

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Bella Vista Apartments
522 22nd Street
Union City, New Jersey

Tuesday, October 21, 2014
Commencing at 7:00 p.m.

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

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

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

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

DOMINICK CANTATORE, ACTING CITY CLERK

SCARINCI HOLLENBECK
BY: MONICA de los RIOS, ESQ.
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

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

SUSAN COLDITZ, Chief Financial Officer

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1 ACTING CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Tuesday, October 21st,
4 2014, at seven p.m., at the Bella Vista
5 Apartments, 522 22nd 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 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, 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 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: We have a presentation
16 of a thank you plaque.

17 I understand they're not here tonight also,
18 so we move it to the next meeting.

19

20 **APPROVAL OF PREVIOUS MEETING MINUTES FROM THE**
21 **MEETING SEPTEMBER 26, 2014:**

22

23 ACTING CITY CLERK: Next item is approval
24 of previous meeting minutes of September 26,
25 2014.

1 COMMISSIONER VALDIVIA: Move it.

2 MAYOR STACK: Second.

3 ACTING CITY CLERK: Move it by Commissioner
4 Valdivia.

5 Second by Mayor Stack.

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 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21

22 1. AN ORDINANCE AMENDING SCHEDULE VIII TO
23 SECTION 16-4.4 OF THE CODE OF THE CITY OF UNION
24 CITY ENTITLED "TRAFFIC RESTRICTIONS" TO ADD A
25 STOP INTERSECTION

1

2 ACTING CITY CLERK: Next item Ordinance for
3 Hearing and Adoption Consideration.

4 It's an Ordinance Amending Schedule VIII to
5 Section 16-4.4 of the Code of the City of Union
6 City Entitled Traffic Restriction to Add a Stop
7 Intersection.

8 MAYOR STACK: Anyone wishing to comment on
9 this Ordinance at this time, please step forward.

10 The location of this stop sign is?

11 MS. de los RIOS: This is on 18th Street,
12 northwest and southwest.

13 MAYOR STACK: Eighteenth and Bergenline
14 Avenue.

15 MS. de los RIOS: Um-hum.

16 MAYOR STACK: What about 27th Street?

17 MS. de los RIOS: That comes --

18 ACTING CITY CLERK: That's next.

19 MS. de los RIOS: That's next.

20 MAYOR STACK: Okay. All right, very good.

21 ACTING CITY CLERK: That's for
22 introduction.

23 MAYOR STACK: Anyone wishing to comment on
24 this?

25 This would be 18th and Bergenline, the

1 installation of a stop sign going south, both on
2 the recommendation on the Police Department and
3 neighbors' complaints.

4 We've done this throughout the City in
5 various locations; additional stop signs, traffic
6 calming devices, traffic lights where needed.
7 And this is one location; it's a block away from
8 a middle school. A high-density area. Daycares
9 in the area. This is just an added safety
10 measure putting in a stop sign.

11 Seeing no one here on this Ordinance.

12 ACTING CITY CLERK: Is there a motion to
13 close public --

14 MAYOR STACK: Motion.

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

17 COMMISSIONER MARTINETTI: Second.

18 ACTING CITY CLERK: Second by Commissioner
19 Martinetti.

20 Roll call.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 ACTING CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 ACTING CITY CLERK: Commissioner

3 Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 ACTING CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7 ACTING CITY CLERK: Is there a motion to

8 adopt?

9 COMMISSIONER MARTINETTI: Motion.

10 COMMISSIONER VALDIVIA: Second.

11 ACTING CITY CLERK: Motion made by

12 Commissioner Martinetti.

13 Second by Commissioner Valdivia.

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

2 **ORDINANCES FOR HEARING AND ADOPTION**3 **CONSIDERATION:**

4

5 2. AN ORDINANCE APPROPRIATING FUNDS FROM THE
6 CAPITAL IMPROVEMENT FUND FOR THE RECONSTRUCTION
7 AND/OR REPAVING OF SUMMIT AVENUE

8

9 ACTING CITY CLERK: Second Ordinance
10 Appropriating Funds from the Capital Improvement
11 Fund for the Reconstruction and/or Repaving of
12 Summit Avenue.

13 MAYOR STACK: Anyone here to comment on
14 this Ordinance at this time.

15 This would be appropriating funding for the
16 Capital Improvement Fund.

17 This will be Summit Avenue from 15th Street
18 to 22nd Street. It's paving of the street. We've
19 been doing this throughout the City. Paving the
20 street, putting in new sidewalks, some additional
21 lighting in the area and tree planting.

22 This will be starting in the spring of next
23 year.

24 Hopefully, if we're able to secure
25 additional funding, we'd look to do --

1 Summit Avenue has been done from the most
2 southern point up to 15th. This would go from
3 15th to 22nd.

4 Hopefully we'll be able to do the entire
5 Summit Avenue next year -- up to 32nd Street.

6 Seeing no one.

7 ACTING CITY CLERK: Is there a motion to
8 close public hearing?

9 MAYOR STACK: Motion.

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

12 COMMISSIONER VALDIVIA: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Valdivia.

15 Roll call.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 ACTING CITY CLERK: Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 ACTING CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2 ACTING CITY CLERK: Is there a motion to
3 adopt?

4 MAYOR STACK: Motion.

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

7 COMMISSIONER MARTINETTI: Second.

8 COMMISSIONER RIVAS: Second.

9 ACTING CITY CLERK: Second by Commissioner
10 Martinetti.

11 Roll call.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 ACTING CITY CLERK: Commissioner Rivas?

15 COMMISSIONER RIVAS: Yes.

16 ACTING CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 ACTING CITY CLERK: Commissioner
19 Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 ACTING CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

23

24 **ORDINANCES FOR HEARING AND ADOPTION**

25 **CONSIDERATION:**

1

2 3. ORDINANCE AUTHORIZING BOND ORDINANCE NO.
3 2014-1 FOR THE COMPLETION OF VARIOUS CAPITAL
4 IMPROVEMENTS AND THE ACQUISITION OF VARIOUS
5 CAPITAL EQUIPMENT FOR THE CITY OF UNION CITY
6 AUTHORIZED BY SECTION 7 THEREOF

7

8 ACTING CITY CLERK: Third Ordinance is
9 Authorizing Bond Ordinance Number 2014-1 for the
10 Completion of Various Capital Improvements and
11 Acquisition of Various Capital Equipment for the
12 City of Union City Authorizing by Section 7
13 Thereof.

14 MAYOR STACK: Anyone wishing to comment on
15 this Ordinance at this time?

16 Please --

17 MR. PRICE: Should I stand here?

18 MAYOR STACK: That's -- yeah, if you could
19 just state your name for the record, Mr. Price.

20 MR. PRICE: Larry Price, 1006 Palisade
21 Avenue.

22 Actually, it's not comments; it's
23 questions.

24 The total will be up to \$35 million?

25 MAYOR STACK: Yes it will.

1 MR. PRICE: Last time I heard a number, as
2 I remember a number, our total debtedness is
3 about 70 million right now. This would
4 represent, if we went for the full amount, a 50
5 percent increase in our funded debt?

6 MAYOR STACK: I'll have Susan Colditz
7 comment on that.

8 Sue?

9 MS. COLDITZ: It will --

10 MAYOR STACK: Susan is our Chief Financial
11 Officer, just for the record.

12 MS. COLDITZ: It will increase the debt but
13 the debt gets paid over a period of -- looking at
14 30 years.

15 MR. PRICE: But are we -- right now the
16 debt is approximately --

17 MS. COLDITZ: It's approximately 70
18 million.

19 Yes, you're correct.

20 MR. PRICE: Okay. And we're -- we could do
21 up to 35 million, which would be a 50 percent
22 increase?

23 MS. COLDITZ: Yes.

24 We have a certain ratio we need to meet and
25 we're allowed to get to that ratio; we're not at

1 | that ratio just yet. In order for us to do all
2 | these improvements, we have to do a bond; we
3 | can't put it in the budget.

4 | MAYOR STACK: Mr. Price, we --

5 | MS. COLDITZ: Because the bond gets paid
6 | over time.

7 | MAYOR STACK: We haven't done a lot of
8 | bonding under my Administration here. We're
9 | doing this because there's --

10 | I'm sure you've seen by what the Ordinance
11 | stands for -- police radios and various streets
12 | that are being done, some additional park work.
13 | But most of it is based on -- 85, 90 percent of
14 | it is on infrastructure of the City.

15 | MR. PRICE: Okay.

16 | MS. COLDITZ: Most of it is.

17 | MR. PRICE: The biggest single item, almost
18 | half, -- it's approximately 17 million -- is for
19 | -- basically for street repaving.

20 | MAYOR STACK: It is.

21 | MR. PRICE: I thought we got grants from
22 | the State or wherever for the street repaving.

23 | I mean it's a wonderful idea.

24 | MAYOR STACK: Right.

25 | MR. PRICE: And -- whatever but --

1 MAYOR STACK: We have. We have.

2 But this would be done over a series of
3 many years. We've been successful in securing
4 street funding from --

5 We use some Community Development funds;
6 approximately 600,000 a year, 550, it fluctuates.

7 We've been able to secure DOT funding;
8 probably about 350, 400,000 a year.

9 We've received additional funding from the
10 DOT, up to 900,000 some years.

11 We're just trying our best -- and I'm sure
12 you saw with the Ordinance that we've done, when
13 they dig up a street that they got to go back and
14 repave it.

15 Many of the streets have never been paved;
16 they've been paved once in the history of the
17 City. And we're just -- yeah, we're just going
18 back and looking at them and evaluating them.

19 Not that we're going to use all of it but
20 we want to have it on-hand should we have an
21 emergencies or anything like that.

22 MR. PRICE: Okay.

23 The first item is improvement in various
24 City parks in the amount of roughly \$4 million.

25 MAYOR STACK: Right. One is the renovation

1 part of it -- without looking at the Ordinance --
2 one of it is a newer park that we have. I
3 shouldn't say a newer park; it's a new renovation
4 of a park that hasn't been renovated, which is
5 11th and West. It's in very bad condition.

6 We have some erosion problems under the
7 park. We have a leak under the park going into
8 the gentleman's house next door at 1010, which we
9 just worked on.

10 The additional money that's in there is for
11 various improvements to certain parks in the
12 City.

13 MR. PRICE: Max Adamo did that park about
14 ten years ago.

15 MAYOR STACK: On 11th and West.

16 MR. PRICE: On 11th and West.

17 MAYOR STACK: Yeah it was longer than ten
18 years ago. Longer than ten years ago but it was
19 in that range.

20 MR. PRICE: Okay.

21 Geeze, Max did my sidewalk. I hope my
22 sidewalk lasts longer than your park.

23 MAYOR STACK: That park, as you know, gets
24 massive use. That park was there way before the
25 swimming pool was there on 9th and Palisade.

1 It's easy to build -- I shouldn't say it's
2 easy but it's much easier to build new parks; to
3 maintain them -- this would be part of the
4 maintenance program that we're doing over a
5 period of years to come.

6 MR. PRICE: One of the parks mentioned was
7 Washington Park. We just did a \$6 million bond
8 issue, what, four years ago --

9 MAYOR STACK: Right.

10 MR. PRICE: -- to pay for --

11 And we did everything.

12 And why would we need more money for
13 Washington Park?

14 MAYOR STACK: There's additional funding
15 items that need to be funded under that.

16 I could go over it with you; I just have
17 to --

18 MS. COLDITZ: I think there's some items,
19 too, that Ralph mentioned, that we had to --

20 MAYOR STACK: There's some that are still
21 outstanding.

22 MS. COLDITZ: -- that we have to cover.

23 MR. PRICE: We ran over the 6 million --

24 MAYOR STACK: Well, there's cameras and
25 stuff like that that are going into the park.

1 MS. COLDITZ: That are being installed.

2 MR. PRICE: Okay.

3 Last question.

4 At the bottom of the notice it says Section
5 20 cost \$7 million.

6 What's a Section 20 cost?

7 MS. COLDITZ: The soft cost. But I don't
8 think it's 7 million. It shouldn't be 7 million.

9 It's only about 4.2. That's the soft cost
10 for the engineering; all the architect, all the
11 designs and everything that need to be updated.

12 MAYOR STACK: What section, Mr. Price, did
13 you say that was?

14 MS. COLDITZ: It shouldn't be 7 million.

15 MR. PRICE: No, it said -- just says
16 Section 20 cost, \$7 million.

17 MS. COLDITZ: I don't -- that must -- I'm
18 thinking that that's got to be a misprint.

19 Because the soft costs are the engineering cost,
20 the accounting cost, --

21 MAYOR STACK: Right.

22 MS. COLDITZ: -- and the attorney's cost.

23 And --

24 MAYOR STACK: The way we designed it --

25 MS. COLDITZ: -- it's like --

1 MAYOR STACK: -- and I think that's where
2 the confusion might come in there --

3 MS. COLDITZ: Yeah, maybe.

4 MAYOR STACK: If I may? If I may step in?

5 MS. COLDITZ: Yes.

6 MAYOR STACK: The money that we're looking
7 to have readily available over the next year or
8 two, -- that was the number that was floated
9 around originally --

10 MS. COLDITZ: Oh, okay.

11 MAYOR STACK: -- by Ralph Tango, the City
12 Engineer.

13 MS. COLDITZ: Okay.

14 MAYOR STACK: We're looking to do certain
15 side streets; 15th Street we're looking to
16 complete.

17 We're trying to pick out the worst streets
18 in the City. And the soft costs are definitely
19 not \$7 million, no.

20 MS. COLDITZ: No, they're not \$7 million.
21 They're about 1.2 the most.

22 MR. PRICE: 1.2 million or 1.2 percent?

23 MS. COLDITZ: 1.2 million.

24 Which is a -- I think --

25 MAYOR STACK: Right.

1 MS. COLDITZ: -- because was is it, five
2 percent, --

3 MAYOR STACK: Yes.

4 MS. COLDITZ: -- I think, --

5 MAYOR STACK: Which is --

6 MS. COLDITZ: -- of the whole bond.

7 MAYOR STACK: Which is normal.

8 Right.

9 MR. PRICE: Okay.

10 Thank you.

11 MAYOR STACK: Thank you very much.

12 MS. COLDITZ: You're welcome.

13 MAYOR STACK: Like I said, most of this
14 will be done over a period of years. Not that
15 we're going to be using it next year or the
16 following year.

17 But I mean there's a lot of streets that
18 we're looking at right now. Taking the worst
19 streets, the older streets in the City and trying
20 to bring them up; looking at the sidewalks,
21 looking at the street.

22 As you've seen, from living in the City,
23 we've tried to take the worst streets and the
24 worse sidewalks on a given block and building up
25 the infrastructure.

1 Although the sidewalk is the responsibility
2 of the property owner, we're just trying to build
3 up that infrastructure.

4 MR. PRICE: Yeah.

5 I'll tell you, as a driver, it's a great
6 program. I don't know about the cost benefit --
7 something else again but I mean I go from Union
8 City to Jersey City, down Palisade Avenue.

9 MAYOR STACK: Sure.

10 MR. PRICE: Union City's great. Get to
11 Jersey City and you need a tank to, --

12 MAYOR STACK: True.

13 MR. PRICE: -- you know, --

14 MAYOR STACK: To maneuver.

15 MR. PRICE: -- it's sort of --

16 It's great to get back to -- you know when
17 I come back, it's great --

18 MAYOR STACK: Sure.

19 MR. PRICE: -- to get back to Union City.

20 MAYOR STACK: Sure.

21 MR. PRICE: I don't lose tires here.

22 So, --

23 MAYOR STACK: And what's really good I
24 think is you're seeing the money is being
25 invested into the City. We could always disagree

1 -- whoever it may be in the community, we could
2 always disagree how it's being spent but it's not
3 being spent where it's being spent on City Hall
4 offices, it's not being spent where it's
5 benefiting the Mayor and Commissioners or
6 whomever.

7 It's being spent where the people get to
8 actually use this and where it's benefiting them.

9 MR. PRICE: Yeah.

10 MAYOR STACK: Thank you very much.

11 MR. PRICE: Thank you.

12 MAYOR STACK: Anyone else wishing to
13 comment on the Ordinance at this time?

14 ACTING CITY CLERK: Is there a motion to --

15 MAYOR STACK: Motion.

16 ACTING CITY CLERK: -- close?

17 Motion by Mayor Stack.

18 COMMISSIONER FERNANDEZ: Second.

19 COMMISSIONER RIVAS: Second.

20 ACTING CITY CLERK: Second by Commissioner
21 Valdivia.

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 ACTING CITY CLERK: Is there a motion to

10 adopt?

11 COMMISSIONER MARTINETTI: Motion.

12 ACTING CITY CLERK: Motion by Commissioner

13 Martinetti.

14 COMMISSIONER VALDIVIA: Second.

15 ACTING CITY CLERK: Second by Commissioner

16 Valdivia.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 ACTING CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 ACTING CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 ACTING CITY CLERK: Next item is the
5 Consent Agenda.

6 MAYOR STACK: What happened --

7 Commissioner Valdivia just reminded me.
8 What happened to 27th Street, the stop sign on
9 27th Street going south?

10 ACTING CITY CLERK: That's coming up.

11 MS. de los RIOS: That's --

12 ACTING CITY CLERK: That's coming up,
13 Mayor.

14 MAYOR STACK: Oh, it's coming up?

15 ACTING CITY CLERK: Intro --

16 MAYOR STACK: Oh, I'm sorry.

17 ACTING CITY CLERK: That's for
18 Introduction.

19 MAYOR STACK: Very good. Okay.

20 MS. de los RIOS: That's Introduction for
21 today.

22 MAYOR STACK: Very good.

23 ACTING CITY CLERK: Okay, next --

24 MAYOR STACK: I'm sorry; I thought it was
25 on the --

1 ACTING CITY CLERK: No, it's okay.

2 MAYOR STACK: -- last agenda.

3 ACTING CITY CLERK: That's no problem.

4 MAYOR STACK: Okay.

5

6 **CONSENT AGENDA:**

7

8 (1) Resolution Approving the Payment of Claims

9 (2) Resolution Approving the Payment of

10 Concurring Claims

11 (3) Resolution Approving the City Payroll for

12 the Period of October 8, 2014 through October 21,

13 2014

14 (4) Resolution Approving the Library Payroll

15 for the Period of October 8, 2014 through October

16 21, 2014

17 (5) Resolution Approving Disciplinary

18 Proceedings Against Luna Inc. t/a La Estrella de

19 Mexico, Located at 2421 West Street, Liquor

20 License No. 0910-33-164-005

21 (6) Resolution Approving Disciplinary

22 Proceedings Against El Cuco t/a R.G. Miranda

23 Corp., Located at 516 Kennedy Boulevard, Liquor

24 License No. 0910-33-041-005

25 (7) Resolution Approving Disciplinary

1 Proceedings Against Pupusa Loca t/a Pupusa No. 2
2 Inc., Located at 4709-11 Bergenline Avenue,
3 Liquor License No. 0910-33-174-006
4 (8) Resolution Approving the 2014-2015 Renewal
5 of the R.G. Miranda t/a El Cuco, Located at
6 514-516 Kennedy Boulevard, Liquor License No.
7 0910-33-041
8 (9) Resolution Approving the 2014-2015 Renewal
9 of the California Café Corp., Located at 2002
10 Bergenline Avenue, Liquor License No. 0910-33-060
11 (10) Resolution Approving the 2014-2015 Renewal
12 of the Salinas Bar & Restaurant, Located at 619
13 New York Avenue, Liquor License No. 0910-33-050
14 (11) Resolution Approving Contract for EMS
15 Medical Director
16 (12) Resolution Re-Appointing Member to the
17 Planning Board
18 (13) Resolution Re-Appointing Member to the
19 Redevelopment Agency
20 (14) Resolution Approving Participation in the
21 Cranford Police Cooperative Pricing System
22 (15) Resolution Approving Shared Services
23 Agreement with the Jersey City Incinerator
24 Authority for the Collection and Disposal of
25 Solid Waste and Recyclables

1 (16) Resolution Approving Contract for GPS Fleet
2 Management System with Synovia Solutions

3 (17) Resolution to Approve Collective Bargaining
4 Agreement with Local 108, RWDSU, UFCW for the
5 Crossing Guards

6 (18) Resolution Authorizing Refund of Redemption
7 Monies to Outside Lienholders

8 (19) Resolution Authorizing the Refund of
9 Premium Monies Collected at the Tax Sale

10 (20) Resolution Authorizing Refund of a Tax
11 Appeal Issued by the Tax Court of New Jersey

12 (21) Any other matter of City business that may
13 arise

14

15 ACTING CITY CLERK: Next item is the
16 Consent Agenda.

17 We -- first item is Resolution Approving
18 the Payments of Claims.

19 Second item is Resolution Approving the
20 Payment of Concurring Claims.

21 Third item.

22 Resolution Approving the City Payroll for
23 the Period of October 8, 2014 through October
24 21st, 2014.

25 Item 4.

1 Resolution Approving the Library Payroll
2 for the Period of October 8, 2014 through October
3 21st, 2014.

4 Item 5.

5 Resolution Approving Disciplinary
6 Proceedings Against Luna Inc., also known as La
7 Estrella de Mexico, Located at 2421 West Street,
8 Liquor License number 0910-33-164-005.

9 Item 6.

10 Resolution Approving Disciplinary
11 Proceedings Against El Cuco, also known as R & G
12 (sic) Miranda Corp., Located at 516 Kennedy
13 Boulevard, Liquor License number 0910-33-041-005.

14 Item 7.

15 Resolution Approving Disciplinary
16 Proceedings Against Pupusa Loca, also known as
17 Pupusa Number 2 Inc., Located at 4709-11
18 Bergenline Avenue, Liquor License number 0910-33-
19 174-006.

20 Item 8.

21 Resolution Approving the 2014-2015 Renewal
22 of the R & G (sic) Miranda, also known El Cuco,
23 Located at 514-516 Kennedy Boulevard, Liquor
24 License number 0910-33-041.

25 Item 9.

1 Resolution Approving the 2014-2015 Renewal
2 of the California Café Corp., Located at 2002
3 Bergenline Avenue, Liquor License number 0910-33-
4 060.

5 Item 10.

6 Resolution Approving 2014-2015 Renewal of
7 the Salinas Bar and Restaurant, Located at 619
8 New York Avenue, Liquor License number
9 0910-33-050.

10 Item 11.

11 Resolution Approving Contract for EMS
12 Medical Director.

13 Item 12.

14 Resolution Re-Appointing Member to the
15 Planning Board.

16 Item 13.

17 Resolution Re-Appointing Member to the
18 Redevelopment Agency.

19 Item 14.

20 Resolution Approving Participation in the
21 Cranford Police Cooperative Pricing System.

22 Item 15.

23 Resolution Approving Shared Services
24 Agreement with Jersey City Incinerator Authority
25 for the Collection and Disposal of Solid Waste

1 and Recyclables.

2 Item 16.

3 Resolution Approving Contract for GPS Fleet
4 Management System with Synovia Solutions.

5 Item 17.

6 Resolution to Approve Collective Bargaining
7 Agreement with Local 108, RWDSU, UFCW for the
8 Crossing Guards.

9 Item 18.

10 Resolution Authorizing Refund of Redemption
11 Money to Outside Lienholders.

12 Item 19.

13 Resolution Authorizing the Refund of
14 Premium Money Collected at Tax Sale.

15 Item 20.

16 Resolution Authorizing Refund of a Tax
17 Appeal Issued by the Tax Court of New Jersey.

18 Mayor, do you wish to take public comment
19 on any items on the Consent Agenda?

20 MAYOR STACK: Sure.

21 Just for the public's knowledge, on number
22 15, the Resolution Approving the Shared Services
23 Agreement with the Jersey City Incinerator
24 Authority for the Collection and Disposal of
25 Solid Waste and Recyclables.

1 Our garbage contract expires at the end of
2 this year.

3 MS. de los RIOS: December 31st.

4 MAYOR STACK: December 31st it expires.

5 We're looking at possibly about bidding the
6 contract with the City of Jersey City at the same
7 time to save Union City and Jersey City both
8 money by bidding a larger contract out there.

9 Hopefully -- and I could say this for the
10 record, -- I know the attorneys may not like it
11 -- but hopefully Galaxy doesn't participate and
12 become our garbage hauler once again.

13 They've been a nightmare for the City of
14 Union City; dropping garbage, all kinds of fluid
15 all over the streets.

16 But this is more of a cost-saving measure
17 to see if we can save some money.

18 Anyone wishing to comment on the Consent
19 Agenda, please step forward.

20 ACTING CITY CLERK: Is there a motion to
21 close public comment?

22 MAYOR STACK: Motion.

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

25 COMMISSIONER VALDIVIA: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Valdivia.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes with an
6 exception on number 13, as it pertains to
7 Redevelopment Agency, which I recuse.

8 Otherwise yes on the other items.

9 ACTING CITY CLERK: Okay.

10 Commissioner Fernandez recusing from item
11 13.

12 Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

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

23 MAYOR STACK: Motion.

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

1 COMMISSIONER VALDIVIA: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Valdivia.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Once again, I
7 recuse on number 13; --

8 ACTING CITY CLERK: Recusing --

9 COMMISSIONER FERNANDEZ: -- otherwise, yes.

10 ACTING CITY CLERK: Recusing from number
11 13.

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

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

3

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

6 The Ordinance will be further considered at
7 a meeting of the Board of Commissioner to be held
8 on Wednesday, November 5th, 2014, at seven p.m. at
9 the Islamic Education Center, 4613 Cottage Place,
10 Union City, New Jersey.

11 First Ordinance Amending Schedule VIII to
12 Section 16-4.4 of the Code of the City of Union
13 City Entitled Traffic Restriction to Add a Stop
14 Intersection.

15 Is there a motion to introduce?

16 MAYOR STACK: This is 27th and Bergenline;
17 right?

18 MS. de los RIOS: Yes.

19 ACTING CITY CLERK: Yes.

20 There's two locations; I think it's 19 and
21 27.

22 MAYOR STACK: Okay.

23 I'll make a motion.

24 ACTING CITY CLERK: Motion --

25 COMMISSIONER MARTINETTI: Second.

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

3 Second by Commissioner Martinetti.

4 Roll call.

5 Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16

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

18

19 2. AN ORDINANCE AMENDING CHAPTER II,
20 ADMINISTRATION SECTION 2-21, POLICE DEPARTMENT,
21 SUBSECTION 2-21.1 OF "THE REVISED ORDINANCES OF
22 THE CITY OF UNION CITY, 1996"

23

24 ACTING CITY CLERK: Next Ordinance is
25 Amending Chapter II, Administration Section 2-21,

1 Police Department, Subsection 2-21.1 of The
2 Revised Ordinances of the City of Union City,
3 1996.

4 MAYOR STACK: This is expending the number
5 of Class 2 Specials, I believe.

6 Right?

7 MS. de los RIOS: Yes, it is.

8 MAYOR STACK: From 25 to 30.

9 MS. de los RIOS: Thirty-five.

10 MAYOR STACK: And this --

11 MS. de los RIOS: Thirty-five.

12 MAYOR STACK: Thirty-five?

13 MS. de los RIOS: Yes.

14 MAYOR STACK: So it's going from 25 --

15 MS. de los RIOS: To 35.

16 MAYOR STACK: -- to 35.

17 And this is on the recommendation of Chief
18 Molinari.

19 Motion.

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

22 COMMISSIONER MARTINETTI: Second.

23 ACTING CITY CLERK: Second by Commissioner
24 Martinetti.

25 Roll call.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 ACTING CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: Yes.

5 ACTING CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 ACTING CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 ACTING CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12

13 **REGULAR AGENDA:**

14

15 1. Resolution Approving the Redevelopment
16 Agency Payroll for the Period of October 8, 2014
17 through October 21, 2014

18

19 ACTING CITY CLERK: Next item is the
20 Regular Agenda.

21 First item is Resolution Approving the
22 Redevelopment Agency Payroll for the Period of
23 October 8, 2014 through October 21st, 2014.

24 MS. de los RIOS: At this time we recommend
25 that Commissioner Fernandez recuse himself on

1 this item.

2 MAYOR STACK: I'll make a motion.

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

5 COMMISSIONER VALDIVIA: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Valdivia.

8 Roll call.

9 Commissioner Fernandez; recusing.

10 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 2. Resolution Authorizing the Payment of Claim
23 to the Hudson County Clerk and the Hudson County
24 Improvement Authority
25

1 ACTING CITY CLERK: Next item is a
2 Resolution Authorizing the Payment of Claim to
3 the Hudson County Clerk and the Hudson County
4 Improvement Authority.

5 MS. de los RIOS: At this time we recommend
6 that --

7 MAYOR STACK: Motion.

8 MS de los RIOS: -- Commissioner Martinetti
9 and Rivas recuse themselves.

10 ACTING CITY CLERK: Motion made by --

11 COMMISSIONER VALDIVIA: Second.

12 ACTING CITY CLERK: -- Mayor Stack.

13 Second by Commissioner Valdivia.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 ACTING CITY CLERK: Commissioner Rivas;
18 recusing.

19 Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 ACTING CITY CLERK: Commissioner
22 Martinetti; recusing.

23 Mayor Stack?

24 MAYOR STACK: Yes.

25

1 **REGULAR AGENDA:**

2

3 3. Resolution Authorizing the Payment of
4 Claims to the Union City Board of Education

5

6 ACTING CITY CLERK: Next item, Resolution
7 Authorizing the Payment of Claim to the Union
8 City Board of Education.

9 MAYOR STACK: Motion.

10 MS. de los RIOS: I'm sorry.

11 At this time we recommend that
12 Commissioners Martinetti, Valdivia and Fernandez
13 recuse themselves.

14 It will be necessary to invoke the Doctrine
15 of Necessity allowing Commissioner Valdivia to
16 vote on this item.

17 COMMISSIONER RIVAS: Second.

18 ACTING CITY CLERK: Mayor Stack.

19 MAYOR STACK: Yes.

20 ACTING CITY CLERK: Second by Commissioner
21 Rivas.

22 Roll call.

23 Commissioner Fernandez; recusing.

24 Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti; recusing.

5 Mayor Stack?

6 MAYOR STACK: Yes.

7

8 **REGULAR AGENDA:**

9

10 4. Resolution Authorizing an Emergency
11 Temporary Appropriation for Fiscal Year 2015
12 Budget

13

14 ACTING CITY CLERK: Item 4, is a Resolution
15 Authorizing an Emergency Temporary Appropriation
16 for Fiscal Year 2015 Budget.

17 MS. de los RIOS: At this time, Your Honor
18 -- Mayor, I just want to state that this --
19 although there is no conflict on this it does
20 require a two-thirds vote, so we put it on to the
21 Regular Agenda for that reason.

22 MAYOR STACK: Okay.

23 Motion.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 COMMISSIONER VALDIVIA: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Valdivia.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Yes.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 ACTING CITY CLERK: Commissioner
11 Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15

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

17

18 ACTING CITY CLERK: Mayor, do you wish to
19 take public comment on any item on the Regular
20 Agenda?

21 MAYOR STACK: Sure.

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

25 MR. SHURIN: Could I just ask a question

1 real quick?

2 MAYOR STACK: Sure.

3 MR. SHURIN: My question -- I know you
4 already passed that; I got nervous because I --

5 MAYOR STACK: If you could state --

6 MR. SHURIN: Okay, --

7 MAYOR STACK: -- your name and address for
8 the record?

9 MR. SHURIN: Michael Shurin, 15 Oak Street,
10 Woodcliff Lake, New Jersey.

11 MR. DILLON: I need you to spell that for
12 me.

13 MAYOR STACK: And you're representing who,
14 sir?

15 MR. SHURIN: Michael --
16 Hudson County View.

17 MAYOR STACK: Okay.

18 MR. DILLON: I need you to spell your last
19 name.

20 MR. SHURIN: S-H-U-R-I-N.

21 MR. DILLON: R-I-N?

22 MR. SHURIN: Yeah.

23 My only question was in regard to the
24 shared services agreement with Jersey City with
25 the JCIA.

1 Obviously, -- my two questions really is --
2 has to do with the length of the contract; I
3 don't know how long the contract is. Because
4 there was talks for a while that the JCIA was
5 going to merge into the Jersey City DPW.

6 And my question is, is there something in
7 there where, you know, is this two years, three
8 years long -- that contract -- that would kind of
9 step in the way of some kind of move like that?

10 That's my real question.

11 MAYOR STACK: Just for the technicality of
12 it, I don't think we know right now --

13 MS. de los RIOS: We do not.

14 MAYOR STACK: -- what it will be.

15 I think we'll bid it. And I just don't
16 know what the bid package will look like. But
17 we'll probably bid it for a three, four, five
18 year contract and see what comes back and how
19 competitive it is and what the savings is to both
20 Union City and Jersey City.

21 MR. SHURIN: And I mean everybody -- other
22 private vendors are going to be having an
23 opportunity to bid also as well?

24 MAYOR STACK: Well this will be for private
25 vendors to bid on.

1 MR. SHURIN: All right.

2 MAYOR STACK: This will be the JCIA and the
3 City of Union City together bidding a public -- a
4 public garbage contract.

5 MR. SHURIN: All right.

6 MAYOR STACK: So any garbage hauler
7 throughout, I guess the New York, New Jersey or
8 anywhere, --

9 MS. de los RIOS: Anywhere.

10 MAYOR STACK: -- could bid on the contract.
11 The more that bid the better it is because
12 it will be more competitive for the taxpayers.

13 MR. SHURIN: So, let me just get this
14 straight. I'm a little confused right now
15 because when I think of the JCIA I think of the
16 group actually picking up trash in Jersey --

17 This is --

18 MAYOR STACK: No, this will be for private
19 haulers to bid.

20 MR. SHURIN: Oh. All right.

21 MS. de los RIOS: Exactly correct.

22 MR. SHURIN: All right. All right.

23 This isn't for regular --

24 MAYOR STACK: No. No.

25 MR. SHURIN: All right.

1 MAYOR STACK: And the City of Union City
2 will still pick up the receptacles that are on
3 the corners. We'll still pick up furniture that
4 may be out there -- residents may put out. That
5 will still remain the same.

6 MR. SHURIN: All right.

7 MAYOR STACK: This will be for your
8 household bulk garbage and your recyclables.

9 MR. SHURIN: All right.

10 MAYOR STACK: Sure.

11 Anyone else wishing to comment at this
12 time?

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

15 ACTING CITY CLERK: Is there a motion to
16 close public comment portion of this meeting?

17 MAYOR STACK: Motion.

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

20 COMMISSIONER MARTINETTI: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Martinetti.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10

11

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. Azucar Club, Inc., t/a Azucar Club, 421
4 43rd 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. California Café Corp., 2002 Bergenline
9 Avenue, Liquor License No. 0910-33-021-008

10 4. Park Avenue Bar & Grill, LLC, t/a Park
11 Avenue Bar & Grill, 3417 Park Avenue, Liquor
12 License Number 0910-33-119-004

13

14 ACTING CITY CLERK: Mayor, next item is
15 liquor license disciplinary proceeding.

16 Greg Farmer?

17 MR. FARMER: Good evening, Mayor and
18 Council.

19 MAYOR STACK: Sure.

20 Everyone is welcome to stay. This portion
21 of the meeting now will be on liquor license
22 hearings.

23 MR. FARMER: You have four on the agenda.

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: Taking the last one first,
6 Park Avenue Bar and Grill.

7 MAYOR STACK: Okay.

8 Maybe you want to stand over here, Greg?
9 Right over here. At the podium maybe.

10 MR. FARMER: Oh. All right.

11 MAYOR STACK: Yeah.

12 We got that for you, Greg.

13 MR. FARMER: All right.

14 Thank you.

15 MAYOR STACK: We have to get one for Mr.
16 Gonzalez over there.

17 MR. FARMER: Concerning Park Avenue Bar and
18 Grill. The licensee is here. He --

19 MAYOR STACK: Sure.

20 If you want to maybe come on this side,
21 sir?

22 MR. FARMER: This is a paper violation.

23 The licensee and I have spoken. And as has
24 been the past history of the Board, we've agreed
25 on a three day suspension, which would be

1 November 3rd, 4th and 5th.

2 Just want to get clear, last time we were
3 here, it was put off again because the licensee
4 was going to get a lawyer. But it's my
5 understanding he's proceeding without that and
6 taking the three days as we indicated.

7 Also has the condition that is always in
8 all our resolutions that there will be no appeal
9 from this settlement and that there will not be
10 an application to the State to convert the
11 suspension into a fine.

12 And that's the plea.

13 Am I correct?

14 MR. HODKINSON: You are correct.

15 MAYOR STACK: Sir, if you could just your
16 name and your role with the establishment?

17 MR. HODKINSON: Harry Hodkinson. I'm one
18 of the owners of Park Avenue Bar and Grill.

19 MR. DILLON: Dom, if he's testifying, do I
20 have to swear him in?

21 MR. FARMER: No. No.

22 ACTING CITY CLERK: No, he's not.

23 MR. DILLON: Okay.

24 MR. FARMER: What I said, was that a
25 correct understanding of what we agreed to?

1 MR. HODKINSON: That is a correct
2 understanding, yes.

3 MR. FARMER: Okay.

4 MAYOR STACK: And your role with the
5 establishment?

6 Are you the owner?

7 MR. HODKINSON: I'm one of the three
8 original owners.

9 MAYOR STACK: So you're one of the owners?

10 MR. HODKINSON: One of the three original
11 owners, yes.

12 MAYOR STACK: Okay.

13 MR. HODKINSON: Yes.

14 MAYOR STACK: Okay.

15 And do you manage the establishment? Do
16 you run the establishment --

17 MR. HODKINSON: No, I have a -- to be
18 honest with you, I know nothing about the bar
19 management business.

20 I have a -- I have a general manager with
21 25 years --

22 MAYOR STACK: Okay.

23 MR. HODKINSON: -- extensive bar
24 experience.

25 MAYOR STACK: The reason I ask, sir, -- and

1 we'll accept it today, the reason I'm asking is
2 because we've been getting complaints that we
3 really never received before at Park Avenue
4 Grill.

5 I'm getting complaints from the other side
6 of the street even into Weehawken. Both Union
7 City Police are being called and they're also
8 calling me about noise and music and people
9 outside the establishment.

10 What I'm asking you today is make sure that
11 somebody's outside. Make sure that the windows
12 are kept closed, that there's no music or no
13 noise emanating to both the area -- both Union
14 City and Weehawken across the street. Because
15 we've never gotten these complaints before.

16 MS. HODKINSON: I'm sorry, may I --

17 MAYOR STACK: Sure.

18 MS. HODKINSON: May I say something?

19 MAYOR STACK: You're --

20 MS. HODKINSON: I'm Harry's wife.

21 MAYOR STACK: Okay, just if you can enter
22 your name --

23 MR. FARMER: Your name?

24 MAYOR STACK: -- and what role you play
25 with the establishment.

1 MS. HODKINSON: Denise Hodkinson.

2 Oh.

3 MR. DILLON: Can you spell that for me?

4 MS. HODKINSON: D-E-N-I-S-E.

5 MR. DILLON: And your last name?

6 MS. HODKINSON: H-O-D-K-I-N-S-O-N.

7 MAYOR STACK: Sure.

8 MS. HODKINSON: I'm actually glad that you
9 raised that issue.

10 We have -- we have been getting and our
11 employees have been getting threatening letters,
12 emails, some from people that claim to work for
13 the town -- and I don't think that these -- I
14 don't know if these people exist. They seem to
15 have -- they claim to have intimate knowledge of
16 the goings on of the town and the intentions of
17 the town with regard to the bar. I'm certain
18 it's not true; they're just people harassing us.

19 But we also believe that they are
20 repeatedly calling and making complaints -- false
21 complaints. So, --

22 MR. HODKINSON: We've had a lot of --

23 MAYOR STACK: I can tell you this though.
24 The two residents that called me were both from
25 Weehawken --

1 MR. HODKINSON: Right.

2 MAYOR STACK: -- and, for lack of a better
3 term, they were real. They were real. They were
4 irate and they were real. They lived right
5 across the street.

6 MS. HODKINSON: Okay.

7 MAYOR STACK: I think that's Hauxhurst
8 that's across the street?

9 One lived on Hauxhurst; one lived on Park
10 Avenue. And that -- the Chief of -- I spoke to
11 them first, then I referred them down to the
12 Chief; I wrote the Chief a note on it. He called
13 him back and the officers went to visit them.
14 And their complaints were about noise and stuff
15 like --

16 Maybe at the let-out time. I'm not a
17 hundred percent sure but I know it was concerning
18 noise and people being in front of the
19 establishment.

20 My point I'm trying to make is just make
21 sure, you know, that the door is not open, that
22 the windows may not be open. It may -- it was
23 more in the summertime that we got these
24 complaints than it was right now.

25 MS. HODKINSON: We probably -- we have a

1 | lot of activity probably on the roof.

2 | MAYOR STACK: Could be. Could be. That
3 | noise just has to be kept down.

4 | MS. HODKINSON: Okay.

5 | MAYOR STACK: When the establishment was
6 | approved there, we made that very clear --

7 | MR. HODKINSON: Yeah.

8 | MAYOR STACK: -- about the back terrace,
9 | everything. Because you're in a very residential
10 | area that's densely populated.

11 | We just want the cooperation.

12 | MR. HODKINSON: Oh, absolutely.

13 | But we have received a lot of anonymous
14 | calls and tips and --

15 | MAYOR STACK: That I mean I don't really
16 | know about.

17 | MR. HODKINSON: -- and the Police come and
18 | they say there is no noise and we -- this -- and
19 | my general manager will testify to it, --

20 | MS. HODKINSON: It's happened quite a few
21 | times.

22 | MR. HODKINSON: -- it's happened, you know,
23 | every second, third night of the week.

24 | MAYOR STACK: Right.

25 | MR. HODKINSON: So it's an obvious attempt

1 to --

2 MAYOR STACK: You know if there's ever a
3 problem where you need to --

4 MR. HODKINSON: Yeah.

5 MAYOR STACK: -- call the Police, --

6 We always look at the fact -- and Mr.
7 Farmer will tell you this, that the establishment
8 calls the Police it plays a big role that if you
9 have to come here that you were the one that
10 picked up the phone and call the Police. That's
11 all we're asking for.

12 You know if you have trouble in the
13 establishment, you have the need to call the
14 Police, we encourage you to do so. We're not
15 going to penalize you for it. We want you to
16 pick up the phone and take the initiative.

17 MR. HODKINSON: Right.

18 MR. INGRASSELINO: Do I --

19 MAYOR STACK: Sure.

20 MR. DILLON: I need you to step to the mic
21 and say your name and spell it.

22 MR. INGRASSELINO: Peter Ingrasselino, I-N-
23 G-R-A-S-S-E-L-I-N-O. I'm the general manager.

24 One thing that had bothered me, which the
25 Police Station does has -- have, I've been

1 getting threatening emails. And three meetings
2 ago when I was here, I have an email of someone
3 specifically telling me what I was wearing and
4 how I was dressed and that I looked like a
5 worried man.

6 So, what's worrying me is somebody here,
7 when we were at that meeting, was basically
8 following me and harassing me and sent me an
9 email.

10 Now I've gotten other emails after that,
11 which I gave to the Union City Police and it's
12 being investigated on. But if you see where I'm
13 worrying is I'm here and somebody's sending me
14 email telling -- describing me, --

15 MAYOR STACK: Right.

16 MR. INGRASSELINO: -- which isn't right.
17 Which really isn't right. And it's scary.

18 MS. HODKINSON: And other employees have
19 gotten threatening emails and --

20 MAYOR STACK: No, I encourage you,
21 cooperate with the Police.

22 Juan, give that to him.

23 On my end and on the community's end, we're
24 just asking you, run a good establishment.

25 MR. INGRASSELINO: We are.

1 MAYOR STACK: You know, no noise, nothing
2 -- nobody hanging outside. That's all we're
3 looking for.

4 MR. INGRASSELINO: Well, --

5 MAYOR STACK: The same as we tell you is we
6 tell every other establishment.

7 MR. INGRASSELINO: Well, I can understand
8 in the summer because we did have the rooftop
9 parties --

10 MAYOR STACK: Right.

11 MR. INGRASSELINO: -- and they were loud.
12 So I can understand that; I respect that.

13 MAYOR STACK: Sure.

14 MR. INGRASSELINO: But now the noise level,
15 we actually have the security that's standing
16 outside the establishment --

17 MAYOR STACK: Good.

18 MR. INGRASSELINO: -- and we do keep the
19 noise level. When the Police do arrive we
20 actually have them stay outside and let us know
21 if we can -- if they can hear the music so we
22 keep it at a low tone.

23 But with all of the threats and things that
24 are happening with our employees, I understand
25 that across the street, Weehawken -- you know,

1 people were complaining and -- probably would
2 have been valid but the other phone calls that
3 are coming aren't coming from -- we're being
4 harassed.

5 MAYOR STACK: That -- I mean no nothing
6 about that. That I don't know anything about.

7 MR. INGRASSELINO: I just want to bring you
8 aware of it.

9 MAYOR STACK: Sure.

10 I only got two phone calls --

11 MR. INGRASSELINO: Okay.

12 MAYOR STACK: -- and they were both on the
13 other side of the street.

14 MR. INGRASSELINO: Okay.

15 MAYOR STACK: And we tried -- you know the
16 Chief works --

17 MR. INGRASSELINO: Okay.

18 MAYOR STACK: -- I'm sure maybe -- I don't
19 know if somebody visited you or whatever, we try
20 to rectify it.

21 MR. INGRASSELINO: I understand.

22 MAYOR STACK: Anything you're getting
23 harassing, whatever, cooperate with the
24 detectives and the Chief.

25 MR. INGRASSELINO: No, we are. I just want

1 to bring it to your attention of what --

2 MAYOR STACK: Sure.

3 MR. INGRASSELINO: -- what we're going
4 through.

5 MAYOR STACK: I understand.

6 MS. HODKINSON: And we --

7 MAYOR STACK: I understand.

8 MS. HODKINSON: -- we really want to be a
9 place that the community is proud of and wants to
10 come to and --

11 MAYOR STACK: Exactly.

12 MS. HODKINSON: -- and we appreciate the
13 feedback.

14 MAYOR STACK: Sure. Absolutely.

15 Thank you.

16 MR. HODKINSON: If I can say one more
17 thing, Mayor?

18 I inherited the business in April. I
19 employed an excellent general manager. I
20 personally pumped over a hundred thousand dollars
21 into -- to keeping it open. We faced enormous
22 challenges since then.

23 As I indicated to Mr. Farmer, you know,
24 we've got 16 employees that live in and work in
25 Union City; I don't want to close the place. I

1 want to keep it open as a viable growing
2 business.

3 So, I mean --

4 MR. INGRASSELINO: And these employees --

5 MR. HODKINSON: -- police officer --

6 MR. INGRASSELINO: -- look like day to day.

7 MR. HODKINSON: -- that made the complaint
8 and came back, he would have testified to the
9 fact that we're doing everything to keep to the
10 letter of the law.

11 MAYOR STACK: Good.

12 MR. HODKINSON: So, --

13 MAYOR STACK: That's what we ask.

14 MR. HODKINSON: -- I mean if there's --

15 MAYOR STACK: We appreciate that.

16 MR. HODKINSON: -- starting with any noise
17 abatement we will --

18 MAYOR STACK: Great.

19 MR. HODKINSON: -- try to adhere to.

20 MAYOR STACK: Great.

21 Thank you very much. Thank you.

22 I'll make a motion to approve.

23 MR. FARMER: Yes.

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

1 COMMISSIONER FERNANDEZ: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Fernandez.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 MR. FARMER: Okay.

17 MAYOR STACK: Thank you very much.

18 Thank you.

19 (Whereupon, there was a pause in the
20 proceedings.)

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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.

5 Louie?

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

8 MAYOR STACK: Mr. Farmer?

9 MR. FARMER: Yes. This is Azucar Club.

10 The situation is --

11 Well, why don't you put your appearance on
12 the record?

13 MR. DIAZ: Luis Diaz for the licensee,
14 Azucar.

15 MR. FARMER: This is a paper violation.
16 And also the Police initially responded because
17 of a complaint of an assault and really what took
18 place was a woman became disruptive, was being
19 escorted out, and the wailing so-to-speak hit a
20 customer and scratched his face.

21 Not much of an episode and I don't know --
22 it seems like the licensee was probably doing the
23 right thing in ejecting somebody who is
24 disruptive in the premises.

25 However, there were some paper violations

1 | when the Police responded there. And I've spoken
2 | to Mr. Diaz and we have agreed on a three day
3 | suspension, which would be November 4th, 5th and
4 | 6th.

5 | MR. DIAZ: That's correct.

6 | The licensee will not contest the
7 | violation. There were three individuals. The
8 | owner, his wife and the person that handles the
9 | music called in that night sick and send a
10 | replacement. So those three individuals were the
11 | owner, the wife and the person that called in
12 | saying they send a replacement.

13 | And the incident, as Mr. Farmer has
14 | indicated, the act of a third person, they walked
15 | around, they did not want her there and that
16 | person wind up acting criminally hitting another
17 | bystander.

18 | MAYOR STACK: I'll make a motion to
19 | approve.

20 | I mean it's basically the same thing, Mr.
21 | Diaz. If you can just keep the front clear, any
22 | problems whatsoever, please contact the Police
23 | Department.

24 | MR. DIAZ: Um-hum. They know.

25 | MAYOR STACK: Right.

1 MR. DIAZ: They know that it's very heavy
2 Police presence there, which they appreciate
3 because that keep that kind of element away.

4 MAYOR STACK: Right.

5 MR. DIAZ: They don't want to be in that --
6 in the company of the Police, so it's
7 appreciated.

8 MAYOR STACK: Thank you very much.

9 I'll make a motion to approve.

10 ACTING CITY CLERK: Motion by Mayor Stack.

11 COMMISSIONER VALDIVIA: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 Valdivia.

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 MS. de los RIOS: Recusing.

24 ACTING CITY CLERK: Recusing.

25 Commissioner -- Mayor Stack?

1 MAYOR STACK: Yes.

2 MR. DIAZ: Thank you very much. Good
3 night.

4 MAYOR STACK: Thank you, Mr. Diaz. Thank
5 you, sir.

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1 **CARIBE CLUB RESTAURANT, INC. t/a CARIBE CLUB,**
2 **727 24th Street, Liquor License No. 0910-33-210-**
3 **005:**

4

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

7 MR. GONZALEZ: I feel a little left out; I
8 don't have my own.

9 MR. FARMER: What? What did he say?

10 MR. GONZALEZ: I don't have my own.

11 MR. FARMER: Oh, okay.

12 Go ahead. Put your --

13 MR. GONZALEZ: For the record, Ramon
14 Gonzalez, firm of Gonzalez and Caride, on behalf
15 of Caribe.

16 MR. FARMER: Mayor and Council, I've spoken
17 to Mr. Gonzalez; we've agreed to just carry this
18 to November 5th.

19 MAYOR STACK: Okay.

20 Mr. Gonzalez, you want to --

21 MR. GONZALEZ: That's fine.

22 MAYOR STACK: Okay. Okay.

23 Okay. November the 5th you said, --

24 MR. FARMER: Yes.

25 MAYOR STACK: -- Mr. Farmer?

1 Very good.

2 Thank you.

3 Thank you, Mr. Gonzalez.

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

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4 MR. FARMER: California --

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

7 MR. FARMER: The -- this is California
8 Café. And the licensee is along side of me.

9 Would you put your name on the record so
10 they know who you are?

11 MR. DIAZ: Peter Diaz, D-I-A-Z,
12 representing California Café, 2002 Bergenline
13 Avenue.

14 MR. FARMER: I'm going to recommend that --

15 MR. DILLON: I'm sorry; I need the address
16 of it.

17 MR. DIAZ: 2002 Bergenline Avenue.

18 MR. DILLON: Bergenline.

19 Thank you.

20 MR. FARMER: I'm going to recommend that we
21 dismiss this because of the fact that how the
22 Police got involved, somebody stopped them on the
23 street. A fellow by the name of Sixto Rivera
24 (phonetic) saying he had just been assaulted
25 inside the bar. Police officer went there. The

1 person he said assaulted him wasn't there.

2 Talked to a bunch of the people who were there
3 who indicated that there was nothing that
4 happened inside the bar.

5 Then they look at a video and it doesn't
6 seem to be -- although it's not the greatest
7 video in the world, doesn't seem to have anything
8 happening in the bar.

9 Then it turns out that Mr. Rivera, who said
10 I didn't know the person who hit me, I don't know
11 why he hit me, I don't know anything about it, it
12 just suddenly happened, -- was his cousin.

13 And apparently the history is that the two
14 cousins were in the bar talking and probably
15 drinking too much and wound up getting into an
16 argument and then went outside.

17 So, I've subpoenaed Mr. Rivera on two
18 occasions, including this evening; he's not here.

19 So I would recommend that it be dismissed.

20 MAYOR STACK: Okay, on Mr. Farmer's
21 recommendation to dismiss.

22 Thank you.

23 MR. FARMER: Okay.

24 COMMISSIONER VALDIVIA: Second.

25 ACTING CITY CLERK: There's no other item

1 on the agenda.

2 Is there a motion to adjourn?

3 COMMISSIONER MARTINETTI: Motion.

4 MAYOR STACK: We're going to take a vote on
5 the dismissal.

6 COMMISSIONER RIVAS: Take a vote.

7 ACTING CITY CLERK: Oh, I'm sorry. Yes.

8 Is there a motion for the dismissal?

9 COMMISSIONER VALDIVIA: Motion.

10 MAYOR STACK: Motion. Second.

11 ACTING CITY CLERK: Motion by Commissioner
12 Valdivia.

13 Second by Mayor Stack.

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.

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4 **ADJOURNMENT:**

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ACTING CITY CLERK: Is there a motion to
adjourn?

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COMMISSIONER RIVAS: Motion.

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COMMISSIONER MARTINETTI: Motion.

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ACTING CITY CLERK: Motion made.

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All in favor?

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(Whereupon, there was a chorus of ayes.)

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(Whereupon, the proceedings were concluded
at 7:37 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 :

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5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, October 21, 2014, and digitally
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon