

SPECIAL MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS

Friday, September 26, 2014
Commencing at 1:18 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: MONICA E. de los RIOS, ESQ.
Corporation Counsel

SUSAN COLDITZ, CHIEF FINANCIAL OFFICER

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

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

MESSRS. GONZALEZ & CARIDE
BY: MARLENE CARIDE, ESQ.,
Attorney for El Idolo LLC t/a Angelo's Café

LUIS E. DIAZ, ESQ.
Attorney for Manhattan Bar & Grill

EIKE E. PANEQUE, ESQ.
Attorney for La Herradura, Inc.

ALAIN MULKAY, ESQ.
Attorney for Il Paradiso Corp.

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
PLEDGE OF ALLEGIANCE	5
ROLL CALL	6
CONSENT AGENDA	6
ORDINANCE FOR INTRODUCTION	10
REGULAR AGENDA	11
 LIQUOR LICENSE TRANSFER HEARING EL IDOLO LLC t/a ANGELO'S CAFÉ	 18, 23
 OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	 21
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	28
ADJOURNMENT	72

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

I N D E X

Pupusa No. 2 Inc. t/a Pupusa Loca

WITNESS

PAGE

DETECTIVE DAVID DUNLAY (Not Sworn) 37

E X H I B I T S

NO.

DOCUMENT

PAGE

P-1	Police Report, 3 pages,	
	dated 9/22/14	42
P-2	Photo Package	42

1 ACTING CITY CLERK: This is a Special
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Friday, September
4 26th, 2014, one p.m., at the William V. Musto
5 Cultural Center, 420 15th Street, Union City, New
6 Jersey.

7 Everyone please rise for the Pledge of
8 Allegiance.

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 setting forth the
19 time, date, location, and the agenda, to the
20 extent known, was forwarded to The Jersey
21 Journal, The Record, and The Hudson Reporter, has
22 been posted on bulletin board in City Hall and
23 has been made available to the public in the
24 office of the 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 **CONSENT AGENDA:**

17

18 1. Resolution Approving Contract with CCMSI
19 for Administration of Tail Workers Compensation
20 Claims

21 2. Resolution Approving the Award of a
22 Contract to James Coviello as Chief Municipal
23 Prosecutor

24 3. Resolution Authorizing the Award of
25 Contracts for Public Defender

1 4. Resolution Authorizing the Award of a
2 Contract to V.E. Ralph & Sons Inc. for Medical
3 Supplies EMS-2014

4 5. Resolution Amending Resolution Approving
5 Appointments of Substitute Municipal Prosecutor

6 6. Resolution Authorizing Approval to Submit a
7 Grant Application with the New Jersey Department
8 of Transportation for the Summit Avenue Section 4
9 Roadway Improvement Project

10 7. Any other matter of City business that may
11 arise

12

13 ACTING CITY CLERK: First item is the
14 Consent Agenda. There are six items on the
15 Consent Agenda.

16 The first item is a Resolution Approving
17 Contract with CCMSI for Administration of Tail
18 Workers Compensation Claims.

19 Second item.

20 Resolution Approving the Award of a
21 Contract to James Coviello as Chief Municipal
22 Prosecutor.

23 Item three.

24 Resolution Authorizing the Award of
25 Contract for Public Defender.

1 Item four.

2 Resolution Authorizing the Award of a
3 Contract to V.E. Ralph and Sons Inc. for Medical
4 Supply EMS-2014.

5 Item five.

6 Resolution Amending Resolution Approving
7 Appointments of Substitute Municipal Prosecutor.

8 Item six.

9 Resolution Authorizing Approval to Submit a
10 Grant Application with the New Jersey Department
11 of Transportation for the Summit Avenue Section 4
12 Roadway Improvement Project.

13 Mayor, do you wish to take public comment
14 on --

15 MAYOR STACK: Sure.

16 ACTING CITY CLERK: -- any of the items?

17 MAYOR STACK: Anyone wishing to comment on
18 the Consent Agenda, please step forward at this
19 Special Public Meeting.

20 Seeing no one.

21 ACTING CITY CLERK: Motion?

22 MAYOR STACK: Motion.

23 COMMISSIONER RIVAS: Second.

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

1 Second by Commissioner Rivas.

2 Roll call.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 ACTING CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

7 ACTING CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner

10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 ACTING CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14 ACTING CITY CLERK: Is there a motion to

15 approve all items on the Consent Agenda?

16 MAYOR STACK: Motion.

17 ACTING CITY CLERK: Motion made by Mayor

18 Stack.

19 COMMISSIONER RIVAS: Second.

20 ACTING CITY CLERK: Second by Commissioner

21 Rivas.

22 Roll call.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 ACTING CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 ACTING CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 ACTING CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Yes.

7 ACTING CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9

10 **ORDINANCE(S) FOR INTRODUCTION:**

11

12 1. State Fiscal Year 2015 Ordinance to Exceed
13 the Municipal Budget Appropriation Limits and to
14 Establish a Cap Bank (N.J.S.A. 49A:4-45.14)

15

16 ACTING CITY CLERK: Next item is an
17 Ordinance for Introduction.

18 This Ordinance will be further considered
19 at a meeting of the Board of Commissioners to be
20 held on November 5th, 2014, at seven p.m. at the
21 Islamic Education Center, 4613 Cottage Place,
22 Union City, New Jersey.

23 This Ordinance is the State Fiscal Year
24 2015 Ordinance to Exceed the Municipal Budget
25 Appropriation Limits and to Establish a Cap Bank.

1 Is there a motion to introduce?

2 MAYOR STACK: Motion.

3 COMMISSIONER MARTINETTI: Second.

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

6 Second by Commissioner Martinetti.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: 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. Introduction of Municipal Budget for State
23 Fiscal Year 2015

24

25 ACTING CITY CLERK: Next item is the

1 Regular Agenda.

2 We have Introduction of Municipal Budget
3 for State Fiscal Year 2015.

4 MS. de los RIOS: Mayor, for the record we
5 recommend certain recusals at this time. I would
6 like to read them onto the record -- into the
7 record.

8 MAYOR STACK: Sure.

9 MS. de los RIOS: As to Commissioner
10 Martinetti, we recommend that she recuse herself
11 from all aspects of the budget that relate to the
12 Board of Education, the County of Hudson, the
13 Hudson County Improvement Authority, the Union
14 City Construction Department, the Union City
15 Housing Authority, the Uniform Construction Code,
16 and the North Hudson Regional Fire and Rescue,
17 including but not limited to the following items:

18 Number one, on sheet 6, Uniform
19 Construction Code.

20 Sheet 7, Interlocal Agreements with the
21 Board of Education.

22 Sheet 9, the Hudson County Justice
23 Assistance Grant.

24 Sheet 9a, the Hudson County Open Space
25 Grant Ellsworth Park Improvements.

1 Sheet 11, Uniform Construction Code and the
2 Local District School Tax.

3 Sheet 15b, School Crossing Guards, Salaries
4 and Wages, Other Expenses, Interlocal Agreement.

5 Sheet 15d, Interlocal Agreements with the
6 Board of Education.

7 Sheet 15e, Interlocal Agreements with the
8 Board of Education.

9 Sheet 16, the whole sheet.

10 Sheet 20, Contribution to the North Hudson
11 Regional Fire and Rescue, Joint Meeting.

12 Sheet 22, the whole sheet.

13 Sheet 24, County Grant.

14 Sheet 24a, Hudson County Open Space,
15 Ellsworth Park Improvements.

16 Sheet 27, the HCIA appropriations.

17 Sheet 29, the whole sheet.

18 And sheet 30, Uniform Construction Code and
19 the Local District School Purposes.

20 However, under the Doctrine of Necessity,
21 Commissioner Martinetti should vote yes on all
22 the Board of Education line items.

23 For Commissioner Fernandez; we recommend
24 that he recuse himself from all aspects of the
25 budget that relate to the Board of Education, the

1 Grace Theater, and the Union City Redevelopment
2 Agency as follows:

3 Sheet 5, the item Additional School Aid.

4 Sheet 7, Interlocal Agreements with the
5 Board of Education.

6 Sheet 11, Local District School Tax.

7 Sheet 15b, School Crossing Guards, Salaries
8 and Wages, Other Expenses, -- and the
9 Contribution to the Union City Redevelopment
10 Agency.

11 Sheet 15d, Interlocal Agreement with the
12 Board of Education.

13 Sheet 15e, Interlocal Agreements with the
14 Board of Education.

15 Sheet 22, the whole sheet.

16 Sheet 29, the whole sheet.

17 And sheet 30, the Local District School
18 Purposes.

19 With respect to Commissioner Rivas, we
20 recommend that he recuse himself from all aspects
21 of the budget that relate to the County of Hudson
22 and the Hudson County Improvement Authority, as
23 follows:

24 Sheet 9, the Hudson County Justice
25 Assistance Grant.

1 Sheet 9a, the Hudson County Open Space
2 Grant Ellsworth Park.

3 Sheet 24, County Grant and the Hudson
4 County Open Space.

5 Sheet 24a, Hudson County Open Space,
6 Ellsworth Park Improvements.

7 And Sheet 27, the HCIA appropriations.

8 And lastly with respect to Commissioner
9 Valdivia, we recommend that he recuse himself
10 from all aspects of the budget that relate to the
11 Union City Board of Education, including but not
12 limited to:

13 Sheet 7, the Interlocal Agreements with the
14 Board of Education.

15 Sheet 11, Local District School Tax.

16 Sheet 15b, School Crossing Guards, Salaries
17 and Wages, Other Expenses, Interlocal Agreement.

18 Sheet 15e, Interlocal Agreements with the
19 Board of Education.

20 Sheet 22, the whole sheet.

21 And sheet 30, Local District School
22 Purposes.

23 However, under the Doctrine of Necessity,
24 Commissioner Valdivia should vote yes on all
25 Board of Education matters.

1 ACTING CITY CLERK: Is there a motion?

2 MAYOR STACK: There is. Just before we --
3 just before I move it, just -- this is only the
4 introduction and we'll be having a public hearing
5 on this. We're doing it at this time now just so
6 we can get the budget introduced.

7 Susan Colditz has advised us -- our Chief
8 Financial Officer -- and that's the reason we're
9 doing it today at this time.

10 I'll move it.

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

13 COMMISSIONER MARTINETTI: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Martinetti.

16 Roll call.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: With the exception
19 of the recusals, yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: I recuse as the
22 counsel recommended; otherwise, yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Recuse on what the
25 counsel recommended; yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: Yes with all the
4 recusals noted.

5 MAYOR STACK: Thank you, Henry.

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1 **LIQUOR LICENSE TRANSFER HEARING CONTINUATION:**

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

7

8 ACTING CITY CLERK: The next item is a
9 Liquor License Transfer Hearing Continuation.

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

15 MAYOR STACK: Okay

16 Who's involved in this?

17 Is Greg Farmer involved in this?

18 ACTING CITY CLERK: Greg Farmer.

19 Greg?

20 MAYOR STACK: Mr. Farmer?

21 Is Greg around today?

22 MS. de los RIOS: He is.

23 ACTING CITY CLERK: Yeah, he's around.

24 MAYOR STACK: Is the applicant represented
25 by an attorney?

1 MS. de los RIOS: Yes.

2 MAYOR STACK: Okay and who's their
3 attorney?

4 MS. de los RIOS: Marlene Caride.

5 MAYOR STACK: Okay. I got it.

6 MS. de los RIOS: Who is coming in right
7 now with Greg.

8 MAYOR STACK: Hi.

9 MS. CARIDE: Good afternoon, --

10 MAYOR STACK: Good afternoon.

11 MS. CARIDE: -- Mayor, members of the
12 council.

13 Mayor, Marlene Caride of Gonzalez and
14 Caride on behalf of the place to place transfer
15 for El Idolo.

16 I was just speaking with Mr. Farmer
17 outside. I've spoken with the counsel for the
18 Board. We're trying -- I need to speak with my
19 client with maybe a possible resolution that
20 might be comfortable for Mayor and Council, --

21 MAYOR STACK: Okay.

22 MS. CARIDE: -- as well as for my client's
23 ability to run a -- continue to a run a business
24 here in town.

25 MAYOR STACK: Good.

1 MS. CARIDE: So if I can have a few more
2 minutes?

3 MAYOR STACK: Sure. Absolutely.

4 MS. CARIDE: Oh and if I may, for the
5 record, Ray Gonzalez has been retained by Caribe
6 Club; just to enter our appearance and --

7 MAYOR STACK: Absolutely.

8 MR. FARMER: That's one of the matters on
9 the calendar and when we got up to that I was
10 going to advise you Mr. Gonzalez is --

11 MAYOR STACK: Absolutely.

12 MR. FARMER: -- now involved ask for an
13 adjournment.

14 MAYOR STACK: You know what we'll do?

15 We'll take ten minutes. We'll take any
16 public comment; then we'll take ten minutes. All
17 right?

18 MS. CARIDE: Thank you very much, Mayor.

19 MAYOR STACK: You need more time than that?

20 MS. CARIDE: No, that should be --

21 MAYOR STACK: No?

22 MS. CARIDE: -- that should be good.

23 MAYOR STACK: Okay.

24 MS. CARIDE: Thank you, Mayor.

25 MAYOR STACK: Very good.

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

2

3 MAYOR STACK: Okay, anyone at this time
4 wishing to address the Board of Commissioners,
5 please step forward, state your name and address
6 for the record?

7 Okay, seeing none.

8 ACTING CITY CLERK: Is there a motion --
9 motion to close the public comment portion of the
10 meeting?

11 COMMISSIONER RIVAS: Motion.

12 ACTING CITY CLERK: Motion made by --

13 COMMISSIONER FERNANDEZ: Second.

14 ACTING CITY CLERK: -- Commissioner Rivas.

15 Second 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 We'll take ten minutes. All right?

4 ACTING CITY CLERK: Ten minute recess.

5 MAYOR STACK: Thank you, everyone.

6

7 (Whereupon, the Board recessed from 1:28
8 p.m. to 1:50 p.m.)

9

10 (Whereupon, Commissioner Valdivia stepped
11 out of the meeting at 1:50 p.m.)

12

13 ACTING CITY CLERK: We're back on the
14 record.

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LIQUOR LICENSE TRANSFER HEARING CONTINUATION:

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

MS. CARIDE: Again, Mayor, for the record,
Marlene Caride of Gonzalez and Caride, on behalf
of El Idolo. It's a transfer of the liquor
license from place to place.

I had an opportunity to speak to counsel
for the Board, as well as to Mr. Farmer who's the
ABC Prosecutor and I believe that we may have
reached a solution to this matter that might be
feasible and possible for Mayor and Council to
approve.

My client would open his restaurant;
however, he would have to close by midnight.
He's open from Monday to Sunday; closing would be
at midnight, with the matter to be revisited at
the end of the year when he renews his license.

If there are no further complaints that he
could then at that point, obviously at the
discretion of the Mayor and Board, pursue the

1 business till normal closing time.

2 MAYOR STACK: And what would those times
3 be?

4 Greg, you want to read them into the
5 record?

6 MR. FARMER: Yes. The agreed upon closing
7 is that there would not be any alcohol served
8 after 12 and indeed the business itself would not
9 operate at 12.

10 It's a bar/restaurant. And the hours will
11 be till 12 o'clock, at which time the restaurant
12 will be closed, everything -- and the bar will be
13 closed, everything will be closed.

14 And then next year the licensee, depending
15 on what the circumstances are when it's renewed
16 before the Board again, can make application to
17 either eliminate the closing time, expand them,
18 reduce them or whatever. But this --

19 MAYOR STACK: And the exact location of the
20 establishment?

21 Just to read into the -- what's their --

22 MS. CARIDE: Yes. The exact location is
23 4215 Park Avenue --

24 MAYOR STACK: Okay.

25 MS. CARIDE: -- here in town.

1 MAYOR STACK: Okay, I just want to make
2 sure. We've had major issues with the place in
3 the past up there. No -- no hanging around
4 outside.

5 Those front doors -- those patio doors that
6 they have, those French doors, cannot remain open
7 when the --

8 Remain sure in the rear -- and that's where
9 I think most of the complaints come with the
10 noise -- if there's any windows, those are kept
11 closed at all times. Because the sound obviously
12 carries up and there's apartment buildings in
13 that immediate vicinity right around there.

14 MS. CARIDE: Just for my clarification, the
15 patio windows that lead to the sidewalk, would
16 they be able to have dinner there during the
17 normal hours, early hours? Or do you just want
18 them to be closed period?

19 MAYOR STACK: I think it would be closed.

20 MS. CARIDE: Okay.

21 MAYOR STACK: Because I don't think we have
22 dining anymore on -- I don't -- I think the
23 Ordinance pretty much expired about outdoor
24 dining.

25 MS. CARIDE: Okay.

1 MAYOR STACK: So, if they --

2 MS. CARIDE: Okay.

3 MAYOR STACK: -- could keep them closed.

4 MS. CARIDE: Okay.

5 MAYOR STACK: We have an Ordinance in the
6 City that all the liquor establishments have to
7 keep their front door closed and this would
8 apply.

9 MS. CARIDE: Very well. Very well.

10 MAYOR STACK: Okay.

11 MS. CARIDE: Close the windows.

12 MAYOR STACK: With the conditions, I'll
13 move it.

14 ACTING CITY CLERK: Motion --

15 MS. CARIDE: Thank you, Mayor.

16 ACTING CITY CLERK: Motion made by Mayor
17 Stack.

18 COMMISSIONER FERNANDEZ: Second.

19 ACTING CITY CLERK: Second by Commissioner
20 Fernandez.

21 Roll call.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 ACTING CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 ACTING CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6 MAYOR STACK: Thank you very much.

7 MS. CARIDE: Do we need --

8 Well, okay, we're good.

9 Thank you very much, Mayor.

10 MAYOR STACK: Thank you.

11 Thank you.

12 MS. CARIDE: All right, Greg.

13 MR. FARMER: Okay.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. Azucar Club, Inc. t/a Azucar Club, 421 43rd
4 Street, Liquor License No. 0910-33-003-007

5 2. La Herradura, Inc. t/a La Herradura, 414
6 24th Street, Liquor License No. 0910-33-117-005

7 3. Caribe Club Restaurant, Inc. t/a Caribe
8 Club, 727 24th Street, Liquor License No.
9 0910-33-210-005

10 4. Luna, Inc. t/a La Estrella De Mexico, 2421
11 West Street, Liquor License No. 0910-33-164-005

12 5. California Café Corp. 2002 Bergenline
13 Avenue, Liquor License No. 0910-33-021-008

14 6. Il Paradiso Corp. t/a Il Paradiso, 1108
15 Summit Avenue, Liquor License No. 0910-33-103-002

16 7. Los Laureles Liquors t/a Los Laureles
17 Liquors, 4625 Broadway, Liquor License No.
18 0910-44-026-011

19 8. R.G. Miranda Corp. t/a El Cuco, 516 Kennedy
20 Boulevard, Liquor License No. 0910-33-141-005

21 9. Pupusa No. 2 Inc. t/a Pupusa Loca, 4709-11
22 Bergenline Avenue, Liquor License No.
23 0910-33-174-006

24 10. Park Avenue Bar & Grill, LLC t/a Park
25 Avenue Bar & Grill, 3417 Park Avenue, Liquor

1 License No. 0910-33-119-004

2 11. Manhattan Bar & Grill, 1711 Manhattan
3 Avenue, Liquor License No. 0910-33-188-004

4

5 ACTING CITY CLERK: Next on the agenda we
6 have Liquor License Disciplinary Proceedings.

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1 **MANHATTAN BAR & GRILL, 1711 Manhattan Avenue,**
2 **Liquor License No. 0910-33-188-004:**

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4 MR. FARMER: What we can do really I'd like
5 to deal with 1711 Manhattan Avenue, the renewal,
6 since we're on renewals.

7 MAYOR STACK: How are you, Mr. Diaz?

8 MR. DIAZ: Good afternoon.

9 (Whereupon, there was a pause in the
10 proceedings.)

11 MR. FARMER: This is the continuation of
12 the renewal application of Manhattan Bar and
13 Grill at 1711 Manhattan Avenue.

14 Gregory Farmer appearing on behalf of the
15 ABC Board.

16 MR. DIAZ: And Luis Diaz appearing on
17 behalf of the licensee.

18 MR. FARMER: Let the record reflect that
19 Detective Lieutenant Loaces of the Union City
20 Police Department is present, as well as I
21 understand the licensee.

22 I've had an opportunity to have some
23 conferences with counsel for the licensee, as
24 well as -- as well as Detective Loaces. And
25 there's two parts that I want to address.

1 The first part is the matter came before
2 the Board and it dealt with the woman who is here
3 today as being -- running the business and she
4 was not the licensee. Licensee was in Florida.
5 She had some kind of financial arrangement with
6 him and she was running the business.

7 Okay?

8 The State came in and alleged a violation,
9 along with a number of paper violations.

10 I would think it would be in our best
11 interest just to let the State take care of what
12 the State is taking care of and I will, as
13 always, write a letter to the State indicating
14 that any suspension that they should come to
15 after completion of their investigation be a
16 suspension of days and not be a fine. But that's
17 up to the State.

18 Moving back to the licensee, the licensee
19 who is here today -- or -- and she's not really
20 the licensee, the applicant for the licensee, has
21 apparently filed everything with the City of
22 Union City and it's on its pathway to approval.

23

24 (Whereupon, Commissioner Valdivia rejoined
25 the meeting at 1:55 p.m.)

1

2 MR. FARMER: The woman does not appear to
3 be in any way ineligible, so it will just be a
4 question of time and she will be -- then become
5 the licensee.

6

7 Now having said that we still come back to
8 what has brought the matter before the Board --
9 before we got involved with who owns the license
10 or who's running the license -- is the noise.
11 And the noise was a situation that plagued that
12 community for a while.

12

13 We decided not to try to pursue that on a
14 disciplinary basis but rather a wait time when
15 the license was going to be renewed because
16 there's a great difference in the standards of
17 proof.

17

18 Now they come for the renewal and it's my
19 understanding that dealing with the noise
20 complaint the offer on the proposal, which would
21 be again all of these conditions are a one year
22 condition because every year the license gets
23 renewed and applicant can make an application or
24 the Police can make an application to make it
25 better, worse or stay the same.

25

But right now -- and, again, Lieutenant

1 Detective Loaces was very helpful and was great
2 assistance in coming up with hours and things
3 like that.

4 Basically, we're -- they're proposing that
5 from Monday to Thursday that there be no music
6 after 10:30.

7 What that gets us around is, oh, it wasn't
8 loud; it was loud. Maybe it was too loud; maybe
9 it wasn't too loud.

10 Here if they're playing Johnny Mathis,
11 okay, after 10:30 it's a violation.

12 On the weekends, Friday and Saturday, it
13 would be 12 o'clock; and on Sunday it would be 11
14 o'clock. That's when music ends.

15 So with those -- that condition on the
16 hours, --

17 And one other thing, on New Year's that
18 they could stay open till 12 o'clock.

19 MR. DIAZ: New Year's Eve.

20 MR. FARMER: New Year's Eve. From 10:30.

21 MAYOR STACK: Okay.

22 MR. FARMER: Which I think is pretty
23 reasonable.

24 MAYOR STACK: Okay.

25 MAYOR STACK: Mr. Diaz?

1 MR. DIAZ: Yes. I have spoken with the
2 licensee. She has a management agreement with
3 the license holder. The license holder is very
4 sick; cancer in the -- intestine and has made an
5 arrangement with the lady sitting to my left.
6 Not only for the management, for also to sell the
7 business to her.

8 MR. FARMER: Let me just interrupt you and
9 ask you a question.

10 She has filed an application --

11 MR. DIAZ: Correct.

12 MR. FARMER: -- for --

13 Okay.

14 MR. DIAZ: Correct.

15 She has filed the application; fingerprints
16 taken; everything is in. Just waiting for this
17 matter to be resolved in order for the process to
18 continue.

19 And we are in agreement with the schedule.
20 She has voluntarily kept this schedule since the
21 last time that we were here, which was in the
22 beginning of August I believe and we have not had
23 any complaints. We believe that it's manageable
24 and there will be no problem from here on.

25 MAYOR STACK: Have there been anymore --

1 Lieutenant, has there been anymore trouble
2 at the establishment since she's kept those hours
3 and since we were --

4 LIEUTENANT LOACES: No there --

5 MAYOR STACK: -- last here?

6 LIEUTENANT LOACES: -- there have not.

7 MAYOR STACK: All right, good. That's good
8 sign.

9 Good.

10 Okay, with the conditions, I'll make a
11 motion to approve.

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

14 COMMISSIONER RIVAS: Second.

15 ACTING CITY CLERK: Second by Commissioner
16 Rivas.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 COMMISSIONER FERNANDEZ: Commissioner
23 Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 MS. de los RIOS: Recusing.

3 ACTING CITY CLERK: Commissioner Martinetti
4 recusing.

5 MS. de los RIOS: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8 MR. FARMER: Okay, that's it.

9 MR. DIAZ: Very good.

10 MAYOR STACK: Thank you very much. Thank
11 you.

12 MR. DIAZ: Thank you. Have a good --

13 MAYOR STACK: Thank you, good luck.

14 MR. DIAZ: -- afternoon and a good weekend.

15 MAYOR STACK: Thank you.

16 Thank you very much. You, too.

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1 PUPUSA NO. 2 INC. t/a PUPUSA LOCA, 4709-11
2 Bergenline Avenue, Liquor License No.
3 0910-33-174-006:
4

5 MR. FARMER: I know I'm going to be
6 skipping around here but I just want to take --
7 because Detective Dunlay has a commitment. This
8 is -- this is Pupusa.

9 Right?

10 DETECTIVE DUNLAY: Yeah, I don't know if
11 they're here.

12 MR. FARMER: They're not here.

13 DETECTIVE DUNLAY: Okay.

14 MR. FARMER: I just -- basically, this is
15 Pupusa Number 2, 4709-11 Bergenline Avenue.

16 This matter was before you. It was a noise
17 complaint. You had instructed Detective Dunlay
18 to go to the premises to see and check on the
19 soundproofing that the licensee said that he did.

20 Now, I spoke to the licensee, Detective
21 Dunlay spoke to the licensee to be here; the
22 licensee's not here right now. So I don't know
23 what we can do without him.

24 However, I think Detective Dunlay ought to,
25 at this moment in time, be able to report back to

1 you --

2 MAYOR STACK: I agree.

3 MR. FARMER: -- what he found.

4 MAYOR STACK: We all told him at the
5 meeting too that night.

6 MR. FARMER: Yes.

7 MAYOR STACK: We put it on the record even
8 we told him.

9 DETECTIVE DUNLAY: And when I did the
10 inspection on Monday I told him I'd see him at
11 one o'clock.

12 MAYOR STACK: Okay.

13 DETECTIVE DUNLAY: But I do believe there
14 was a problem with paperwork that was sent over.
15 I think there was a time --

16 Yeah.

17 MR. FARMER: There was a typo. In the
18 letter that Mr. Sapienza sent out there was a
19 typo -- said 6:30, rather than one. But I
20 contacted everybody.

21 MAYOR STACK: Six-thirty at night?

22 MR. FARMER: Yeah.

23 MAYOR STACK: Yeah, no, let's --

24 MR. FARMER: It was just a typo. It was
25 just a --

1 MAYOR STACK: Let's reschedule that for the
2 next meeting then. Let's reschedule that just --
3 because --

4 MR. FARMER: Okay.

5 MAYOR STACK: -- it's a big difference in
6 timeframe.

7 COMMISSIONER MARTINETTI: Do we want to
8 listen to his report?

9 MAYOR STACK: Yeah, we'll listen -- we'll
10 hear the report, --

11 MR. FARMER: Yes.

12 MAYOR STACK: -- absolutely.

13 MR. FARMER: Go ahead.

14 DETECTIVE DUNLAY: We did an inspection on
15 Monday at around 5:30.

16 MS. DILLON: Keep your voice up, Detective.

17 DETECTIVE DUNLAY: I'm sorry.

18 And during that inspection the claims that
19 Mr. Arias was making at that time, he stated
20 that, you know, there was major improvements done
21 to soundproof it. We didn't know -- we didn't
22 know -- we didn't find any major improvements.
23 What we found was a two inch piece of styrofoam
24 that was used to cover a window for the kitchen
25 on the second floor.

1 He alleged that a wall was built on -- over
2 the glass covering, which was -- used to be a
3 glass wall. He said he built -- you know, major
4 installation. There was -- it looked like an old
5 wall to me. It look like it was constructed just
6 of sheetrock. I couldn't tell you, you know,
7 what's behind it. He had no permits for anything
8 to that effect -- or any receipts saying what he
9 used.

10 Additionally, there was -- we noticed on
11 the second floor, the whole floor is a metal
12 construction ceiling. And the problem with that
13 is his base -- the biggest problem with that is
14 their base. And their base resounds onto the 500
15 block of 47th Street, the 500 block of 48th Street
16 and the municipal lot behind it. Now that noise
17 obviously travels.

18 He made some claims that, you know, we
19 changed the amplification of the base system for
20 the deejay equipment.

21 He made us take -- we took actually photos,
22 which I'll show you -- which I'll pass it around
23 to the Board now.

24 But there was -- like I stated, there's no
25 real major improvements that I saw done.

1 We did a check in the computer system for
2 calls for service regarding any noise. Now since
3 June 22nd, since the date of that incident where
4 this -- why we're here before the Board, there's
5 only been one complaint for noise, which was
6 corrected. And that was at approximately nine
7 o'clock at night. Other than that there's been
8 no other calls for service regarding any noise
9 complaints.

10 I'll just pass along the photographs.

11 (Whereupon, photographs were provided to
12 the Board for review.)

13 DETECTIVE DUNLAY: Can we enter the report?
14 Just a copy of the report stating the
15 observations made.

16 MS. de los RIOS: You want to enter the
17 report as well?

18 DETECTIVE DUNLAY: If we could. Or the CD,
19 whichever -- whichever's easier.

20 MS. DILLON: So the report dated 9/22 --

21 DETECTIVE DUNLAY: Yes.

22 MS. DILLON: -- will be marked.

23 How do you want it designated, Mr. Farmer?

24 MR. FARMER: P-1.

25 MS. DILLON: Okay.

1 So the report is P-1.

2

3 (Whereupon, Police Report, 3 pages, dated
4 9/22/14 was received and marked as Exhibit P-1.)

5

6 MR. FARMER: Let me see this. What are
7 these, more reports?

8 DETECTIVE DUNLAY: No, that's just the
9 inspection report.

10 MR. FARMER: Of this?

11 DETECTIVE DUNLAY: Yes.

12 MS. DILLON: Detective, do you know how
13 many photographs there are, because I'll mark it
14 as one package.

15 DETECTIVE DUNLAY: I'd be lying to you; I
16 couldn't tell you --

17 MS. DILLON: Okay, I'll count them when
18 they're done.

19 That will be P-2, --

20 MR. FARMER: Yes.

21 MS. DILLON: -- the photo package.

22 MR. FARMER: Okay.

23

24 (Whereupon, Photo Package was received and
25 marked as Exhibit P-2.)

1 (Whereupon, there was a pause in the
2 proceedings.)

3

4 MAYOR STACK: How many people can this
5 establishment hold?

6 DETECTIVE DUNLAY: I believe it's a hundred
7 and ninety; if I'm correct.

8 I'm not a hundred percent certain though,
9 Mayor.

10 MAYOR STACK: What is it, first and second
11 floor.

12 Right?

13 DETECTIVE DUNLAY: First and second floor,
14 yes.

15 MAYOR STACK: Wow.

16 How long have they been there, Greg, this
17 establishment?

18 MR. FARMER: It's been there a while.

19 MAYOR STACK: I know a long, long time
20 but --

21 MR. FARMER: Yeah.

22 DETECTIVE DUNLAY: Oh, no, absolutely.

23 MR. FARMER: As long as I can remember.

24 DETECTIVE DUNLAY: Well at the end of the
25 meeting with Mr. Arias, after the inspection, you

1 know he's still showing me all the improvements
2 that he's made and everything else and he was
3 advised that at the end of the day the ultimate
4 responsibility lies on him. If the noise could
5 be -- he could have all the equipment in the
6 world, you know, all he'd have to do is lower the
7 volume and we wouldn't have these problems.

8 MAYOR STACK: Okay.

9 MS. DILLON: Mr. Farmer, can I just see the
10 report for one second?

11 MR. FARMER: Hmm?

12 MS. DILLON: Could I see that report --

13 DETECTIVE DUNLAY: Report.

14 MS. DILLON: -- I just marked for one
15 second?

16 (Whereupon, there was a pause in the
17 proceedings.)

18 MAYOR STACK: So we'll put him on, what,
19 for the next Commission Meeting?

20 MR. FARMER: Sixth. Okay?

21 MAYOR STACK: That's on Monday.

22 MR. FARMER: Yes, I know that.

23 MAYOR STACK: We moved it from Tuesday to
24 Monday.

25 MR. FARMER: I know that. I know that.

1 And I'll send him something and --

2 DETECTIVE DUNLAY: I'm in tonight; I'll see
3 him tonight.

4 MR. FARMER: Okay.

5 DETECTIVE DUNLAY: So, the 6th.

6 MR. FARMER: Give him a copy of your
7 report, too. Give him a copy of the report.

8 Okay, I'll hold onto this.

9 MAYOR STACK: Is at Monday the 6th, right?

10 MR. FARMER: Right.

11 MAYOR STACK: October the 6th?

12 MR. FARMER: Yeah.

13 ACTING CITY CLERK: Do you have a copy for
14 me?

15 MAYOR STACK: And where is that meeting?
16 Do we know, Greg?

17 ACTING CITY CLERK: Next month?

18 MR. FARMER: Where is it?

19 MAYOR STACK: The next Commission Meeting
20 is where, Dominick?

21 ACTING CITY CLERK: The next Commission
22 Meeting? Is Emerson.

23 MR. FARMER: Emerson.

24 MAYOR STACK: Emerson Middle School; that's
25 right. Seven o'clock, Monday; Monday the 6th.

1 MR. FARMER: Okay. All right. Okay.

2 Thanks.

3 DETECTIVE DUNLAY: All right?

4 Thank you.

5 MR. FARMER: All right.

6 DETECTIVE DUNLAY: Thank you.

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1 **AZUCAR CLUB, INC. t/a AZUCAR CLUB, 421 43rd**
2 **Street, Liquor License No. 0910-33-003-007:**

3

4 MR. FARMER: Azucar, if we go back to
5 the --

6 Because a lot of these may go off.

7 Azucar is represented by Mr. Diaz.

8 Apparently he just got in the case; he asked that
9 it be carried --

10 MAYOR STACK: That's going to be adjourned?

11 MR. FARMER: -- to the 6th.

12 Yes. To the 6th.

13 MAYOR STACK: Okay.

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1 **LA HERRADURA, INC. t/a LA HERRADURA, 414 24th**
2 **Street, Liquor License No. 0910-33-117-005:**

3

4 MR. FARMER: La Herradura.

5 MAYOR STACK: Good evening.

6 MS. PANEQUE: Good afternoon.

7 Eike Paneque, may it please the Board.

8 MS. DILLON: I'm sorry; I can't hear you.

9 MS. PANEQUE: Oh. Eike Paneque.

10 MS. DILLON: Do you have a card with you?

11 MS. PANEQUE: Eike.

12 MAYOR STACK: How you doing?

13 MS. PANEQUE: I don't. I'm sorry.

14 MR. FARMER: This is Gregory Farmer on
15 behalf of the Union City ABC Board.

16 This is La Herradura, Inc. And La
17 Herradura is at 414 24th Street.

18 The situation is that there was apparently
19 after closing something happened outside the bar,
20 a call to Police and somebody was assaulted and
21 was cut. Apparently the person who did this,
22 although the people were in the bar, there
23 doesn't seem to be any indication in speaking
24 with the bar personnel or the Police of any
25 involvement in the bar.

1 The episode outside is somewhat bizarre. A
2 guy came out and was chasing somebody around the
3 car. They were calling the Police, this, that or
4 the other thing. Police arrived. The guy was
5 very belligerent with the Police. Wound up
6 getting arrested.

7 There really is no nexus between -- other
8 than it happened in that locale. They looked at
9 the video, the video showed that nothing happened
10 inside. There was no indication and anybody
11 being over-served or intoxicated or all this.

12 It just seems that this person was a little
13 bit off and after the bar closed challenged
14 people outside. The Police were called. They
15 responded. That person even got into an incident
16 with the Police and got arrested.

17 And as far as the people being assaulted by
18 this person, it's my understanding that it went
19 to the municipal court and referred to the
20 Prosecutor's Office and that's where it is right
21 now.

22 There's no charge here that we legitimately
23 could sustain, so I would recommend that it be
24 dismissed.

25 MAYOR STACK: Okay.

1 I'll make a motion, on Mr. Farmer's
2 recommendation, to dismiss.

3 COMMISSIONER VALDIVIA: Second.

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

6 COMMISSIONER VALDIVIA: Second.

7 COMMISSIONER RIVAS: Second.

8 ACTING CITY CLERK: Second by Commissioner
9 Valdivia.

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.

22 MS. PANEQUE: Thank you very much.

23 MR. FARMER: Okay.

24 Good job.

25 MS. PANEQUE: Thank you.

1 MAYOR STACK: Thank you very much.

2 MS. PANEQUE: Thank you to the Board.

3 MAYOR STACK: Thank you.

4 Thank you.

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1 **CARIBE CLUB RESTAURANT, INC. t/a CARIBE CLUB, 727**
2 **24th Street, Liquor License No. 0910-33-210-005:**

3

4 MR. FARMER: Going down the list --

5 (Whereupon, there was a pause in the
6 proceedings.)

7 MR. FARMER: Going down the list, Caribe
8 Club. You just may recall that Ms. Caride had
9 indicated that Mr. Gonzalez just got involved in
10 the case. I just -- they delivered a letter to
11 me today, so I'm postponing that.

12 MAYOR STACK: That's on the 6th?

13 MR. FARMER: That will be on the 6th.

14 * * *

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16 **LUNA, INC. t/a LA ESTRELLA DE MEXICO, 2421 West**
17 **Street, Liquor License No. 0910-33-164-005:**

18

19 MR. FARMER: The same with number 4, Luna.

20 Luis Alum represents them.

21 Let me just make a comment on Luna.

22 The situation with Luna, he had previously
23 been -- just to give it a historical background.

24 As some of you may recall, was represented by Mr.

25 Bartel --

1 MAYOR STACK: I remember.

2 MR. FARMER: -- who was always here
3 advocating for this gentlemen.

4 So I would anticipate on the 6th that this
5 will be a trial, because he always had an excuse
6 about everything, so.

7 MAYOR STACK: This establishment -- on
8 Luna, --

9 MR. FARMER: This is a problem with --

10 MAYOR STACK: -- 2421 West Street, --

11 MR. FARMER: -- people hanging out.

12 MAYOR STACK: -- we're getting a lot of
13 complaints. A lot.

14 COMMISSIONER MARTINETTI: Yes.

15 MAYOR STACK: He's here right now.

16 But he's being represented by counsel
17 though, Greg, --

18 MR. FARMER: He's --

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

20 MR. FARMER: Okay.

21 MAYOR STACK: -- interview him or anything;
22 all right?

23 MR. FARMER: He's represented by Luis Alum.
24 I spoke to Mr. Alum.

25 MAYOR STACK: Just make sure that they're

1 here for the next meeting.

2 MR. FARMER: I will make --

3 MAYOR STACK: Because we're getting a lot
4 of complaints.

5 MR. FARMER: Okay. Okay.

6 COMMISSIONER VALDIVIA: Get a lot of
7 complaints --

8 MAYOR STACK: A lot.

9 MS. de los RIOS: Mayor, you --

10 MAYOR STACK: A lot.

11 MS. de los RIOS: -- you would like that
12 onto -- onto the October 6th meeting?

13 MAYOR STACK: Yeah. On the 6th meeting --

14 Let me just take a look at something one
15 minute.

16 The 6th meeting would be fine. Yeah.
17 We'll put them all on.

18 Even if we have to stay; everybody should
19 be prepared that night to stay late.

20 MR. FARMER: Okay.

21 ACTING CITY CLERK: Ten o'clock.

22 MAYOR STACK: So, ten, 11 o'clock on this
23 one.

24 * * *

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1 CALIFORNIA CAFÉ CORP., 2002 Bergenline Avenue,
2 Liquor License No. 0910-33-021-008:
3

4 MR. FARMER: California Café. I have yet
5 to speak to Sergeant Bergbauer.

6 So I'd like to carry that.

7 MAYOR STACK: Which one?

8 COMMISSIONER MARTINETTI: California.

9 MS. de los RIOS: California Café.

10 MAYOR STACK: Okay.

11 MR. FARMER: All right?

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1 IL PARADISO CORP. t/a IL PARADISO, 1108 Summit
2 Avenue, Liquor License No. 0910-33-103-002:

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4 MR. FARMER: Il Paradiso, --

5 MAYOR STACK: They're here.

6 MR. FARMER: They're here. They're here
7 but Officer Menendez --

8 MR. MULKAY: Mendoza.

9 MR. FARMER: Mendoza, I'm sorry.

10 Thank you.

11 MR. MULKAY: Good afternoon, --

12 MAYOR STACK: Good afternoon.

13 MR. MULKAY: -- Mayor and Council.

14 Alain Mulkay, M-U-L-K-A-Y, on behalf of Mr.
15 Contreras and Il Paradiso.

16 MAYOR STACK: What situation with Mendoza?

17 MR. FARMER: He's sick.

18 MAYOR STACK: Oh, he's sick?

19 MR. FARMER: Yeah.

20 MAYOR STACK: Okay. All right.

21 All right, we'll put that on also for the
22 6th.

23 MR. FARMER: Okay.

24 And that's at Emerson.

25 MAYOR STACK: Emerson Middle School.

1 MR. MULKAY: Emerson.

2 MAYOR STACK: But just do me a favor? Send
3 letters out anyway.

4 MR. FARMER: I will.

5 MR. MULKAY: Yeah.

6 MAYOR STACK: Monday morning get a letter
7 out to everybody.

8 MR. MULKAY: At what time?

9 COMMISSIONER MARTINETTI: Six.

10 MR. FARMER: Seven.

11 COMMISSIONER MARTINETTI: Oh, seven?

12 MR. FARMER: Six?

13 MAYOR STACK: No, no, no.

14 MR. MULKAY: I heard different hours, --

15 MAYOR STACK: Seven --

16 MR. MULKAY: -- that' why --

17 COMMISSIONER MARTINETTI: I'm sorry.

18 MR. MULKAY: I heard two different hours.

19 MAYOR STACK: Seven o'clock.

20 MR. MULKAY: Seven o'clock at night?

21 MAYOR STACK: Seven --

22 MR. MULKAY: We're going to have a couple
23 witnesses that night.

24 MR. FARMER: Okay.

25 MAYOR STACK: Yeah. That's fine.

1 MR. MULKAY: You should be aware.

2 All right.

3 MAYOR STACK: No problem at all.

4 MR. MULKAY: Okay.

5 MAYOR STACK: No problem.

6 MR. MULKAY: Okay.

7 MAYOR STACK: Thank you very much.

8 MR. MULKAY: Thank you.

9 MAYOR STACK: Thank you.

10 MR. MULKAY: Thank you.

11 MAYOR STACK: Have a nice weekend.

12 MR. MULKAY: You, too.

13 COMMISSIONER MARTINETTI: At seven.

14 (Whereupon, there was a pause in the
15 proceedings.)

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1 **LOS LAURELES LIQUORS t/a LOS LAURELES LIQUORS,**
2 **4625 Broadway, Liquor License No.**
3 **0910-44-026-011:**

4

5 MR. FARMER: This -- the next one on your
6 list is Los Laureles Liquor at 4625 Broadway.

7 Situation is that it was open after hours
8 and people were working there that didn't have
9 bar cards.

10 Detective Dunlay was the one involved. He
11 had to leave because he had some commitment at
12 2:30.

13 MAYOR STACK: No, he's here.

14 MR. FARMER: Is he still here?

15 MAYOR STACK: Sergeant Dunlay is here.

16 LIEUTENANT LOACES: And it was with me.

17 MR. FARMER: Oh. Yes. Was it you?

18 Okay. Come on.

19 MAYOR STACK: Yeah.

20 MR. FARMER: I'm sorry; I got my police
21 officers mixed up.

22 But in any event, as Detective Loaces will
23 probably tell you, --

24 MAYOR STACK: We don't see Dunlay; he works
25 nights. That's why we don't see him.

1 MR. FARMER: Okay.

2 The charges were it was open after hours.
3 Had a couple people working there without bar
4 cards or being on the E-141s.

5 In speaking with Detective Loaces and even
6 reading the reports, I got the impression that
7 this was probably due to inexperience, as opposed
8 to an attempt to violate the law.

9 But nevertheless, you know that could go to
10 mitigation but it doesn't get to an excuse.

11 The Police have spoken to him. I think all
12 the paperwork is order. The hours are okay. I
13 spoke to the licensee and advised him that this
14 place, historically, was a problem place.

15 MAYOR STACK: True.

16 MR. FARMER: And he told me that he was
17 aware of that and is -- aware of it and is going
18 to make sure things as far as proof of people
19 coming in to buy liquor will be checked.

20 Given the amount of the charges against
21 him, he and I spoke and we've come to -- because
22 he pleaded guilty to all these charges in
23 municipal court -- for a ten day suspension. And
24 that's that.

25 MAYOR STACK: Sir, your name?

1 MR. PATEL: Ronak Patel.

2 MAYOR STACK: And are you represented by an
3 attorney?

4 MR. PATEL: No.

5 I was just informed of this late last night
6 by an officer who came in that I had to be here.
7 I was not aware of this.

8 MAYOR STACK: Okay. Do you --

9 MR. PATEL: I'm sorry?

10 MAYOR STACK: Do you --

11 MR. FARMER: Go ahead.

12 MAYOR STACK: Do you want to be represented
13 by an attorney?

14 MR. PATEL: No. That's okay.

15 MAYOR STACK: Okay.

16 MS. DILLON: Sir, spell your name for me?

17 MR. PATEL: It's R-O-N-A-K. Last name
18 Patel, P-A-T-E-L.

19 MS. DILLON: Thank you, sir.

20 MAYOR STACK: How long do you own the
21 establishment?

22 MR. PATEL: Since -- since April.

23 MAYOR STACK: Since April.

24 MR. PATEL: Since middle of April.

25 MAYOR STACK: Okay.

1 MR. PATEL: And in all the discussions I
2 had with my attorney and their attorneys, I was
3 never informed -- I was never aware of any of the
4 E-141. The bar ID I was informed that only I
5 would have to have the bar ID. From speaking
6 with the previous owner's attorney. And so I had
7 my bar ID onsite but nobody else's.

8 MAYOR STACK: Okay.

9 MR. PATEL: And -- but now everything is
10 onsite now. So I take --

11 MAYOR STACK: What are your hours of your
12 business?

13 What time do you --

14 MR. PATEL: It's -- we're until one in --
15 we're open at one in the afternoon, until --
16 until about 1:45 and then we -- you know, go in
17 the basement, restock everything and then we're
18 out the door by -- at two o'clock.

19 MAYOR STACK: You're one of the few liquor
20 establishments I have to say -- liquor stores
21 that stay open that late. And that's part of the
22 problem up there.

23 MR. PATEL: Um-hum.

24 MAYOR STACK: Would you consider closing
25 earlier?

1 MR. PATEL: We could. I mean I've -- yeah,
2 we could. We could -- like I can push it to 1:30
3 and then be -- be done at 1:45.

4 MAYOR STACK: Okay. Yeah.

5 Now, most -- I mean -- if I could,
6 Lieutenant, what time do most liquor stores in
7 Union City close?

8 LIEUTENANT LOACES: By midnight.

9 MAYOR STACK: By midnight they're closed.
10 By midnight.

11 MR. PATEL: Well, -- okay.

12 MAYOR STACK: The Police have come to your
13 establishment several times also about the front
14 door being open.

15 Right?

16 MR. PATEL: The front -- yes. In the past,
17 yes.

18 MAYOR STACK: I called. That's me calling.

19 MR. PATEL: Yes. Yes. That one time --
20 and I have a --

21 MAYOR STACK: It's been more than one time
22 I've called it out. Because you can't have your
23 front door open. And people are sitting all over
24 the front steps hanging out in front of the
25 establishment.

1 MR. PATEL: Yes.

2 MAYOR STACK: It can't be.

3 You live in a -- you have a business in a
4 residential area; --

5 MR. PATEL: Of course.

6 MAYOR STACK: -- people live there,
7 children have to get up for school the next day,
8 you know people --

9 MR. PATEL: Of course.

10 MAYOR STACK: -- going to work.

11 MR. PATEL: Of course.

12 MAYOR STACK: You have to be mindful of
13 that.

14 MR. PATEL: Yes.

15 No, I'm aware of that now and the door
16 remains closed now, --

17 MAYOR STACK: Okay.

18 MR. PATEL: -- with the exception of a few
19 weeks ago when we were taking out the trash being
20 a Wednesday night -- or taking out recycling, the
21 door was open during that time.

22 MAYOR STACK: Right.

23 MR. PATEL: And then it was closed
24 thereafter.

25 MAYOR STACK: Did you own any type of

1 | liquor establishment before?

2 | MR. PATEL: No.

3 | MAYOR STACK: Is this your first?

4 | MR. PATEL: This is my first.

5 | MAYOR STACK: Maybe it would be a good
6 | idea, Greg, just to run --

7 | I know we did it -- I don't know if we did
8 | it in the last year or so but we should run
9 | that --

10 | MS. de los RIOS: The seminar.

11 | MAYOR STACK: -- that class again.

12 | MR. FARMER: Okay.

13 | MAYOR STACK: For all the liquor
14 | establishments in the City just to come in and
15 | just refresh them on the ABC laws.

16 | I think that would be a good thing to do
17 | sometime maybe late October. Especially with the
18 | holidays coming; Thanksgiving and Christmas and
19 | everything. Just to make everybody understand.

20 | This gentleman could benefit from something
21 | like that.

22 | Just make sure you're proofing everybody
23 | who's coming in because --

24 | MR. PATEL: Yes.

25 | MAYOR STACK: -- I mean you make one

1 | mistake and sell to minor, it's -- it will cost
2 | you.

3 | MR. PATEL: Yes.

4 | MAYOR STACK: It's going to cost you in the
5 | long run when you get shut down.

6 | You know we want you to prosper in your
7 | business. Just be mindful of the neighborhood --

8 | MR. PATEL: I understand.

9 | MAYOR STACK: -- and the people that live
10 | there.

11 | MR. PATEL: I understand.

12 | MAYOR STACK: Okay.

13 | All right, I'll make a motion -- I'll make
14 | a motion to -- for a ten day suspension.

15 | Starting when, Greg?

16 | MR. FARMER: Well, he'll give me the dates.

17 | MAYOR STACK: Okay. Okay.

18 | MR. PATEL: Okay.

19 | MAYOR STACK: Okay.

20 | MR. FARMER: Do you want to pick the date
21 | right now?

22 | MR. PATEL: I'll -- if you can give me some
23 | time let me do it?

24 | MR. FARMER: Okay.

25 | MAYOR STACK: All right?

1 MR. PATEL: Yes, --

2 MAYOR STACK: Let's just get -- let's get
3 this done sometime in October though.

4 All right?

5 MR. FARMER: Yes. Oh, yeah.

6 It will be done by the time we meet the
7 next --

8 MAYOR STACK: Okay.

9 MR. FARMER: It will be on your agenda
10 for --

11 MAYOR STACK: And --

12 MR. FARMER: -- the next --

13 MAYOR STACK: -- if you could consider --
14 if you can consider closing at midnight, --

15 MR. PATEL: Um-hum.

16 MAYOR STACK: -- it would be really -- it
17 would be -- it would help us tremendously in
18 policing the area. It would help us. It really
19 would.

20 MR. PATEL: Okay. Right.

21 MAYOR STACK: Plus people buying liquor,
22 maybe when they've been drinking already and most
23 intoxicated at that hour, --

24 MR. PATEL: Um-hum.

25 MAYOR STACK: -- going out and operating a

1 motor vehicle, being on the street -- it would
2 help us tremendously what we're trying to do in
3 cleaning up the quality of life.

4 MR. PATEL: Okay.

5 MAYOR STACK: All right, I'll make a motion
6 for a ten day suspension.

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

9 COMMISSIONER FERNANDEZ: Second.

10 ACTING CITY CLERK: Second by Commissioner
11 Fernandez.

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 Thank you very much.

25 MR. FARMER: Okay.

1 MAYOR STACK: Thank you.

2 MR. PATEL: Okay.

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

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1 **R.G. MIRANDA CORP. t/a EL CUCO, 516 Kennedy**
2 **Boulevard, Liquor License No. 0910-33-141-005:**

3

4 MR. FARMER: Okay, the next one is El Cuco.
5 I had gotten a call earlier from Mr. Alonso
6 saying he was on trial but his client just told
7 me he's on his way.

8 I don't know what you want to do?

9 It's a paper violation. I've already
10 spoken to him about a plea and that's agreeable,
11 so.

12 MAYOR STACK: Okay. All right, we'll do it
13 in a few minutes.

14 MR. FARMER: Okay.

15 * * *

16

17 **PUPUSA NO. 2 INC. t/a PUPUSA LOCA, 4709-11**
18 **Bergenline Avenue, Liquor License No.**
19 **0910-33-174-006:**

20

21 MR. FARMER: The next one, Pupusa, you've
22 already heard from Detective Dunlay.

23 MAYOR STACK: Okay.

24 * * *

25

1 **PARK AVENUE BAR & GRILL, LLC t/a PARK AVENUE BAR**
2 **& GRILL, 3417 Park Avenue, Liquor License No.**
3 **0910-33-119-004:**

4

5 MR. FARMER: Park Avenue. You had
6 indicated -- they wanted a lawyer last time; you
7 gave them till January (sic) 6.

8 MAYOR STACK: Till when?

9 COMMISSIONER VALDIVIA: October 6th.

10 MR. FARMER: Not January. October 6th.
11 October 6th.

12 I'm sorry. I'm sorry.

13 All right.

14 COMMISSIONER VALDIVIA: That's okay; it
15 could happen.

16 MAYOR STACK: Okay.

17 * * *

18

19 MAYOR STACK: All right, so the only one
20 we're waiting on is El Cuco?

21 MR. FARMER: That's it.

22 MAYOR STACK: Okay.

23 MR. FARMER: All right?

24 MAYOR STACK: All right, very good.

25 All right, we'll give it a few minutes.

1 (Whereupon, there was a pause in the
2 proceedings.)

3 MAYOR STACK: We're off the record?

4 ACTING CITY CLERK: Yes.

5 Off the record.

6

7 (Whereupon, the Board recessed from 2:20
8 p.m. to 2:29 p.m.)

9

10 MAYOR STACK: We're back on the record?

11 ACTING CITY CLERK: Back on the record.

12 MAYOR STACK: Back on the record.

13

14 **ADJOURNMENT:**

15

16 ACTING CITY CLERK: Mayor, there's no other
17 items on the agenda.

18 Is there a motion to adjourn?

19 MAYOR STACK: Motion.

20 COMMISSIONER MARTINETTI: Motion.

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

23 COMMISSIONER FERNANDEZ: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Fernandez.

1 All in favor?

2

3 (Whereupon, there was a chorus of ayes.)

4

5 MAYOR STACK: Now we're off the record?

6 ACTING CITY CLERK: Off the record.

7 MS. DILLON: One second.

8

9 (Whereupon, the proceedings were concluded
10 at 2:29 p.m.)

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

6 **Board of Commissioners**

7

8 **Attest:**

9 **Dominick Cantatore,**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the SPECIAL
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Friday, September 26, 2014, and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon