Lounge, 2803 Bergenline Avenue

5 2. Plaza Espana, Inc. t/a La Plaza Hispana
6 Restaurant Y Bar

7 3. LAR Corp. t/a La Roca Corp., 2115 West
8 Street

9 4. El Chapin Corp. t/a El Rincon Chapin, 2118
10 Bergenline Avenue

11 5. La Jor Per Corp. t/a California Café, 2002
12 Bergenline Avenue

13

14 ACTING CITY CLERK: The final item on the
15 agenda tonight are five Liquor License
16 Disciplinary Proceedings.

17 The first proceeding is in the matter of RG
18 Enterprise Entertainment trading as Therapy
19 Lounge, 2803 Bergenline Avenue.

20 MR. FARMER: Good evening, Mayor and Board.

21 If I might just address the schedule as
22 license listed in reverse order.

23

24 **LA JOR PER CORP., t/a CALIFORNIA CAFÉ, 2002**

25 **Bergenline Avenue:**

1 MR. FARMER: I'd like to take first
2 California Bar. The licensee is here this
3 evening.

4 Please, step up here and put your name and
5 address right --

6 MR. DIAZ: My name's Peter Diaz; it's for
7 2002 Bergenline Avenue.

8 MS. DILLON: I'm sorry; I didn't get your
9 name.

10 MR. DIAZ: Peter Diaz.

11 MS. DILLON: Peter Diaz?

12 MR. DIAZ: Yes.

13 MR. FARMER: This is a situation which was
14 a fight. An incident occurred where somebody --
15 a woman struck a man, knocked him to the ground
16 and when the Police came they asked for some of
17 the paper requirements that licensees have to
18 have on the premises available at all time and
19 the licensee didn't have those.

20 However, to his benefit and -- the next day
21 he produced everything and he had everything. So
22 all the paper was in --

23 But he had an incident that occurred there
24 and it was a fight. And he and I have talked
25 about it and come to an agreement and a proposal

1 to be offered to the Board, which would be a five
2 day suspension. That would be Monday through
3 Friday.

4 And indeed they gave me the dates, which
5 would be the 19th through the 23rd.

6 And I would -- and there's really no past
7 history on this bar.

8 MAYOR STACK: Are you in agreement, sir,
9 with everything that Mr. Farmer stated?

10 MR. DIAZ: Yes.

11 MAYOR STACK: You do. Okay.

12 You had time to consult an attorney?

13 MR. DIAZ: No, I didn't.

14 MAYOR STACK: Oh.

15 Do you want to consult an attorney?

16 MR. DIAZ: No.

17 MAYOR STACK: No?

18 And you're okay with the terms of this?

19 MR. DIAZ: Absolutely.

20 MAYOR STACK: Okay.

21 I'll make a motion to approve.

22 ACTING CITY CLERK: Motion made by Mayor
23 Stack.

24 COMMISSIONER MARTINETTI: Second.

25 COMMISSIONER VALDIVIA: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Valdivia.

3 Roll call.

4 Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner
9 Martinetti?

10 COMMISSIONER MARTINETTI: Yes.

11 ACTING CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 Thank you very much.

14 Thank you.

15 * * *

16

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25

1 EL CHAPIN CORP. t/a EL RINCON CHAPIN, 2118
2 Bergenline Avenue;
3 LAR CORP. t/a LA ROCA CORP., 2115 West Street;
4 and
5 PLAZA ESPANA, INC. t/a LA PLAZA HISPANA
6 RESTAURANT Y BAR:
7

8 MR. FARMER: The next one is El Rincon
9 Chapin.

10 Four, three and two are matters that just
11 recently happened and I put them on the calendar
12 just to get some movement because I was away a
13 little bit in December.

14 But Chapin, although it has been here in
15 the past, was served with a notice to appear here
16 tonight and the police officer's here who did
17 serve them and for some reason they're not here.

18 They've --

19 MAYOR STACK: This is the first time that
20 they're on?

21 MR. FARMER: Yeah. It's the first time
22 it's on and they've always, whenever they've had
23 trouble, have always appeared with an attorney.

24 MAYOR STACK: Okay.

25 MR. FARMER: So I was surprised that they

1 | didn't -- they weren't here.

2 | So I'd ask that that one be adjourned till
3 | the 21st; along with two and three. Because I
4 | just got letters from Mr. Diaz concerning La
5 | Roca -- and this is a first listing -- asking for
6 | an adjournment.

7 | And the same with Mr. Sarsano with Plaza
8 | Espana.

9 | * * *

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1 **RG ENTERPRISE ENTERTAINMENT t/a THERAPY LOUNGE,**
2 **2803 Bergenline Avenue:**

3
4 MR. FARMER: With the top one, Therapy, it
5 appears that Mr. Guzman isn't here. I had a
6 conversation with him where we postponed it from
7 December to I thought today but indicated to me I
8 said the 21st.

9 But more importantly I had an opportunity
10 to speak to the attorney, Mario Blanch who
11 represents him, who was here this evening and I
12 think we may be on our way to negotiating a
13 resolution.

14 But this one -- Therapy and Manhattan are
15 things that I'd like to talk to the Board about
16 with respect to how to handle them because many
17 -- the same thing with noise complaints.

18 I think noise complaints are better served
19 at time of renewal, as opposed to during the
20 licensing period where we have to deal with them
21 in an adversarial way and affirmatively show that
22 they did something that requires us to suspend
23 the license.

24 As opposed to when renewal comes around and
25 they come to us and they say let us continue and

1 at that moment in time we can look at police
2 responses and things like --

3 MAYOR STACK: Right.

4 MR. FARMER: Maybe would not have enough
5 sufficiency to lead to a conviction in a
6 disciplinary proceeding but could be a way of
7 questioning whether or not the license should be
8 renewed or renewed with certain conditions.

9 MAYOR STACK: Okay.

10 MR. FARMER: So I'd like to try to handle
11 those things that way.

12 MAYOR STACK: Great.

13 MR. FARMER: And I think that's it.

14 MAYOR STACK: Great.

15 Thank you, Mr. Farmer.

16 MR. FARMER: Okay?

17 Thank you.

18 ACTING CITY CLERK: So, is there a motion
19 to adjourn the proceeding --

20 MR. FARMER: One through four.

21 ACTING CITY CLERK: -- all one through four
22 to January 21st?

23 MAYOR STACK: Yes.

24 ACTING CITY CLERK: All right.

25 Is there a motion?

1 MAYOR STACK: Motion.

2 COMMISSIONER MARTINETTI: Motion.

3 ACTING CITY CLERK: Motion made by Mayor
4 Stack.

5 COMMISSIONER MARTINETTI: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Martinetti.

8 Roll call.

9 Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner
14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 ACTING CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18

19 **ADJOURNMENT:**

20

21 ACTING CITY CLERK: There being no further
22 items before the Board of Commissioners, is there
23 a motion to adjourn?

24 COMMISSIONER MARTINETTI: Motion.

25 ACTING CITY CLERK: Motion by Commissioner

1 Martinetti.

2 MAYOR STACK: Second.

3 ACTING CITY CLERK: Seconded by Mayor
4 Stack.

5 Roll call.

6 Commissioner Rivas?

7 COMMISSIONER RIVAS: Yes.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 ACTING CITY CLERK: Commissioner
11 Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 ACTING CITY CLERK: The meeting's hereby
16 adjourned.

17 MAYOR STACK: Thank you.

18

19 (Whereupon, the proceedings were concluded
20 at 7:18 p.m.)

21

22

23

24

25

1 _____ Brian P. Stack

2 _____ Maryury A. Martinetti

3 _____ Celin Valdivia

4 _____ Tilo E. Rivas

5 **Board of Commissioners**

6

7 **Attest:**

8 **Laura M. Miller,**

9 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, January 7, 2014, and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon