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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, March 3rd,
4 2015, at seven p.m., at the Housing Authority
5 Hillside Pavilion, 3911 Kennedy Boulevard, Union
6 City, New Jersey.

7 Everyone please rise for the Pledge of
8 Allegiance.

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

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

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

25

1 **ROLL CALL:**

2

3 ACTING CITY CLERK: Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Here.

6 ACTING CITY CLERK: Commissioner Rivas is
7 absent.

8 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

16 **APPROVAL OF PREVIOUS MEETING MINUTES FROM**
17 **FEBRUARY 3, 2015 AND FEBRUARY 23, 2015:**

18

19 ACTING CITY CLERK: First item, Approval of
20 Previous Meeting Minutes of February 3rd and
21 February 23rd, 2015.

22 MAYOR STACK: I'll move it.

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.

6 ACTING CITY CLERK: Commissioner Rivas is
7 absent.

8 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 **ORDINANCES FOR HEARING AND ADOPTION**

17 **CONSIDERATION:**

18

19 () ORDINANCE AMENDING CHAPTER 155 OF THE CODE
20 OF THE CITY OF UNION CITY ENTITLED "FEES"

21

22 ACTING CITY CLERK: Next item is Ordinance
23 for Hearing and Adoption Consideration.

24 Ordinance Amending Chapter 155 of the Code
25 of Union City Entitled Fees.

1 Mayor, do you wish to take --

2 MAYOR STACK: Yes.

3 Anyone wishing to comment on this Ordinance
4 at this time, please step forward, state your
5 name and address for the record.

6 Seeing none.

7 ACTING CITY CLERK: Is there a motion --

8 MAYOR STACK: Motion.

9 ACTING CITY CLERK: -- to close public --

10 COMMISSIONER MARTINETTI: Second.

11 ACTING CITY CLERK: Motion by Mayor Stack.

12 Second by Commissioner Martinetti.

13 Roll call.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 ACTING CITY CLERK: Commissioner Rivas?

17 Absent.

18 Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 ACTING CITY CLERK: Commissioner

21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 ACTING CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 ACTING CITY CLERK: Is there a motion to

1 adopt?

2 MAYOR STACK: Motion.

3 ACTING CITY CLERK: Motion by Mayor Stack.

4 COMMISSIONER VALDIVIA: Second.

5 ACTING CITY CLERK: Second by Commissioner
6 Valdivia.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 ACTING CITY CLERK: Commissioner Rivas is
11 absent.

12 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 **CONSENT AGENDA:**

21

22 (1) Resolution Approving the Payment of Claims

23 (2) Resolution Approving the Payment of

24 Concurring Claims

25 (3) Resolution Approving the City Payroll for

1 the Period of February 11, 2015 through February
2 24, 2015

3 (4) Resolution Approving the Library Payroll
4 for the Period of February 11, 2015 through
5 February 24, 2015

6 (5) Resolution to Authorizing Appointment of
7 Ana Mansilla to the Hudson Regional Health
8 Commission

9 (6) Resolution Appointing a Poet Laureate Jorge
10 Luis Seco

11 (7) Resolution Approving Contract for Emergency
12 Standby Snow Plowing/Removal Services

13 (8) Resolution Authorizing the Tax Collector to
14 Refund Property Owner of Block 61.01, Lot 1, also
15 Known as 1201 New York Avenue

16 (9) Resolution to File & Accept FY 2015 Drug
17 Free Communities (DFC) Support Program Funding

18 (10) Resolution Rescinding Prior Resolution
19 Renewing Pocket License for 2014-2015 for Margyru
20 LLC Liquor License No. 0910-33-177-006

21 (11) Proclamation Supporting the State of New
22 Jersey Designating the Second Full Week in May as
23 "Women's Lung Health Week"

24 (12) Resolution Approving Amendment to Contract
25 for Architectural Services for the Roof

- 1 Assessment of the Union City Municipal Building
- 2 (13) Resolution Approving State Contract with
- 3 Dell for Computer Equipment
- 4 (14) Resolution Approving State Contract with
- 5 Atlantic Tactical of New Jersey
- 6 (15) Resolution Approving State Contract with
- 7 WatchGuard Digital
- 8 (16) Resolution Requesting the New Jersey
- 9 Council on Affordable Housing Review and Approve
- 10 Amendment to Chapter 40
- 11 (17) Resolution to Re-Appoint Member to the
- 12 Planning Board
- 13 (18) Resolution Re-Appointing Members to the
- 14 Zoning Board of Adjustments
- 15 (19) Resolution Authorizing Refund of Redemption
- 16 Monies to Outside Lienholders
- 17 (20) Resolution Authorizing the Refund of
- 18 Premium Monies Collected at the Tax Sale
- 19 (21) Resolution Authorizing the Tax Collector to
- 20 Adjust the First Quarter Taxes on the Attached
- 21 List of Properties
- 22 (22) Any other matter of City business that may
- 23 arise

24

25 ACTING CITY CLERK: Next item is a Consent

1 Agenda. There are 21 items on the Consent
2 Agenda.

3 The first item, Resolution Approving the
4 Payment of Claims.

5 Item 2.

6 Resolution Approving the Payment of
7 Concurring Claims.

8 Item 3.

9 Resolution Approving the City Payroll for
10 the Period of February 11, 2015 through February
11 24, 2015.

12 Item 4.

13 Resolution Approving the Library Payroll
14 for the Period February 11, 2015 to February 24,
15 2015.

16 Item 5.

17 Resolution to Authorize Appointment of Ana
18 Mansilla to the Hudson Regional Health
19 Commission.

20 Item 6.

21 Resolution Appointing a Poet Laureate Jorge
22 Luis Seco.

23 Item 7.

24 Resolution Approving Contract for Emergency
25 Standby Snow Plowing/Removal Services.

1 Item 8.

2 Resolution Authorizing the Tax Collector to
3 Refund Property Owner of Block 61.01, Lot 1, also
4 known as 1201 New York Avenue.

5 Item 9.

6 Resolution to File and Accept FY 2015 Drug
7 Free Community, DFC, Support Program Funding.

8 Item 10.

9 Resolution Rescinding Prior Resolution
10 Renewing Pocket License for 2014-2015 for Margyru
11 LLC Liquor License Number 0910-33-177-006.

12 Item 11.

13 Proclamation Supporting the State of New
14 Jersey Designating the Second Full Week in May as
15 "Women's Lung Health Week".

16 Item 12.

17 Resolution Approving Amendment to Contract
18 for Architectural Services for the Roof
19 Assessment of the Union City Municipal Building.

20 Item 13.

21 Resolution Approving State Contract with
22 Dell for Computer Equipment.

23 Item 14.

24 Resolution Approving State Contract with
25 Atlantic Tactical of New Jersey.

1 Item 15.

2 Resolution Approving State Contract with
3 WatchGuard Digital.

4 Item 16.

5 Resolution Requesting the New Jersey
6 Council on Affordable Housing Review and Approve
7 Amendment to Chapter 40.

8 Item 17.

9 Resolution to Re-Appoint Members to the
10 Planning Board.

11 MAYOR STACK: Who is that? Who is that
12 that we're reappointing?

13 Just for the public's knowledge.

14 MS. de los RIOS: Mayor, --

15 ACTING CITY CLERK: That's Commissioner
16 Valdivia.

17 MS. de los RIOS: Yes. That's exactly
18 right.

19 MAYOR STACK: Okay.

20 Let's just make -- state the name this way
21 the public knows.

22 That's Commissioner Valdivia?

23 ACTING CITY CLERK: Commissioner Valdivia.

24 MAYOR STACK: Very good.

25 ACTING CITY CLERK: Item 18.

1 Resolution Re-Appointing Member to the
2 Zoning Board of Adjustment.

3 MAYOR STACK: And who is that?

4 ACTING CITY CLERK: We have quite a few
5 members.

6 MAYOR STACK: Okay. If we could just read
7 them into the record?

8 ACTING CITY CLERK: Let me get the
9 Resolutions.

10 Okay, we have -- we're re-appointing
11 Margarita Gutierrez.

12 We're also replacing Harlenny E. Javier
13 with Fernando Uribe. She's going to replace
14 Fernando Uribe.

15 MAYOR STACK: Who is?

16 MS. de los RIOS: Harlenny --

17 ACTING CITY CLERK: Fernando Uribe.

18 MAYOR STACK: Who's replacing --

19 ACTING CITY CLERK: With Harlenny --

20 MAYOR STACK: -- Fernando Uribe?

21 ACTING CITY CLERK: Harlenny Javier.

22 MAYOR STACK: Okay.

23 ACTING CITY CLERK: Javier.

24 MAYOR STACK: Okay.

25 ACTING CITY CLERK: Joseph D. Bonacci

1 replacing Jose Calderon.

2 MAYOR STACK: Okay, Jose Calderon. Okay.

3 ACTING CITY CLERK: And Elisa Flores
4 replacing Julio Valladares.

5 MAYOR STACK: Okay.

6 ACTING CITY CLERK: That's it.

7 MAYOR STACK: Okay.

8 Dominick, on these, you send letters out to
9 all these telling them -- giving them a copy of
10 the agenda, --

11 ACTING CITY CLERK: I did. And they came
12 to my office; I swear them all in.

13 MAYOR STACK: And you send them all a
14 letter and everything after tonight?

15 ACTING CITY CLERK: Yes, I did.

16 MAYOR STACK: Very good.

17 Thanks, Dominick.

18 ACTING CITY CLERK: You're welcome.

19 MAYOR STACK: Okay.

20 Thank you.

21 ACTING CITY CLERK: Item 19.

22 Resolution Authorizing Refund of Redemption
23 Monies to Outside Lienholders.

24 Item 20.

25 Resolution Authorizing the Refund of

1 Premium Monies Collected at Tax Sale.

2 Item 21.

3 Resolution Authorizing Tax Collector to
4 Adjust the First Quarter Taxes on the Attached
5 List of Properties.

6 There are no other items on the Consent
7 Agenda.

8 Do you wish to take public comment?

9 MAYOR STACK: Sure.

10 Anyone wishing to comment on the Consent
11 Agenda, please step forward, state your name and
12 address for the record.

13 MS. DILLON: Come right up here. You got
14 to come close.

15 MR. PRICE: Here?

16 MS. DILLON: Right there.

17 Just speak up, Mr. Price.

18 MR. PRICE: Okay. Larry Price, 1006
19 Palisade Avenue.

20 A question about number 16, which is the
21 New Jersey Council on Affordable Housing.

22 I thought, you know, this has been a big
23 mess for the last few years. I thought basically
24 the Council was out of business because the
25 Governor didn't like -- or a big fight, whatever.

1 And that basically COAH had -- was just in
2 abeyance right now.

3 MAYOR STACK: I think what they're doing is
4 just of review.

5 MS. de los RIOS: That's exactly right.

6 MAYOR STACK: Monica, can you --

7 MS. de los RIOS: They are -- what they
8 have asked us -- we are required to send our
9 Ordinance to them when it involves COAH. We've
10 done that.

11 They've asked us to pass a Resolution
12 authorizing them to review that Ordinance and to
13 comment on its acceptability. That's all they've
14 asked.

15 MR. PRICE: Okay.

16 MAYOR STACK: It's amazing that we have to
17 pass an Ordinance though, for them to -- I mean
18 pass a Resolution --

19 MS. de los RIOS: To have them review.

20 MAYOR STACK: -- for them to review.

21 Just doesn't --

22 Okay.

23 MS. de los RIOS: Um-hum.

24 MR. PRICE: Like if you didn't pass the
25 Resolution, --

1 MAYOR STACK: They couldn't review it.

2 MR. PRICE: -- they wouldn't review?

3 MAYOR STACK: It doesn't make sense.

4 MS. de los RIOS: They wouldn't --

5 MR. PRICE: It doesn't make sense.

6 MS. de los RIOS: Well, unfortunately

7 that's --

8 MAYOR STACK: Right.

9 MR. PRICE: The way it's done.

10 MS. de los RIOS: -- that's the situation.

11 And --

12 MR. PRICE: Trenton has ways of doing

13 things.

14 MAYOR STACK: Thank you.

15 Okay, anyone else at this time?

16 Seeing no other.

17 ACTING CITY CLERK: There's none.

18 Is there a motion to close public comment?

19 COMMISSIONER MARTINETTI: Motion.

20 ACTING CITY CLERK: Motion made by --

21 COMMISSIONER VALDIVIA: Second.

22 ACTING CITY CLERK: -- Commissioner

23 Martinetti.

24 Second by Commissioner Valdivia.

25 Roll call.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 ACTING CITY CLERK: Commissioner Rivas is
4 absent.

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

14 MAYOR STACK: Motion.

15 ACTING CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER VALDIVIA: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Valdivia.

19 MS. de los RIOS: At this --

20 ACTING CITY CLERK: Roll call.

21 Commissioner Fernandez?

22 MS. de los RIOS: At this --

23 ACTING CITY CLERK: Oh, I'm sorry.

24 MS. de los RIOS: -- time, --

25 I'm sorry, Dominick.

1 At this time, with respect to item number 1
2 on the Consent Agenda, it is recommended that
3 Commissioner Fernandez recuse on the line item
4 with regard to the Union City Redevelopment
5 Agency.

6 In addition, with respect to item number
7 21, it is also recommended that Commissioner
8 Fernandez recuse himself from any property with
9 an address of Brown Street.

10 ACTING CITY CLERK: So, Commissioner
11 Fernandez, everything else yes, --

12 COMMISSIONER FERNANDEZ: As stated --

13 ACTING CITY CLERK: -- except --

14 COMMISSIONER FERNANDEZ: -- by counsel, I'm
15 recusing on item 1 as it pertains to
16 Redevelopment Agency and item 21 as it pertains
17 to any property on Brown Street; otherwise, yes.

18 ACTING CITY CLERK: Commissioner Rivas?
19 Absent.

20 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 with the exception noted.

2

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

4

5 (1.) AN ORDINANCE AMENDING CHAPTER 223 "LAND
6 DEVELOPMENT" OF THE CODE OF THE CITY OF UNION
7 CITY

8

9 ACTING CITY CLERK: Next item is the
10 Ordinance for Introduction. There are two
11 Ordinance for Introduction.

12 This Ordinance will be further considered
13 at a meeting of the Board of Commissioner to be
14 held on March 17, 2015, at seven p.m., at the
15 Holy Cross Armenian Center, 2610 Bergenline
16 Avenue, Union City, New Jersey.

17 First Ordinance is Amending Chapter 223
18 Land Development of the Code of the City of Union
19 City.

20 Is there a motion to introduce?

21 MAYOR STACK: A motion to introduce.

22 Also, just to be certain that Kara
23 Kaczynski is at the hearing on the Ordinance; and
24 also Brian Chewcaskie.

25 MS. de los RIOS: Brian Chewcaskie?

1 MAYOR STACK: Yes.

2 MS. de los RIOS: Yes, Mayor.

3 MAYOR STACK: Motion.

4 ACTING CITY CLERK: There's a motion by
5 Mayor 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 is
13 absent.

14 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 (2.) AN ORDINANCE AMENDING CHAPTER XVI OF THE
25 "REVISED GENERAL ORDINANCE OF THE CITY OF UNION

1 CITY, 1996"

2

3 ACTING CITY CLERK: Next Ordinance Amending
4 Chapter XVI of the Revised General Ordinance of
5 the City of Union City, 1996.

6 Is there a motion to introduce?

7 COMMISSIONER MARTINETTI: Motion.

8 MAYOR STACK: Motion.

9 ACTING CITY CLERK: Motion by Commissioner
10 Martinetti.

11 Second by Mayor Stack.

12 Roll call.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 ACTING CITY CLERK: Commissioner Rivas?

16 Absent.

17 Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 ACTING CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24

25 **REGULAR AGENDA:**

1

2 1. Resolution Approving the Redevelopment
3 Agency Payroll for the Period of February 11,
4 2015 through February 24, 2015

5

6 ACTING CITY CLERK: Next item is the
7 Regular Agenda.

8

9 First item is Resolution Approving the
10 Redevelopment Agency Payroll for the Period of
11 February 11, 2015 through February 24, 2015.

12

13 COMMISSIONER MARTINETTI: Motion.

14

15 ACTING CITY CLERK: Motion by Commissioner
16 Martinetti.

17

18 COMMISSIONER VALDIVIA: Second.

19

20 ACTING CITY CLERK: Second by Commissioner
21 Valdivia.

22

23 Roll call.

24

25 Commissioner Fernandez; recusing.

26

27 Commissioner Rivas?

28

29 Absent.

30

31 Commissioner Valdivia?

32

33 COMMISSIONER VALDIVIA: Yes.

34

35 ACTING CITY CLERK: Commissioner
36 Martinetti?

37

38 COMMISSIONER MARTINETTI: Yes.

1 ACTING CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3

4 **REGULAR AGENDA:**

5

6 2. Resolution Approving Memorandum of
7 Understanding with Hudson County for Use of 2014
8 Ford Explorer

9

10 ACTING CITY CLERK: Item 2 is Resolution
11 Approving Memorandum of Understanding with Hudson
12 County for Use of 2014 Ford Explorer.

13 MAYOR STACK: Just on the next two, just
14 for the Commissioners' and the public's
15 edification, the Ford Explorer and the Crown
16 Victoria are both being put into the -- they're
17 already in the Police fleet at this time.

18 ACTING CITY CLERK: Is there a motion?

19 MAYOR STACK: Motion. I'm sorry.

20 COMMISSIONER VALDIVIA: Second.

21 ACTING CITY CLERK: Motion by Mayor Stack.

22 Second by Commissioner Valdivia.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 Absent.

3 Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10

11 **REGULAR AGENDA:**

12

13 3. Resolution Approving Memorandum of
14 Understanding with Hudson County for Transfer of
15 a 2010 Ford Crown Victoria

16

17 ACTING CITY CLERK: Item 3.

18 Resolution Approving Memorandum of
19 Understanding with Hudson County for Transfer of
20 a 2010 Ford Crown Victoria.

21 MAYOR STACK: Motion.

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

24 COMMISSIONER FERNANDEZ: Second.

25 ACTING CITY CLERK: Second by Commissioner

1 Fernandez.

2 Roll call.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 ACTING CITY CLERK: Commissioner Rivas?

6 Absent.

7 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

16 **REGULAR AGENDA:**

17

18 4. Resolution to Establish Temporary

19 Appropriations to the Fiscal Year 2015 Budget

20

21 ACTING CITY CLERK: Item 4.

22 Resolution to Establish Temporary

23 Appropriations to the Fiscal Year 2015 Budget.

24 MAYOR STACK: Motion.

25 ACTING CITY CLERK: Motion by Mayor Stack.

1 COMMISSIONER MARTINETTI: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Martinetti.

4 Roll call.

5 Commissioner Fernandez?

6 MS. de los RIOS: I'm sorry, --

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Oh.

9 MS. de los RIOS: No.

10 ACTING CITY CLERK: Sorry.

11 MS. de los RIOS: I'm sorry, Dominick.

12 At this time it is recommended that Mayor
13 Stack recuse himself from item number 2, the
14 Union City Daycare Program.

15 As well as it is recommended that
16 Commissioner Fernandez recuse himself from any --
17 any line item that deals with the Union City
18 Redevelopment Agency.

19 ACTING CITY CLERK: Okay.

20 So, Commissioner --

21 MS. de los RIOS: And just to be --

22 Sorry. To finish up at this time.

23 We also would like to invoke the doctrine
24 of necessity to have Commissioner Fernandez vote.

25 ACTING CITY CLERK: Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes with the
2 exception of the Redevelopment Agency; otherwise,
3 yes.

4 ACTING CITY CLERK: Commissioner Rivas?
5 Absent.

6 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 with the exception noted.

13

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

15

16 ACTING CITY CLERK: Mayor, there are no
17 other items on the Regular Agenda.

18 Will you wish to take public comment on any
19 item on the Regular Agenda?

20 MAYOR STACK: Yes.

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

24 MR. PRICE: Larry Price, 1006 --

25 MS. DILLON: Louder. Louder.

1 It's a big area.

2 MR. PRICE: With a high ceiling.

3 MS. DILLON: Right.

4 MR. PRICE: Larry Price, 1006 Palisade
5 Avenue.

6 We had an item come up in the Planning
7 Board last week that I think it may be a problem.
8 Not so much for this particular application but
9 the -- it's 913 New York Avenue.

10 There was an application, you know, for a
11 lot that's 2500 square feet. It's on the corner
12 there. The application is a pretty intense one.

13 They're going to have a basement. They're
14 going to have a cooking school down in the
15 basement. Then on the first floor will be
16 parking and a store in front. And then on the
17 four floors above that they're going to have five
18 apartments; two one bedrooms on the second floor
19 and a one -- three bedrooms on each floor above
20 that.

21 Okay, one of the things that came out in
22 that hearing was that the parking requirement is
23 for 22 cars. They are going to provide four -- a
24 garage for four cars.

25 But they make the claim and it's there,

1 | it's a legitimate claim, that they don't have to
2 | provide -- the parking requirement at 22 is 12
3 | for the non-residential and 10 for the
4 | residential.

5 | And they say they don't have to provide the
6 | non-residential -- the 12 parking spots --
7 | because there is a footnote in our Zoning
8 | Ordinance, which basically says non -- you know,
9 | if the lot is 2500 square feet or less it doesn't
10 | have to provide any parking for the non-
11 | residential use.

12 | So they're saying basically those 12 we
13 | don't have to meet --

14 | I know why that ended up in there and I
15 | didn't think anything of it but the problem with
16 | that provision is people can game it.

17 | This guys comes in, buys a 2500 square --
18 | this guy really should be in the MU Zone.
19 | Because it's a really pretty intense application.
20 | But he doesn't do that.

21 | He comes to the CM District on New York
22 | Avenue because it's 2500 -- doesn't have to worry
23 | about the parking.

24 | By the way his second claim, which was the
25 | ten residential, said they only have to provide

1 | for seven because they have three on-street
2 | parking spots on 10th Street. Now that I think
3 | they're wrong. But whether you're saying ten --
4 | we have to meet ten, three on the street, four in
5 | the garage, and we're short three.

6 | Well, that's -- as you know that
7 | neighborhood's pretty tight on parking. I have
8 | to say since I own garages in that neighborhood
9 | I'm a little ambivalent. Having more demand will
10 | be probably best for me but it's -- their gaming
11 | the system.

12 | You know, we -- that provision is in there
13 | to help the storekeeper. But instead what
14 | they're doing is buying a store, demolishing it,
15 | putting up this intense use and saying hey we
16 | don't have to worry about parking.

17 | We might -- I notice there's going to be a
18 | review of the Zoning Ordinance; we might want to
19 | think about that.

20 | MAYOR STACK: Absolutely.

21 | MR. PRICE: I know Libero wanted to be here
22 | tonight. Libero's pretty sick. He's -- he was
23 | going to be here and he had to cancel but he also
24 | has an interest.

25 | MAYOR STACK: And was the application

1 approved?

2 MR. PRICE: It was approved.

3 MAYOR STACK: It was approved.

4 MS. de los RIOS: And that was 913 New York
5 Avenue?

6 MAYOR STACK: 913 New York Avenue.

7 It will probably be challenged by an
8 interested citizen.

9 MAYOR STACK: I'll definitely take a look
10 at that Zoning Ordinance.

11 MR. PRICE: Yeah. But it's -- you know,
12 it's there. I mean it's real. It's the -- you
13 know, they're kind of pulling a fast one but
14 they're -- they're taking advantage --

15 MAYOR STACK: Absolutely.

16 MR. PRICE: But anyway it's in the Parking
17 section. There are two -- two sections for
18 Parking; one is non-residential, the other's
19 residential. Both apply here. But this is in
20 the non-residential section.

21 It's something to probably we should --

22 MAYOR STACK: Absolutely.

23 MR. PRICE: -- take a second look.

24 Thank you.

25 MAYOR STACK: Thank you very much.

1 Anyone else at this time would like to
2 comment?

3 ACTING CITY CLERK: Seeing none.

4 MAYOR STACK: Seeing no other.

5 ACTING CITY CLERK: Motion to close?

6 COMMISSIONER MARTINETTI: Second.

7 ACTING CITY CLERK: Motion by Mayor Stack.

8 Second by Commissioner Martinetti.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Rivas?

13 Absent.

14 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: Mayor, the next items
22 are Liquor License Disciplinary Proceedings.

23 MAYOR STACK: Mr. Farmer, did you want to
24 take a few minutes at this time to --

25 MR. FARMER: I'm sorry.

1 I didn't hear you.

2 MAYOR STACK: Did you want to take a few
3 minutes at this time to --

4 MR. FARMER: No. No.

5 MAYOR STACK: No?

6 You're okay?

7 MR. FARMER: Yeah.

8 MAYOR STACK: Okay.

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1 **LIQUOR LICENSE HEARING:**

2

3 1. Renewal Application of Uno Bar t/a Dolores
4 Castro, Liquor License No. 0910-33-108-004,
5 Located at 3607 New York Avenue

6

7 MR. FARMER: There are two things on
8 tonight. One is a renewal of a liquor license,
9 Uno Bar.

10 I think there's no reason why you can't --
11 should not renew it because they paid the fee;
12 they've complied with everything.

13 This is the one where we had a hearing and
14 there was great suspicion as to whether or not
15 she was a true owner of the establishment.

16 MS. DILLON: Just keep your voice up for
17 me, Mr. Farmer.

18 MR. FARMER: A true owner of the
19 establishment.

20 MS. DILLON: Thank you.

21 MR. FARMER: What took place was Lieutenant
22 Loaces or Detective Loaces -- we're referring
23 everything down to Trenton and let the State ABC
24 do what they have to do as far as uncovering
25 whether or not there is an undisclosed interest.

1 But as far as the procedural thing of
2 renewing the license, we suspended it for 30
3 days. She's off the suspension. She had paid
4 and dotted the i's and crossed the t's.

5 So there's no reason not to renew the
6 license. And we'd have a problem if we didn't.

7 MAYOR STACK: Okay.

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LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

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

MR. FARMER: And the other one is El Cuco.

I got a letter from Alonso indicating that
he had a conflict.

We haven't gotten a tape yet from the
Police, so I think it would be best to carry this
to the 17th because at that time we'll have the
video apparatuses to be able to show truthfully
licensees who have alleged fights and can take a
look at it and see what we see and decide what we
want to do.

MAYOR STACK: Okay.

MR. FARMER: Okay?

All right?

* * *

1 **LIQUOR LICENSE HEARING:**

2

3 1. Renewal Application of Uno Bar t/a Dolores
4 Castro, Liquor License No. 0910-33-108-004,
5 Located at 3607 New York Avenue

6

7 MAYOR STACK: And on the renewal you said
8 to go ahead and proceed with it?

9 MR. FARMER: Yes.

10 MAYOR STACK: Great.

11 MR. FARMER: Yes.

12 MAYOR STACK: Okay.

13 ACTING CITY CLERK: So is there a motion
14 the renewal application for Uno Bar?

15 MAYOR STACK: Yes. Motion.

16 ACTING CITY CLERK: Motion --

17 COMMISSIONER MARTINETTI: Second.

18 ACTING CITY CLERK: -- by Mayor Stack.

19 Second by Commissioner Martinetti.

20 Roll call.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 Absent.

25 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: And the disciplinary
8 proceeding; that be moved to the next meeting.

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

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1 **ADJOURNMENT:**

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3 ACTING CITY CLERK: There are no other
4 items on the agenda.

5 Is there a motion to adjourn?

6 COMMISSIONER MARTINETTI: Motion.

7 MAYOR STACK: Motion.

8 ACTING CITY CLERK: Motion by Commissioner
9 Martinetti.

10 Second by Mayor Stack.

11 All in favor?

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

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15 (Whereupon, the proceedings were concluded
16 at 7:25 p.m.)

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Board of Commissioners

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 Tuesday, March 3, 2015, and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon