

I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
SALUTE TO FLAG	3
ROLL CALL	4
PRESENTATION	4
APPROVAL OF MINUTES	5, 7
ORDINANCES FOR HEARING AND ADOPTION	6
CONSENT AGENDA	8
ORDINANCES FOR INTRODUCTION	20, 23
REGULAR AGENDA	24, 26, 27, 28, 31
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	32
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	34
ADJOURNMENT	60

1 MS. DILLON: Okay.

2 On the record.

3 ACTING CITY CLERK: This is a Regular
4 Public Meeting of the Union City Board of
5 Commissioner, being held on Monday, October 6,
6 2014, at seven p.m., at Emerson Middle School,
7 318 18th Street, Union City, New Jersey.

8 Everybody please rise for the Pledge of
9 Allegiance.

10

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

13

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

17 Adequate notice of this meeting has been
18 provided as follows: Notice of this meeting
19 setting forth the time, the date, location, and
20 the agenda, to the extent known, was forwarded to
21 The Jersey Journal, The Record, and The Hudson
22 Reporter, has been posted on the bulletin board
23 in City Hall and has been made available to the
24 public in the office of 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 Valdivia?

9 COMMISSIONER VALDIVIA: Here.

10 ACTING CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Here.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Here.

15 ACTING CITY CLERK: Mayor, we have a

16 presentation of a thank you plaque from the

17 Hudson County Chess Association.

18 MAYOR STACK: Okay.

19 ACTING CITY CLERK: Is --

20 MAYOR STACK: Is there anybody here?

21 ACTING CITY CLERK: Are they here?

22 COMMISSIONER FERNANDEZ: I don't see them

23 here.

24 COMMISSIONER VALDIVIA: I don't see Peter

25 here.

1 MAYOR STACK: No, there's no one here from
2 there.

3 ACTING CITY CLERK: No?

4 MAYOR STACK: No.

5 ACTING CITY CLERK: Peter's not here?

6 All right, so we'll -- maybe he'll show up
7 later; we'll move on.

8 COMMISSIONER VALDIVIA: I think he might
9 think it's Tuesday.

10 MAYOR STACK: Probably.

11

12 **APPROVAL OF PREVIOUS MEETING MINUTES OF SEPTEMBER**
13 **2 AND 16, 2014:**

14

15 ACTING CITY CLERK: The first item is
16 approval of previous meeting minutes.

17 Motion must be duly made and seconded that
18 the meeting minutes of the Board of Commissioner
19 held on September 2nd and September 16, 2014, be
20 approved and recorded.

21 Is there a motion?

22 MAYOR STACK: Motion.

23 ACTING CITY CLERK: Motion by Mayor Stack.

24 COMMISSIONER VALDIVIA: Second.

25 ACTING CITY CLERK: Second by Commissioner

1 Valdivia.

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

15 **ORDINANCES FOR HEARING AND ADOPTION**

16 **CONSIDERATION:**

17

18 1. ORDINANCE AUTHORIZING LEASE OF 2300 SUMMIT
19 AVENUE FOR POLICE PRECINCT

20

21 ACTING CITY CLERK: The next item is an
22 Ordinance for Hearing and Adoption Consideration.

23 Ordinance Authorizing Lease of 2300 Summit
24 Avenue for Police Precinct.

25 Mayor, would you like to -- wish to take

1 public comment on this Ordinance?

2 MS. de los RIOS: At this point we're going
3 to take that item off. That lease is not going
4 to be signed or -- so we're going to take that
5 item off of the agenda. Comes right off.

6 ACTING CITY CLERK: Okay, we're removing
7 item Ordinance of Hearing and Adoption off the
8 agenda.

9 The next item is a --
10 the next item is a Consent Agenda.

11 MAYOR STACK: Commissioner --

12 MS. de los RIOS: At this time --

13 MAYOR STACK: Commissioner Rivas has a
14 problem. On the minutes -- on the minutes of
15 Tuesday, September 2nd, you weren't here, --

16 COMMISSIONER RIVAS: Yes.

17 MAYOR STACK: -- right?

18 COMMISSIONER RIVAS: Yes. I wasn't.

19 So I will like to --

20 MAYOR STACK: Recuse.

21 COMMISSIONER RIVAS: -- recuse on that one.

22 ACTING CITY CLERK: Okay, so
23 Commissioner --

24 MAYOR STACK: If the record could reflect
25 that; okay?

1 COMMISSIONER RIVAS: Thank you.

2 ACTING CITY CLERK: Yes, make the record
3 reflect Commissioner Rivas recusing from
4 September 2nd, 2014, meeting minutes.

5 COMMISSIONER RIVAS: Vote.

6

7 **CONSENT AGENDA:**

8

9 (1) Resolution Approving the Payment of Claims
10 **(Removed, Added to Regular Agenda)**

11 (2) Resolution Approving the Payment of
12 Concurring Claims

13 (3) Resolution Approving the City Payroll for
14 the Period of September 10, 2014 through
15 September 23, 2014 and September 24, 2014 through
16 October 7, 2014

17 (4) Resolution Approving the Library Payroll
18 for the Period of September 10, 2014 through
19 September 23, 2014 and September 24, 2014 through
20 October 7, 2014

21 (5) Resolution Approving Disciplinary
22 Proceedings Dismissal Against La Herradura,
23 Located at 414-24th Street, Liquor License No.
24 0910-33-117-005

25 (6) Resolution Approving Disciplinary

1 | Proceedings Against Los Laureles Liquors t/a Los
2 | Laureles Liquors, Located at 4625 Broadway,
3 | Liquor License No. 0910-44-026-011
4 | (7) Resolution Approving the Place to Place
5 | Transfer for Angelo's Café t/a El Idolo, Located
6 | at 3717 Kennedy Boulevard, Liquor License No.
7 | 0910-33-111-006
8 | (8) Resolution Retiring Liquor License No.
9 | 0910-33-193-007 Held by La Berraquera, Located at
10 | 721 32nd Street
11 | (9) Resolution Naming West Street from 21st
12 | Street to 22nd Street as "Louis Ciavatti Way"
13 | (10) Proclamation in Support of Fibrodysplasia
14 | Ossificans Progressiva Awareness
15 | (11) Resolution Awarding Contract to Unipak
16 | Corporation for the Purchase of Poly Garbage Bags
17 | (12) Resolution Awarding Contract to John F.
18 | O'Meara, Inc. for the Purchase of Cleaning
19 | Equipment & Supplies
20 | (13) Resolution Awarding Contract to Barbato
21 | Nursery Corporation for the Purchase of Dog Waste
22 | Bags
23 | (14) Resolution Authorizing the Clerk to
24 | Advertise and Accept Bids for Police Precinct at
25 | 2300 Summit Avenue

1 (15) Resolution Authorizing the Award of a
2 Contract for Special Counsel

3 (16) Resolution Appointing Members to the Zoning
4 Board of Adjustment

5 (17) Resolution Appointing Members to the
6 Planning Board

7 (18) Resolution Appointing Members to the Rent
8 Stabilization Board

9 (19) Resolution Authorizing Refund of Redemption
10 Monies to Outside Lienholders

11 (20) Resolution Authorizing the Refund of
12 Premium Monies Collected at the Tax Sale

13 (21) Resolution Authorizing Refund of a Tax
14 Appeal Issued by the Hudson County Board of
15 Taxation

16 (22) Resolution Authorizing the Tax Collector to
17 Cancel Tax Sale Certificate #14-00093, Property
18 Located at 525-10th Street, Block 40.02, Lot 15

19 (23) Any other matter of City business that may
20 arise

21

22 ACTING CITY CLERK: Next item is the
23 Consent Agenda.

24 MS. de los RIOS: At this time to note that
25 item number 1 on the Consent Agenda will be moved

1 to item -- as item number 5 on the Regular Agenda
2 due to a recusal.

3 MS. DILLON: To the Regular Agenda?

4 MS. de los RIOS: To the Regular Agenda.

5 MS. DILLON: Thank you.

6 ACTING CITY CLERK: Okay, we'll move item 1
7 to the -- item 5 on the Regular Agenda.

8 Item 2.

9 Resolution Approving the Payments of
10 Concurring Claims.

11 Item 3.

12 Resolution Approving the City Payroll for
13 the Period of September 10, 2014 through
14 September 23rd, 2014 and September 24, 2014
15 through October 7, 2014.

16 Item 4.

17 Resolution Approving the Library Payroll
18 for the Period of September 10, 2014 through
19 September 23rd, 2014 and September 24, 2014
20 through October 7, 2014.

21 Resolution Approving Disciplinary
22 Proceeding Dismissal Against La Herradura,
23 Located at 414-24th Street, Liquor License Number
24 0910-33-117-005.

25 Item 6.

1 Resolution Approving Disciplinary
2 Proceeding Against Los Laureles Liquor, also
3 known as Los Laureles Liquors, Located at 4625
4 Broadway, Liquor License Number 0910-44-026-011.

5 Item 7.

6 Resolution Approving the Place to Place
7 Transfer for Angelo's Café, also known as El
8 Idolo, Located at 3717 Kennedy Boulevard, Liquor
9 License Number 0910-33-111-006.

10 MAYOR STACK: And that had all the items
11 that we put on there.

12 Right?

13 MS. de los RIOS: Yes it did.

14 MAYOR STACK: Okay.

15 MS. de los RIOS: As in the time to close?

16 MAYOR STACK: Right.

17 MS. de los RIOS: Yes, it did.

18 MAYOR STACK: Exactly.

19 ACTING CITY CLERK: Item 8.

20 Resolution Retiring Liquor License number
21 0910-33-193-007 Held by La Berraquera, Located at
22 721 32nd Street.

23 Item 9.

24 Resolution Naming West Street from 21st
25 Street to 22nd Street as Louis Ciavatti Way.

1 Item 10, --

2 MAYOR STACK: That number 9 on naming Louis
3 Ciavatti is a longtime fireman; rose to the rank
4 of a Deputy Chief. He still lives in Union City.
5 I believe he's in his late eighties, early
6 nineties. We'll be renaming West Street, between
7 21st and 22nd, Louis Ciavatti Way. He's been
8 around for a long time.

9 He was always, if you would, Mr. Union City
10 Fire Department. He's involved -- very involved,
11 even after retired up until today and he still
12 lives in the City.

13 ACTING CITY CLERK: Number -- item 10.

14 Proclamation in Support of Fibrodysplasia
15 Ossificans Progressiva Awareness.

16 Item 11.

17 Resolution Awarding Contract to Unipak
18 Corporation for the Purchase of Poly Garbage
19 Bags.

20 Item 12.

21 Resolution Awarding Contract to John F.
22 O'Meara, Inc. for the Purchase of Cleaning
23 Equipment and Supplies.

24 Item 13.

25 Resolution Awarding Contract to Barbato

1 Nursery Corporation for the Purchase of Dog Waste
2 Bags.

3 Item 14.

4 Resolution Authorize the Clerk to Advertise
5 and Accept Bids for Police Precinct at 2300
6 Summit Avenue.

7 MAYOR STACK: That's going to be tabled.

8 MS. de los RIOS: That's right.

9 Since we have taken off of the agenda the
10 Ordinance involving the lease of 2300 Summit
11 Avenue, item number 14 on the Consent Agenda will
12 come off.

13 ACTING CITY CLERK: Okay, removing item 14
14 from the Consent Agenda.

15 Item 15.

16 Resolution Authorizing the Award of a
17 Contract for Special Counsel.

18 Item 16.

19 Resolution Appointing Members to the Zoning
20 Board of Adjustment.

21 Item 17.

22 Resolution Appointing Members to the
23 Planning Board.

24 Item 18.

25 Resolution Appointing Members to the Rent

1 Stabilization Board.

2 Item 19.

3 Resolution Authorizing Refund of Redemption
4 Monies to Outside Lienholders.

5 Item 20.

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

8 Item 21.

9 Resolution Authorizing Refund of a Tax
10 Appeal Issued by the Hudson County Board of
11 Taxation.

12 Item 22.

13 Resolution Authorizing the Tax Collector to
14 Cancel Tax Sale Certificate number 14-00093,
15 Property Located at 525-10th Street, Block 40.02,
16 Lot 15.

17 Mayor, there's no other item on the Consent
18 Agenda, would you wish to take public comment --

19 MAYOR STACK: Sure.

20 ACTING CITY CLERK: -- on any items on the
21 Consent Agenda?

22 MAYOR STACK: Anyone wishing to step --
23 anyone wishing to comment on the Consent Agenda,
24 please step forward, state your name and address
25 for the record.

1 Seeing none.

2 Okay, sure.

3 MR. WHYTE: I think on number 10.

4 MS. DILLON: Just right here, sir.

5 ACTING CITY CLERK: Just state your name.

6 MR. WHYTE: Oh, I'm sorry.

7 MS. DILLON: State your name for me please.

8 MR. WHYTE: Gary Whyte.

9 MS. DILLON: W-H-I-T-E?

10 MR. WHYTE: W-H-Y-T-E.

11 MS. DILLON: W -- okay.

12 MR. WHYTE: I reside in Mountainside.

13 You need my telephone number?

14 MS. DILLON: No.

15 MR. WHYTE: Okay.

16 Want to thank Mayor Stack --

17 MS. DILLON: Just you need to stay by the
18 microphone --

19 MR. WHYTE: I'm sorry. Sorry, --

20 MS. DILLON: -- so I can --

21 MR. WHYTE: -- I didn't know.

22 MS. DILLON: -- get your comments, sir.

23 Thank you.

24 MR. WHYTE: I wanted to thank Mayor Stack
25 and the Board of Commissioners for the

1 opportunity to receive a Resolution from the City
2 of Union (sic). You have graciously done so in
3 the past.

4 We have an awareness campaign going on for
5 this disease. It's a very rare disease
6 afflicting some ten children in New Jersey but it
7 deforms their body immensely.

8 Their muscles and tendons and ligaments
9 turn to bone and then it just distorts their --
10 their physique.

11 We had a reception in Washington, D.C.,
12 sponsored by Senator Frank Lautenberg in 2005 and
13 we're -- we have a congressman onboard right now
14 for another reception in 2015 in the spring.

15 And I'm asking if you have any clout with
16 any senior senators or congressman in New Jersey
17 that would like to help support this reception in
18 the capital, I'd appreciate that.

19 What I did was with my campaign -- this is
20 only one of two books. We petitioned all 566
21 mayors at the time to support our campaign for
22 awareness about this disease. And right now
23 happy to tell you we have 403 mayors onboard.

24 Hudson County was the second county in all
25 the State of New Jersey to support it a hundred

1 percent with the municipalities, so I want to
2 thank Union City for doing so.

3 MAYOR STACK: Thank you very much.

4 MR. WHYTE: Thank you.

5 MAYOR STACK: And anything else that we can
6 do, please, we definitely will.

7 MR. WHYTE: I appreciate it.

8 MAYOR STACK: Absolutely.

9 MR. WHYTE: Thank you.

10 MAYOR STACK: Thank you.

11 ACTING CITY CLERK: Thank you, Mr. Whyte.

12 MAYOR STACK: Just, also, --

13 Anyone else on the Consent Agenda?

14 Seeing none.

15 On the Police Precinct, there just seems to
16 be some communication problem with the owner of
17 the property; we haven't heard back from him.
18 So, we'll look for another site in midtown for a
19 Police Precinct in Union City.

20 If we don't find a site, where we're
21 committed to setting up a precinct in the area,
22 there'll be a trailer -- for lack of a better
23 term -- set up in that neighborhood. A large
24 trailer, which will be a Police Precinct. But
25 we're committed that will be somewhere between

1 21st and 30th, either Central or Summit Avenue
2 that will be set up. And that will be set up
3 over the next month or so.

4 Anyone else on the Consent Agenda?

5 None.

6 ACTING CITY CLERK: Is there a motion to
7 close the public comment --

8 MAYOR STACK: Motion.

9 ACTING CITY CLERK: -- portion of the --
10 Motion made by Mayor Stack.

11 COMMISSIONER MARTINETTI: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 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.

1 ACTING CITY CLERK: Motion to approve all
2 items on the Consent Agenda?

3 MAYOR STACK: Motion.

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

6 COMMISSIONER MARTINETTI: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Martinetti.

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 **ORDINANCE (S) FOR INTRODUCTION:**

23

24 1. AN ORDINANCE AMENDING SCHEDULE VIII TO
25 SECTION 16-4.4 OF THE CODE OF THE CITY OF UNION

1 CITY ENTITLED "TRAFFIC RESTRICTIONS" TO ADD A
2 STOP INTERSECTION

3

4 ACTING CITY CLERK: Next item is an --
5 there are two Ordinances for Introduction.

6 The Ordinances will be further considered
7 at a meeting of the Board of Commissioner to be
8 held on October 21st, 2014, at seven p.m. at the
9 Bella Vista Apartments, 522-22nd Street, Union
10 City, New Jersey.

11 The first Ordinance Amending Schedule VIII
12 of Section 16-.14 (sic) of the Code of the City
13 of Union City Entitled Traffic Restriction to Add
14 a Stop Intersection.

15 Is there a motion to introduce?

16 MAYOR STACK: What's the location of that?

17 I remember giving it but I remember giving
18 like one or two. And I didn't see the Resolution
19 in mine --

20 ACTING CITY CLERK: It should be there.

21 MAYOR STACK: -- in my folder.

22 It should be either --

23 COMMISSIONER RIVAS: Do you have it?

24 MS. de los RIOS: Um-hum.

25 MAYOR STACK: -- 18th and Bergenline -- 19th

1 and Bergenline or --

2 MS. de los RIOS: We'll confirm it.

3 ACTING CITY CLERK: I have it.

4 MAYOR STACK: Or is it 27th and Bergenline?

5 It's one or the other though I remember.

6 MS. de los RIOS: It is a stop sign --

7 installed on the northwest side of 18th Street at
8 Bergenline Avenue for southbound traffic. And
9 then a stop sign shall be installed on southwest
10 side of 18th Street at Bergenline Avenue for
11 eastbound traffic.

12 MAYOR STACK: Okay. Great.

13 Do we get 27th Street --

14 If we could just note for the future, 27th
15 Street, --

16 MS. de los RIOS: Um-hum.

17 MAYOR STACK: -- southbound; 27th Street
18 from New York Avenue to Bergenline, westbound
19 there should be stop signs.

20 MS. de los RIOS: Okay.

21 MAYOR STACK: There's one going right now
22 from New York to Bergenline on 27th. Going south
23 on Bergenline there's not. It's a very long
24 block and people pick up speed.

25 I'll move it.

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

3 COMMISSIONER VALDIVIA: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Valdivia.

6 Roll call.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 ACTING CITY CLERK: Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner
14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 ACTING CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18

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

20

21 2. AN ORDINANCE APPROPRIATING FUNDS FROM THE
22 CAPITAL IMPROVEMENT FUND FOR THE RECONSTRUCTION
23 AND/OR REPAVING OF SUMMIT AVENUE

24

25 ACTING CITY CLERK: The second Ordinance is

1 an Ordinance Appropriating Funds for the Capital
2 Improvement Fund for the Reconstruction and
3 Repaving of Summit Avenue.

4 MAYOR STACK: I'll move it.

5 COMMISSIONER MARTINETTI: Second.

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

8 Second by Commissioner Martinetti.

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 1. Resolution Approving the Redevelopment
25 Agency Payroll for the Period of September 10,

1 2014 through September 23, 2014 and September 24,
2 2014 through October 7, 2014

3

4 ACTING CITY CLERK: Next item is the
5 Regular Agenda. There are five items on the
6 Consent -- on the Regular Agenda.

7 First item is Resolution Approving the
8 Redevelopment Agency Payroll of the Period of
9 September 10, 2014 through September 23rd, 2014
10 and September 24, 2014 through October 7, 2014.

11 MS. de los RIOS: At this time we recommend
12 that Commissioner Fernandez recuse himself on
13 this item.

14 MAYOR STACK: I'll move it.

15 COMMISSIONER MARTINETTI: Second.

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

18 Second by Commissioner Martinetti.

19 Roll call.

20 Commissioner Fernandez; recusing.

21 Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5

6 **REGULAR AGENDA:**

7

8 2. Resolution Authorizing the Payment of Claim
9 to the Hudson County Superintendent of Elections

10

11 ACTING CITY CLERK: Second item is a
12 Resolution Authorizing the Payment of Claim to
13 the Hudson County Superintendent of Elections.

14 MS. de los RIOS: At this time we recommend
15 that Commissioners Martinetti and Rivas recuse
16 themselves on this item.

17 MAYOR STACK: I'll move it.

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

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 recusing.

3 Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner
6 Martinetti; recusing.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9

10 **REGULAR AGENDA:**

11

12 3. Resolution Authorizing an Emergency
13 Temporary Appropriation for Fiscal Year 2015
14 Budget

15

16 ACTING CITY CLERK: Item 3 is a Resolution
17 Authorizing an Emergency Temporary Appropriation
18 for Fiscal Year 2015 Budget.

19 MS. de los RIOS: At this time we recommend
20 that Commissioner Martinetti recuse herself with
21 respect to two items; the North Hudson Regional
22 Fire and Rescue and the Uniform Construction
23 Code.

24 ACTING CITY CLERK: Is there a motion?

25 MAYOR STACK: I'll move it.

1 ACTING CITY CLERK: Motion by Mayor Stack.

2 COMMISSIONER VALDIVIA: Second.

3 ACTING CITY CLERK: Second by Commissioner
4 Valdivia.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner

13 Martinetti; recusing per counsel --

14 COMMISSIONER MARTINETTI: I'm recusing just
15 on the two --

16 MS. de los RIOS: For those two items.

17 COMMISSIONER MARTINETTI: -- those two
18 items; aye on the rest.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 **REGULAR AGENDA:**

23

24 4. Resolution Authorizing the Renewal of the
25 Plenary Retail Consumption License No.

1 0910-33-188-004 to Manhattan Bar & Grill
2 Restaurant, Located at 1711 Manhattan Avenue for
3 the Term of 2014-2015

4

5 ACTING CITY CLERK: Item 4 is a Resolution
6 Authorizing the Renewal of a Plenary Retail
7 Consumption License Number 0910-33-188-004 to
8 Manhattan Bar and Grill Restaurant, Located at
9 1711 Manhattan Avenue for the Term of 2014-2015.

10 MS. de los RIOS: At this time we recommend
11 that Commissioner Martinetti recuse herself on
12 this item.

13 MAYOR STACK: There were also stipulations
14 on this license.

15 Right?

16 ACTING CITY CLERK: Yes.

17 MS. de los RIOS: On this one? Yes.

18 MAYOR STACK: Okay.

19 MS. de los RIOS: And they're on the
20 Resolution as well.

21 MAYOR STACK: And what were they?

22 MS. de los RIOS: I'll find it right now.

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

25 MAYOR STACK: I see it. Okay, 1711 --

1 Monday they close at 10:30 p.m. -- or, I'm sorry,
2 music is to be played until 10:30 p.m., Monday,
3 Tuesday, Wednesday, Thursday, Friday -- I'm
4 sorry, Monday, Tuesday, Wednesday, Thursday till
5 10:30; Friday until 12 midnight; Saturday until
6 12 midnight; Sunday until 11 p.m.

7 As well as New Year's Eve when the license
8 shall be permitted to play music until 11:30 p.m.

9 Okay, very good.

10 Okay, I'll move it.

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

13 COMMISSIONER VALDIVIA: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Valdivia.

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; recusing.

25 Mayor Stack?

1 MAYOR STACK: Yes.

2

3 **REGULAR AGENDA:**

4

5 5. CONSENT AGENDA - ITEM 1 - Resolution
6 Approving Payment of Claims

7

8 ACTING CITY CLERK: Next item is the
9 Payments of Claims.

10 MS. de los RIOS: And at this time we
11 recommend that Commissioner Martinetti recuse
12 herself.

13 MAYOR STACK: I'll move it.

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

16 COMMISSIONER VALDIVIA: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Valdivia.

19 Roll call.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 ACTING CITY CLERK: Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti; recusing.

3 Mayor Stack?

4 MAYOR STACK: Yes.

5

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

7

8 ACTING CITY CLERK: Mayor, do you wish to
9 take public comment on any items on the Regular
10 Agenda?

11 MAYOR STACK: Sure.

12 Anyone wishing to comment at this time
13 please step forward, state your name and address
14 for the record.

15 Seeing none.

16 ACTING CITY CLERK: Is there a motion?

17 MAYOR STACK: Motion.

18 COMMISSIONER MARTINETTI: Second.

19 ACTING CITY CLERK: Motion made by
20 Commissioner Martinetti (sic).

21 COMMISSIONER VALDIVIA: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Valdivia.

24 Roll call.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 ACTING CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 ACTING CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

8 3. Luna, Inc. t/a La Estrella De Mexico, 2421
9 West Street, Liquor License No. 0910-33-164-005

10 4. California Café Corp., 2002 Bergenline
11 Avenue, Liquor License No. 0910-33-021-008

12 5. Il Paradiso Corp. t/a Il Paradiso, 1108
13 Summit Avenue, Liquor License No. 0910-33-103-002

14 6. R.G. Miranda Corp. t/a El Cuco, 516 Kennedy
15 Boulevard, Liquor License No. 0910-33-141-005

16 7. Pupusa No. 2 Inc. t/a Pupusa Loca, 4709-11
17 Bergenline Avenue, Liquor License No.
18 0910-33-174-006

19 8. Park Avenue Bar & Grill, LLC t/a Park
20 Avenue Bar & Grill, 3417 Park Avenue, Liquor
21 License Number 0910-33-119-004

22

23 ACTING CITY CLERK: Mayor, we have -- next
24 items are disciplinary proceeding.

25 Mr. Farmer?

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

3 MR. FARMER: Good evening.

4 We have a calendar and I have some things
5 in and out and a couple that apparently --
6 because of the switch from Tuesday to Monday
7 turned out to be making them unavailable.

8 But I am in discussion with Detective
9 Dunlay and another attorney representing one of
10 the licensees.

11 I already talked to one attorney; we have a
12 plea on that.

13 So, if you could give me maybe five
14 minutes --

15 MAYOR STACK: Sure.

16 MR. FARMER: -- to continue these --

17 MAYOR STACK: Absolutely.

18 MR. FARMER: -- discussions and --

19 MAYOR STACK: Sure.

20 MR. FARMER: -- maybe we can get a couple
21 resolved.

22 MAYOR STACK: Go right ahead.

23 MR. FARMER: Thanks a lot.

24 MAYOR STACK: No problem.

25 ACTING CITY CLERK: Are we going to break?

1 We go off the record.

2

3 (Whereupon, the Board recessed from 7:20
4 p.m. to 7:25 p.m.)

5 * * *

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

3

4 MR. FARMER: Addressing the calendar, the
5 first matter on it is Azucar Club.

6 And that -- Azucar is represented by Ray
7 Gonzalez -- not Ray Gonzalez.

8 Excuse me. Luis Diaz.

9 Ray Gonzalez represents the next case.

10 He is unavailable this evening and
11 apparently he's on his condo board -- counsel to
12 them and they're having a meeting.

13 I've already talked to him. It's a paper
14 violation. I'm sure that when he comes on next
15 time it's going to be a plea for three days.

16 * * *

17

18

19

20

21

22

23

24

25

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

3

4 MR. FARMER: The next one is Caribe Club
5 Restaurant.

6 Mr. Gonzalez represents them and we've been
7 unsuccessful in trying to negotiate a resolution
8 to the matter. And I think we're going to have
9 to try it.

10 And one of the main witnesses for the State
11 is Captain Luster who, it's my understanding, is
12 on vacation in Hawaii. So, --

13 MAYOR STACK: Okay. Put it on for the next
14 meeting then.

15 MR. FARMER: Okay, you'll have everybody?

16 MR. GONZALEZ: Yeah, I'll have three
17 witnesses.

18 MR. FARMER: Okay. Okay.

19 MAYOR STACK: We'll put it on for the next
20 meeting, Ray.

21 MR. FARMER: Okay.

22 * * *

23

24

25

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

3

4 MR. FARMER: The next one is Luna, Inc.

5 MR. GONZALEZ: When's the next meeting?

6 ACTING CITY CLERK: October 21st, the Bella
7 Vista.

8 MS. DILLON: I'm sorry, which one did you
9 call, Mr. Farmer?

10 COMMISSIONER MARTINETTI: Number 3.

11 MS. de los RIOS: Luna.

12 COMMISSIONER MARTINETTI: Luna.

13 MR. FARMER: Luna.

14 MS. DILLON: Thank you.

15 MR. GONZALEZ: Six-thirty?

16 ACTING CITY CLERK: Seven.

17 MR. GONZALEZ: Seven.

18 MR. FARMER: Where do you want us to sit?

19 This is Luna Restaurant. And the
20 charges --

21 Well, Gregory Farmer, appearing on behalf
22 of the Union City ABC Board.

23 MR. ALUM: Luis Alum on behalf of La
24 Estrella de Mexico tavern license, Luna, Inc.

25 MR. FARMER: I've talked to counsel and

1 | there are two charges. One is a paper violation.

2 | And another one is -- it's a restaurant
3 | that serves food kind of late into the evenings
4 | and there was a situation where people were
5 | getting loud and disorderly. And the barmaid
6 | called the -- barmaid called the Police, the
7 | Police came, there -- eight or so people, five of
8 | them left and there were three people left. And
9 | they got into something with the Police about
10 | showing identification, this, that or the other
11 | thing. That's got nothing to do with the bar.

12 | And a third one was a minor, age 20.

13 | We've tried to subpoena him and he's been
14 | difficult to reach. And there is nothing in the
15 | Police reports that would indicate that he was
16 | drinking. Okay?

17 | So I've worked out a situation, rather than
18 | us prolonging this and my sending the Police
19 | Department who's been out trying to locate this
20 | kid, that there'd be a ten-day suspension; seven
21 | days on the underage and three on the paper. And
22 | the dates are -- already I have, which were --

23 | MR. ALUM: October 27th to November 5th.

24 | MR. FARMER: Yes, October 27th to November
25 | 5th -- 5th. And I would recommend that.

1 Now I know that the Board had expressed
2 some unpleasantness with respect to the
3 activities in and around the place, outside and
4 doors and things like that.

5 MAYOR STACK: We're probably getting more
6 complaints on this establishment than any other
7 establishment in the City right now.

8 MR. ALUM: Really?

9 MAYOR STACK: There's constant noise.
10 Constant problems there.

11 The 20 year old, maybe he was drinking,
12 maybe he wasn't drinking there, but I'd have to
13 say that wasn't the first time that something
14 like that has happened there.

15 And I always hear their story every time
16 that they come in that they're going to do better
17 -- we're going to be better, we're a family
18 place. It's not. Just not the case.

19 Everybody in the neighborhood, Mr. Alum,
20 can't be wrong. Everybody.

21 We're getting complaints from 22nd and
22 West. I'm getting complaints from 25th, 26th and
23 West. In the rear of the establishment, between
24 Bergenline and West Street, we're getting
25 complaints.

1 It's -- you know, if they can't manage the
2 establishment, that's a big issue.

3 MR. ALUM: Um-hum.

4 MAYOR STACK: And it's always been a --
5 it's starting to get worse and it's -- really,
6 it's getting to the point now where we're
7 hearing --

8 I mean I'm getting calls in my office; I'm
9 getting calls on my cell phone. The
10 Commissioners -- I know I can't speak for them --
11 but I know Commissioner Valdivia has gotten calls
12 on this. We've spoken about it.

13 There's got to be a change here.

14 MR. ALUM: I will speak to Miss Luna. I
15 understand that they installed video surveillance
16 cameras, both in and outside. So they have been
17 taking some affirmative steps --

18 MAYOR STACK: And the bigger issue is with
19 the noise.

20 They know they're in a densely populated
21 neighborhood, --

22 MR. ALUM: Right.

23 MAYOR STACK: -- like the rest of the City,
24 but really in this neighborhood everything is
25 pretty close to each other. The street is very

1 small outside. They have to really go out of
2 their way.

3 And, also, be careful who they're serving.
4 When people are intoxicated, don't continue to
5 serve them. The bigger issue is somebody gets
6 into a car and kills somebody, whether it's here
7 in Union City or some other part of the State,
8 that's a major, major issue for us.

9 MR. ALUM: Understood.

10 MAYOR STACK: I'll make a motion to approve
11 the ten-day suspension.

12 ACTING CITY CLERK: Motion by Mayor Stack.

13 COMMISSIONER MARTINETTI: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Martinetti.

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 Is the restaurant going to remain open
4 during this ten-day suspension?

5 Or is everything going to be shut down?

6 MR. ALUM: The intention was to have the
7 restaurant open, which he -- Miss Luna tells me
8 that, in fact, that's really the bulk of the
9 business; it's not the alcohol per se.

10 MAYOR STACK: I tend to dispute that.

11 What's the date of the -- what's the ten --

12 MR. FARMER: It's --

13 MAYOR STACK: What's the date of the
14 suspension?

15 MS. de los RIOS: October 27 --

16 COMMISSIONER MARTINETTI: 10/27 to
17 November 5th.

18 MR. ALUM: Twenty-seventh --

19 MR. FARMER: Twenty-seventh to the 5th.

20 MAYOR STACK: October 27th?

21 COMMISSIONER MARTINETTI: To November 5th.

22 MAYOR STACK: Just be advised, the Police
23 are going to be checking to see if anything is
24 being served in there.

25 MR. ALUM: Sure.

1 MAYOR STACK: Thank you.

2 MR. ALUM: Thank you.

3 All right.

4 Good night.

5 MR. FARMER: Okay.

6 COMMISSIONER RIVAS: Good night.

7 * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

3

4 MR. FARMER: California Café. I'd like to
5 have one last chance to try to subpoena the
6 civilian and -- so I'd like that carried to the
7 next --

8 MAYOR STACK: No problem.

9 MR. FARMER: If we don't have the civilian,
10 we don't have a case.

11 MAYOR STACK: Okay.

12 * * *

13

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

16

17 MR. FARMER: Il Paradiso is a trial.
18 However, Detective Loaces is in school and he's
19 the main witness. And he asked me if we could
20 reschedule this to a little after the 24th; so I
21 guess whatever the next --

22 ACTING CITY CLERK: You mean 21st is --

23 MR. FARMER: No, after the --

24 ACTING CITY CLERK: November 5th.

25 MR. FARMER: To November 5th.

1 Apparently he's taking the Captain's exam
2 and he's got to study for that.

3 MAYOR STACK: Okay.

4 * * *

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

3

4 MR. FARMER: Next one is El Cuco.

5 MAYOR STACK: Okay, so that one's on -- so,
6 Il Paradiso, letters are going to go out but it's
7 on for November the 5th.

8 Right?

9 MR. FARMER: November the 5th.

10 Okay.

11 MR. ALONSO: Good evening, Mayor,
12 Commissioners, Alvaro Alonso, Alonso and
13 Navarrete, on behalf of El Cuco. And my client's
14 present to my right.

15 MR. FARMER: This is -- El Cuco is a paper
16 violation. I've talked to Mr. Alonso. And the
17 tradition that we've always dealt with paper
18 violations be a three day suspension.

19 MAYOR STACK: Okay.

20 I'll make a motion.

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

23 COMMISSIONER VALDIVIA: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Valdivia.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: Yes.

11 ACTING CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 MS. de los RIOS: Counsel, for the record,
14 what is the term of the three days?

15 When --

16 MR. FARMER: Three days.

17 MS. de los RIOS: When does it begin?

18 MR. FARMER: I'll --

19 MAYOR STACK: He'll -- they'll handle it.

20 MR. FARMER: -- submit it. He's going to
21 tell us.

22 Okay?

23 The licensee has to check her calendar and
24 it will happen probably by the end of the week?

25 MR. ALONSO: Yeah. Or hopefully tomorrow.

1 MR. FARMER: Okay.

2 MAYOR STACK: Okay. Very good.

3 Thank you.

4 MR. FARMER: Thank you, Al.

5 MR. ALONSO: Thank you. Have a good
6 evening.

7 COMMISSIONER MARTINETTI: Thank you.

8 * * *

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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: Pupusa.

6 Detective Dunlay?

7 Okay, this is Pupusa No. 2 trading as
8 Pupusa Loca at 4709-4711 Bergenline Avenue.

9 This is the one where the Police heard a
10 lot of noise from the establishment and it's a
11 noise complaint.

12 Detective Dunlay is here.

13 Apparently you could hear it in the parking
14 lot around the corner and even the ground was
15 vibrating.

16 The licensee was charged and that created a
17 dialogue between the Police and the licensee
18 concerning the noise and steps to be taken to
19 remediate the noise if possible.

20 Okay?

21 As you may recall, when we were at the last
22 hearing which was on the 26th, Detective Dunlay
23 was there but the licensee wasn't there and
24 Detective Dunlay submitted his report and
25 indicated -- and some pictures and indicated that

1 | there was no much done to alleviate the
2 | condition.

3 | Thereafter the licensee has come here and
4 | has produced bills for repairs that amount to a
5 | little over a couple of -- a couple of thousand
6 | dollars.

7 | Okay?

8 | The licensee and Detective Dunlay have
9 | talked and Detective Dunlay has indicated to me
10 | and will indicate to the Board, I'm sure, that
11 | number one there really haven't been any problems
12 | since this episode.

13 | Number two, it looks like what they did was
14 | something credible to alleviate the noise
15 | complaint. And, in addition, what we have worked
16 | out is that despite this remediation -- and
17 | hopefully everything will be -- everybody will
18 | live happily ever after, there still is the
19 | violation that you had it and it was loud and it
20 | was very strong.

21 | So, we've agreed on a five day suspension
22 | in light of the remediation they put in. And
23 | that would be November 10th, 11th, 12th, 13th and
24 | 14th.

25 | And Detective Dunlay has indicated to me

1 | that he's comfortable with that resolution and
2 | that they have -- are monitoring it and he's
3 | working midnights now so I guess he can easily
4 | monitor it.

5 | DETECTIVE DUNLAY: That's correct.

6 | There hasn't really been any issues since
7 | June.

8 | MS. DILLON: Just name for the record,
9 | Detective?

10 | DETECTIVE DUNLAY: I'm sorry. David
11 | Dunlay, Union City Police -- Sergeant.

12 | But, no, there hasn't been any issues since
13 | the -- since the actual violation in June. And
14 | they have taken steps, -- he has produced a
15 | finished product to that window, which looked
16 | like insulation.

17 | MAYOR STACK: Okay.

18 | DETECTIVE DUNLAY: But now it's a little
19 | more finished. It's actually a little more
20 | presentable; not really a fire hazard per se.

21 | MAYOR STACK: Good.

22 | DETECTIVE DUNLAY: So, -- but like I said,
23 | at the end of the day I spoke to both of them and
24 | they've come to acknowledge that if -- ultimately
25 | it's their responsibility to make sure that, you

1 know, the noise isn't heard outside.

2 MR. MARTINEZ: Right.

3 DETECTIVE DUNLAY: It doesn't resound
4 outside.

5 You know you could do all the improvements
6 you want but at the end of the day it's -- they
7 have to monitor that this doesn't continue. And
8 they've agreed to it.

9 MAYOR STACK: Okay.

10 DETECTIVE DUNLAY: Am I correct?

11 MR. MARTINEZ: Yes.

12 MS. DILLON: Name for the record?

13 MAYOR STACK: Just if you could enter just
14 your name for the record?

15 MR. MARTINEZ: Wilfredo Martinez.

16 MAYOR STACK: And you're the licensee, sir?

17 MR. MARTINEZ: The manager.

18 MAYOR STACK: The manager.

19 MR. MARTINEZ: Um-hum.

20 MAYOR STACK: Okay.

21 And?

22 MR. ARIAS: Victor Arias.

23 MS. DILLON: And spell your last name for
24 me again?

25 MR. ARIAS: A-R- --

1 MAYOR STACK: --I-A- --
2 MS. DILLON: -- I-A-S?
3 MR. ARIAS: -- -A-S.
4 MAYOR STACK: -- -S.
5 MR. ARIAS: Yes.
6 MS. DILLON: Okay.
7 MAYOR STACK: Okay, do you agree to the
8 terms of what's been discussed here today?
9 MR. MARTINEZ: Yes.
10 MAYOR STACK: You do. Okay.
11 Do you want to be represented by an
12 attorney?
13 MR. ARIAS: No, we agree with --
14 MAYOR STACK: Okay.
15 MR. ARIAS: -- the five day.
16 MAYOR STACK: Okay. Okay.
17 I'll make a motion.
18 ACTING CITY CLERK: There's a motion made
19 by Mayor Stack.
20 COMMISSIONER FERNANDEZ: Second.
21 ACTING CITY CLERK: Second by Commissioner
22 Fernandez.
23 Roll call.
24 Commissioner Fernandez?
25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 Thank you very much. Thank you, gentlemen.

11 Thank you.

12 MR. FARMER: Just take a seat.

13

14 * * *

15

16

17

18

19

20

21

22

23

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: The last one is Park Avenue
6 Bar and Grill.

7 The licensee showed up to tell me that now,
8 after having been here two or three times, he did
9 get a lawyer. However, the lawyer who was
10 prepared and is one of esteem qualifications and
11 ability was ready for tomorrow and couldn't
12 change today because he was already to committed
13 to teaching a legal course somewhere.

14 MAYOR STACK: Okay.

15 Did he send you a letter, Mr. Farmer?

16 MR. FARMER: He appeared here.

17 MAYOR STACK: He appeared?

18 MR. FARMER: He appeared.

19 MAYOR STACK: The attorney did?

20 MR. FARMER: Licensee.

21 No, not the license-- not the --

22 No. I haven't heard anything --

23 MAYOR STACK: Yeah.

24 MR. FARMER: The only thing I know is they
25 got a lawyer. But what I told them -- Dominick

1 | had indicated the next meeting; I told them next
2 | meeting. I'm going to send them a letter and I
3 | told them next meeting you're going to wind up
4 | getting the same thing as you would have gotten
5 | today.

6 | MAYOR STACK: Just do me a favor. On these
7 | letters, --

8 | Let's just clear this up now.

9 | On these letters, I want them to go out by
10 | certified mail from now on and regular mail.
11 | Certified mail, return receipt requested.

12 | Park Avenue Grill is going to be on --

13 | What's the next meeting date?

14 | ACTING CITY CLERK: The 21st.

15 | MAYOR STACK: The 21st --

16 | ACTING CITY CLERK: Yes.

17 | MAYOR STACK: -- they're on. Whether
18 | they're here or not here, we're going ahead with
19 | this.

20 | MR. FARMER: Okay.

21 | MAYOR STACK: This is all a game. This is
22 | playing a game. They come to every meeting, they
23 | sit here, and then they come up with all kinds of
24 | excuses. Not going to be.

25 | I'm actually now getting complaints from

1 Weehawken about Park Avenue Grill, the noise
2 that's coming out of there.

3 MR. FARMER: Oh. Okay.

4 MAYOR STACK: It's getting that bad.

5 MR. FARMER: Okay.

6 MAYOR STACK: I'm getting calls from not
7 only the other side of Park Avenue but going down
8 the side street.

9 I forgot the name of the street. It leads
10 down to where you go down to Woodrow Wilson
11 School.

12 That side street there is also calling and
13 complaining. That's how loud their music is on
14 the weekend.

15 MR. FARMER: Okay.

16 MAYOR STACK: Problems outside. They're
17 not moving the groups outside.

18 Whether they're here or not here, Mr.
19 Farmer, we proceed at the next meeting.

20 MR. FARMER: Okay. Good.

21 MAYOR STACK: Okay?

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

23 MAYOR STACK: Thank you very much.

24 MR. FARMER: All right.

25 Thank you.

* * *

ADJOURNMENT:

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

Is there a motion to adjourn?

MAYOR STACK: Motion.

COMMISSIONER VALDIVIA: Second.

ACTING CITY CLERK: Motion made by Mayor
Stack.

Second by Commissioner Valdivia.

All in favor?

(Whereupon, there was a chorus of ayes.)

(Whereupon, the proceedings were concluded
at 7:39 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**

7

8 **Attest:**

9 **Dominick Cantatore,**

10 **Acting City Clerk**

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

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

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored and Proofread by: Deborah Dillon