

SPECIAL MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS

June 23, 2014
Commencing at 8:33 p.m.

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

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

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

MESSRS. GONZALEZ & CARIDE

BY: RAMON M. GONZALEZ, ESQ.,

Attorney for El Idolo LLC t/a Angelo's Cafe

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I N D E X

El Idolo LLC t/a Angelo's Cafe

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1 ACTING CITY CLERK: This is a Special
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Monday, June 23rd,
4 2014, eight p.m., at the Beyti Kebab, 4105 Park
5 Avenue, Union City, New Jersey.

6 Will everybody rise for the Pledge of
7 Allegiance?

8 Right here, Mayor. This side.

9
10 (Whereupon the Pledge of Allegiance was
11 said.)

12
13 ACTING CITY CLERK: This meeting has been
14 called in accordance with Chapter 231, Public Law
15 of 1975, the Open Public Meeting Act. Adequate
16 notice of this meeting has been provided as
17 follows:

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

25

1 **ROLL CALL:**

2

3 ACTING CITY CLERK: Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Here.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Here.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: Here.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Here.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Here.

15

16 **REGULAR AGENDA:**

17

18 1. Resolution Authorize Advertisement for Bid
19 for Ellsworth Park Landscape Improvement Phase 2

20

21 ACTING CITY CLERK: First item on the
22 agenda is the Regular Agenda.

23 Resolution Authorizing -- Authorize

24 Advertisement for Bid of Ellsworth Park

25 Landscaping Improvement Phase 2.

1 Is there a motion to approve item 1?

2 COMMISSIONER VALDIVIA: Motion.

3 MAYOR STACK: Motion.

4 ACTING CITY CLERK: Motion made by
5 Commissioner Valdivia.

6 COMMISSIONER RIVAS: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 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

22 **REGULAR AGENDA:**

23

24 2. Resolution Approving Agreement for Payment
25 of Property Tax Bill for Property Known as Block

1 229, Lot 1.02, 3912 Kennedy Blvd

2

3 ACTING CITY CLERK: Second item is
4 Resolution Approving Agreement for Payment of
5 Property Tax Bill for Property Known as Block
6 229, Lot 1.02, 3912 Kennedy Boulevard.

7 Is a motion to approve item 2 on the
8 Regular Agenda?

9 MAYOR STACK: Motion.

10 COMMISSIONER MARTINETTI: Second.

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

13 Second by Commissioner Martinetti.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 ACTING CITY CLERK: Commissioner Rivas?

18 COMMISSIONER RIVAS: Yes.

19 ACTING CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 ACTING CITY CLERK: Commissioner
22 Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 ACTING CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

REGULAR AGENDA:

3. Resolution Approving Agreement for Payment of Property Tax Bill for Property Known as Block 248, Lot 22, 133-135 43rd Street

ACTING CITY CLERK: Third item is Resolution Approving Agreement for Payment of Property Tax Bill for Property Known as Block 248, Lot 22, 133-135 43rd Street.

COMMISSIONER MARTINETTI: Motion.

ACTING CITY CLERK: Motion made by Commissioner Martinetti.

COMMISSIONER VALDIVIA: Second.

ACTING CITY CLERK: Second by Commissioner Valdivia.

Roll call.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

ACTING CITY CLERK: Commissioner Rivas?

COMMISSIONER RIVAS: Yes.

ACTING CITY CLERK: Commissioner Valdivia?

COMMISSIONER VALDIVIA: Yes.

ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5

6 **REGULAR AGENDA:**

7

8 4. Resolution Approving Agreement for Payment
9 of Property Tax Bill for Property Known as Block
10 237, Lot 19.05, 4017 Hudson Avenue

11

12 ACTING CITY CLERK: Fourth item is
13 Resolution Approving Agreement for Payment of
14 Property Tax Bill for Property Known as Block
15 237, Lot 19.05, 4017 Hudson Avenue.

16 Is there a motion on item 4?

17 COMMISSIONER MARTINETTI: Motion.

18 ACTING CITY CLERK: Motion made by
19 Commissioner Martinetti.

20 COMMISSIONER VALDIVIA: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 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?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10

11 **REGULAR AGENDA:**

12

13 5. Resolution Approving Agreement for Payment
14 of Property Tax Bill for Property Known as Block
15 157, Lot 21, 2913 Jeanette Street

16

17 ACTING CITY CLERK: Item 5 is a Resolution
18 Approving Agreement for Payment of Property Tax
19 Bill for Property Known as Block 157, Lot 21,
20 2913 Jeanette Street.

21 Is there a motion on the item -- item 5?

22 MAYOR STACK: Motion.

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

25 COMMISSIONER RIVAS: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Rivas.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 ACTING CITY CLERK: 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

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

17

18 ACTING CITY CLERK: Mayor, do you want to
19 -- do you wish to take public comment at this
20 time --

21 MAYOR STACK: Sure.

22 ACTING CITY CLERK: -- on the Regular
23 Agenda?

24 MAYOR STACK: Sure.

25 Anyone wishing to comment on the Regular

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

3 Seeing none.

4 MR. DARIAS: Does this -- does this include
5 the liquor license?

6 MAYOR STACK: No. This is just the Regular
7 Agenda right now.

8 We'll be going to the hearing at this
9 point.

10 ACTING CITY CLERK: Okay, the next -- the
11 next item is a liquor license transfer hearing.

12 MS. VANEK: I'm sorry, Mr. Clerk. Just a
13 roll call, motion and second to close the public
14 comment.

15 ACTING CITY CLERK: Is there a close -- is
16 there a motion to close the public comment?

17 COMMISSIONER RIVAS: Motion.

18 COMMISSIONER FERNANDEZ: Second.

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

21 COMMISSIONER FERNANDEZ: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Fernandez.

24 Roll call.

25 Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 ACTING CITY CLERK: Commissioner Rivas?

3 I mean Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

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.

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1 **LIQUOR LICENSE TRANSFER HEARING:**

2
3 APPLICATION FOR A PLACE TO PLACE TRANSFER OF
4 LIQUOR LICENSE NO. 0910-33-111-006 OWNED BY EL
5 IDOLO, LLC OPERATED AS ANGELO'S CAFÉ PROPOSED TO
6 BE UTILIZED AT 4215 PARK AVENUE, UNION CITY

7
8 ACTING CITY CLERK: Next item is a Liquor
9 License Transfer Hearing.

10 It's an Application for Place to Place
11 Transfer of Liquor License number 0910-33-111-006
12 owned by El Idolo, LLC Operated -- Operated as
13 Angelo's Café Proposed to be Utilized at 4215
14 Park Avenue, Union City.

15 MS. VANEK: And, Mayor, for the record, the
16 Clerk has received an objection to the transfer
17 from the Union City Police Chief.

18 I don't know if you want the Clerk to read
19 it into the record or just note it as received?

20 MAYOR STACK: Yeah, if it could be read
21 into the record, please.

22 MR. GONZALEZ: Maybe I could just identify
23 myself first, for the --

24 MS. DILLON: Just in front of the
25 microphone, --

1 MR. GONZALEZ: Sure.

2 MS. DILLON: -- Mr. Gonzalez.

3 MAYOR STACK: Sure. If you could identify
4 yourself?

5 MR. GONZALEZ: Sure.

6 Thank you.

7 For the record, Ramon Gonzalez, G-O-N-Z-A-
8 L-E-Z; firm of Gonzalez and Caride, on behalf of
9 the applicant for the place to place transfer,
10 Hector Bravo who is here.

11 MAYOR STACK: Sure. Okay.

12 You want to go with that --

13 ACTING CITY CLERK: Can I --

14 MAYOR STACK: -- into the record?

15 ACTING CITY CLERK: Yeah.

16 This is a letter from the Chief, Chief
17 Richard Molinari. I received from him the other
18 day.

19 Recently, an application was made to the
20 Board of Alcoholic Beverage Control of the City
21 of Union City, New Jersey for a place to place
22 transfer of plenary --

23 MAYOR STACK: Just keep -- if you could
24 keep your voice up?

25 ACTING CITY CLERK: -- plenary --

1 MAYOR STACK: Max -- excuse me?

2 ACTING CITY CLERK: -- retail --

3 MAYOR STACK: -- excuse me, Maxar
4 (phonetic)? Excuse me?

5 ACTING CITY CLERK: -- plenary retail
6 consumption Liquor License number
7 0910-33-111-006. This license is a pocket
8 license and was last utilized at 3717 Kennedy
9 Boulevard as Angelo's Café.

10 If the pending application were to be
11 approved, the license will continue to owned be
12 El Idolo LLC trading and operating as Angelo's
13 Café, but will be utilized at 4215 Park Avenue.

14 The 4200 block of Park Avenue is currently
15 zoned as residential/commercial. At the current
16 time there exists one liquor license
17 establishment directly across the street on the
18 4200 block at Park Avenue in Weehawken.

19 In the preceding three years Angelo's Café
20 was operating at 3717 Kennedy Boulevard suffered
21 or allowed in excess of 50 complaints of noise
22 from area residents. The new proposed location
23 of 4215 Park Avenue also suffered or allowed in
24 excess of 90 noise complaint in the hands of the
25 previous licensee during the same timeframe.

1 With that being said, it will appear that
2 the transfer of the aforementioned limited retail
3 distribution license could negatively impact the
4 residents of the community and disturb the
5 tranquility that the residents have now become
6 accustom to.

7 While we certainly understand Angelo's
8 Café's desire for a limited retail distribution
9 license, we do not believe that it is the best
10 interest of the community and the area resident.
11 Therefore, the Union City Police Department
12 oppose the license -- the place to place transfer
13 of the aforementioned plenary retail consumption
14 Liquor License number 0910-33-111-006.

15 Therefore, the Union City Police Department
16 opposes the place to place transfer of the
17 aforementioned plenary retail consumption Liquor
18 License number 0910-33-111-006.

19 Signed by Chief Richard Molinari.

20 MAYOR STACK: Thank you.

21 Okay, Christine, -- Ray, you're going to --

22 MS. VANEK: Mayor, what I would do is I
23 would allow Mr. Gonzalez to maybe explain his
24 application --

25 MR. GONZALEZ: Yes. I --

1 MS. VANEK: -- and present his case to the
2 Board.

3 And then if you want to take any comment
4 from the audience.

5 MR. GONZALEZ: Thank you.

6 I think, aside from this letter and
7 whatever we may hear from anybody who is here, I
8 believe that the application is complete and
9 satisfies those requirements.

10 Am I correct on that, Ms. Vanek?

11 MS. VANEK: Mayor, we've reviewed the
12 application and it's legally sufficient. It's
13 complete.

14 MAYOR STACK: Do we have a copy of their --
15 of their background from the ABC?

16 MS. VANEK: The prior history?

17 MAYOR STACK: Yes.

18 MS. VANEK: Let me check my file.

19 And I don't know if the Clerk has that with
20 him.

21 MAYOR STACK: Mr. Gonzalez, you're going to
22 speak more on the license itself though.

23 Right?

24 MR. GONZALEZ: I will.

25 MAYOR STACK: Okay.

1 MR. GONZALEZ: I just want to make sure
2 that we're sufficient on everything, --

3 MAYOR STACK: Right.

4 MR. GONZALEZ: -- the standing, so we can
5 argue on that point.

6 MAYOR STACK: Okay. You could -- you could
7 begin --

8 MR. GONZALEZ: Okay.

9 MAYOR STACK: -- while Christine's looking
10 for it.

11 MR. GONZALEZ: I'd like to take the
12 opportunity because the -- the letter that's
13 written by our Police Chief, Richard Molinari,
14 I'm sure has a lot of weight when it goes before
15 the Board.

16 And I'll sit, if everybody's okay with
17 that?

18 Or, if not, I'll stand?

19 MAYOR STACK: No, please.

20 MR. GONZALEZ: Okay, thank you.

21 But taking that into account, when the
22 Chief of Police writes a letter, it's clearly
23 because something must be going on in the
24 location that he's talking about.

25 But when I read the letter, --

1 And I don't want to make light of it.

2 -- and I'm going to address each one of the
3 points -- I see that there's three arguments that
4 the Chief is bringing up in the letter.

5 And the first point I think I'm going to
6 address is the easiest one, which has to do with
7 an establishment located on Park Avenue on
8 Weehawken, which is a liquor license
9 establishment also. But the liquor license
10 establishment is much different than what my
11 client has.

12 My client has a -- would have a restaurant.
13 The liquor store is in Weehawken and it's a
14 store. It's a little different that it sells,
15 it's not for consumption at its location.

16 So that being brought out as a concern
17 really is very distinguishable.

18 Now another concern that the Chief brings
19 out is the prior violations that my client had
20 when he was located on 37th Street and Kennedy
21 Boulevard. And he makes a very big assertion
22 that there was in excess of 50 complaints but he
23 doesn't substantiate how that came about.

24 Now I know what the Mayor just said; he
25 asked the attorney for the town, what's the

1 | report card, essentially, of the violations for
2 | my client when he was located at 37th Street. And
3 | I could tell you since my client owned the place
4 | there's been one noise complaint that happened
5 | October 19th, 2012, of which there was no penalty
6 | that was imposed.

7 | There's been other violations; the majority
8 | of them paper violations, not noise complaints.

9 | And I would submit if there was, in fact,
10 | in excess of 50 complaints, this Board, when
11 | there's a renewal, would have heard something
12 | about it. Would have said, gee, there's a
13 | problem at this location, we need to address it.
14 | But we don't have that. My client's license was
15 | always renewed.

16 | So, I think that statement contained in
17 | that letter by Chief Molinari really doesn't hold
18 | a lot of validity. Because the ABC violations,
19 | which this Board listens to, shows one noise
20 | complaint.

21 | That's that on that point.

22 | Now on the last point he starts talking
23 | about what happened at the new location from
24 | somebody else.

25 | So, he's talking about imputing liability

1 | that happened by someone else at this location
2 | and trying to use that to say that my client is
3 | not a good tenant for that area because it's
4 | going to disturb the residents.

5 | Now, you know, I listen --

6 | MAYOR STACK: Mr. Gonzalez, not to
7 | interrupt you but how long have they owned
8 | Angelo's Café on Kennedy --

9 | MR. GONZALEZ: Two thousand and three.

10 | MAYOR STACK: Two thousand and three.

11 | MR. GONZALEZ: Yes.

12 | MAYOR STACK: Okay.

13 | MR. GONZALEZ: So, we're looking at over --
14 | close to 11 years now.

15 | MAYOR STACK: Is your client --

16 | MR. GONZALEZ: And the reason they left --

17 | MAYOR STACK: Will your client testify
18 | today?

19 | MR. GONZALEZ: He could testify today, --

20 | MAYOR STACK: Okay.

21 | MR. GONZALEZ: -- absolutely.

22 | MAYOR STACK: Because I want to ask him
23 | about how many times the Police have been there
24 | for noise. Because I can tell you, myself, I've
25 | received dozens of calls about noise at Angelo's

1 Café.

2 MR. GONZALEZ: You know what, Mayor? I'm
3 glad that you mentioned that just about you.
4 Because in two thousand and I believe twelve, my
5 client had a partner in the corporation. And we
6 did what was required to do to remove the partner
7 in the corporation and that was make the
8 application to make the ABC Board aware of what's
9 going on.

10 When that transfer was done, you stated --

11 And I just want to get the exact words so
12 it's not confusing.

13 Mayor Stack, you congratulated my clients
14 for having a bar/restaurant that did not cause
15 any -- any problems in the City and asked them to
16 continue doing well.

17 That was your statement in February of
18 2012.

19 So I understand if you're receiving
20 complaints but if there's no action being done,
21 it's a little difficult for somebody, where there
22 may be noise, which may not be from them.
23 Because the Police, when they make their little
24 comments saying there's 50 complaints, excess of
25 50, excess of a hundred, all they're saying to

1 the computer that does this what's gone on in
2 this area. So everything comes.

3 So if the tenants on the third floor had a
4 domestic violence, you know what that shows up?
5 That shows up as one of the 50.

6 But if there was a noise complaint in my
7 client's restaurant, that's what he should
8 address and that's what he is -- is addressing
9 here. And this is what really the Board needs to
10 look at; one complaint.

11 So, yes, Mayor, if you're receiving
12 complaints, that's definitely a concern of every
13 single owner of an establishment in this town.
14 Because the quality of life in this town has
15 changed because this Board is doing everything it
16 can to improve Union City. With trees, with
17 sidewalks, with improvements and my client knows
18 that. That's why he's not leaving to go
19 somewhere else and sell his liquor license.

20 This is a gentleman who's been established
21 in this town for over -- over -- close to 11
22 years now. And what he's doing is he wants to
23 open up his restaurant.

24 This isn't a bar where you're serving
25 drinks and your waitress gets a tip if she serves

1 a lot of alcohol and things like that. That's
2 not what this is here. And that's what you said
3 February 8th, 2012, when the -- when the partner
4 was removed.

5 So, now just to go to the last item that I
6 was bringing up that has to do with the people in
7 the residence, --

8 MAYOR STACK: Let me just ask you a
9 question.

10 Did --

11 MR. GONZALEZ: Absolutely.

12 MAYOR STACK: -- the partner run the
13 establishment at that time or --

14 MR. GONZALEZ: They both did.

15 MAYOR STACK: They both did.

16 MR. GONZALEZ: They both did. Absolutely.

17 MAYOR STACK: So it was a shared -- it was
18 a shared type --

19 MR. GONZALEZ: That's correct.

20 MAYOR STACK: Okay.

21 MR. GONZALEZ: We're not hiding behind
22 anything. We're here to address the problems.

23 And the Chief writes this letter saying
24 that at 4215 Park Avenue there was excess of 90
25 noise complaints.

1 Well the truth and the fact is we don't
2 know how he's coming up with that number but if
3 there was a fight on the Weehawken corner and the
4 Union City Police arrived and it had nothing to
5 do with the -- whatever the owner was at 4215,
6 that ticks off a number.

7 So I said to myself, well let me just check
8 to see what the -- what the record of How About
9 Life, LLC, which was the bar that was at 4215
10 Park Avenue, which I submit was more of a bar
11 than a restaurant.

12 And I checked for noise complaints. And I
13 went all the way back to the year 1990. And in
14 every single one of the items that were before
15 the ABC, not one -- not one was a noise
16 complaint. Not one.

17 The last actionable matter that was
18 dismissed was on March 9th of 2014. No penalty.
19 No action.

20 MAYOR STACK: I think what the issue might
21 be -- and the Police can -- I mean if one of the
22 police officers want to testify or a lieutenant,
23 I don't think they always write them up for
24 noise. I think they more or less handle it where
25 it could be handled in municipal court, it

1 | doesn't come up as an ABC violation. I've seen
2 | that. And Mr. Farmer has mentioned that to me,
3 | too.

4 | MR. GONZALEZ: He has. And I know that is.
5 | But that's not the case in my client's situation
6 | because --

7 | MAYOR STACK: No, no, I'm not saying it is.

8 | MR. GONZALEZ: Oh, no. Okay.

9 | MAYOR STACK: I'm not saying that case.
10 | I'm talking about How About Life in that
11 | situation.

12 | MR. GONZALEZ: Yeah, I know about those
13 | hits.

14 | MAYOR STACK: Right.

15 | MR. GONZALEZ: But there was one complaint
16 | -- and I believe it was that one, which was heard
17 | and it was tried.

18 | And it was discovered that my client, after
19 | the Police went there with their sound measuring
20 | device, found that the noise level didn't even
21 | raise itself to the level where a summons should
22 | be issued. So a lot of times you may have
23 | somebody that complains but within reason.

24 | Why do I say that? This is a commercial
25 | area. Unfortunately in Union City, being such an

1 old town, there's a mix of a lot of things going
2 on in residential and commercial. But we have to
3 deal with them; we have to live with it. We
4 cannot go and continue using the mentality of
5 this letter saying that there's many problems
6 here.

7 Because this is the equivalent of that --
8 what I didn't like movie -- that had to do with
9 Tom Cruise called Minority Report. Where, hey,
10 you -- we're going to get you before you commit a
11 crime.

12 Because that's what this letter is saying.
13 Before you even have a chance to do anything,
14 we're going to get you.

15 But there's no proof. And that's not due
16 process in the United States. And that's why I
17 enjoy when I go to different locations because
18 this Board opens up all the meetings to all the
19 residents. This letter is the equivalent of
20 Minority Report where we're going to get you
21 before it even happens.

22 But that's not what the teeth that this
23 Board has. Because this Board of the ABC has a
24 lot of teeth. Because you can grant a transfer.
25 If there's actual legitimate complaints that are

1 substantiated, this Board can stop and revoke the
2 transfer the following year. In other words
3 there wouldn't be a renewal. So this Board has a
4 lot of teeth, irrespective.

5 If the matter is allowed to be transferred
6 and there are problems and there are people that
7 come and complain and they're legitimate
8 complaints, my client's exposed to it and we know
9 that.

10 So all we're saying is look at the real
11 facts that happened with my client, not what
12 happened with somebody else, and say to yourself
13 this is what I want because it's better for the
14 neighborhood. Because this is going to be a good
15 neighbor. This is a neighbor that says, gee, you
16 know what, you're having your meeting here; you
17 could have it at my place, too. It's right down
18 the block.

19 And I submit every time when you walk out
20 this door you're going to see a liquor store,
21 which is not a restaurant, which is -- I believe
22 in Weehawken they close at 10 o'clock and you
23 have a restaurant.

24 You have a restaurant here. You have a
25 restaurant at El Unico. You have a restaurant

1 right after that, which is my client's.

2 I submit to this Board that the right thing
3 to do here is transfer this license from place to
4 place and allow my client to show how good a
5 neighbor he's going to be to the neighborhood.
6 And if he isn't, when the renewal comes, that's
7 when the Board can do whatever they need.

8 But don't use a letter as an ad hoc reason
9 to say I don't want to transfer this because
10 there's been 50 noise complaints when, in fact,
11 there's none, zero, zilch.

12 I'm sure that my client will be a very good
13 person to the neighborhood in that area and the
14 area could use a restaurant like his.

15 Now, if Your -- if --

16 Sorry; Your Honor? That's close enough.

17 Mayor, if you want, I will ask my client to
18 come and testify here. His English is -- is
19 probably not clear but good enough for this.

20 COMMISSIONER FERNANDEZ: Justin, could you
21 translate?

22 MAYOR STACK: Yeah, Justin.

23 COMMISSIONER FERNANDEZ: Please?

24 MAYOR STACK: Justin's like our unofficial
25 official translator.

1 MR. GONZALEZ: That works for me.

2 MAYOR STACK: Thank you.

3 MS. DILLON: Okay.

4 MAYOR STACK: You could have a seat right
5 on this side, sir.

6 MS. VANEK: The court reporter's going to
7 swear Mr. Mercado in.

8 MAYOR STACK: Okay.

9 MS. DILLON: Mr. Mercado, do you affirm
10 that the translations from English to Spanish and
11 Spanish to English will be done to the best of
12 your ability?

13 MR. MERCADO: Yes I do.

14 MS. DILLON: Please state your name for the
15 record.

16 MR. MERCADO: Justin, J-U-S-T-I-N-O,
17 Mercado, M-E-R-C-A-D-O.

18 MS. DILLON: Okay, can you ask the
19 gentleman to raise his right hand?

20 (Whereupon, Mr. Mercado translated from
21 English to Spanish and Spanish to English.)

22 MS. DILLON: Do you affirm that the
23 testimony you're about to give this Board is the
24 whole truth?

25 MR. BRAVO: Yes.

1 MS. DILLON: Okay, I need him to state his
2 name and spell it for me.

3 MR. BRAVO: (In English) My name is Hector
4 Bravo, H-E---

5 MS. DILLON: Hector Bravo?

6 MR. BRAVO: Yes. Yes.

7 MS. DILLON: B-R-A-V-O?

8 MR. BRAVO: B--

9 Yes.

10 MS. DILLON: Thank you, sir.

11 MR. BRAVO: Okay.

12 MR. GONZALEZ: Could we just maybe continue
13 in English if they're --

14 MAYOR STACK: Sure.

15 MR. GONZALEZ: -- a little difficult --

16 MAYOR STACK: Sure. Absolutely.

17 MR. GONZALEZ: It will make it a little bit
18 easier.

19 MAYOR STACK: He could have a seat though.
20 He doesn't --

21 MR. BRAVO: Okay.

22 MAYOR STACK: -- have to stand.

23 Justin, why don't you pull up a seat, too.

24 Right over here.

25 MR. GONZALEZ: Mr. --

1 MAYOR STACK: Continue in English, unless
2 he needs it or whatever.

3 MR. GONZALEZ: I appreciate that.

4 MAYOR STACK: No problem.

5 MR. GONZALEZ: Thank you.

6 Mr. Bravo, you're the owner of the liquor
7 license that you want to transfer to 42 --

8 MR. BRAVO: Fifteen.

9 MR. GONZALEZ: -- 15 Park Avenue.

10 Is that right?

11 MR. BRAVO: Yes.

12 MR. GONZALEZ: Okay.

13 And you own that with your wife?

14 MR. BRAVO: Yes, my -- with my wife.

15 MR. GONZALEZ: And the young lady there is
16 your daughter there also?

17 MR. BRAVO: Yes, I'm married for 37 years.
18 I'm a family guy.

19 MR. GONZALEZ: Okay.

20 MR. BRAVO: I just want to work for the
21 honest way. I think I don't do nothing bad.

22 MR. GONZALEZ: Okay, and your intentions at
23 4215 is to have a restaurant there.

24 Is that correct?

25 MR. BRAVO: Yes.

1 MR. GONZALEZ: And with that you have a
2 liquor license and you would serve alcohol also?

3 MR. BRAVO: I used to have --

4 Yes. I used to have in 3717 on Kennedy
5 Boulevard and I tried to -- the owner over there
6 he's pushing to buy the building and he starting
7 calling the Police, he start to bother me. And I
8 -- I no even know I have to coming to ask the
9 Board first before I change.

10 I did this by mistake. I'm sorry about it.

11 MR. GONZALEZ: Oh, okay, wait a minute.

12 So, you're over there now and you're
13 working as a restaurant?

14 MR. BRAVO: Yes.

15 MR. GONZALEZ: Okay, without a liquor
16 license.

17 MR. BRAVO: Without a liquor.

18 MR. GONZALEZ: Okay.

19 And the reason you left is because the
20 owner of the building at 3717 wanted you to
21 purchase the building?

22 MR. BRAVO: Yes and he want to raise
23 \$1500.00 a month more.

24 MR. GONZALEZ: In addition to what you were
25 paying?

1 MR. BRAVO: Yes. I used to pay \$3,000.00.
2 He want \$4500.00. And I can't afford it. The
3 business is -- is bad; everybody suffering and --

4 MR. GONZALEZ: Okay.

5 MAYOR STACK: Does the owner --

6 MR. GONZALEZ: What time --

7 MAYOR STACK: Does the owner live there in
8 the building?

9 MR. BRAVO: Yes.

10 MAYOR STACK: He does.

11 MR. BRAVO: Yes.

12 MR. GONZALEZ: Is that Mario --

13 What's his name?

14 MR. BRAVO: Angel (phonetic). Angel --

15 MR. GONZALEZ: No, no, I know.

16 (Whereupon, Mr. Gonzalez conversed in
17 Spanish to Mr. Bravo.)

18 MS. DILLON: You have to keep your voice
19 up, Mr. Gonzalez.

20 MR. BRAVO: Angel Cervias (phonetic).

21 MR. GONZALEZ: That's the individual who's
22 the owner of the building.

23 So, your intent at 4215 is to also have a
24 restaurant and provide food?

25 MR. BRAVO: Yes, I have a -- I forgot to

1 bring the menu. Yes, I have the Spanish, Ecuador
2 and American food, is what we're selling now.

3 MR. GONZALEZ: Okay.

4 I have nothing further.

5 MAYOR STACK: What about like parties and
6 stuff like that, sir?

7 Are you looking to -- are you going to have
8 -- are you going to be looking to rent the place
9 out for parties or no?

10 MR. BRAVO: No. The other day -- the other
11 day the -- the Mayor of Weehawken they coming up
12 to the -- after the --

13 The theater?

14 (Whereupon, Mr. Bravo spoke Spanish.)

15 MR. BRAVO: Oh, -- I'm sorry.

16 MR. MERCADO: He's saying --

17 MR. GONZALEZ: Mayor Turner went for a
18 party there after a theater.

19 MR. BRAVO: The Mayor Turner, Weehawken,
20 went to eat the other day over there.

21 MR. MERCADO: He's not going to rent the
22 place that's what he's saying.

23 MR. BRAVO: No.

24 MR. MERCADO: What he's saying is also is
25 that the other day the Mayor of Weehawken, after

1 a party that was around, he went to eat --

2 MR. BRAVO: And he's happy about it. He's
3 happy. He said I hope that won't be like it was.
4 He's happy and say he's --

5 MAYOR STACK: Right. Is this place bigger
6 than what you have now? Or is it about the same
7 --

8 MR. BRAVO: Little bit bigger.

9 MAYOR STACK: It's a little bit bigger.

10 MR. BRAVO: Little bit bigger.

11 The other one was for 60 people; this is
12 for 99.

13 MAYOR STACK: And how many -- how many
14 tables will you have in the restaurant?

15 Do you have a diagram of what you're
16 looking to do?

17 MR. GONZALEZ: We did. We provided that.

18 MR. BRAVO: Yes. I have.

19 MAYOR STACK: I didn't see it; I'm sorry.
20 Christine, do you have that?

21 MS. VANEK: I do.

22 MAYOR STACK: Maybe I do have it.

23 No, I don't. No. No.

24 Okay.

25 But what about security at the

1 establishment? Will you have any type of
2 security present?

3 MR. BRAVO: We no need it because a family
4 -- this is a family place. We don't need
5 security.

6 MAYOR STACK: And what time do you close?
7 What time do you --

8 MR. BRAVO: Now we open like 11 o'clock.
9 We close like 10 o'clock. Because after 10 is
10 dead, you know.

11 MAYOR STACK: All right.

12 COMMISSIONER FERNANDEZ: My only concern
13 is, Mayor, is that yesterday I walked by the
14 place and there were five motorcycles on top of
15 the sidewalk right next to the building.

16 You just said you just opened and there's
17 five motorcycles on top of the sidewalk already.

18 MAYOR STACK: Is he open there now? I
19 don't know if he's open.

20 Is he open?

21 MR. GONZALEZ: For food.

22 MAYOR STACK: I'm sorry?

23 MR. GONZALEZ: Food.

24 MR. BRAVO: Food.

25 MAYOR STACK: He's open?

1 MR. BRAVO: They're watching the games. I
2 know these Columbian guys; they start coming like
3 four days ago.

4 MAYOR STACK: Okay.

5 MR. BRAVO: Three guys on a the motorcycle;
6 they watch the games.

7 MAYOR STACK: Yeah just don't let them park
8 on the sidewalk though. That's all.

9 MR. BRAVO: Okay.

10 MAYOR STACK: All right?

11 MR. BRAVO: Okay, no problem.

12 MAYOR STACK: That's all.

13 MR. BRAVO: Okay.

14 MAYOR STACK: Commissioners, any questions?
15 Lucio?

16 I don't have any questions.

17 Tilo, you have anything?

18 COMMISSIONER RIVAS: No. No questions.

19 MAYOR STACK: Celin?

20 Margie?

21 Anybody? Questions?

22 COMMISSIONER FERNANDEZ: Mr. Gonzalez, does
23 he know that there's a lot of seniors living
24 directly across the way diagonally there, you
25 know, in Weehawken?

1 MR. GONZALEZ: In the old --

2 COMMISSIONER FERNANDEZ: The old Hudson
3 Theater --

4 MR. GONZALEZ: -- Hudson Hospital?

5 COMMISSIONER FERNANDEZ: Yeah, Hudson
6 Hospital.

7 MAYOR STACK: North Hudson, yeah.

8 See when we had -- and I'm not judging your
9 establishment on --

10 And, Justin, you can translate this please.

11 I'm not judging his establishment on what
12 was there. But what was there prior we had a lot
13 of problems with. And I think --

14 MR. BRAVO: I hear that.

15 MAYOR STACK: -- I think a lot of their
16 concern is that they're worried about what's
17 coming in and --

18 I'm sure that anyone who wants to testify
19 tonight can testify on their own but I think what
20 their biggest concern is coming in, you know,
21 what's going to happen.

22 What time is it going to be open until,
23 number one.

24 Number two, what kind of a place is it
25 going to be?

1 You know, that's the concern.

2 MR. BRAVO: Mr. Mayor --

3 MAYOR STACK: Are we going to have same
4 thing as we had there before where when it's --
5 when it gets to 1:30 in the morning, two o'clock
6 and they're leaving the establishment, they
7 congregate in the area. And, obviously, sound
8 travels up into the residences above there and in
9 the surrounding area.

10 MR. BRAVO: Mayor, just to -- what I ask
11 you provide -- give me a chance to work and you
12 will see. Any time you will see, any time -- any
13 time I can go to meetings. You know and you can
14 tell me -- I mean you can charge me if -- if I'm
15 wrong.

16 But I'm doing this to 2003, I don't have
17 any problems. You know.

18 MAYOR STACK: The only complaints that I
19 ever got -- was never any other complaint than
20 just noise. That's the only complaints that came
21 to my attention.

22 MR. BRAVO: And --

23 MAYOR STACK: By a few people in that area
24 I got complaints.

25 MR. BRAVO: I called Mr. Molinari one time

1 and he called me back and he say he want to work
2 together he say. Because the people we -- the
3 people they're going to a beer, they want to put
4 music. If -- no music in the bar they leave.

5 MAYOR STACK: Right.

6 MR. BRAVO: And I call Mr. --

7 MAYOR STACK: But it just has to be
8 controlled though.

9 MR. BRAVO: Yeah.

10 MAYOR STACK: It has to be controlled. The
11 sound and stuff. Like the doors can't be open.
12 You can't have --

13 Even if there's -- even if there's a real
14 window, a kitchen window, --

15 And, Ray, you can appreciate this.

16 -- a kitchen window open or a rear door
17 open, that sounds comes out of that and just
18 spreads throughout the area.

19 And that's where you start to get your
20 complaints from.

21 MR. BRAVO: One time over there, the
22 neighborhood in the back, they start to calling,
23 calling, calling the Police, --

24 MAYOR STACK: Right. That's when I got
25 called, too.

1 MR. BRAVO: -- and -- and calling -- the
2 name is Jose Moreno (phonetic).

3 MR. GONZALEZ: Yeah, I think --

4 MR. BRAVO: And he --

5 MR. GONZALEZ: I think what he did -- and
6 that one, I remember -- he wound up closing. It
7 was an exhaust from the kitchen --

8 MAYOR STACK: I think I remember this now.

9 MR. GONZALEZ: -- and I think what happens
10 is --

11 MAYOR STACK: Yeah. Yeah. I remember.

12 MR. GONZALEZ: -- with the exhaust on, any
13 noise that was coming out was actually traveling
14 through the exhaust.

15 MAYOR STACK: Right.

16 MR. GONZALEZ: So what they did was, when
17 they were notified that there was an issue, they
18 changed the type of exhaust so it became like a
19 mushroom cap --

20 MAYOR STACK: Right.

21 MR. GONZALEZ: -- so the sound, you know,
22 actually deadens.

23 Because when you have an exhaust in the
24 kitchen, --

25 MAYOR STACK: Right.

1 MR. GONZALEZ: -- we may be talking here
2 and it gets travel -- it does travel out.

3 MAYOR STACK: Sure.

4 MR. GONZALEZ: So, when he was -- when that
5 was brought to his attention, that was changed.

6 And I -- and you could probably still see
7 it. It's on 38th Street --

8 MAYOR STACK: I did.

9 MR. GONZALEZ: -- before you get to Kennedy
10 Boulevard up on the right hand side.

11 MAYOR STACK: Right.

12 MR. GONZALEZ: He had changed that --

13 MAYOR STACK: Right.

14 MR. GONZALEZ: -- and that solved that
15 issue.

16 MAYOR STACK: Our biggest complaint that we
17 get in the City right now --

18 I'm not saying with your place; I'm saying
19 in general.

20 MR. BRAVO: In general.

21 MAYOR STACK: -- is noise. Noise is our
22 biggest concern. Especially on the weekends.

23 And we just want to make sure, you know, we got
24 to be careful what goes in what location because
25 we just -- we get -- I get the brunt of the

1 | complaints with the Police Department when these
2 | things happen.

3 | MR. BRAVO: And the -- what -- the guy who
4 | sell me ten years ago the business, they fighting
5 | with -- fighting with the neighborhood in the
6 | back and he start calling the Police every week,
7 | every week. And he call the Police and the
8 | Police they -- they manage the -- the noise and
9 | he lost.

10 | MR. GONZALEZ: That's the case I was
11 | telling you, --

12 | MAYOR STACK: Right that you were
13 | explaining.

14 | MR. GONZALEZ: -- we were having a trial.

15 | MR. BRAVO: Yeah.

16 | MAYOR STACK: Right.

17 | MR. BRAVO: He told me --

18 | MR. GONZALEZ: He got somewhat abusive and
19 | the --

20 | MAYOR STACK: Right.

21 | MR. GONZALEZ: -- Police actually was --
22 | came.

23 | MR. BRAVO: Abusing, sometimes the people
24 | they abusing to call the Police because the
25 | Police have to --

1 Sometimes -- sometimes the Police come and
2 they open the door they see it's okay over here.
3 It's okay over here. Why they call? I say maybe
4 the guy on the top -- the landlord maybe want to
5 move out.

6 MAYOR STACK: Right. Do you work the
7 establishment yourself?

8 MR. BRAVO: Yes.

9 MAYOR STACK: Or you have managers that do
10 it or it's just you?

11 MR. BRAVO: I work --

12 MAYOR STACK: It's you and your family?

13 MR. BRAVO: And my --

14 A VOICE: Just work as a family. It's my
15 mom and me --

16 MAYOR STACK: Okay.

17 A VOICE: -- and I'm the daughter.

18 MR. BRAVO: I'm a professional cook. I
19 work for Sheraton Hotel. I try to do my best.

20 MAYOR STACK: Right.

21 MR. BRAVO: Before -- before I work for
22 somebody I tried to do my -- before I finish, you
23 know, -- I work for myself.

24 MAYOR STACK: And what will be the hours of
25 the establishment?

1 Eleven o'clock in the morning you open.

2 MR. BRAVO: Yes.

3 MAYOR STACK: Right? Seven days a week?

4 MR. BRAVO: Yes.

5 MAYOR STACK: Eleven in the morning you
6 open. And what time do you stay open until?

7 MR. BRAVO: Now we open to 10, 11 o'clock.
8 Over there and when I have liquor license we
9 close like 10, 11. By the weekend like 1:30 we
10 shut down, the last -- the last call.

11 MAYOR STACK: Right.

12 MR. BRAVO: Two o'clock, everybody out.

13 MAYOR STACK: And you said in that
14 establishment you had 66 chairs and this
15 establishment you have --

16 MR. BRAVO: Sixty --

17 MAYOR STACK: I don't want to --

18 MR. BRAVO: -- was over there. Over here
19 is 99.

20 MAYOR STACK: Ninety-nine.

21 MR. BRAVO: But, we -- they say that, 99
22 total.

23 MAYOR STACK: Right.

24 MR. BRAVO: We have like 12 tables.

25 MAYOR STACK: Let me ask you a question.

1 In this establishment right here, I see
2 something that says existing stage.

3 Is that going to remain there or --

4 MR. BRAVO: What means stage?

5 MAYOR STACK: Ray, do you have a copy of
6 this?

7 MR. GONZALEZ: Kitchen. Existing kitchen?

8 MR. MERCADO: No, stage.

9 COMMISSIONER FERNANDEZ: Stage.

10 MR. GONZALEZ: Oh, okay.

11 MAYOR STACK: Look in the rear. It's very
12 much in the rear.

13 Maybe that's where the sound came from? I
14 don't know.

15 (Whereupon, Spanish was spoken.)

16 MR. BRAVO: No, I destroy already. This
17 was --

18 MAYOR STACK: Okay.

19 MR. BRAVO: -- like a dancing table or --

20 MAYOR STACK: Okay.

21 MR. MERCADO: It was remove already.

22 MR. BRAVO: Yeah, I remove.

23 MAYOR STACK: It was removed.

24 Okay.

25 MR. GONZALEZ: I think everyone -- it's so

1 close, everybody's welcome to go.

2 MR. BRAVO: Yeah, walk --

3 Mr. Mayor, --

4 MAYOR STACK: Right.

5 MR. BRAVO: Mr. Mayor, walk to the inside

6 to --

7 MAYOR STACK: Right.

8 MR. BRAVO: -- find out yourself.

9 MAYOR STACK: No, I believe your testimony.

10 MR. BRAVO: If you give me chance to work,

11 I'm going to --

12 MAYOR STACK: Right.

13 MR. BRAVO: -- invite you guys for the

14 grand opening and you won't see.

15 MAYOR STACK: Thank you. Okay.

16 Christine, you have anything?

17 Commissioners, have anything?

18 MS. VANEK: No.

19 MAYOR STACK: Is there anybody from the

20 Police Department here that's going to testify?

21 MS. VANEK: I believe Lieutenant Loaces is

22 here.

23 MAYOR STACK: Okay.

24 Why don't we --

25 Do you have anything further for your

1 client, Ray?

2 MR. GONZALEZ: No.

3 MAYOR STACK: All right.

4 Why don't we get the Lieutenant up here.

5 And then we'll open it up to any members of the
6 public. And then we'll go from there.

7 Lieutenant Loaces?

8 John, you can sit right over here.

9 Maybe your client can stay up here, Ray.
10 It might be easier.

11 MR. GONZALEZ: Is that okay?

12 MAYOR STACK: Yeah, it might be easier if
13 he stays here.

14 John, why don't you -- Lieutenant, why
15 don't you come around this side when you can.

16 LIEUTENANT LOACES: Yes, sir.

17 MAYOR STACK: Do you have a copy of the
18 diagram of the place?

19 LIEUTENANT LOACES: I do not.

20 MAYOR STACK: All right. Let me just give
21 that to you.

22 LIEUTENANT LOACES: Thank you.

23 MS. DILLON: Lieutenant, please raise your
24 right hand.

25 Do you affirm the testimony you're about to

1 give this Board is the whole truth?

2 LIEUTENANT LOACES: I do.

3 MS. DILLON: Please state your name for the
4 record.

5 LIEUTENANT LOACES: Juan Loaces, L-O-A-C-E-
6 S.

7 MS. DILLON: Thank you.

8 LIEUTENANT LOACES: Good evening.

9 MR. BRAVO: Good evening.

10 LIEUTENANT LOACES: I apologize for being
11 tardy. I was delayed at another meeting.

12 When I did come in though -- I'd like to
13 comment on two statements that Mr. Gonzalez made.
14 He made a comment that I'm not sure about.

15 He stated that at some point the Union City
16 Police Department had entered, I believe he
17 referenced Angelo's Café, with some sound
18 measuring device.

19 I am not familiar with this sound measuring
20 device and if it had -- was in use, I would say
21 it's been a considerable amount of time since
22 such a device has been used.

23 And, secondly, I'd like to address Mr.
24 Gonzalez stated on multiple occasions I believe
25 that there were no noise complaints whatsoever at

1 Angelo's Café while at 3717 Kennedy Boulevard.

2 According -- I had Detective Dunlay pull up
3 what's called a CAD incident search report, which
4 is basically our computer system. And what
5 generates this are actual phone calls from people
6 calling 911, the Police Department, to report a
7 crime, an incident or what have you.

8 According to this statistical analysis,
9 brief nonetheless, but I think poignant enough,
10 from January 1st, 2011 to May 31st, 2014, the
11 Union City Police Department responded on 50
12 noise complaints. That's specifically Angelo's
13 Café while at 3717 Kennedy Boulevard.

14 And once again just to reiterate --

15 MR. GONZALEZ: Do you mind if I look at
16 this?

17 LIEUTENANT LOACES: No, not at all, sir.

18 MAYOR STACK: And that was at that address
19 and Angelo's Café, per se?

20 LIEUTENANT LOACES: That was Angelo's Café
21 at 3717 Kennedy Boulevard.

22 And just quickly, just not to get off the
23 subject too much, if we now look at the new
24 location, the proposed location if you will of
25 the Good Life, located at 4215 Park Avenue, that

1 area for the exact same time period, suffered 54
2 noise complaints, plus an additional 39 noise
3 complaints for 43rd and Park Avenue.

4 Meaning that when the person called they
5 referred to the area or where the problem was as
6 43rd and Park Avenue. There were 39 of those
7 calls.

8 Specifically 4215 Park Avenue, the proposed
9 location where the license is to be transferred,
10 4215, there were exactly 54 noise complaints at
11 that location.

12 MAYOR STACK: Mr. Gonzalez, you have
13 anything you want --

14 MR. GONZALEZ: I do.

15 MAYOR STACK: Sure.

16 MR. GONZALEZ: I do.

17 MAYOR STACK: Sure.

18 MR. GONZALEZ: Detective Loaces, just
19 because there was an incident or a call on
20 whatever particular type of incident you're
21 talking about, doesn't mean that it was
22 substantiated.

23 Correct?

24 LIEUTENANT LOACES: It -- correct. But it
25 also doesn't mean --

1 MR. GONZALEZ: Oh, okay.

2 LIEUTENANT LOACES: -- that it was not
3 unsubstantiated.

4 MR. GONZALEZ: I understand. But that's
5 almost like almost pregnant. Okay? Either you
6 are or you aren't, okay?

7 LIEUTENANT LOACES: Well, --

8 MR. GONZALEZ: So the fact is you're
9 representing to this Board that there was 50
10 noise complaints but you know just by your own
11 statement that that doesn't mean that they were
12 all substantiated.

13 Correct?

14 LIEUTENANT LOACES: If I -- I would agree
15 with your train of thought here if you would have
16 told me in that timeframe we had four, you had
17 five.

18 We have -- how many was it, I'm sorry?
19 Fifty?

20 MR. GONZALEZ: How many of the 50 were
21 substantiated?

22 LIEUTENANT LOACES: I don't know. I
23 personally --

24 If you'd let me continue?

25 MR. GONZALEZ: Well, no, --

1 LIEUTENANT LOACES: I, personally, --

2 MR. GONZALEZ: -- I ask questions. You can
3 give statements later.

4 LIEUTENANT LOACES: Oh, --

5 MR. GONZALEZ: My questions are you cannot
6 substantiate the 50 that are here?

7 LIEUTENANT LOACES: Fifty, no.

8 MR. GONZALEZ: And you can't even tell me
9 if there's one that's substantiated or 49 that
10 are substantiated.

11 Correct?

12 LIEUTENANT LOACES: The minute a resident
13 calls the Union City Police Department we
14 respond. So as far as I'm concerned it is
15 substantiated. A resident in our town that's
16 disturbed, cannot sleep, cannot enjoy the
17 tranquility of their neighborhood, I respond.
18 The Police respond --

19 MR. GONZALEZ: On June 2nd, 2013, incident
20 number 13031304, what happened there?

21 LIEUTENANT LOACES: Noise complaint.

22 MR. GONZALEZ: Was it substantiated?

23 LIEUTENANT LOACES: As far as --

24 MR. GONZALEZ: Who -- who responded?

25 LIEUTENANT LOACES: I can pull up the

1 individual reports if you want?

2 MR. GONZALEZ: I -- well, I would hope you
3 would have done it beforehand so you could tell
4 the Board the right things and not --

5 LIEUTENANT LOACES: I'm telling you the
6 right thing.

7 MR. GONZALEZ: -- and not --

8 LIEUTENANT LOACES: I'm telling you the
9 Union City --

10 MR. GONZALEZ: Well, no, --

11 LIEUTENANT LOACES: -- Police Department --

12 MR. GONZALEZ: -- the right thing --

13 LIEUTENANT LOACES: -- responded on 50 plus
14 calls --

15 MR. GONZALEZ: No, no.

16 LIEUTENANT LOACES: -- of noise --

17 MR. GONZALEZ: Detective Loaces, --

18 LIEUTENANT LOACES: Yes, sir?

19 MR. GONZALEZ: -- if there's a noise
20 complaint, it's not substantiated, and you tell
21 the Board that there's 50, what do you think that
22 makes my client look like?

23 It makes it look like he's not a good
24 individual. So don't you think it's incumbent on
25 you, when you represent to the Board something,

1 | that you substantiate --

2 | MR. DARIAS: Why don't you stop yelling at
3 | him? Huh?

4 | Why don't you show a little respect?

5 | MAYOR STACK: Sir?

6 | MR. GONZALEZ: I'm not talking to you.

7 | MAYOR STACK: Sir?

8 | MR. DARIAS: I'm talking to you.

9 | MR. GONZALEZ: Why don't you arrest him for
10 | yelling at me?

11 | Is that loud enough? Is that a noise
12 | complaint?

13 | LIEUTENANT LOACES: Did it bother you?

14 | MR. GONZALEZ: Yeah, it bothered me.

15 | Okay?

16 | When somebody yells behind me, --

17 | MR. DARIAS: You're doing --

18 | MR. GONZALEZ: -- yeah.

19 | MR. DARIAS: -- the same to him.

20 | MAYOR STACK: Okay. Mr. Gonzalez, let's
21 | just try to stay focused on what we're doing.

22 | MR. GONZALEZ: So, in fact, the 50, you
23 | don't know are substantiated or not?

24 | LIEUTENANT LOACES: I need to clarify what
25 | you just stated right now.

1 You said that I mischaracterized your
2 client or put him in some negative light by
3 referring to 50 noise complaints.

4 The Union City Police Department received,
5 according to this, 50 complaints of noise. Noise
6 complaints.

7 MAYOR STACK: We could pull those reports
8 if we need them.

9 LIEUTENANT LOACES: Absolutely.

10 MAYOR STACK: Okay.

11 MR. GONZALEZ: I have nothing further.

12 MAYOR STACK: Lieutenant, did you want to
13 add anything further?

14 LIEUTENANT LOACES: No.

15 Thank you.

16 MAYOR STACK: No. Okay.

17 Okay.

18 Are there any -- are there any residents
19 here tonight that would like to come up and
20 testify and speak on this application?

21 Mr. Darias, if you can?

22 MS. DILLON: Just --

23 MAYOR STACK: Thank you, Lieutenant.

24 MS. DILLON: You know, can you --

25 LIEUTENANT LOACES: Thank you, sir.

1 MS. DILLON: -- come right around where the
2 Lieutenant was please?

3 MAYOR STACK: Sure.

4 If you could just state your name and
5 address for the record.

6 MR. DARIAS: Caesar Darias, 200 43rd
7 Street.

8 MS. DILLON: I'm sorry; spell your name for
9 me?

10 MS. DARIAS: C-A-E-S-A-R. Darias, D like
11 David, A-R-I-A-S, 200 43rd Street. I'm president
12 of the condo association over there.

13 And I'm sorry I look like I'm heading to
14 the beach; I didn't have time to change.

15 MAYOR STACK: No, not a problem.

16 MS. DILLON: Ms. Vanek, should he be sworn?

17 MS. VANEK: He should be sworn.

18 MS. DILLON: Yes.

19 Sir, I'm going to ask you to raise your
20 right hand.

21 Do you affirm the testimony you're about to
22 give this Board is the whole truth?

23 MR. DARIAS: Yes, sir. This is testimony?
24 I thought it was public comment. But --

25 MAYOR STACK: Sure.

1 MR. DARIAS: -- okay.

2 That's fine.

3 Well, I'm here to object to this because
4 this is not the drinking section of Union City.
5 There are so many bars in this area already.
6 And, you know, at the beginning of the meeting
7 tonight there was one person talking back there
8 and that one person -- one person talking, you
9 had to tell them to be quiet because we couldn't
10 hear anything.

11 Now can you imagine 99 people in a bar at
12 once? How loud do you have to put the music for
13 the music to be heard over 99 people in a bar?

14 Loud. Very loud. Louder than you were
15 talking to the Detective. Okay?

16 Just, you know, you would think -- you hear
17 the attorney talking, he's doing us all a big
18 favor. Ha, thank you very much.

19 You know he used the word we. We have to
20 live with it. And you included -- you said we,
21 do you live in this neighborhood?

22 MR. GONZALEZ: I own plenty of property in
23 this neighborhood.

24 MR. DARIAS: No, do you --

25 MR. GONZALEZ: Yes.

1 MR. DARIAS: -- live --

2 MR. GONZALEZ: And I've grown up here, yes.

3 MR. DARIAS: But do you now live in this
4 neighborhood?

5 MR. GONZALEZ: Not now but I have.

6 MR. DARIAS: What town do you live in?

7 MR. GONZALEZ: Huh? It's not important to
8 you.

9 MAYOR STACK: I don't think that's
10 relevant.

11 Mr. Darias, --

12 MR. DARIAS: Okay, --

13 MAYOR STACK: -- keep --

14 MR. DARIAS: -- it's -- because I'm
15 wondering --

16 MAYOR STACK: -- keep your testimony to the
17 Board.

18 MR. DARIAS: Okay.

19 Yeah, I'm just wondering if the people who
20 support this would support this in their
21 neighborhood?

22 And the answer is flat out no, no way.

23 You know and I would just say that it's --
24 you know, I feel that the advocates talking here
25 tonight for this are very disrespectful. Very

1 | flippant in their attitude. Okay? Talking about
2 | the little comments in the police reports. I
3 | mean the word liar wasn't used but they might
4 | have still have said the Police Chief is a liar
5 | the way that people have spoken.

6 | You know just this attitude alone tells me
7 | this is not people that should be in the
8 | neighborhood.

9 | You know we have -- I mean I just think
10 | it's so sad when I drive up 43rd Street and you
11 | have to have that precinct on wheels that you
12 | have there. Those resources should be somewhere
13 | else, not devoted to worrying about drunks coming
14 | out of a bar and what they might do. We have our
15 | fair share of this already.

16 | Let me see, I just -- yeah and it's 99 --
17 | is there going to -- I'd like to know if there's
18 | going to be --

19 | I know I only have five minutes.

20 | Is there going to be a bar in addition to
21 | tables? Is there going to be like a bar that
22 | people can go up to and sit?

23 | MAYOR STACK: Will there be a bar in the
24 | establishment?

25 | Or it will just be tables?

1 MR. GONZALEZ: There's tables and there's a
2 counter.

3 MAYOR STACK: Okay.

4 MR. GONZALEZ: They have a --

5 MAYOR STACK: And how many stools can you
6 put at the counter?

7 MR. BRAVO: I think like seven or eight.

8 MAYOR STACK: Okay.

9 MR. DARIAS: Okay. You know, again, a
10 statement that was made -- he says, you know, if
11 -- if this is so good for this neighborhood, you
12 know, I suggest, you know, take it to your
13 neighborhood, take it to where you live.

14 There's way too many bars here. I ask you
15 on behalf of the 24 property owners that live at
16 the corner of 43rd and Hudson to please vote
17 against this. Tell him to go somewhere else.
18 There are way too many bars here already. You
19 have devote too many of your resources. The
20 Police should be working on other matters, not
21 stopping drunks. Okay?

22 So, that's -- that's all I have to say.

23 MAYOR STACK: Mr. Darias, --

24 MR. DARIAS: Thank you for listening to
25 me --

1 MAYOR STACK: -- you --

2 MR. DARIAS: -- and I'm sorry about my
3 outburst earlier.

4 MAYOR STACK: No, it's okay. No problem.

5 MR. DARIAS: It just --

6 MAYOR STACK: Mr. Darias, you live up --

7 MR. DARIAS: -- watching a Detective being
8 yelled at is --

9 MAYOR STACK: Right.

10 MR. DARIAS: -- very annoying.

11 MAYOR STACK: You live --

12 Just a quick question. You live a block
13 away.

14 Correct?

15 MR. DARIAS: Yes.

16 MAYOR STACK: On 43rd and Hudson?

17 MR. DARIAS: Corner of 43rd and Hudson.

18 MAYOR STACK: And how many residents live
19 in the building?

20 MR. DARIAS: Twenty-four units.

21 MAYOR STACK: And you're the president of
22 the association?

23 MR. DARIAS: Yes.

24 MAYOR STACK: What was your experience
25 before in this area with the place that was here

1 prior, the liquor establishment that was in that
2 -- in the location that's -- that we're speaking
3 about tonight? That location?

4 Was there a lot of noise from there?

5 Was there a lot of --

6 MR. DARIAS: Well, --

7 MAYOR STACK: -- that you experienced?

8 MR. DARIAS: -- not from that one
9 specifically.

10 MAYOR STACK: Okay.

11 MR. DARIAS: Well, you're talking about --
12 well, just general traffic; there's just so many
13 in this area, --

14 MAYOR STACK: You just have a --

15 MR. DARIAS: -- it's hard to tell --

16 MAYOR STACK: --- problem with having so
17 many in one area.

18 MR. DARIAS: There's so many that
19 they're --

20 MAYOR STACK: I agree.

21 MR. DARIAS: -- coming from everywhere it
22 seems.

23 MAYOR STACK: All right.

24 MR. DARIAS: You know, it's -- you know I
25 just want to -- as I was walking over here, I

1 | took this -- this is what liquor brings to this
2 | area. You know, these are the kind --

3 | And is this even allowed? People to put up
4 | a poster like this, Grab some Buds. You know?

5 | This is what --

6 | MAYOR STACK: Was that on the outside of
7 | the liquor store?

8 | MR. DARIAS: Yeah, is that even allowed?

9 | I mean is this what people to do to
10 | beautify our neighborhoods when they run liquor
11 | establishments? A woman in a bikini with big
12 | liquor bottles?

13 | I mean -- you know, I'm going on and on and
14 | I'm going to start repeating myself but I ask you
15 | to please vote against it. And there are many --
16 | there about 566 other towns in this state you can
17 | go to.

18 | Okay?

19 | MAYOR STACK: Thank you very much --

20 | MR. DARIAS: Thank you.

21 | MAYOR STACK: -- for coming out, Mr.
22 | Darías. I appreciate it.

23 | MR. DARIAS: Thank you for listening.

24 | MAYOR STACK: Anyone else that would like
25 | to comment on the license in question tonight --

1 MR. GONZALEZ: I just want to --

2 MAYOR STACK: -- at --

3 Sir, if you could, if you could just step
4 forward?

5 MR. PEREZ: I want to ask the Board
6 something.

7 MAYOR STACK: Sure.

8 MS. DILLON: Come forward, sir.

9 MAYOR STACK: If you could just state your
10 name and address for the record?

11 MR. PEREZ: Do I have to state my address?

12 MAYOR STACK: You could -- you could just
13 state your name.

14 MR. PEREZ: Rafael Perez (phonetic).

15 MS. DILLON: I'm sorry; Rafael Perez?

16 MR. PEREZ: Yes.

17 I just want to say the same thing the young
18 man said, there's too many bars, liquor -- you go
19 from here to there, there's a bar, there's a
20 liquor store, all over.

21 You go around 44th Street, the same thing.

22 So, I mean, how much is enough? You know?

23 I'm not going to try to deny the man but I
24 feel that there's also places of worship around
25 here and, you know, certain jurisdictions have a

1 distance where a liquor store or bar cannot be in
2 between. And there has to be a distance between
3 a place of worship and a bar or a place that
4 sells liquor. That's -- that's one of my beefs.
5 You know?

6 There's quite a few places of worship
7 around here. There's a school right here on 42nd
8 Street and it's a high school and what's to
9 prevent the students from going in there having a
10 drink?

11 MAYOR STACK: You're referring to the
12 Academy, right, on 41st and Palisade Avenue?

13 MR. PEREZ: No. On 42nd and --

14 COMMISSIONER VALDIVIA: The high school.

15 MR. PEREZ: -- going over to --

16 COMMISSIONER VALDIVIA: Weehawken High
17 School.

18 MAYOR STACK: Weehawken -- oh, okay.

19 MR. PEREZ: -- there's a high school there.

20 MAYOR STACK: Okay.

21 MR. PEREZ: Weehawken.

22 So, it's right there on 42nd Street.

23 There's also a church on 42nd Street.

24 MAYOR STACK: Sure.

25 MR. PEREZ: Yeah. And there's places of

1 | worship all around here.

2 | So, I'm not denying him the right to sell
3 | food but liquor store, -- there's a liquor store
4 | right across the street. There's a bar on 43rd
5 | Street/Hudson Avenue -- and that makes a lot of
6 | noise. That makes a lot of noise. And cops
7 | respond there. I could hear the sirens. And
8 | it's getting to be ridiculous.

9 | And this place is getting to be high-class
10 | and you're going to have more bars in there. I
11 | don't think it's right. People paying a lot of
12 | money.

13 | MAYOR STACK: Sure.

14 | Thank you, Mr. Perez. Thank you.

15 | Lieutenant, can you come back up for a
16 | minute just --

17 | LIEUTENANT LOACES: Yes, sir.

18 | MAYOR STACK: Just to the best --

19 | If you could just maybe have a seat over
20 | here again.

21 | Just to the best of your recollection, in
22 | this neighborhood, how many different liquor
23 | establishments do we have? Whether they're
24 | liquor stores, whether they're bars, whether
25 | they're bar/restaurants; how many do we have,

1 just for the record, in this area?

2 LIEUTENANT LOACES: In the immediate area?

3 MAYOR STACK: Yes.

4 LIEUTENANT LOACES: Well if we start right
5 across the street from the proposed transfer
6 location of 4515 Park Avenue, on the Weehawken
7 side, I believe there's a liquor store there.

8 If you go up to, I believe it's -- you go
9 up two blocks towards 43rd Street and New York
10 Avenue, you have bars there.

11 MAYOR STACK: Isn't there a bar and a
12 liquor store on 43rd Street between Hudson and
13 Park Avenue?

14 A VOICE: Yes.

15 A VOICE: Yes.

16 MAYOR STACK: Yes.

17 COMMISSIONER MARTINETTI: Yes.

18 MAYOR STACK: There's a bar and a --
19 there's a bar and a liquor store.

20 LIEUTENANT LOACES: There's another liquor
21 store on 47th Street.

22 MAYOR STACK: Okay.

23 LIEUTENANT LOACES: There is a considerable
24 amount.

25 MAYOR STACK: Also on 44th and Hudson,

1 Johnny's Go-Go; right?

2 LIEUTENANT LOACES: Yes.

3 MAYOR STACK: Okay.

4 Also a liquor store on 47th and Park Avenue
5 -- 47th and Broadway --

6 LIEUTENANT LOACES: That's the one I meant.
7 Yes. Correct.

8 MAYOR STACK: -- I got.

9 LIEUTENANT LOACES: Right on the corner.

10 COMMISSIONER FERNANDEZ: And 48th and
11 Hudson.

12 LIEUTENANT LOACES: Yes, there's another
13 one on 48th and Hudson.

14 MAYOR STACK: Okay.

15 LIEUTENANT LOACES: There's a considerable
16 amount.

17 MAYOR STACK: Just because the gentleman,
18 Mr. Perez, just made a comment; I'm just trying
19 to figure out where they all are.

20 Okay.

21 MS. VANEK: And, Mayor, just to clarify the
22 record because there were a few different
23 addresses used, the proposed location is 4215
24 Park; --

25 MR. GONZALEZ: Yes.

1 MS. VANEK: -- correct?

2 MAYOR STACK: Right.

3 MS. VANEK: Okay.

4 And I just had one more question.

5 The sketch that I was provided with to
6 provide to the Board does not show a bar on it.
7 And I don't know if maybe I'm missing a piece of
8 that?

9 MAYOR STACK: I don't have it either on
10 mine.

11 MR. GONZALEZ: I think it's a second -- the
12 second portion of it.

13 MR. BRAVO: I don't even --

14 MS. VANEK: Okay. If you could just take a
15 --

16 MR. BRAVO: -- I don't do nothing --

17 MS. VANEK: -- take a look at the sketch.

18 MR. BRAVO: -- nothing make it. Everything
19 was in there when I -- when I rent it. I rent
20 for real estate. Everything was in there. I
21 don't even touch nothing.

22 (Whereupon, there was a pause in the
23 proceedings.)

24 MS. VANEK: And Mayor, I would ask, and Mr.
25 Gonzalez if you have a copy of a sketch that does

1 depict a bar that that be submitted to the Board
2 for their consideration.

3 (Whereupon, there was a pause in the
4 proceedings.)

5 MR. GONZALEZ: Ms. Vanek, I think I might
6 have left that second one at the office. Because
7 I know I was looking at it.

8 I think attached further though is a copy
9 -- a picture also of the interior, which -- which
10 you could see where it is.

11 MAYOR STACK: Could we -- can I see that?
12 Do you have that picture?

13 MR. GONZALEZ: Yeah, absolutely.

14 This was all attached to --

15 MAYOR STACK: Sir, do you ever have a live
16 band?

17 Do you ever have in your old
18 establishment --

19 MR. BRAVO: No.

20 MAYOR STACK: -- live bands or anything
21 like that?

22 MR. BRAVO: No.

23 MAYOR STACK: Do you -- what do you have, a
24 deejay?

25 Do you have a jukebox?

1 What is it that you have?

2 MR. BRAVO: We used to have over the
3 weekend the deejay.

4 MAYOR STACK: A deejay.

5 See I'm sure you could hear, the concerns
6 of the residents that are here tonight is quality
7 of life. And one of the things we've tried very
8 hard to do in Union City over the years, I know
9 is been -- my pet peeve has been quality of life,
10 cleaning up the quality of life in the community.

11 Whether it's from clean streets to noise; I
12 mean like I said our biggest complaint right now
13 we have on the weekends -- and Lieutenant Loaces
14 can tell you -- is noise. You listen to a Police
15 radio, it's constant noise problems that we're
16 having.

17 MR. BRAVO: I understand, Mayor. Again, I
18 am still just -- I want to work, you know? Give
19 me a chance to work.

20 MS. VANEK: Okay. Mayor, these are
21 photographs of the interior but all of the
22 outside of the building and some of the signs
23 inside still say Good Life.

24 MR. GONZALEZ: That's --

25 MS. VANEK: Is that in the matter of

1 transition hasn't been done yet or --

2 MR. GONZALEZ: No, the -- essentially the
3 outside's the same; they just changed the name on
4 the awning.

5 MS. VANEK: Okay.

6 Okay. I don't have these photographs in my
7 file. But the Board can consider them.

8 MAYOR STACK: This is a pretty long bar.

9 MR. BRAVO: Like seven, eight seats I said.

10 MAYOR STACK: Lieutenant, have you ever
11 been in there?

12 LIEUTENANT LOACES: I have.

13 MAYOR STACK: How long is the -- how long
14 is the establishment on the inside where it's --
15 where people --

16 I know, obviously, the building -- we have
17 a sketch of the building but where people can sit
18 and everything, how roughly -- how -- is it --

19 LIEUTENANT LOACES: When you walk in, I
20 believe it's that picture that you were looking
21 at earlier, you see you have the bar to your
22 left. And it's pretty -- relatively narrow. And
23 then as you go past, I believe it's the kitchen.
24 I believe there's a large room in the back that
25 opens up. It's a considerable size room.

1 I would say it's comparable, if not
2 slightly bigger than the rear room he had over at
3 3717 Kennedy.

4 MAYOR STACK: Is the back of the
5 establishment -- or -- I'm not sure if this is
6 the front --

7 No, this is the front.

8 Are you looking to have like a lounge there
9 or is it going to be a restaurant?

10 Is it going to be a lounge where you have
11 couches and stuff like that?

12 MR. BRAVO: No, no, --

13 MAYOR STACK: Or is it going to be a
14 restaurant?

15 MR. BRAVO: -- no couch. No couch.

16 MAYOR STACK: This place had couches and
17 stuff.

18 Right?

19 LIEUTENANT LOACES: And a stage.

20 MAYOR STACK: Is that what they had? They
21 had like a lounge-type --

22 LIEUTENANT LOACES: Yes.

23 MAYOR STACK: -- thing.

24 Right?

25 I don't know if you want to take a look at

1 | them? I don't know if this is -- if you've seen
2 | that or you didn't see it.

3 | MR. GONZALEZ: Those are the old --

4 | MR. BRAVO: Used to they have like a --
5 | when I -- when I rent it, used to be couch like
6 | here. Like they say like you -- B&B for the
7 | special people, they can sit like --

8 | MR. GONZALEZ: Oh, VIP.

9 | MAYOR STACK: VIP.

10 | MR. BRAVO: VIP. VIP.

11 | MAYOR STACK: Right. Right.

12 | MR. BRAVO: No, we put regular tables with
13 | -- (indiscernible) -- I said, no, no.

14 | MS. VANEK: Mr. Gonzalez, could you submit
15 | additional copies --

16 | MR. GONZALEZ: Absolutely.

17 | MS. VANEK: -- of those photographs --

18 | MR. GONZALEZ: Sure.

19 | MS. VANEK: -- so that we have them for our
20 | file?

21 | MAYOR STACK: Okay.

22 | Is there anyone else further that would
23 | like to testify?

24 | Do you have anybody else, Mr. Gonzalez, --

25 | MR. GONZALEZ: No.

1 MAYOR STACK: -- at all?

2 No? Okay.

3 Do you have anything further, John, that
4 you wanted to add?

5 LIEUTENANT LOACES: No, sir.

6 MAYOR STACK: Any other resident would like
7 to make a comment at this time on this
8 establishment?

9 Okay.

10 I'd like to hold off on the decision until
11 our next meeting.

12 MS. VANEK: Okay.

13 MAYOR STACK: All right? Just take time --
14 and I'd like to get copies --

15 What I'd like to do in the meantime is get
16 copies of all the reports.

17 LIEUTENANT LOACES: Very good, sir.

18 MAYOR STACK: I'm sure Mr. Gonzalez wants a
19 copy. I would like a copy. If you can get the
20 corporation counsel a copy?

21 So we can review those reports from the old
22 establishment. I'd -- in fact, I'd like both.
23 If you can get to me for when the Good Life owned
24 it -- not that it has any bearing on this but I'd
25 like to see both.

1 LIEUTENANT LOACES: For the same timeframe?

2 MAYOR STACK: Yes.

3 LIEUTENANT LOACES: Very good, sir.

4 MAYOR STACK: Now you said the time frame
5 was from --

6 LIEUTENANT LOACES: January 1st, 2011.

7 MAYOR STACK: -- 2011 to present.

8 LIEUTENANT LOACES: To May -- last time it
9 was done was May 31st of this year.

10 MAYOR STACK: Okay.

11 MS. VANEK: And, Mayor, you're looking for
12 the underlying reports --

13 MAYOR STACK: Yes.

14 MS. VANEK: -- as to the CAD --

15 MAYOR STACK: Yes.

16 MS. VANEK: -- that was testified to.

17 MAYOR STACK: I'd like to see the actual
18 reports themselves.

19 MR. GONZALEZ: What's contained in the --
20 in the list, it shows what incident it was.

21 LIEUTENANT LOACES: I'm sorry; I don't
22 understand.

23 MR. GONZALEZ: Can I just see your list?

24 LIEUTENANT LOACES: Certainly.

25 MR. GONZALEZ: Just so we make it clear.

1 LIEUTENANT LOACES: Sure.

2 MR. GONZALEZ: Where it says incident; that
3 would be the incident file, which would be, I'm
4 assuming, the report that the police officer --

5 LIEUTENANT LOACES: Report number.

6 MR. GONZALEZ: -- that responded?

7 LIEUTENANT LOACES: Correct.

8 MR. GONZALEZ: All right. So that would
9 show what it would be?

10 LIEUTENANT LOACES: Right --

11 MR. GONZALEZ: What happened on that
12 incident?

13 LIEUTENANT LOACES: This is generated,
14 right.

15 If -- assuming the officer responds there
16 and it's unfounded or the officer gives him a
17 warning, the officer may or may not do a report.
18 So there may just be that, an incident file
19 number. If there is more, it may -- there may
20 actually be a corresponding report.

21 MR. GONZALEZ: Okay.

22 MAYOR STACK: Is it more than likely that
23 they'll do a report? Or -- or less likely?

24 LIEUTENANT LOACES: It depends to be
25 perfectly honest with you on how busy they are on

1 | that Friday or Saturday night when it's
2 | happening.

3 | If it's something that can be quashed and
4 | please keep it down, neighbors are complaining,
5 | and they need to move on, they do.

6 | If it's egregious, --

7 | MAYOR STACK: I know it may be tough to
8 | cite because there's 50 or 54 you said but are
9 | they mostly on the weekend?

10 | They -- did you -- when you looked at that
11 | was it --

12 | LIEUTENANT LOACES: I can't --

13 | MAYOR STACK: Or you didn't get a chance?
14 | No.

15 | LIEUTENANT LOACES: It doesn't show me
16 | dates, specifically. But my experience is, when
17 | I have been there, it's been on weekends.

18 | MAYOR STACK: Okay.

19 | LIEUTENANT LOACES: Fridays and
20 | Saturdays, --

21 | MAYOR STACK: Okay.

22 | LIEUTENANT LOACES: -- sometimes Thursdays.

23 | MAYOR STACK: If you can get that to me
24 | this week that would be fine.

25 | LIEUTENANT LOACES: Yes, sir.

1 MAYOR STACK: Get Mr. Gonzalez a copy
2 and --

3 MR. GONZALEZ: Sure.

4 MAYOR STACK: -- Christine a copy.

5 LIEUTENANT LOACES: Yes, sir.

6 MS. VANEK: Okay.

7 And then for the -- for clarity of the
8 record, Mr. Gonzalez, if you could just give
9 photocopies of the photographs that were taken,
10 as well as a revised sketch?

11 MR. GONZALEZ: Okay.

12 And maybe I can give new photographs of
13 what it looks like --

14 MAYOR STACK: Right.

15 MR. GONZALEZ: -- inside now.

16 MAYOR STACK: Right.

17 MS. VANEK: So, Mayor, do you want to
18 entertain a motion to table decision --

19 MAYOR STACK: Yes.

20 MS. VANEK: -- or table hearing?

21 MAYOR STACK: I'll make a motion.

22 COMMISSIONER FERNANDEZ: Second.

23 MAYOR STACK: I'd like to thank everyone
24 for being here this evening. Thank you to the
25 residents that took time out of their evening

1 | tonight to be here.

2 | Thank you to all.

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

5 | COMMISSIONER FERNANDEZ: Second.

6 | MR. GONZALEZ: Oh, -- I'm sorry. Is there
7 | a new date?

8 | MS. VANEK: Mayor, do you want to consider
9 | it at your next Commissioner meeting or --

10 | MAYOR STACK: When is that?

11 | MS. VANEK: That's July 1st.

12 | ACTING CITY CLERK: First.

13 | MS. VANEK: Six o'clock. An early meeting
14 | before you have July 4th festivities afterwards.

15 | MAYOR STACK: And then when would be the
16 | next meeting after that?

17 | ACTING CITY CLERK: The 15; 14 or 15, 15.

18 | MS. VANEK: Would be the 15th.

19 | ACTING CITY CLERK: Yeah.

20 | MAYOR STACK: Just it depends on when I get
21 | the reports and everything. If I could get an
22 | opportunity to look through everything.

23 | Will you -- maybe you could be in contact
24 | with Mr. Gonzalez and let him know?

25 | If I can get those reports in the next day

1 or two, --

2 MS. VANEK: Okay.

3 MAYOR STACK: -- we'll put it on the 1st.

4 MS. VANEK: We'll notify you.

5 COMMISSIONER RIVAS: Second.

6 ACTING CITY CLERK: Motion by Mayor Stack.

7 COMMISSIONER FERNANDEZ: Second.

8 ACTING CITY CLERK: Second by Commissioner
9 Fernandez.

10 Roll call.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 ACTING CITY CLERK: Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 ACTING CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 ACTING CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 ACTING CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

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25 **ADJOURNMENT:**

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ACTING CITY CLERK: There's no other item
on the agenda.

Is there a motion to adjourn?

MAYOR STACK: Motion.

COMMISSIONER FERNANDEZ: Second.

ACTING CITY CLERK: Motion made by Mayor
Stack.

COMMISSIONER FERNANDEZ: Second.

ACTING CITY CLERK: Second by Commissioner
Fernandez.

MAYOR STACK: Thank you very much.

ACTING CITY CLERK: All in favor?

(Whereupon, there was a chorus of ayes.)

COMMISSIONER RIVAS: Against?

Nobody.

MAYOR STACK: Thank you, everyone. Thank
you very much. Have a good night.

Thank you very much, Mr. Perez.

Thank you.

(Whereupon, the proceedings were concluded
at 9:32 p.m.)

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

6 **Board of Commissioners**

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8 **Attest:**

9 **Dominick Cantatore**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

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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 SPECIAL
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Monday, June 23, 2014, and digitally
10 recorded.

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25 Monitored by and Proofread by: Deborah Dillon