

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Washington School
3905 New York Avenue
Union City, New Jersey

February 4, 2014
Commencing at 7:00 p.m.

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

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

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

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

A P P E A R A N C E S:

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant,
Los Precios Corporation

TOMAS R. PANEQUE, ESQ.,
Attorney for Osmara Paneque

MARY KHELLAH, ESQ.,
Appearing on behalf of George B. Campen, Esq.,
Attorney for Ravi Varma

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1 ACTING CITY CLERK: Can I have everyone's
2 attention please?

3 This is a call to order a Regular Public
4 Meeting of the Union City Board of Commissioners,
5 being held on Tuesday, February 4th, 2014, at
6 seven p.m., at Washington School, 3905 New York
7 Avenue, Union City, New Jersey.

8 Would everyone please join me in the Pledge
9 of Allegiance?

10

11 (Whereupon, the Pledge of Allegiance was
12 said.)

13

14 ACTING CITY CLERK: This meeting has been
15 called in accordance with Chapter 231, Public Law
16 of 1975, the Open Public Meetings Act.

17 Adequate notice of this meeting has been
18 provided as follows:

19 Notice of this meeting setting forth the
20 time, date, location, and the agenda, to the
21 extent known, was forwarded to The Jersey
22 Journal, The Record and The Hudson Reporter, has
23 been posted on the bulletin board in City Hall
24 and has been made available to the public in the
25 office of the Municipal Clerk.

1

2 **ROLL CALL:**

3

4 ACTING CITY CLERK: May I have the roll
5 call for this evening's meeting please.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Here.

8 ACTING CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Here.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Present.

12 ACTING CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER MARTINETTI: Here.

15 ACTING CITY CLERK: Mayor Stack?

16 MAYOR STACK: Here.

17

18 **CLERK'S ANNOUNCEMENT:**

19

20 ACTING CITY CLERK: The first item on
21 tonight's agenda is a Clerk's Announcement.

22 An Ordinance Amending Chapter 155 of the
23 Code of Union City entitled Fees was introduced
24 at the Regular Board of Commissioners Meeting on
25 January 23rd, 2014. The Ordinance will be further

1 considered at a meeting of the Board of
2 Commissioners to be held February 18th, 2014, at
3 Union Hill Middle School, 3808 Hudson Avenue,
4 Union City, New Jersey.

5
6 **CONSENT AGENDA:**

7
8 (1) Resolution Approving the Payment of Claims

9 (2) Resolution Approving the Payment of

10 Concurring Claims

11 (3) Resolution Approving the City Payroll for

12 the Period of January 14, 2014 through January

13 27, 2014

14 (4) Resolution Approving the Library Payroll

15 for the Period of January 14, 2014 through

16 January 27, 2014

17 (5) Resolution Awarding Contract for

18 Interpreter Services to Sol's Interpreting

19 Services

20 (6) Resolution Confirming Disciplinary Action

21 against Liquor License No. 0910-33-227-005 held

22 by Cactus t/a Cactus, 426 32nd Street

23 (7) Resolution Re-Appointing Board Members of

24 the Union City Rent Stabilization Board

25 (8) Resolution Authorizing the Acting City

1 Clerk to Advertise for the Receipt of Bids for
2 the Bergenline Avenue (2nd Street to 9th Street)
3 Phase 1 Roadway Improvement Program

4 (9) Resolution Authorizing the Acting City
5 Clerk to Advertise for the Receipt of Bids for
6 Ellsworth Park Landscape Improvements

7 (10) Resolution Authorizing the Acting City
8 Clerk to Advertise for the Receipt of Bids for
9 the 2014 Park Landscape Maintenance Program

10 (11) Resolution Authorizing the Acting City
11 Clerk to Advertise for the Receipt of Bids for
12 the Duarte Park Sprayground Resurfacing Project

13 (12) Resolution Authorizing the Refund of
14 Premium Monies Collected at the Tax Sale

15 (13) Resolution Authorizing Refund of Redemption
16 Monies to Outside Lienholders

17 (14) Any other matter of City business that may
18 arise

19

20 ACTING CITY CLERK: Next is the Consent
21 Agenda. These are items which can be approved by
22 a single vote.

23 There are 13 items before the Board this
24 evening.

25 Number one.

1 Resolution Approving the Payment of Claims.

2 Number two.

3 Resolution Approving the Payment of
4 Concurring Claims.

5 Number three.

6 Resolution Approving the City Payroll for
7 the Period of January 14th, 2014 through January
8 27th, 2014.

9 Number four.

10 Resolution Approving the Library Payroll
11 for the Period of January 14th, 2014 through
12 January 27th, 2014.

13 Number five.

14 Resolution Awarding Contract for
15 Interpreter Services to Sol's Interpreting
16 Services.

17 Number six.

18 Resolution Confirming Disciplinary Action
19 against Liquor License number 0910-33-227-005
20 held by Cactus trading as Cactus, 426 32nd Street.

21 Number seven.

22 Resolution Re-Appointing Board Members of
23 the Union City Rent Stabilization Board.

24 Number eight.

25 Resolution Authorizing the Acting City

1 Clerk to Advertise for the Receipt of Bids for
2 the Bergenline Avenue, 2nd Street to 9th Street,
3 Phase 1 Roadway Improvement Program.

4 Number nine.

5 Resolution Authorizing the Acting City
6 Clerk to Advertise for the Receipt of Bids for
7 Ellsworth Park Landscape Improvements.

8 Number ten.

9 Resolution Authorizing the Acting City
10 Clerk to Advertise for the Receipt of Bids for
11 the 2014 Park Landscape Maintenance Program.

12 Number 11.

13 Resolution Authorizing the Acting City
14 Clerk to Advertise for the Receipt of Bids for
15 the Duarte Park Sprayground Resurfacing Project.

16 Number 12.

17 Resolution Authorizing the Refund of
18 Premium Monies Collected at the Tax Sale.

19 And number 13.

20 Resolution Authorizing Refund of Redemption
21 Monies to Outside Lienholders.

22 Does the Mayor wish to take public comment
23 on the Consent Agenda?

24 MAYOR STACK: Sure.

25 Anyone wishing to comment on the Consent

1 Agenda, please step forward, state your name and
2 address for the record.

3 Seeing none.

4 ACTING CITY CLERK: Motion to close public
5 comment made by Mayor Stack.

6 COMMISSIONER RIVAS: Second.

7 ACTING CITY CLERK: Seconded by
8 Commissioner Rivas.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

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

23 MAYOR STACK: Motion.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 COMMISSIONER VALDIVIA: Second.

1 ACTING CITY CLERK: Seconded by
2 Commissioner Valdivia.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes with the
6 exception of number one as it pertains to the
7 Grace Theater payment; and two as it pertains to
8 the Union City Redevelopment Agency.

9 Otherwise, yes.

10 ACTING CITY CLERK: Commissioner Rivas?

11 COMMISSIONER RIVAS: Yes.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 ACTING CITY CLERK: Commissioner
15 Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 ACTING CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19

20 **REGULAR AGENDA:**

21

22 (1) Resolution Approving the Redevelopment
23 Agency Payroll for the Period of January 14, 2014
24 through January 27, 2014

25 (2) Resolution Authorizing the Placement of a

1 Lien on the Property Known as 514 42nd Street in
2 the City of Union City for Emergency Repairs
3 (3) Resolution Amending Renewals of Liquor
4 License #0910-43-079-007, a Pocket License Held
5 by Osmara Paneque, for the 2012-2013 and 2013-
6 2014 License Terms

7 (4) Any other matter of city business that may
8 arise
9

10 ACTING CITY CLERK: Next on the agenda this
11 evening is the Regular Agenda.

12 The first item on the Regular Agenda is a
13 Resolution Approving the Redevelopment Agency
14 Payroll for the Period of January 14th, 2014
15 through January 27th, 2014.

16 MS. VANEK: Mayor, for the record we
17 recommend that Commissioner Fernandez recuse
18 himself from this item.

19 MAYOR STACK: I'll move it.

20 ACTING CITY CLERK: Motion --

21 COMMISSIONER MARTINETTI: Second.

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

24 Seconded by Commissioner Martinetti.

25 Commissioner Fernandez; recusing.

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: Second item on the
11 Regular Agenda is a Resolution Authorizing the
12 Placement of a Lien on the Property Known as 514
13 42nd Street in the City of Union City for
14 Emergency Repairs.

15 MAYOR STACK: I'll move it.

16 MS. VANEK: Mayor, for the record, we
17 recommend that Commissioner Martinetti recuse
18 herself from this matter.

19 COMMISSIONER VALDIVIA: Second.

20 ACTING CITY CLERK: Okay, motion made by
21 Mayor Stack.

22 Seconded by Commissioner Valdivia.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti; recusing.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9 ACTING CITY CLERK: Third item on the
10 Regular Agenda is a Resolution Amending Renewals
11 of Liquor License Number 0910-43-079-007, a
12 Pocket License Held by Osmara Paneque, for the
13 2012-2013 and 2013-2014 License Terms.

14 MS. VANEK: Mayor, for the record, we
15 recommend that Commissioners Martinetti and
16 Valdivia recuse themselves from this item.

17 MAYOR STACK: I'll move it.

18 ACTING CITY CLERK: Motion made by Mayor
19 Stack.

20 COMMISSIONER RIVAS: Second.

21 ACTING CITY CLERK: Seconded by
22 Commissioner Rivas.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia;
4 recusing.

5 Commissioner Martinetti; recusing.

6 Mayor Stack?

7 MAYOR STACK: Yes.

8

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

10

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

13 MAYOR STACK: Sure.

14 Anyone who would like to address the Board
15 at this time please step forward, state your name
16 and address for the record.

17 You can stand right over here.

18 Just state your name and address for the
19 record.

20 MS. DILLON: You need to come here.

21 MR. FALTO: Jose Falto, 1216 Central
22 Avenue, Union City, New Jersey.

23 MS. DILLON: I need you by the microphone.

24 MR. FALTO: Okay. Stand all the way up
25 here?

1 MS. DILLON: Yes.

2 MR. FALTO: All right.

3 I guess any topic? It doesn't have to be
4 just the agenda items.

5 Am I correct?

6 MAYOR STACK: No, any topic.

7 MR. FALTO: Okay. All right.

8 I have some questions. I have some
9 concerns given the situation going on with the
10 Governor and the Bridgegate and of allegations
11 have been coming out. And it was interesting
12 that just recently in reading I found out that
13 one of the attorneys indicated that the Governor
14 was using the Port Authority as an employment
15 agency for his friends, political allies.

16 Interesting enough, as I looked a little
17 further, we find that a couple of people who
18 worked for you were given jobs immediately after
19 you endorsed the Governor. So I'm wondering if
20 the comments made by this attorney were talking
21 about political allies such as the Mayor of Union
22 City.

23 Let me give you an example. You have a
24 gentleman that works with you, Mr. Albiez, who
25 has two positions with the government. I'd like

1 to know what are his salaries and what are the
2 positions that he holds?

3 MAYOR STACK: I really don't know his
4 salary off hand but I can tell you one thing; Mr.
5 Albiez is one of the hardest working City
6 employees that we have. You couldn't ask for a
7 better employee than Mark Albiez. He's --

8 MR. FALTO: What are the two positions, Mr.
9 Mayor?

10 MAYOR STACK: Let me finish.

11 MR. FALTO: Okay.

12 MAYOR STACK: If you ask me a question; I
13 got to be able to finish.

14 MR. FALTO: Okay.

15 MAYOR STACK: Nobody puts in more time than
16 Mark. He's a 24/7 guy and I'm very fortunate to
17 have him.

18 MR. FALTO: What are the two positions? Do
19 you know his titles?

20 MAYOR STACK: I don't know. We could get
21 that for you though.

22 MR. FALTO: Okay.

23 Well, isn't it a fact that one of them is
24 spokesperson for the Senator, Mr. Mayor, to the
25 tune of \$35,000.00 a year?

1 And the other title, I believe he works for
2 Commission of Parks and Recreation, to the tune
3 of \$85,000.00 a year.

4 MAYOR STACK: He's worth every dime; if not
5 more.

6 MR. FALTO: Okay. All right.

7 Well, isn't it a fact also that soon after
8 you came out and endorsed Governor Christie, Mr.
9 Albiez's wife was given a job at the Port of
10 Authority; and also your personal secretary, Juan
11 Carlos Rojas got a job -- landed a job with the
12 Port Authority?

13 MAYOR STACK: Port Authority has nothing to
14 do with Union City's municipal government, Mr.
15 Falto. You could --

16 MR. FALTO: Well, --

17 MAYOR STACK: You could attend a Port
18 Authority meeting though and ask them.

19 MR. FALTO: Well, Mr. Mayor, the fact of
20 the matter is that it's ironic and it just
21 happened by coincidence that right after this
22 whole thing and the endorsement came out and you
23 went out, worked for the Governor, people from
24 your staff wound up at Port Authority.

25 Is that correct?

1 I knew you wouldn't --

2 All right. Well, let me just move on to my
3 next question for you, Mr. Mayor.

4 While I have no problems with Chief
5 Molinari and it is my understanding that he's
6 doing an excellent job, I would like to know why
7 you failed to call for a competitive test for the
8 Chief position.

9 MAYOR STACK: We have a test right now.

10 MR. FALTO: Well, --

11 MAYOR STACK: A test --

12 MR. FALTO: -- you called for a test now?

13 MAYOR STACK: It's been posted.

14 MR. FALTO: Okay. Okay.

15 But did -- when you made the Chief you
16 didn't allow anyone else to compete; it was just
17 made on his own.

18 So you took the highest ranking Latino in
19 the Department, you did not afford him an
20 opportunity to take the test because you didn't
21 call for the test at that point. I'm talking
22 about Captain Emilio Gonzalez (phonetic).

23 MAYOR STACK: I'm very proud of the fact
24 that I was the one that promoted Emilio up to the
25 rank of Captain and promoted more Latinos than

1 any prior mayor probably in Union City's history.

2 So I'm very proud of that fact.

3 MR. FALTO: Well, --

4 MAYOR STACK: And there is a test right now
5 for Chief.

6 MR. FALTO: It has been called?

7 MAYOR STACK: Absolutely.

8 MR. FALTO: Okay.

9 And well the reason why I question this is
10 because, you know, what is Mr. -- Captain
11 Gonzalez's assignment at this point?

12 MAYOR STACK: Off the top of my head, you'd
13 have to ask the Chief of Police. I believe he's
14 in Special Services and Support Services.

15 MR. FALTO: Okay.

16 MAYOR STACK: Training in fact, too. He's
17 in probably the most critical position in the
18 Police Department, Training.

19 MR. FALTO: Yeah, he's --

20 MAYOR STACK: Training all those new
21 officers that are coming on the job.

22 MR. FALTO: Yeah, he's at Gilmore School
23 supervising two staff members; right?

24 MAYOR STACK: No, he's training all the
25 police -- all the police --

1 MR. FALTO: Okay.

2 MAYOR STACK: -- officers in the
3 Department. It's the most critical position in
4 the Department.

5 MR. FALTO: Well, don't you believe that it
6 would be better to have the highest ranking
7 Hispanic officer out in the streets serving as a
8 role model for all the Latinos in the community?

9 MAYOR STACK: Captain Gonzalez has always
10 been out there; we've always been proud of his
11 work that he's done.

12 The role he's in right now, the Chief and
13 him I believe sat down on and agreed that -- he's
14 training every officer that's coming on the job
15 right now and all our current officers in the job
16 right now to make sure that they're treating the
17 public with respect and serving the community
18 well.

19 MR. FALTO: Well, my question is what is
20 your belief though?

21 Should he be on the street serving as a
22 role model or should he be in Gilmore School
23 where he has no access to the public?

24 MAYOR STACK: My belief is exactly what I
25 just stated; he's serving in the most crucial

1 role in the Police Department right now.

2 MR. FALTO: Okay.

3 All right.

4 MAYOR STACK: If you're suggesting that
5 Captain Gonzalez walk the beat, I disagree with
6 you.

7 MR. FALTO: I'm not saying walk the beat.

8 MAYOR STACK: Oh.

9 MR. FALTO: Be visible to the children of
10 our community so they, too, can see someone as a
11 role model. Perhaps they might want --

12 MAYOR STACK: Oh, --

13 MR. FALTO: -- this might help them to go
14 ahead --

15 MAYOR STACK: We have plenty planned for
16 him, absolutely, to do those things.

17 MR. FALTO: We do.

18 MAYOR STACK: Nobody does more outreach
19 than Union City Police Department. We're proud
20 of that.

21 MR. FALTO: I'm not -- I'm not saying they
22 don't. I'm just talking about the one individual
23 who is the highest ranking Latino in the
24 Department.

25 ACTING CITY CLERK: Mayor, five minutes has

1 elapsed.

2 MAYOR STACK: Thank you very much, Mr.
3 Falto, we appreciate it.

4 Anyone else wishing to ask a question at
5 this time?

6 Please step forward, state your name and
7 address for the record.

8 John Heinis, you have anything?

9 No?

10 Okay.

11 Seeing no further.

12 ACTING CITY CLERK: Motion to close public
13 comment portion --

14 COMMISSIONER RIVAS: Second.

15 ACTING CITY CLERK: -- of the meeting made
16 by Mayor Stack.

17 Seconded by Commissioner Fernandez.

18 Roll call.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

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1 **APPLICATION REGARDING LIQUOR LICENSE**
2 **#0901-43-079-007 FOR A PLACE TO PLACE TRANSFER**
3 **(FROM A POCKET LICENSE TO 2817 BERGENLINE AVENUE)**
4 **AND A PERSON TO PERSON TRANSFER (FROM OSMARA**
5 **PANEQUE TO LOS PRECIOS CORP.)**

6
7 ACTING CITY CLERK: Next on the agenda is
8 an Application Regarding Liquor License number
9 0901-43-079-007 for a Place to Place Transfer
10 from a Pocket License to 2817 Bergenline Avenue
11 and a Person to Person Transfer from Osmara
12 Paneque to Los Precios Corporation.

13 MAYOR STACK: Sure.

14 If we could just take maybe five minutes
15 just to speak with the Corporation Counsel
16 before, --

17 MS. VANEK: Um-hum.

18 MAYOR STACK: -- Christine?

19 MS. VANEK: That would be for advice of
20 counsel --

21 MAYOR STACK: Yes.

22 MS. VANEK: -- and I would make a motion to
23 go into closed session for advice of counsel.

24 MAYOR STACK: Motion.

25 ACTING CITY CLERK: Motion made by Mayor

1 Stack.

2 COMMISSIONER RIVAS: Second.

3 ACTING CITY CLERK: Second by Commissioner
4 Rivas.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 ACTING CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 We'll take a couple minutes.

18

19 (Whereupon, the Board moved to Closed
20 Session at 7:12 p.m.)

21

22 (Whereupon, the Board returned to Open
23 Session at 7:18 p.m.)

24

25 MS. VANEK: Motion to return to Open

1 Session.

2 MAYOR STACK: The portion of the meeting
3 we're at right now is liquor transfers and liquor
4 hearings, everyone.

5 MS. VANEK: Okay.

6 So we need a motion to go into Open
7 Session.

8 COMMISSIONER RIVAS: Motion.

9 MAYOR STACK: Motion.

10 ACTING CITY CLERK: Motion made by Mayor
11 Stack.

12 Seconded by Commissioner Rivas.

13 Roll call.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 ACTING CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 ACTING CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 ACTING CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 ACTING CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 On Los Precios, right?

1 MS. VANEK: Yes.

2 MAYOR STACK: On Los Precios.

3 All parties that are interested, please
4 step forward.

5 MR. LOPEZ: Good evening. Adolfo Lopez
6 appearing on behalf of the applicant.

7 MS. DILLON: I need you all to --

8 MAYOR STACK: Just if you could, --

9 MS. DILLON: -- keep your voices up --

10 MAYOR STACK: -- just try to keep your
11 voices, yeah, --

12 MR. LOPEZ: Yes.

13 MAYOR STACK: -- up into right over here.

14 MR. PANEQUE: Good evening, Mayor, ladies
15 and gentlemen of the Board.

16 Tomas R. Paneque on behalf of the seller,
17 Osmara Paneque.

18 MS. KHELLAH: Good evening, Mr. Mayor.

19 Mary Khellah here on behalf of Mr. Varma of
20 the Office of George Campen.

21 MR. VARMA: Good evening, Mr. Mayor and
22 Board of Commissioners. I'm here on behalf of
23 the business people of Union City.

24 MS. DILLON: Name?

25 MR. VARMA: Ravi Varma.

1 MS. VANEK: Okay.

2 You may recall that at the last meeting we
3 began the hearing on this transfer application.

4 And Miss Khellah put on the record certain
5 objections that her client had with respect to
6 the transfer, which included some health concerns
7 at the proposed location, as well as some
8 allegations of illegality which related to
9 converting food stamps and cashing checks.

10 Since that hearing we had the Police
11 Department look into the issues with regard to
12 the illegality. They had a detective conduct an
13 investigation and those allegations were not
14 founded.

15 They spoke with the federal agencies that
16 govern food stamps, as well as check cashing and
17 the allegations were not sustained.

18 Additionally, we had a health inspector go
19 into the proposed location and do an inspection.
20 And by the conclusion of the inspection, all
21 issues were abated.

22 Additionally, there was some issue as to a
23 broken window, which to my understanding has been
24 repaired.

25 So at this point the issues raised with

1 | respect to the opposition appear to be satisfied.

2 | Ms. Khellah, do you have anything else that
3 | you want to add for the record?

4 | MS. DILLON: Step forward.

5 | MR. VARMA: Can I speak?

6 | MS. DILLON: You need to --

7 | MR. VARMA: If I may?

8 | MS. DILLON: -- step forward and keep your
9 | voice up.

10 | MR. VARMA: My name is Ravi Varma.

11 | After owning businesses and real estates in
12 | Union City --

13 | By the way I'm really proud of to be part
14 | of Union City.

15 | And the only reason I raised this, this
16 | objection, was because the -- the first time when
17 | I -- when I purchased the property and had a
18 | business in Union City the entire -- the physical
19 | way how a store or a business should look like in
20 | Bergenline Avenue -- Union City, in an area which
21 | welcomes New York City, we were -- we discussed
22 | this very thoroughly at that time and -- and I
23 | take very much proud and pride in this kind of --
24 | in this kind of situation.

25 | In fact, whenever I see any graffiti out

1 | there I make myself go down to DPW -- look at the
2 | can and make sure it's taken care of.

3 | And then when I see this -- this letter
4 | pass by that this particular is going to be
5 | getting this -- this license, I mean this person
6 | could not even maintain his -- his property
7 | properly. I understand he's been there for 36-
8 | some years but in spite of being there for that
9 | long, if he cannot do that and then we going to
10 | give him a license -- something that's control --
11 | I don't understand if he'll be able to control
12 | that by himself or not.

13 | But the main concern is -- is how it looks,
14 | how it's going to be presented and really if it's
15 | going to affect the City by itself and the people
16 | around it.

17 | And some people did make concern but --
18 | allegations are there, yes. Right now it's -- I
19 | mean you -- you have seen that it didn't go
20 | through whatnot.

21 | But my main concern at the end of the day
22 | is Union City and Union City be beautiful, not
23 | broken windows, no tapes running around. And
24 | then you have a liquor license or liquor lights
25 | on -- on the window. That's -- that's a very

1 | disturbing, if you would, for -- for me as part
2 | of owning almost half of the block over there.

3 | MR. LOPEZ: If I may just address those
4 | issues.

5 | There were three broken windows. As a
6 | matter of fact the windows -- the plate glass was
7 | broken as a result of a DPW truck backing up onto
8 | a sign -- onto the street sign, which broke the
9 | windows.

10 | They remained cracked for approximately
11 | three weeks because of the inordinate stretch of
12 | cold weather. And that's the sole reason why
13 | they were not changed. As soon as there was a
14 | break in the weather, all three windows were
15 | replaced.

16 | That's not a basis to admit or deny a
17 | liquor license.

18 | Secondly, this particular establishment has
19 | a proven track record. They -- Mr. Mayor, you're
20 | fully aware, they held a liquor license for over
21 | 20 years and it was lost for administrative
22 | reasons. Never an incident. Never a violation
23 | of any type. And it is a warm beer license; it's
24 | very important. It is not small package liquors
25 | being sold at inordinate times. It is just warm

1 beer with no signage on the windows advertising
2 the alcohol because he never had it for the over
3 20 years that he had the old liquor license.

4 And that's all I want to say.

5 The other issues we've addressed
6 previously.

7 MS. VANEK: Ms. Khellah, did you have any
8 additional testimony or evidence that you wanted
9 to present to the Board?

10 MS. KHELLAH: Um --

11 MS. DILLON: You need to speak up.

12 MS. KHELLAH: I did submit to the Board, I
13 believe the day after our first meeting, pictures
14 and everything else of the concerns that were
15 raised. Just so everyone had it.

16 MAYOR STACK: That was with the glass
17 windows and everything?

18 MS. KHELLAH: Right. The glass windows --

19 MAYOR STACK: And you're familiar now that
20 those glass -- those windows have been repaired?

21 MR. VARMA: The -- I just want to add,
22 Mayor, if I would?

23 The beer signs has been there since I open
24 my store eight years ago. And the window's been
25 broken there since seven years ago -- it's been

1 | there.

2 | I mean it's nothing that was there
3 | yesterday or three weeks ago. I'm sorry to say
4 | but that's the fact. And I know my block.

5 | MS. KHELLAH: Was the window repaired?

6 | MR. VARMA: I haven't been through the -- I
7 | cannot be a hundred percent sure if it's repaired
8 | or not.

9 | MS. KHELLAH: As of right now.

10 | MAYOR STACK: You're representing, Mr.
11 | Lopez, it's been repaired; --

12 | MR. LOPEZ: All three --

13 | MAYOR STACK: -- right?

14 | MR. LOPEZ: -- have been changed, --

15 | MAYOR STACK Okay. Okay.

16 | MR. LOPEZ: -- been replaced.

17 | MAYOR STACK: Okay.

18 | MS. KHELLAH: If the City's done its due
19 | diligence and --

20 | MAYOR STACK: Right.

21 | MS. KHELLAH: -- feels as though it's been
22 | --

23 | MAYOR STACK: No, it's our goal that every
24 | business looks well, looks good in the City.

25 | MS. KHELLAH: Correct.

1 MAYOR STACK: Obviously we're working on a
2 lot of improvements within the City. We want the
3 whole City to look good. Absolutely we do.

4 MR. VARMA: Absolutely. Absolutely.

5 MS. KHELLAH: For safety and for health
6 reasons.

7 MAYOR STACK: Okay.

8 All right.

9 Do we have anything further?

10 Anyone else -- any further on Los Precios?

11 Okay. Being that the windows have been
12 repaired -- I know one thing is not contingent on
13 the other but it shows a good faith effort on
14 your client's part to do what's right. I know
15 the liquor license has been there for many, many
16 years without any incident -- I don't believe
17 we've ever had a mark or an issue on this
18 license. And it's a warm beer license if I'm
19 correct.

20 Right?

21 MR. LOPEZ: That's correct.

22 MAYOR STACK: Okay. All right.

23 Thank you, Ms. Khellah, for raising these
24 objections. Please keep in touch with us on
25 anything in the area that you see needs to be

1 corrected, whether it's on the City's part or a
2 private business; let us know, --

3 MR. VARMA: Absolutely, Mayor.

4 MAYOR STACK: -- we appreciate that.

5 That's the only way we're going to keep on
6 improving the community as we've been doing.

7 MR. VARMA: Absolutely, Mayor.

8 MAYOR STACK: Okay.

9 I'll make a motion to approve the
10 application.

11 ACTING CITY CLERK: Motion to approve made
12 by Mayor Stack.

13 COMMISSIONER RIVAS: I'll second it.

14 ACTING CITY CLERK: Seconded by --

15 MS. VANEK: Mayor?

16 ACTING CITY CLERK: -- Commissioner Rivas.

17 MS. VANEK: Mayor, for the record,
18 Commissioners Valdivia and Martinetti will be
19 recusing on this matter.

20 MAYOR STACK: Okay. I'll make a motion.

21 COMMISSIONER RIVAS: I'll second.

22 ACTING CITY CLERK: Motion by Mayor Stack.
23 Seconded by Commissioner Rivas.

24 Roll call.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 ACTING CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia;

5 recusing.

6 Commissioner Martinetti; recusing.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9 MR. LOPEZ: Thank you.

10 MAYOR STACK: To all parties involved,

11 thank you very much.

12 MS. KHELLAH: Thank you.

13 MR. LOPEZ: Thank you very much.

14 MR. PANEQUE: Thank you.

15 MAYOR STACK: Thank you for bringing it to

16 the attention.

17 Thank you.

18 MR. LOPEZ: Have a good evening everyone.

19 MAYOR STACK: Have a nice evening,

20 everyone.

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LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

1. LAR Corp. t/a La Roca Corp., 2115 West Street

2. 2216 Bergenline Ave LLC t/a Centro Bar, 2216 Bergenline Avenue

3. El Papaturro t/a El Papaturro, 1018 Summit Avenue

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

5. Plaza Espana, Inc. t/a La Plaza Hispana Restaurant Y Bar, 2506 Bergenline Avenue

6. Dolores Casto (sic) t/a Uno Bar, 3607 New York Avenue

7. RG Enterprise Entertainment t/a Therapy Lounge, 2803 Bergenline Avenue

8. Manhattan Bar & Grill, Inc. t/a Manhattan Bar & Grill, 1711 Manhattan Avenue

9. Mayem Corp. t/a El Trebol, 416-418 43rd Street

10. El Paradiso Corp. t/a Il Paradiso, 1108 Summit Avenue

11. Juanita's II LLC t/a Juanita's Restaurant, 2904 Bergenline Avenue

1 ACTING CITY CLERK: Okay, next on the
2 agenda are Liquor License Disciplinary
3 Proceedings.

4 MAYOR STACK: Mr. Farmer?

5 A VOICE: You want me to get Mr. Farmer?

6 MAYOR STACK: Please, if you could. Thank
7 you.

8 MS. DILLON: Do you want to go off the
9 record?

10 MS. VANEK: Yeah, for a minute.

11 MS. DILLON: Off the record.

12 (Whereupon, Board went off the record.)

13 MS. DILLON: Mr. Farmer, --

14 MR. FARMER: Yes. Right here?

15 MS. DILLON: -- yeah, good.

16 MR. FARMER: Good evening.

17 MAYOR STACK: Are you prepared, Greg?
18 Or you need a minute?

19 MR. FARMER: No. I may need a minute in a
20 minute --

21 MAYOR STACK: Okay.

22 MR. FARMER: -- but right now we'll take
23 care of this.

24 MAYOR STACK: Okay.

25 MR. FARMER: Okay. I can do this.

1 MAYOR STACK: No, go right ahead, go right
2 ahead. Yeah.

3 MR. FARMER: Okay. Good evening, Mayor and
4 council.

5 With respect to the ABC matters, as you can
6 see, there are a number listed on there but all
7 of them are, for the most part, resolved.

8 * * *

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10 **LAR CORP., t/a LA ROCA CORP., 2115 West Street:**

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12 MR. FARMER: The first one is La Roca.
13 This is one where we need a little bit more
14 investigation because it deals with somebody
15 being ineligible to be working, namely has a
16 criminal record.

17 So we got to get some paperwork from
18 Trenton to establish that and I would suggest we
19 put that on for the next time.

20 * * *

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22 **2216 BERGENLINE AVE LLC t/a CENTRO BAR, 2216**
23 **Bergenline Avenue:**

24

25 MR. FARMER: The next one is El Centro Bar.

1 And I just got a letter from Mr. Alonso
2 saying he's just been retained by them. And this
3 is something I'm pretty confident we're going to
4 have a plea on.

5 So I would ask that that be adjourned.

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1 **EL PAPATURRO t/a EL PAPATURRO, 1018 Summit**
2 **Avenue:**
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4 MR. FARMER: The next one is El Papaturro
5 who is here represented by Mr. Faro. And he and
6 I have worked out something that could be a
7 recommendation to resolve this.

8 MAYOR STACK: Sure. Go right ahead.

9 MR. FARO: Good evening, Mr. Mayor, members
10 of the Commission.

11 MAYOR STACK: Good evening, Judge. How you
12 doing?

13 MR. FARO: Jeffrey M. Faro, Faro and
14 Portanova, appearing for El Papaturro.

15 MR. FARMER: This -- with respect to El
16 Papaturro what this is, this is an episode where
17 a police officer was walking along the street,
18 saw a little disturbance at the doorway of the
19 bar with the security putting a couple of people
20 out.

21 He investigated and what took place was an
22 incident that happened at the pool table -- and
23 don't want to sound like the music man here but
24 let me tell you have we have a lot of problems
25 that come from pool tables.

1 But in any event a guy came out, bumped
2 into one another, had an exchange of words and
3 there was one punch thrown and then they left.

4 Okay?

5 And that was the extent of it.

6 I think given those circumstances, I've
7 talked to him about a three day suspension;
8 they're agreeable to a three day suspension. And
9 I even have the days because I know you wish to
10 have them and that will be February 25th, 26th and
11 27.

12 MR. FARO: I concur --

13 MR. FARMER: And we have the agreement that
14 there will not be an appeal of this, nor an
15 application to the State to convert it into a
16 fine.

17 MAYOR STACK: Mr. Faro?

18 MR. FARO: I concur with Mr. Farmer.

19 MAYOR STACK: Great.

20 MR. FARO: The dates are agreeable, as
21 stated. And the facts are as Mr. Farmer states.

22 MAYOR STACK: Mr. Faro, if we could just
23 convey to your client that if he could please
24 just make sure to run a good establishment, to
25 have security there, try to keep -- you know, no

1 fights in the establishment, no hanging out; we
2 appreciate that.

3 MR. FARO: Understand, Mayor, there was no
4 injury at all.

5 MAYOR STACK: Okay.

6 MR. FARO: But, as Mr. Farmer indicated to
7 the Commission, it did happen.

8 MAYOR STACK: All right.

9 Thank you very much.

10 MR. FARMER: Okay.

11 MR. FARO: Thank you.

12 MAYOR STACK: Thank you.

13 I'll make a motion to approve.

14 COMMISSIONER FERNANDEZ: Second.

15 MAYOR STACK: That's on a three day
16 suspension; El Papaturro.

17 MR. FARMER: Yes.

18 ACTING CITY CLERK: Motion made by Mayor
19 Stack.

20 COMMISSIONER FERNANDEZ: Second.

21 ACTING CITY CLERK: Seconded by
22 Commissioner Fernandez.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: 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.

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1 JUANITA'S II LLC t/a JUANITA'S RESTAURANT, 2904
2 Bergenline Avenue:
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4 MR. FARMER: Mr. Faro represents another
5 person on the agenda and that's number 11,
6 Juanita's.

7 I would recommend that this be dismissed
8 and let me tell you why.

9 This is a situation where I think the
10 licensee acted appropriately.

11 It appears that there was some kind of
12 argument between two women at the bar. They were
13 separated. He escort -- and one was an employee.
14 He told the employee to go home and she left the
15 bar. An hour -- and he kept the other woman --
16 not kept but suggested to the other woman to
17 remain in the bar, which she did, for another
18 hour.

19 So you have this argument. You have an
20 hour separation. The second woman leaves.
21 Unbeknownst to everybody the first woman waiting
22 for here; there's an altercation in the street,
23 the Police are called and that's it.

24 Doesn't seem to be really be any nexus
25 between the event and the bar. So I would

1 recommend that it be dismissed.

2 MAYOR STACK: On Mr. Farmer --

3 MR. FARMER: Nobody was hurt; nobody --
4 there was nothing.

5 MAYOR STACK: I'll make a motion on Mr.
6 Farmer's recommendation to dismiss.

7 COMMISSIONER MARTINETTI: Second.

8 COMMISSIONER FERNANDEZ: Second.

9 ACTING CITY CLERK: Motion made by Mayor
10 Stack.

11 Seconded by Commissioner Martinetti.

12 Roll call.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 ACTING CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 ACTING CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 ACTING CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 MR. FARO: Thank you, Mayor.

25 MR. FARMER: Okay.

1 MAYOR STACK: Thank you.

2 MR. FARMER: Take care.

3 MAYOR STACK: Thank you very much.

4 Have a good evening now.

5 MR. FARO: Thank you.

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1 EL CHAPIN CORP. t/a EL RINCON CHAPIN, 2118

2 Bergenline Avenue:

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4 MR. FARMER: The next one on your calendar
5 is El Rincon.

6 He's represented by Luis Alum.

7 I've contacted Mr. Alum and with Mr. Alum
8 it's sometimes hard to connect up with him.

9 I'm sure I'll be successful because I'm
10 going to keep trying.

11 So, I would ask that that just be carried.

12 The next one is Plaza Spain.

13 Mr. Sarsano represents Plaza Spain.

14 MAYOR STACK: Just try -- just try your
15 best to reach Mr. Alum because we continue to
16 have problems --

17 MR. FARMER: I know.

18 MAYOR STACK: -- at that establishment --

19 MR. FARMER: Oh, okay.

20 MAYOR STACK: -- with noise.

21 MR. FARMER: Okay.

22 MAYOR STACK: With noise. It's a constant
23 problem.

24 MR. FARMER: I can assure you that on the
25 next one he will be here.

1 MAYOR STACK: Please.
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1 **PLAZA ESPANA, INC. t/a LA PLAZA HISPANA**
2 **RESTAURANT Y BAR, 2506 Bergenline Avenue:**

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4 MR. FARMER: This is Plaza Espana
5 represented by Mr. Sarsano.

6 This is a situation, again, of a fight, a
7 very quick episode that occurs; however, one
8 person was hit over the head with a bottle, so
9 there was some injury here.

10 And Mr. Sarsano and I have discussed a
11 seven day suspension, which I think is
12 appropriate.

13 And those days would be March 10th and
14 March 17th?

15 MR. SARSANO: February.

16 MR. FARMER: February 10th. February 10th
17 to February 17th.

18 MAYOR STACK: February 10 to?

19 MR. FARMER: Seventeenth.

20 MR. SARSANO: Seventeenth.

21 MR. FARMER: Ten -- seven days.

22 MAYOR STACK: Okay.

23 Mr. Sarsano?

24 MR. SARSANO: Yes, I concur with that.

25 MS. DILLON: Your appearance?

1 MR. SARSANO: My name is Anthony Sarsano
2 for the record.

3 Factual basis as presented by Mr. Farmer is
4 accurate. Proposed settlement is also accurate.

5 MR. FARMER: And we're agreed that no
6 appeal of the plea and no application to the
7 State to convert to a fine?

8 MR. SARSANO: That's correct.

9 MR. FARMER: Okay.

10 MAYOR STACK: I'll make a motion for seven
11 day suspension.

12 COMMISSIONER FERNANDEZ: Second.

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

15 Seconded by Commissioner Fernandez.

16 Roll call.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 ACTING CITY CLERK: 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.

3 MR. FARMER: That's it.

4 MR. SARSANO: Okay, thank you.

5 MAYOR STACK: Thank you very much.

6 Thank you.

7 Have a good evening.

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1 DOLORES CASTO (SIC) t/a UNO BAR, 3607 New York
2 Avenue:

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4 MR. FARMER: The next one is Uno Bar.

5 This -- we have charges against Uno Bar but
6 we've never been able to serve the charges
7 because the place is closed.

8 Detective Dunlay is here; he can confirm
9 that every time he's gone over there the place is
10 closed. So I kind of think that's a situation
11 we're kind of satisfied with.

12 So, what we'll do is --

13 MAYOR STACK: No matter what time we go
14 there it's closed?

15 DETECTIVE DUNLAY: Miss Castro hasn't
16 opened up the bar --

17 MS. DILLON: Just your name for the record,
18 Detective?

19 DETECTIVE DUNLAY: I'm sorry.

20 Detective David Dunlay, D-U-N-L-A-Y, Union
21 City --

22 MS. DILLON: Thank you.

23 DETECTIVE DUNLAY: -- Police.

24 MS. DILLON: Just keep your voice up.

25 DETECTIVE DUNLAY: Yes.

1 Since we've -- since we started an
2 investigation on Miss Castro, she hasn't opened
3 up ever since.

4 I've actually gone to her residence in
5 attempt to serve her with the paperwork to appear
6 here and --

7 MAYOR STACK: She lives locally?

8 DETECTIVE DUNLAY: On 85th Street in North
9 Bergen.

10 MAYOR STACK: If we can, if we can send her
11 out maybe a certified letter?

12 DETECTIVE DUNLAY: Yes.

13 MAYOR STACK: All right?

14 MR. FARMER: Okay. I'll get the address
15 and send it.

16 But the place has no operation; right?

17 DETECTIVE DUNLAY: Zero operation.

18 MR. FARMER: Okay.

19 MAYOR STACK: Okay.

20 MR. FARMER: Okay, thanks.

21 MAYOR STACK: Thank you, Detective.

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1 **MANHATTAN BAR & GRILL, INC. t/a MANHATTAN BAR &**
2 **GRILL, 1711 Manhattan Avenue:**

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4 MR. FARMER: If -- when you had asked me do
5 I need a minute, I need a minute with respect to
6 number 7. So I'd like to skip that --

7 MAYOR STACK: Okay.

8 MR. FARMER: -- and go to Manhattan Bar and
9 Grill.

10 MAYOR STACK: Okay.

11 MR. FARMER: Ray?

12 MAYOR STACK: Manhattan Bar and Grill?

13 MR. FARMER: Yeah.

14 MR. GONZALEZ: I'm here.

15 MS. DILLON: Just over here, Mr. --

16 MR. GONZALEZ: Sure.

17 MS. DILLON: Thank you.

18 MR. GONZALEZ: No, I -- they left already;
19 I told you.

20 Good evening, Mayor, ladies and gentlemen.

21 For the record, Ramon Gonzalez, G-O-N-Z-A-
22 L-E-Z, from the firm Gonzalez and Caride, on
23 behalf of Manhattan Bar and Grill.

24 MR. FARMER: Okay.

25 With Manhattan Bar and Grill, this is the

1 situation.

2 The situation is Manhattan Bar and Grill
3 has gotten a number of noise complaints in the
4 area. We had those listed. Also, at one time,
5 they pleaded guilty to a noise complaint in
6 municipal court.

7 With respect to the noise complaints, I am
8 withdrawing those as disciplinary proceedings.
9 But I've indicated to Mr. Gonzalez that we intend
10 to take the position upon renewal that you should
11 not renew the license given the noise complaints
12 if and when people from the neighborhood come at
13 the time of the license renewal and -- or can
14 hear what they say about - whether it's a
15 disturbance in the neighborhood.

16 And if the Board finds that there's a
17 disturbance, the Board can put conditions on the
18 license such as, one that comes to my mind would
19 be early closings. Okay?

20 MAYOR STACK: How many calls did we receive
21 on noise on this establishment in the last six
22 months or so?

23 MR. FARMER: Well, the situation is I've
24 spoken to Chief Molinari about it. We have -- we
25 have two episodes where there were noise

1 | complaints. But in speaking -- and it was, like
2 | I said, a period of time when there were noise
3 | complaints, it was activity in the municipal
4 | court.

5 | I understand from talking with the Chief --
6 | and really what the Chief was doing was not to
7 | try to punish anybody but rather to get
8 | compliance so that the noise level is not
9 | disruptive to the neighborhood.

10 | He's indicated to me that in the recent
11 | past there has not been any noise complaints.

12 | All right?

13 | And I think the determination as to the
14 | severity of the noise complaints is far better
15 | determined in the renewal stage because there are
16 | different burdens of proof it that, as opposed to
17 | a disciplinary proceeding. And that's why --

18 | They have some paper violations and I've
19 | worked out the paper violation pleas for four
20 | days.

21 | But the noise complaints I would recommend
22 | that we deal with it at the time of renewal, at
23 | which time --

24 | And one of the problems we had with the
25 | disciplinary ones -- and we talked about this at

1 one of the last meetings was having it at a time
2 and a place that would be accessible to the
3 people in the neighborhood who could come and
4 voice their objections and their specific
5 complaints.

6 And that would generally be, when we renew,
7 probably at City Hall, as opposed to here, so
8 people could get to City Hall a lot easier than
9 they could get to places like here especially in
10 weather like this.

11 MAYOR STACK: Mr. Gonzalez?

12 MR. GONZALEZ: I'd like to allow Mr. Farmer
13 to present everything about the part that's being
14 dismissed. But as to the paper violation, we
15 have reached an agreement as to the four days.

16 As to the renewal, I guess we should
17 address that at the renewal. If there are that
18 many people that are complaining, if we have as
19 many people saying that there are no complaints,
20 I'm sure this Board will hear them all fairly and
21 a decision would be made at that time.

22 MAYOR STACK: So it's a four day
23 suspension?

24 MR. FARMER: Yes.

25 MAYOR STACK: Okay.

1 MR. FARMER: And those days are March 24th,
2 25th, 26th and 27.

3 MAYOR STACK: Twenty-fifth -- 24, 25th,
4 26th, 27th?

5 MR. FARMER: That is correct.

6 MAYOR STACK: Okay, I'll make a motion to
7 approve.

8 ACTING CITY CLERK: Motion made by Mayor
9 Stack.

10 COMMISSIONER VALDIVIA: Second.

11 ACTING CITY CLERK: Seconded by
12 Commissioner Valdivia.

13 Roll call.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 ACTING CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 ACTING CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 ACTING CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 ACTING CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 * * *

1 **MAYEM CORP. t/a EL TREBOL, 416-418 43rd Street:**

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3 MR. FARMER: The next one coincidentally,
4 El Trebol, is represented by Mr. Gonzalez.

5 He indicates to me that he just got into
6 the case and indeed has received some discovery
7 from his client which he feels is exculpatory, I
8 guess. And he's going to make that available to
9 me.

10 So I would think that if we were to put
11 this on at the next meeting, which will be --

12 Next meeting is March what?

13 MS. VANEK: February 18th.

14 MR. FARMER: Not in February, but the first
15 one in March.

16 MAYOR STACK: Okay. No problem.

17 I'll make a motion to adjourn it till the
18 March meeting.

19 MR. FARMER: When is that?

20 MR. GONZALEZ: When is that?

21 MAYOR STACK: The next meeting is on --

22 MR. FARMER: No.

23 MR. GONZALEZ: The March one --

24 MAYOR STACK: Oh, the next one's February
25 18th.

1 Then there's -- the one in March would be
2 on the 4th.

3 Am I correct?

4 ACTING CITY CLERK: Yes.

5 MAYOR STACK: It would be the 4th.

6 MR. FARMER: Do you know where?

7 ACTING CITY CLERK: I don't. I can --

8 MR. FARMER: Okay. Okay.

9 MR. GONZALEZ: That's fine.

10 MR. FARMER: Okay.

11 MR. GONZALEZ: Is that it?

12 MR. FARMER: Yeah.

13 MAYOR STACK: Thank you very much, Mr. --

14 MR. GONZALEZ: Before I leave though, I do
15 have to say something to the Board.

16 I also own property in Union City. And I
17 have to say one thing about what's going on on
18 New York Avenue. The lights and the
19 improvements; I think it's actually fantastic
20 what's happened there.

21 MAYOR STACK: Thank you.

22 Thank you.

23 MR. GONZALEZ: You go down there and it
24 really looks like something has changed.

25 MAYOR STACK: Thank you.

1 MR. GONZALEZ: You know I hope the Board
2 continues doing that --

3 MAYOR STACK: We're going to try.

4 MR. GONZALEZ: -- throughout.

5 MAYOR STACK: We're going to try.
6 Definitely.

7 MR. GONZALEZ: Thank you.

8 MAYOR STACK: Thank you very much.
9 Thank you. Thank you.

10 MR. FARMER: Okay, take care, Ray.

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1 IL PARADISO CORP t/a IL PARADISO, 1108 Summit
2 Avenue:

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4 MR. FARMER: The next one is Il Paradiso.

5 MAYOR STACK: Okay.

6 MR. FARMER: A lawyer by the name of Mulkay
7 called me. He just got into the case. Like to
8 have it on the March 4th date. And I'd recommend
9 that it be adjourned to that.

10 If you'll give me a couple of minutes to
11 talk to Therapy Lounge; maybe we'll have some
12 resolution of that.

13 MAYOR STACK: You got it. No problem.

14 MR. FARMER: Okay, thank you.

15 MAYOR STACK: Absolutely.

16 MS. DILLON: Off the record.

17 MS. VANEK: Off the record.

18

19 (Whereupon, the Board went off the record
20 at 7:40 p.m.)

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

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4 (Whereupon, the Board went on the record at
5 7:43 p.m.)

6

7 MR. FARMER: This is Therapy Lounge, number
8 7 on the ABC agenda.

9 With respect to this there are two charges
10 and we run into the same problem on both charges
11 in the sense that we never have the victim and
12 it's impossible to prove what happened.

13 However, we have come to a resolution with
14 respect to it and hopefully it will be accepted
15 by the Board.

16 That with respect to the episodes, a three
17 day suspension -- and I would recommend it
18 because of the difficulties in proof.

19 But, as a condition, that the condition be
20 on the license; the same kind of condition that
21 we put on Cucalambe and El Cuco, namely that
22 within -- well, the special condition agreed to
23 by counsel was that the licensee would install a
24 closed circuit television cameras within 30 days
25 which will record what the cameras observe during

1 hours that the licensed premises are open for
2 business and for 15 minutes after the last patron
3 has left the premises at closing.

4 The number of cameras and the location of
5 the cameras will be determined solely by the
6 Union City Police Department.

7 The cameras will be paid for and be
8 maintained in good working order by the licensee.

9 The video recordings will be held for at
10 least 30 days by the licensee.

11 The licensee will remain -- maintain the
12 recordings beyond the aforesaid 30 days if
13 requested by the Union City Police Department if
14 the request is made within 30 days of any
15 incident involving a Police response at the
16 licensed premises.

17 So what this will hopefully do is when
18 there is an episode, we don't really care after
19 that if we're able to get the person who may have
20 some immigration status or he may not feel
21 comfortable about coming forward or even move
22 around and be somewhat trangent (phonetic).
23 We'll have it on film as to what happened.

24 So if there's a fight in the place we'll be
25 able to see it.

1 And I would recommend giving the suspension
2 -- three day suspension in light of the fact that
3 of the difficulty in proving the case, coupled
4 with a condition that there be an eye in the
5 establishment I think improves the situation and
6 I would recommend it.

7 MAYOR STACK: Mr. Blanch?

8 MR. BLANCH: That's my understanding. I've
9 discussed it with my client and my understanding
10 is that he's --

11 MS. DILLON: Just your appearance please?

12 MR. FARMER: Mario?

13 Come around here.

14 MAYOR STACK: Just if you could move over
15 here maybe.

16 MR. BLANCH: Oh, I'm sorry.

17 MS. DILLON: Just over here. And --

18 MR. BLANCH: I'm sorry; I didn't enter my
19 appearance.

20 MR. FARMER: Talk into the mic.

21 MR. BLANCH: Mario Blanch on behalf of the
22 Therapy Lounge. And standing to my right is
23 Robert -- or left, Robert Guzman.

24 MR. FARMER: And with respect to what I've
25 put on the record as far as -- are you in

1 agreement with that?

2 MR. BLANCH: I'm in agreement. I discussed
3 it with my client; it's my understanding that he
4 also in agreement with it.

5 MR. FARMER: Okay.

6 MAYOR STACK: I think it would probably be
7 a good idea, I mean just hearing this for the
8 first time, it probably would be a good idea just
9 for the protection of the owner of the
10 establishment, as well as the area.

11 There'll be a camera outside?

12 MR. GUZMAN: Yeah.

13 MAYOR STACK: Okay.

14 MR. GUZMAN: What about when every time --
15 No, it's nothing about this.

16 MAYOR STACK: Okay.

17 MR. GUZMAN: What about every time somebody
18 have a problem in my bar, so you close me for
19 three day, five day whatever. And then stop
20 working from my business -- you had a --

21 (Whereupon, Mr. Guzman addressed the
22 Commission in Spanish.)

23 MAYOR STACK: No, I understand.

24 MR. GUZMAN: I mean that's not fair.

25 MAYOR STACK: I understand what you're

1 saying.

2 MR. GUZMAN: Yes, sir.

3 MAYOR STACK: What we'll do, too, is -- I'm
4 pretty sure we had a walking post there for a
5 time -- we had a walking officer in the area, --

6 MR. GUZMAN: Um-hum. Um-hum.

7 MAYOR STACK: -- we'll try to reestablish
8 that now.

9 MR. GUZMAN: Um-hum.

10 MAYOR STACK: We'll put a walking officer
11 back.

12 Because I understand some of your problems
13 may not be directly out of your place, --

14 MR. GUZMAN: Um-hum.

15 MAYOR STACK: -- it may be just in the
16 neighborhood there, because there's other liquor
17 establishments in that area.

18 Right?

19 MR. GUZMAN: Um-hum. Yes, sir.

20 MAYOR STACK: That's --

21 MR. GUZMAN: Yeah but my point is --

22 (Whereupon, Mr. Guzman addressed Mr. Blanch
23 in Spanish.)

24 MR. BLANCH: He's explaining to me that
25 individuals get into fights inside the bar and he

1 finds it somewhat unfair that the individuals go
2 off scot-free because charges aren't pressed
3 against them but he is the one that suffers the
4 consequences ultimately with suspensions, loss of
5 business, et cetera.

6 MAYOR STACK: The thing I would ask you to
7 do though in the future, when there's a fight
8 inside the establishment, --

9 MR. GUZMAN: Um-hum.

10 MAYOR STACK: -- make sure you're the
11 one --

12 MR. GUZMAN: Um-hum.

13 MAYOR STACK: -- or the employees that you
14 have, Robert, if you're not there, --

15 MR. GUZMAN: Um-hum.

16 MAYOR STACK: -- that they call the Police.

17 MR. GUZMAN: Um-hum.

18 MAYOR STACK: Because that's important to
19 us --

20 MR. GUZMAN: Yeah.

21 MAYOR STACK: -- that you're calling or
22 your management, whoever is running the
23 establishment.

24 MR. GUZMAN: Yeah but every time you call
25 the cops for any incident they want to write a

1 | report about the bar.

2 | One -- before, a couple years ago, one guy
3 | said give me a beer I pay you later. I said no.
4 | He said you want a fight in your place.

5 | I don't have a backup.

6 | MAYOR STACK: Right. I understand -- I
7 | understand what you're saying but just make a
8 | record, --

9 | MR. GUZMAN: Um-hum.

10 | MAYOR STACK: -- when you can, call the
11 | Police, it's on a taped phone --

12 | MR. GUZMAN: Um-hum.

13 | MAYOR STACK: -- and say, listen, I got
14 | this problem.

15 | Because that's the kind of stuff that we
16 | look at when you come before the Board, who
17 | actually called the Police there.

18 | MR. GUZMAN: Okay.

19 | MAYOR STACK: And we'll establish a walking
20 | post in that area. We're looking to do it
21 | anyway. And I think for a time we had one from
22 | 25 to 30 Bergenline Avenue.

23 | MR. GUZMAN: That's good for --

24 | MAYOR STACK: And we'll do that. We
25 | definitely will.

1 I'm also trying to put in -- by your place
2 you could see it, I put in brighter lights.
3 because we own DPW.

4 MR. GUZMAN: Um-hum.

5 MAYOR STACK: I'm looking to do brighter
6 lights from 30th down to 17th, which is also going
7 to help us with the same problem.

8 MR. GUZMAN: Okay.

9 MAYOR STACK: Okay, I'll make a motion to
10 accept.

11 MR. FARMER: Okay.

12 ACTING CITY CLERK: Motion made by Mayor
13 Stack.

14 COMMISSIONER RIVAS: Second.

15 ACTING CITY CLERK: Seconded by
16 Commissioner Rivas.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 ACTING CITY CLERK: Commissioner
25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 ACTING CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 MR. FARMER: Okay.

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8 **ADJOURNMENT:**

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10 ACTING CITY CLERK: There are no further
11 items before the Board of Commissioners this
12 evening.

13 Is there a motion to adjourn?

14 MAYOR STACK: Thank you very much. Thank
15 you.

16 MR. BLANCH: Thank you.

17 MR. GUZMAN: Okay.

18 MAYOR STACK: Thank you very much.

19 COMMISSIONER RIVAS: Motion.

20 ACTING CITY CLERK: Motion made by
21 Commissioner Rivas.

22 COMMISSIONER MARTINETTI: Second.

23 COMMISSIONER FERNANDEZ: Second.

24 ACTING CITY CLERK: Seconded by
25 Commissioner Martinetti.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: 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 ACTING CITY CLERK: Meeting's adjourned.

14 MR. FARMER: Thank you and good night.

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16 (Whereupon, the proceedings were concluded
17 at 7:50 p.m.)

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1	_____	Brian P. Stack
2	_____	Lucio P. Fernandez
3	_____	Maryury A. Martinetti
4	_____	Celin Valdivia
5	_____	Tilo E. Rivas

6 **Board of Commissioners**

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8 **Attest:**

9 **Laura M. Miller,**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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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, February 4, 2014, and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon