

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Jefferson Elementary School
3400 Palisade Avenue
Union City, New Jersey

Tuesday, May 5, 2015
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,
 (Left at 7:24 p.m.)
MARYURY A. MARTINETTI, COMMISSIONER,
 (Left at 7:37 p.m.)
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 E. de los RIOS, ESQ.
Corporation Counsel

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

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1 ACTING CITY CLERK: -- Public Meeting of
2 the Union City Board of Commissioner, being held
3 on Tuesday, May 5th, 2015, at seven p.m., at the
4 Jefferson Elementary School, 3400 Palisade
5 Avenue, Union City, New Jersey.

6 Everyone please rise for the Pledge of
7 Allegiance.

8
9 (Whereupon the Pledge of Allegiance was
10 said.)

11
12 ACTING CITY CLERK: This meeting has been
13 called in accordance with Chapter 231, Public Law
14 of 1975, the Open Public Meeting Act. Adequate
15 notice of this meeting has been provided as
16 follows:

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

24
25 **ROLL CALL:**

1

2

ACTING CITY CLERK: Roll call.

3

Commissioner Fernandez?

4

COMMISSIONER FERNANDEZ: Here.

5

ACTING CITY CLERK: Commissioner Rivas?

6

COMMISSIONER RIVAS: Here.

7

ACTING CITY CLERK: Commissioner Valdivia?

8

COMMISSIONER VALDIVIA: Here.

9

ACTING CITY CLERK: Commissioner

10 Martinetti?

11

COMMISSIONER MARTINETTI: Here.

12

ACTING CITY CLERK: Mayor Stack?

13

MAYOR STACK: Here.

14

15 **ORDINANCES FOR HEARING AND ADOPTION**

16 **CONSIDERATION:**

17

18

1. ORDINANCE REQUIRING PSE&G TO NOTIFY THE

19

UNION CITY POLICE DEPARTMENT WHEN IT RESPONDS TO

20

A GAS LEAK

21

22

ACTING CITY CLERK: First item.

23

Ordinance for Hearing and Adoption

24

Consideration.

25

An Ordinance Requiring PSE&G to Notify the

1 Union City Police Department When it Responds to
2 a Gas Leak.

3 MAYOR STACK: What this -- what this
4 Ordinance would do is when PSE&G is told of a gas
5 leak or an odor of gas, -- somebody calls in, a
6 resident calls in says I have an odor of gas in
7 my apartment or my neighborhood, automatically
8 PSE&G, under this Ordinance, would have to call
9 Union City Police. That's not the case right
10 now. PSE&G just sends somebody out on the gas
11 leak.

12 I'm looking to introducing similar
13 legislation on a statewide basis, not only
14 benefits Union City but benefits the entire
15 state.

16 So if a gas leak is called out -- Libero
17 calls in a gas leak on the 300 block of 9th
18 Street, Union City Police is automatically
19 called, North Hudson Regional's called. It's
20 important that they go out on it to properly
21 ventilate if it's in somebody's apartment and
22 make the situation safe, --

23 COMMISSIONER MARTINETTI: Save time.

24 MAYOR STACK: -- if necessary, and have
25 somebody out at that location until PSE&G arrives

1 on the scene.

2 COMMISSIONER MARTINETTI: Save time.

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

6 Seeing none.

7 ACTING CITY CLERK: None.

8 MAYOR STACK: I'll make a motion.

9 ACTING CITY CLERK: Is there motion to
10 close public hearing?

11 COMMISSIONER RIVAS: Second.

12 ACTING CITY CLERK: Motion by Mayor Stack.

13 Second by Commissioner Rivas.

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: Is there a motion to
2 adopt?

3 COMMISSIONER MARTINETTI: Motion.

4 COMMISSIONER VALDIVIA: Motion.

5 Second.

6 ACTING CITY CLERK: Motion made by
7 Commissioner Martinetti.

8 Second by Commissioner Valdivia.

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 **CONSENT AGENDA:**

23

24 (1) Resolution Approving the Payment of Claims

25 (2) Resolution Approving the Payment of

1 Concurring Claims

2 (3) Resolution Approving the City Payroll for
3 the Period of April 22, 2015 through May 5, 2015

4 (4) Resolution Approving the Library Payroll
5 for the Period of April 22, 2015 through May 5,
6 2015

7 (5) Resolution Adopting 3501-3511 Palisade
8 Avenue Redevelopment Plan

9 (6) Resolution Approving Governing Body
10 Certification of the Annual Audit for State
11 Fiscal Year 2014

12 (7) Resolution Requesting Approval of Items of
13 Revenue and Appropriation N.J.S.A. 40A:4-87

14 (8) Resolution Approving Fiscal Year 2015
15 Budget for the Community Development Block Grant
16 Program

17 (9) Resolution Approving Disciplinary
18 Proceedings Against Milagro Ecuatoriano
19 Restaurant t/a Bambinas Bar & Restaurant, Located
20 at 2906 Bergenline Avenue, Liquor License No.
21 0910-33-040-090

22 (10) Resolution Approving Disciplinary
23 Proceedings Against El Papaturo, Located at 1018
24 Summit Avenue, Liquor License No. 0910-33-137-005

25 (11) Resolution Approving State Contract with

- 1 Beyer Ford for Purchase of 2015 Ford Transit
2 Police Van
- 3 (12) Resolution Approving Contract for Emergency
4 Standby Snow Plowing/Removal Services
- 5 (13) Resolution Designating Loading Zone in
6 Front of the Early Childhood Learning Center,
7 Located at 510-35th Street
- 8 (14) Resolution Authorizing the Adoption of the
9 2014 Hudson County All Hazard Mitigation Plan
10 Update
- 11 (15) Resolution Approving Re-Naming Part of the
12 300 Block of 15th Street in Honor of Detective
13 Nicholas Guirado
- 14 (16) Resolution Approving Re-Naming Part of the
15 400 Block of 15th Street in Honor of Sgt. Arthur
16 Mckenna
- 17 (17) Resolution Approving Re-Naming Part of the
18 500 Block of 15th Street in Honor of Det. Arthur
19 Materka
- 20 (18) Resolution Approving Re-Naming Part of the
21 600 Block of 15th Street in Honor of Sgt. James
22 Knight
- 23 (19) Resolution Approving Re-Naming Part of the
24 700 Block of 15th Street in Honor of P.O. Paul
25 Scholtz

1 (20) Resolution Approving Re-Naming Part of the
2 800 Block of 15th Street in Honor of Lt. Charles
3 Harm

4 (21) Resolution Authorizing the Acting City
5 Clerk to Advertise for the Receipt of Bids for
6 the "Juan Pablo Duarate Park Sprayground
7 Improvements" Project

8 (22) Resolution Authorizing Refund of Redemption
9 Monies to Outside Lienholders

10 (23) Resolution Authorizing the Refund of
11 Premium Monies Collected at the Tax Sale

12 (24) Resolution Authorizing Payment to the North
13 Hudson Sewage Authority

14 (25) Resolution Authorizing Tax Refund in Tax
15 Appeal Decisions by the Tax Court of New Jersey

16 (26) Any other matter of City business that may
17 arise

18

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

21 First item is Resolution Approving the
22 Payments of Claims.

23 Item 2.

24 Resolution Approving the Payment of
25 Concurring Claims.

1 Item 3.

2 Resolution Approving the City Payroll for
3 the Period of April 22nd, 2015 through May 5th,
4 2015.

5 Item 4.

6 Resolution Approving the Library Payroll
7 for the Period of April 22nd, 2015 through May
8 5th, 2015.

9 Item 5.

10 Resolution Adopting 3501-3511 Palisade
11 Avenue Redevelopment Plan.

12 Item 6.

13 Resolution Approving Governing Body
14 Certification of the Annual Audit for the State
15 Fiscal Year 2014.

16 Item 7.

17 Resolution Requesting Approval of Items of
18 Revenue and Appropriation N.J.S.A. 40A:4-87.

19 Item 8.

20 Resolution Approving Fiscal Year 2015
21 Budget for the Community Development Block Grant
22 Program.

23 Item 9.

24 Resolution Approving Disciplinary
25 Proceeding Against Milagro Ecuatoriano

1 Restaurant, also known as Bambinas Bar and
2 Restaurant, Located at 2906 Bergenline Avenue,
3 Liquor License Number 0910-33-040-090.

4 Item 10.

5 Resolution Approving Disciplinary
6 Proceedings Against El Papaturo, Located at 1018
7 Summit Avenue, Liquor License Number
8 0910-33-137-005.

9 Item 11.

10 Resolution Approving State Contract with
11 Beyer Ford for Purchase of 2015 Ford Transit
12 Police Van.

13 Item 12.

14 Resolution Approving Contract for Emergency
15 Standby Snow Plowing/Removal Services.

16 Item 13.

17 Resolution Designating Loading Zone in
18 Front of the Early Childhood Learning Center,
19 Located at 510-35th Street.

20 Item 14.

21 Resolution Authorizing the Adoption of the
22 2014 Hudson County All Hazard Mitigation Plan
23 Update.

24 Item 15.

25 Resolution Approving Re-Naming Part of the

1 300 Block of 15th Street in Honor -- in Honor of
2 Detective Nicholas Guirado.

3 Item 16.

4 Resolution Approving Re-Naming Part of the
5 400 Block of 15th Street in Honor of Sergeant
6 Arthur Mckenna.

7 Item 17.

8 Resolution Approving Re-Naming Part of the
9 500 Block of 15th Street in Honor of Detective
10 Arthur Materka.

11 Item 18.

12 Resolution Approving Re-Naming Part of the
13 600 Block of 15th Street in Honor -- in Honor of
14 Sergeant James Knight.

15 Item 19.

16 Resolution Approving Re-Naming Part of the
17 700 Block of 15th Street in Honor -- in Honor of
18 Police Officer Paul Scholtz.

19 Item 20.

20 Resolution Approving Re-Naming Part of the
21 800 Block of 15th Street in Honor -- in Honor of
22 Lieutenant Charles Harm.

23 Item 21.

24 Resolution Authorizing the Acting City
25 Clerk to Advertise for Receipt of Bids for the

1 Juan Pablo Duarate Park Sprayground Improvement
2 Project.

3 Item 22.

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

6 Item 23.

7 Resolution Authorizing the Refund of
8 Premium Money Collected at Tax Sale.

9 Item 24.

10 Resolution Authorizing Payment to the North
11 Hudson Sewage Authority.

12 Item 25.

13 Resolution Authorizing Tax Refund in Tax
14 Appeal Decision by the Tax Court of New Jersey.

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

17 MAYOR STACK: Yes.

18 Just before we do, I would just like to
19 recognize on Resolutions 15, 16, 17, 18, 19 and
20 20, in honor of the police officers named by the
21 City Clerk, this will be on 15 Street going from
22 Palisade over to Kennedy Boulevard, naming
23 streets of police officers who died in the line
24 of duty in the City of Union City over the years
25 going way back.

1 Each street will be named after each police
2 officer. We felt this would be a fitting
3 tribute. We do have a small police museum on --
4 on the 400 block at the Musto Cultural Center, on
5 the 400 block of 15 Street. We'll be doing this
6 during Police Week also. Fifteen Street, from
7 Palisade to Bergenline, is already repaved, new
8 sidewalks put in, tree planting.

9 We're now doing the remainder from
10 Bergenline to Kennedy, in which we're doing
11 extensive work to the street, to the sidewalks,
12 new decorative lighting.

13 So we felt it would be a fitting tribute.
14 It would also make the entire community aware of
15 those police officers that gave up their life in
16 the line of duty.

17 I mean just look at what's happening right
18 now in New York City with a police officer losing
19 his life yesterday. I think sometimes we could
20 take that for granted, when an individual takes
21 the oath of office to be a police officer or in
22 the line of public safety, how much they really
23 do put their life on the line for all of us.

24 And I think this would be a fitting tribute
25 more for our children in our community to look up

1 to those police officers. Exactly what we've
2 been trying to do in the City of Union City,
3 recognize their contributions to our community.

4 Also on the agenda is the advertisements
5 for Juan Pablo Duarte Sprayground Improvements.
6 We're putting a pirate ship in Duarte Park on 33rd
7 and New York Avenue; also a large helicopter for
8 the children.

9 We continue to enhance our parks to make it
10 much safer for our children to have a place to
11 play, a safe place to play. It keeps our
12 children off the street out of harm's way. It
13 keeps them out of trouble. And many of our
14 children are very, very poor in the community,
15 they can't afford to go away, so our parks are
16 really only -- the only safe haven that they
17 have, along with our school system.

18 So having said that, anyone wishing to make
19 public comment at this time please step forward,
20 state your name and address for the record.

21 Seeing none.

22 ACTING CITY CLERK: Is there a motion to
23 close public comment?

24 MAYOR STACK: Motion.

25 ACTING CITY CLERK: Motion --

1 COMMISSIONER VALDIVIA: Second.

2 ACTING CITY CLERK: -- by Mayor Stack.

3 Second by Commissioner Valdivia.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Before voting,
7 Clerk, I would like to commend the Mayor on
8 naming the streets after the police officers but
9 also taking the time to make this a day where we
10 commemorate police -- National Police Week.

11 And we're bringing our police force to talk
12 to the kids, interact with the families, which is
13 so important in lieu of what just happened in
14 Missouri and what's happened in Baltimore, the
15 police officer losing his life in New York City.

16 We don't have any problems in Union City --
17 the police with the community because of the
18 Police Community Meetings and police canvassing
19 the areas. It's a great relationship but we want
20 to stress that relationship with the community
21 and the kids especially.

22 And I commend the Mayor for taking the
23 initiative of having this event for the community
24 to get to know their local police officers. So,
25 thank you, Mayor.

1 Yes.

2 MAYOR STACK: Thank you, Commissioner.

3 Commissioner, just for the public's
4 edification, when -- when will that be?

5 Police Week I know is the week of the 11th.

6 COMMISSIONER FERNANDEZ: That will be --

7 MAYOR STACK: And the different events that
8 we're having?

9 COMMISSIONER FERNANDEZ: Yeah, that's
10 Wednesday the 13th, beginning at six p.m., on 15th
11 Street at the William V. Musto Cultural Center
12 and down 15th Street as well.

13 Yes, sir.

14 MAYOR STACK: Thank you.

15 ACTING CITY CLERK: Commissioner --
16 Roll call.

17 Commissioner Fernandez?

18 Yes.

19 Commissioner Rivas?

20 COMMISSIONER RIVAS: Abstain on 14; aye on
21 the rest.

22 ACTING CITY CLERK: Fourteen; and aye on
23 the rest.

24 Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: I'm recusing from
4 page 1, payment to Adolfo Lopez; aye on the rest.

5 COMMISSIONER FERNANDEZ: Clerk, I'm sorry,
6 I -- in talking about the Police Week I got
7 overly excited and forgot to recuse from certain
8 items.

9 I'm going to recuse from number 5, as it
10 pertains to Redevelopment Plan. I'm also going
11 to recuse on number 8, as it approves (sic) to
12 CDA. And number 13 as it pertains to the Early
13 Childhood Center.

14 Otherwise, yes on all.

15 ACTING CITY CLERK: Yes to the rest.

16 COMMISSIONER FERNANDEZ: Thank you, sir.

17 ACTING CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: I'm recusing from
20 item -- from page 1, payment to Adolfo Lopez; aye
21 on the rest.

22 Mayor Stack?

23 MAYOR STACK: Yes on all.

24 ACTING CITY CLERK: Is the motion to adopt
25 -- to approve all items on the Consent Agenda.

1 COMMISSIONER VALDIVIA: Motion.

2 ACTING CITY CLERK: Motion made by
3 Commissioner Valdivia.

4 MAYOR STACK: Second.

5 ACTING CITY CLERK: Seconded by Mayor
6 Stack.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes with the
10 recusals put on the record.

11 ACTING CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes with the recusal
13 previously.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes with the
19 recusals noted.

20 ACTING CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22

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

24

25 () AN ORDINANCE AMENDING CHAPTER 386 OF THE

1 CODE OF THE CITY OF UNION CITY ENTITLED "TAXI
2 CABS"

3

4 ACTING CITY CLERK: Next item is an
5 Ordinance for Introduction.

6 This Ordinance will be further considered
7 at a meeting of the Board of Commissioners to be
8 held on May 19, 2015, at seven p.m. at the Bruce
9 D. Walter Recreation Center, 507 West Street,
10 Union City, New Jersey.

11 An Ordinance Amending Chapter 386 of the
12 Code of the City of Union City Entitled Taxi
13 Cabs.

14 MAYOR STACK: I'll move it.

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

8 **REGULAR AGENDA:**

9

10 1. Resolution Approving the Redevelopment
11 Agency Payroll for the Period of April 22, 2015
12 through May 5, 2015

13

14 ACTING CITY CLERK: Next item is the
15 Regular Agenda.

16 First item is Resolution Approving the
17 Redevelopment Agency Payroll for the Period of
18 April 22nd, 2015 through May 5th, 2015.

19 COMMISSIONER MARTINETTI: Motion.

20 ACTING CITY CLERK: Motion made by
21 Commissioner Martinetti.

22 COMMISSIONER VALDIVIA: Second.

23 ACTING CITY CLERK: Second by Commissioner
24 Valdivia.

25 Roll call.

1 Commissioner Fernandez; recusing.

2 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 **REGULAR AGENDA:**

13

14 2. Resolution Authorizing the Local Unit's
15 Participation in the Pooled Note Financing
16 Program of the Hudson County Improvement
17 Authority

18

19 ACTING CITY CLERK: Item 2.

20 Resolution Authorizing the Local Unit's
21 Participation in the Pooled Note Financing
22 Program of the Hudson County Improvement
23 Authority.

24 MAYOR STACK: I'll move it.

25 ACTING CITY CLERK: Motion made by Mayor

1 Stack.

2 COMMISSIONER FERNANDEZ: Second.

3 ACTING CITY CLERK: Second by Commissioner
4 Fernandez.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas;
9 recusing.

10 Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner
13 Martinetti; recusing.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

17 **REGULAR AGENDA:**

18

19 3. Resolution Authorizing Payment of Claim to
20 the Union City Board of Education

21

22 ACTING CITY CLERK: Item 3.

23 Resolution Authorizing Payment of Claim to
24 the Union City Board of Education.

25 MAYOR STACK: I'll move it.

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

3 COMMISSIONER RIVAS: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Rivas.

6 Roll call.

7 Commissioner Fernandez; recusing.

8 Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner
13 Martinetti; recusing.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

17 **REGULAR AGENDA:**

18

19 4. Resolution Approving Shared Service
20 Agreement with the Union City Board of Education
21 for Use of the Facility at 2214 Kennedy Boulevard

22

23 ACTING CITY CLERK: Item 4.

24 Resolution Approving Shared Service

25 Agreement with the Union City Board of Education

1 for Use of the Facility at 2214 Kennedy
2 Boulevard.

3 MAYOR STACK: I'll move it.

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

6 COMMISSIONER RIVAS: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Rivas.

9 Roll call.

10 Commissioner Fernandez; recusing.

11 Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 ACTING CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 ACTING CITY CLERK: Commissioner
16 Martinetti; recusing.

17 Mayor Stack?

18 MAYOR STACK: Yes.

19

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

21

22 ACTING CITY CLERK: Mayor, do you wish to
23 take public comment at this time on any item --

24 MAYOR STACK: Sure.

25 ACTING CITY CLERK: -- on the -- on the

1 Regular Agenda?

2 MAYOR STACK: Sure.

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

6 Mr. Marotta?

7 You could just step maybe right over here,
8 Libero.

9 Oh, you got it right here. Sure.

10 MS. DILLON: I have one. Right here, Mr.
11 Marotta.

12 MAYOR STACK: I'm sorry.

13 MS. DILLON: Okay.

14 MR. MAROTTA: Libero Marotta, 311 9th
15 Street.

16 Mayor and Commissioners, I've been here
17 before and unfortunately I have to come back here
18 again. It's in relation to the Board of
19 Adjustment.

20 And the reason I'm here -- and I say it's
21 unfortunate -- is because whatever comments I
22 make to the members of the Board of Adjustment
23 seems to fall on deaf ears.

24 Okay, so I'm coming here to bring to your
25 attention what's happening.

1 Number one, the Board of Adjustment is
2 supposed to protect the people of Union City.
3 They're supposed to protect the Ordinance.

4 The Chairman of the Board of Adjustment
5 should not become a witness and give testimony on
6 behalf of the applicant. And that's what's
7 happening.

8 All right?

9 I'll give you a couple of examples.

10 I attended a meeting, there was a project
11 of a four story, nine-unit building in a low
12 residential area. All right? After the
13 architect starts testifying, the Chairman gets
14 into a discussion with him as to the design of
15 the building. The Chairman tells him, well what
16 about the canopy, why don't we do it this way.
17 And I don't like what's on 14th Street and I don't
18 like what's on 30th Street.

19 I got a transcript of all this.

20 Well, we won't do that.

21 Oh, yeah, we'll make this --

22 In other words, without hearing the
23 testimony the project is approved. He's making
24 suggestions to him. That's not right. Number
25 one.

1 Number two, we're an old city. Okay? Now
2 I don't know if the members of the Board
3 understand what a non-conforming use -- a pre-
4 existing non-conforming use means. I don't know
5 if they understand that.

6 But one of the tactics of a planner --
7 who's been there for years, I've seen -- he uses
8 the same thing for the last ten years in my
9 opinion -- you could put this four story building
10 in this low residential area because down the
11 street there's a five story building.

12 So what?

13 He doesn't say that's a pre-existing five
14 story building that might have been constructed
15 60 or 70 years ago before we had the zoning.

16 The purpose of our master plan -- the
17 purpose of our zoning ordinance is not to permit
18 that type of construction.

19 What -- what does -- what does the Chairman
20 do?

21 The Chairman says, oh yeah, on the north
22 side of 3rd Street there's a four story building.
23 And now he becomes the witness.

24 And the planner becomes the Chairman.
25 Because then the planner says, yeah, you're

1 right.

2 And then the Chairman says, and on 5th
3 Street there's another higher -- apartment
4 building.

5 He says, you're right.

6 Then what the -- then he -- then he blows
7 smoke at the Chairman. He says, -- and the
8 Chairman says, and that's a brick building, well
9 construction. What a memory. What a memory.

10 Then what the Chairman says is I have no
11 more questions.

12 What questions?

13 Mayor, another example.

14 There's a recent member of the Board, okay,
15 -- a matter is called before the Board. It's a
16 new -- a new member of the Board and it's going
17 to be adjourned; there's a motion to adjourn the
18 hearing. And they take a vote and this new
19 member of the Board votes no.

20 Now the Chairman asks -- asks him why? Why
21 did you vote no?

22 Number one, you don't ask a question unless
23 you're pretty sure what answer you're going to
24 get. So it's a stupid question; why did you vote
25 no?

1 You know what answer he got? Let them
2 build.

3 We're not hearing the application; let them
4 build.

5 Mayor, please let's do something. Okay?
6 You know I cry when I go there. Because, you
7 know, I was born in this City. I live downtown.
8 All right? It's not right. So let's make some
9 changes over there.

10 Thank you.

11 MAYOR STACK: Thank you, Mr. Marotta.

12 Anyone else wishing to comment at this
13 time?

14 Seeing no other.

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

17 COMMISSIONER VALDIVIA: Motion.

18 MAYOR STACK: Motion.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 Second by Commissioner Valdivia.

21 Roll call.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 ACTING CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

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1 LIQUOR LICENSE TRANSFER HEARING
2 APPLICATION REGARDING LIQUOR LICENSE
3 # 0901-44-004 FOR A PERSON TO PERSON TRANSFER
4 (FROM INTERNATIONAL LIQUOR AND BEVERAGES
5 WHOLESALERS, INC. TO SAPAN SPIRIT LLC)
6

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

9 Application Regarding Liquor License Number
10 0901-44-004 for a Person to Person Transfer from
11 International Liquors and Beverages Wholesalers,
12 Inc. to Sapan Spirit, LLC.

13 MS. de los RIOS: Is counsel present?

14 MR. WOLFBERG: Yes. Matthew Wolfberg
15 representing the seller, --

16 MS. DILLON: Sir, --

17 MAYOR STACK: What's the address?

18 MS. DILLON: -- you've got to come
19 forward.

20 MAYOR STACK: What's the address?

21 ACTING CITY CLERK: I don't have --

22 Do you have the address?

23 Oh, this -- this is the transfer.

24 MAYOR STACK: What's the address?

25 MS. de los RIOS: I have it.

1 MAYOR STACK: This is on 43rd.

2 Right?

3 MS. de los RIOS: It's on 43rd. I have the
4 exact address.

5 Do you have the exact -- the exact address,
6 counsel?

7 COMMISSIONER VALDIVIA: Wants the bigger
8 liquor store.

9 MAYOR STACK: 114, I think.

10 MR. WOLFBERG: 126 43rd Street.

11 MS. de los RIOS: Thank you.

12 MAYOR STACK: You could proceed, sir.

13 MR. WOLFBERG: All right. The purchaser's
14 attorney is stuck in the Lincoln Tunnel.

15 This is our application. We're trying to
16 sell this business.

17 The buyer, Prashant Patel, is sitting over
18 there. He's owned two other liquor stores
19 before. He's an experienced storekeeper and I
20 don't see any reason why his transfer should not
21 be allowed.

22 MAYOR STACK: What will be the hours of
23 operation?

24 Why don't you have your client -- why don't
25 you have him step forward.

1 MS. de los RIOS: He's not his --

2 MR. WOLFBERG: He's not my client. I'm
3 just pitching in because his lawyer is --

4 MAYOR STACK: Do you --

5 MR. WOLFBERG: -- stuck in the Lincoln
6 Tunnel.

7 MAYOR STACK: Do you want to wait for your
8 attorney before you proceed, sir?

9 MR. PATEL: He's going to be like ten, 15
10 --

11 MAYOR STACK: All right.

12 You know what we'll do? We'll call this
13 application --

14 We have other matters, right?

15 ACTING CITY CLERK: Yup.

16 MS. de los RIOS: Yes we do.

17 ACTING CITY CLERK: Liquor License
18 Disciplinary --

19 MAYOR STACK: So, we'll -- we'll call this
20 application last.

21 Okay?

22 MR. PATEL: Thank you.

23 MAYOR STACK: This way we'll wait for him
24 to arrive.

25 * * *

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

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

5 2. Uno Bar t/a Uno Bar, 3607 New York Avenue,
6 Liquor License No. 0910-33-108-004

7 3. 2216 Bergenline Avenue LLC t/a Centro Bar,
8 2216 Bergenline Avenue, Liquor License No.
9 0910-33-166-004

10 4. (ADD ON) Adoro Café & Lounge, A&C 2004
11 Corporation t/a Adoro Café and Lounge, 414 38th
12 Street, Liquor License No. 0910-33-149-005

13

14 ACTING CITY CLERK: Next item is Liquor
15 License Disciplinary Proceeding.

16 Mr. Farmer?

17 MR. FARMER: Yes.

18 MS. DILLON: Over here, Mr. Farmer.

19 MS. VERGARA: How are you?

20 MS. DILLON: Hi. Right over here.

21 MS. VERGARA: Christina Vergara, from
22 Alonso and Navarrete.

23 MS. DILLON: Do you have a card?

24 MS. VERGARA: I do not have a card on me,
25 I'm sorry.

1 MS. DILLON: I'm sorry, I didn't get your
2 name.

3 MS. VERGARA: I'll give you my name.
4 Want me to write it down for you?

5 MS. DILLON: Tell me what it is.

6 MS. VERGARA: Christina with a C-H. Middle
7 initial A.

8 MS. DILLON: Um-hum.

9 MS. VERGARA: Vergara, V-E-R-G-A-R-A.

10 MS. DILLON: G?

11 MS. VERGARA: -- G-A-R-A.

12 MS. DILLON: With a firm?

13 MS. VERGARA: Yes. Alonso and Navarrete.

14 MS. DILLON: Okay.

15 Thank you.

16 But just over here by the microphone.

17 MR. FARMER: You're talking into that.

18 MS. DILLON: You're being recorded.

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

21 MR. FARMER: Good evening, members of the
22 Board.

23 We have three listed on the agenda and
24 there's going to be an add-on.

25 But the first and third ones are

1 represented by Mr. Alonso's office and as you've
2 just heard a representative of Mr. Alonso's
3 office is here.

4 * * *

5
6 **R.G. MIRANDA CORP. t/a EL CUCO, 516 Kennedy**
7 **Boulevard**
8 **Liquor License No. 0910-33-141-005**

9
10 MR. FARMER: We have -- the first one is El
11 Cuco.

12 El Cuco is a situation where we have about
13 two or three -- three paper violations and
14 unnecessary noise and there was a fight.

15 We've watched the video of the fight and
16 really wasn't much of a fight in the sense that
17 it was sparked at a pool table, the bouncers
18 immediately responded, escorted the fellow out of
19 the bar, and that was it.

20 And, by the way, the video that we saw was
21 a video that was installed as a result of our
22 requiring El Cuco to have video as a condition of
23 their license. So, in a sense it kind of really
24 helped the licensee.

25 The other part of it is there were some

1 charges of unnecessary noise. Now the
2 unnecessary noise complaints were dismissed at
3 the municipal court level and I kind of -- not
4 kind of, I did personally speak with the
5 complainant who indicted to me --

6 And by the way he was the only complainant
7 about the noise.

8 -- indicated to me that he and the licensee
9 have resolved their differences and that they
10 have this routine, whereas if he feels --

11 And his house is in close proximity to the
12 licensed premises.

13 -- if he feels that the noise is bothering
14 him, he calls her and she immediately turns down
15 the noise. And that seems to have been what has
16 taken place in the last few months.

17 So that situation seems to have resolved
18 itself on its own.

19 And -- but we do have the paper violations
20 and there are a couple of those. And I've spoken
21 with counsel with -- for a global settlement of
22 all the charges and we've agreed that there would
23 be a one week suspension, seven days. And
24 they're going to -- they don't have the days that
25 they wish but they will tell me what they are

1 over the next week or so, so they'll be able to
2 be presented to you by resolution in the next
3 meeting on May 19th.

4 I think a one week suspension with the
5 charges that we have, which is a questionable
6 fight, noise being resolved, and the paper
7 violations, I would recommend that you accept it.

8 I've spoken to counsel; she has agreed to
9 accept that on behalf of her client with the
10 conditions that there'd be no appeal and no --
11 and no application to the State to convert the
12 suspensions into a fine.

13 MAYOR STACK: Mr. Farmer, when you say that
14 they're going to get back to you on the dates,
15 you always do that within the next month or so
16 though.

17 Right?

18 MR. FARMER: Oh, yeah.

19 MAYOR STACK: Okay.

20 MR. FARMER: It will be done by the time
21 when we reconvene on May 19th.

22 MAYOR STACK: Okay.

23 MS. VERGARA: It will be. By way of
24 letter.

25 MAYOR STACK: Okay very good. Okay.

1 MS. VERGARA: Okay?

2 MR. FARMER: Do you agree?

3 MS. VERGARA: Yes, we agree to all the
4 conditions, to the seven days on suspension,
5 including a weekend.

6 My client doesn't speak English. But
7 however she has been told and does agree to all
8 the conditions and to a seven day suspension.

9 MAYOR STACK: Okay, and she understands
10 what we're doing today?

11 MS. VERGARA: Yes she does.

12 MAYOR STACK: Okay. Great.

13 Okay.

14 I'll make a motion.

15

16 (Whereupon Commissioner Fernandez left the
17 meeting at 7:24 p.m.)

18

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

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Second by Commissioner
23 Rivas.

24 Roll call.

25 Commissioner Fernandez?

1 He left.

2 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: I'm recusing.

9 ACTING CITY CLERK: Commissioner Martinetti
10 recusing.

11 MAYOR STACK: Thank you.

12 MS. VERGARA: Thank you.

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1 **2216 BERGENLINE AVENUE LLC t/a CENTRO BAR, 2216**
2 **Bergenline Avenue**
3 **Liquor License No. 0910-33-166-004**
4

5 MR. FARMER: If we could just jump to
6 number 3, which is Centro Bar, represented by Mr.
7 Alonso's office as well.

8 MS. VERGARA: Christina Vergara from Alonso
9 and Navarrete on behalf of El Centro Bar.

10 Mario Gutierrez, the owner, is present here
11 to my left.

12 MR. FARMER: This is a paper violation.
13 And what this is all about is this.

14 There was somebody not on the E-141 form
15 that is required to be kept by the licensee and
16 the situation with respect is this.

17 There was a deejay who was working at the
18 licensed premises. The deejay was on the E-141.
19 However he had with him, for lack of a better
20 phrase I guess, an apprentice. Showing him how
21 to work the treble and the base and the volume, I
22 guess. And the police came in and they asked is
23 he on the E-141 and obviously he was not.

24 In light of those circumstances we
25 generally ask for a three day suspension. I

1 | would recommend a two day suspension. And
2 | counsel is in agreement with that. And indeed
3 | counsel gave me the two days, subject to your
4 | approval obviously, of June 2nd and June 3rd.

5 | MAYOR STACK: Okay.

6 | The thing -- the thing I ask about this
7 | location, if we can just make sure that there's
8 | an understanding, is now with the summer coming
9 | that nobody hangs out in front of the
10 | establishment, on the side of the establishment
11 | on 22nd, and that the music be kept down.

12 | Because every year it's a constant
13 | complaint with the people who live between New
14 | York Avenue and Bergenline because I get the
15 | calls at 1:30 in the morning.

16 | And the Police Department, I know, has
17 | received a number of calls. Lieutenant Loaces
18 | who was here earlier, receives a number of calls
19 | also.

20 | We control the music and the people hanging
21 | outside; that's all I ask.

22 | MR. GUTIERREZ: No, the music --

23 | MS. DILLON: Your name, sir?

24 | MAYOR STACK: If you could just enter your
25 | name, sir.

1 MS. DILLON: Right here.

2 MR. GUTIERREZ: Mario Gutierrez.

3 MS. DILLON: I'm sorry?

4 MR. GUTIERREZ: Mario Gutierrez.

5 MS. DILLON: Spell your last name.

6 MR. GUTIERREZ: G -- I don't know how to
7 spell it.

8 Maybe.

9 The -- got a couple bar over there in the
10 area. The people just walk across to the -- you
11 know the bar, the 22nd and the 24, --

12 MAYOR STACK: Right.

13 MR. GUTIERREZ: -- the peoples cross to in
14 the front of the bar. All peoples there they no
15 coming to my bar.

16 MAYOR STACK: Just though if you see that,
17 if you see hanging out and they're coming from
18 the other bar, do me a favor, call the police and
19 we'll take that into consideration.

20 We don't want to penalize you; we just want
21 you to cooperate with the police and just run a
22 good establishment.

23 MR. GUTIERREZ: Yeah.

24 MAYOR STACK: That's all we're looking for.

25 MS. VERGARA: They just want to make sure

1 the noise level --

2 MR. GUTIERREZ: Yeah, yeah, yeah.

3 MS. VERGARA: -- is kept down.

4 Okay?

5 MR. GUTIERREZ: Yeah.

6 MAYOR STACK: If you're seeing that there's
7 noise -- if you're seeing that they're coming
8 from there and standing out -- which I can
9 understand, just call the police and let us know
10 so we can handle that.

11 MR. GUTIERREZ: Yeah because I think the
12 people sometimes park in the front of the bar, --

13 MAYOR STACK: Right.

14 MR. GUTIERREZ: -- they go to another bar,
15 we come in the morning, --

16 MAYOR STACK: Sure.

17 MR. GUTIERREZ: -- and the car -- they put
18 the music high. Just so you know, because the
19 people no come in the bar --

20 MAYOR STACK: Sure.

21 MR. GUTIERREZ: -- my bar.

22 MAYOR STACK: Just if you could help us.

23 MR. GUTIERREZ: All right.

24 MAYOR STACK: All right?

25 I appreciate that, Mario.

1 Thank you.

2 I'll make a motion to approve.

3 COMMISSIONER VALDIVIA: Second.

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

6 Second by Commissioner Valdivia.

7 Roll call.

8 Commissioner Fernandez left.

9 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: Recusing.

16 ACTING CITY CLERK: Recusing.

17 Mayor Stack?

18 MAYOR STACK: Yes.

19 MR. FARMER: Okay.

20 MS. VERGARA: Thank you.

21 Thank you.

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1 UNO BAR t/a UNO BAR, 3607 New York Avenue
2 Liquor License No. 0910-33-108-004
3

4 MR. FARMER: The next one we have --
5 Excuse me.

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

8 MR. FARMER: The next one we have is Uno
9 Bar.

10 And this is again a paper violation.

11 Police went there. There was an incomplete
12 141-A. That's the form where you have to list
13 all your employees.

14 And Mr. Diaz is here representing the
15 licensee.

16 We normally, as tradition has, imposed a
17 three day suspension. I've recommended that in
18 the past; I would recommend that this evening.
19 And I've talked to Mr. Diaz about it and we've
20 established, subject to your approval obviously,
21 June 8th, 9th and 10th.

22 MR. DIAZ: Good evening, Board members.

23 Luis Diaz for the applicant. I have spoken
24 with --

25 MS. DILLON: Just step forward, Mr. Diaz.

1 MR. DIAZ: -- with my client and I had
2 explained the -- the charges and the suggested
3 penalty and she accepts that. And I forward that
4 acceptance to Mr. Farmer.

5 MAYOR STACK: Mr. Diaz, the only -- the
6 only concern I have here is that -- that your
7 client is actually running the establishment or
8 does she have anybody else running this
9 establishment?

10 MR. DIAZ: I have spoken with my client a
11 few times and I think the first time was about a
12 year and change ago. It was one of these
13 meetings and I offered to -- to do --

14 MAYOR STACK: I remember.

15 MR. DIAZ: -- to do some help and try to --

16 Now since that time she has come to see me
17 back and forth. As a matter of fact I spoke with
18 Miss del Rio (sic) maybe four months ago, five
19 months ago; I had not been retained. I am
20 retained now, so I'm going to indulge myself in
21 the -- in the affairs of the place and try to
22 straighten things out and make sure that they're
23 run properly.

24 MAYOR STACK: What I would just like just
25 to -- if you could, if you could just relate this

1 to your client, just to make sure that she's
2 actually running the establishment or who the
3 management is of the establishment. I just have
4 a concern there.

5 MR. DIAZ: I will do that.

6 MAYOR STACK: Thank you very much.

7 And, Mr. Farmer, your recommendation on
8 this one?

9 MR. FARMER: Three days.

10 MAYOR STACK: Okay.

11 ACTING CITY CLERK: Is there a motion?

12 MAYOR STACK: Mr. Farmer's recommendation
13 of three days, I'll make a motion to approve that
14 recommendation.

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

17 COMMISSIONER VALDIVIA: Second.

18 ACTING CITY CLERK: Second by Commissioner
19 Valdivia.

20 Roll call.

21 Commissioner Fernandez left.

22 Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: Recusing.

4 ACTING CITY CLERK: Recusing.

5 Mayor Stack?

6 MAYOR STACK: Yes.

7 MR. DIAZ: Thank you very much.

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1 **ADORO CAFÉ & LOUNGE, A&C 2004 CORPORATION t/a**
2 **ADORO CAFÉ & LOUNGE, 414 38th Street**
3 **Liquor License No. 0910-33-149-005**
4

5 ACTING CITY CLERK: We go back --
6 Mayor, we have --

7 MR. FARMER: We have just one more.

8 ACTING CITY CLERK: One more.

9 MR. FARMER: Mr. Gonzalez?

10 We have an add-on that --

11 MAYOR STACK: Which one -- which one is
12 this?

13 MR. FARMER: It's not on your --

14 MAYOR STACK: Oh.

15 MR. FARMER: -- agenda.

16 At one time it was on the agenda and we
17 took it off; Mr. Gonzalez had had a conflict.
18 Apparently that conflict got itself resolved.
19 Came here; we've been able to talk about it and I
20 think we have a resolution of it.

21 The situation was --

22 MS. DILLON: Can I just get the name and
23 the --

24 MR. FARMER: Yeah.

25 MS. DILLON: -- address --

1 MR. FARMER: Okay.

2 MS. DILLON: -- for the record?

3 MR. FARMER: This is Adoro Café and Lounge,
4 414 38th Street, A&C 2004 Corporation, trading as
5 Adoro Café and Lounge. The license number is
6 0910-33-149-005.

7 MS. DILLON: That's good.

8 MR. FARMER: This is a situation where
9 there are a couple of charges.

10 One charge is there seems to be a very
11 confusing fight between two barmaids at the bar
12 in the ladies room. Everybody gave conflicting
13 stories. The cause of the fight seems to be
14 personalities between the young women. Nobody
15 was hurt in it.

16 There was a paper violation as well.

17 But the most important one is that when the
18 police arrived one night, specifically in
19 February 28th -- last February, they found people
20 there at -- after closing, ten or 15 minutes
21 after two o'clock.

22 I've spoken to the police. There were no
23 sales. That's very clear that no one was selling
24 any liquor and nobody was consuming any liquor.
25 However, there were people there and that's a

1 violation of the Town Ordinance and the ABC
2 Regulations, wherein nobody other than the people
3 who are working in an establishment cleaning up
4 can be in the establishment after two o'clock
5 and, in fact, they were.

6 I've spoken to Mr. Gonzalez about all the
7 charges and we've agreed on a global resolution
8 of seven days, taking into consideration the fact
9 that there wasn't being served any alcohol but it
10 was a violation of an Ordinance.

11 And I think Mr. Gonzalez will wrap it up as
12 is.

13 MR. GONZALEZ: I think so.

14 For the record, Ramon Gonzalez, firm
15 Gonzalez and Caride on behalf of the license
16 owner.

17 In fact I have to agree with Mr. Farmer.
18 There were three women that were there. It was a
19 -- it was actually 2:08 according to the police
20 report. Unfortunately February 28 was a very
21 cold day; cabs around two o'clock seemed to be a
22 scarcity. And what happens is they didn't want
23 to have the women outside in the cold. They
24 acknowledge they shouldn't have had them in there
25 anyway.

1 What they've done, in fact, we changed
2 their procedures. Now at 20 to two they start
3 cleaning out, clearing the process so that
4 definitely by two o'clock it's out.

5 And I've explained to my client and they're
6 aware, there's fire, brimstone, hailstorms, put
7 them outside.

8 MAYOR STACK: On Mr. Farmer's
9 recommendation I'll make a motion.

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

12 COMMISSIONER MARTINETTI: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Martinetti.

15 Roll call.

16 Commissioner Fernandez left.

17 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 MR. GONZALEZ: Thank you.

2 MR. FARMER: Thank you.

3 COMMISSIONER MARTINETTI: Thank you.

4 MR. FARMER: That's it.

5 MAYOR STACK: Thank you.

6 * * *

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

10 MS. DILLON: Do you want to go off the
11 record?

12 ACTING CITY CLERK: You want to go off,
13 Mayor?

14 MAYOR STACK: Yeah, we're off the record.

15 ACTING CITY CLERK: Off the record.

16

17 (Whereupon, the Board recessed from 7:33
18 p.m. to 7:44 p.m.)

19

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

22 (Whereupon, Commissioner Martinetti left
23 the meeting at 7:37 p.m.)

24

25 ACTING CITY CLERK: Okay, we're back on?

1 MAYOR STACK: We're back on.

2 ACTING CITY CLERK: Everybody ready?

3 Roll call.

4 Commissioner Fernandez left.

5 Commissioner Rivas?

6 COMMISSIONER RIVAS: Here.

7 ACTING CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Here.

9 ACTING CITY CLERK: Commissioner Martinetti

10 have left.

11 Mayor Stack?

12 MAYOR STACK: Here.

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1 **LIQUOR LICENSE TRANSFER HEARING**
2 **APPLICATION REGARDING LIQUOR LICENSE**
3 **# 0901-44-004 FOR A PERSON TO PERSON TRANSFER**
4 **(FROM INTERNATIONAL LIQUOR AND BEVERAGES**
5 **WHOLESALEERS, INC. TO SAPAN SPIRIT LLC)**

6
7 ACTING CITY CLERK: Okay, this is Liquor
8 License Transfer -- Transfer Hearing regarding
9 Liquor License Number 0901-44-004 for a Person to
10 Person Transfer from International Liquor and
11 Beverages Wholesaleers, Inc. to Sapan Spirit, LLC.

12 MS. de los RIOS: Counsel?

13 MR. BEIDES: Good evening. Jeffrey
14 Beides --

15 MS. DILLON: You have to come forward.

16 MR. BEIDES: Sorry.

17 MS. DILLON: This is going to record you.
18 Your name for the record?

19 MR. BEIDES: Jeffrey Beides. I'm the
20 attorney for the applicant.

21 MS de los RIOS: And the applicant is who?

22 MR. BEIDES: The applicant is Salon (sic)
23 Spirit, --

24 MR. PATEL: Sapan.

25 MR. BEIDES: -- LLC.

1 MR. PATEL: Sapan.

2 MAYOR STACK: Maybe if you could step
3 forward, sir?

4 If your client could step forward with you?

5 MR. BEIDES: Step forward.

6 MAYOR STACK: Sure.

7 MR. PATEL: Sapan Spirit.

8 MR. BEIDES: Sapan Spirit, LLC.

9 MAYOR STACK: Okay.

10 You can proceed.

11 MR. BEIDES: This is an application for a
12 person to person and place to place transfer.
13 It's from International Wholesalers to my client.

14 It's also an application for a place to
15 place transfer. It's going to remain in the same
16 premises, with the exception of a coffee shop,
17 which will be in effect de-licensed, located on
18 the premises at 126 43rd Street in Union City.

19 MAYOR STACK: What would be the hours of
20 the coffee shop?

21 MR. BEIDES: Right now there's no tenant
22 for the coffee shop, so it's -- to my
23 understanding it's -- it's not open at this
24 point.

25 MAYOR STACK: Right.

1 What are your -- what are your plans
2 though?

3 What are the plans to -- on opening the
4 coffee shop?

5 What are the hours of that?

6 MR. BEIDES: We have nothing to do with the
7 coffee shop. We're going to --

8 MAYOR STACK: Okay.

9 MR. BEIDES: We're going to be the tenant
10 just for the remaining portion of the premises.

11 MAYOR STACK: I see. Okay, I see.

12 And your experience, sir?

13 If you could just enter your name --

14 MS. DILLON: Just step forward.

15 MR. PATEL: Yes, my name is Prashant --

16 MS. DILLON: You have to step forward here.

17 MR. PATEL: My name is Prashant Patel.

18 I have experience like ten years.

19 MAYOR STACK: Okay.

20 Do you own other liquor establishments,
21 sir?

22 MR. PATEL: Yes.

23 MAYOR STACK: And where are they?

24 MR. PATEL: I have a -- but that's the
25 thing, I just sold it.

1 MS. DILLON: You have to speak slower.

2 MR. PATEL: I just have one Jersey City. I
3 just sold it. One and nine and 4th -- corner and
4 my wife -- (indiscernible) Patel in East Orange.
5 And I sold it last year that one, too. She run
6 for ten years. So we have like two stores.

7 MAYOR STACK: Okay, you still own them
8 right now?

9 MR. PATEL: No.

10 MAYOR STACK: You don't own any liquor
11 establishment right now?

12 MR. PATEL: No.

13 MAYOR STACK: No. Okay.
14 You have ten years experience?

15 MR. PATEL: Yes.

16 MAYOR STACK: Did you have any violations
17 in those -- in those --

18 MR. PATEL: No.

19 MAYOR STACK: -- at all?
20 Nothing over the years?

21 No paper violations?

22 MR. PATEL: Nothing.

23 MAYOR STACK: Nothing?

24 No selling to a minor, --

25 MR. PATEL: No.

1 MAYOR STACK: -- anything like that?

2 Okay.

3 What are your hours of operation, sir, that
4 you're planning to do here?

5 MR. PATEL: We're starting 10 to 10.

6 MAYOR STACK: Ten to 10.

7 MR. PATEL: And if we can, maybe 11
8 o'clock, --

9 MAYOR STACK: Okay.

10 MR. PATEL: -- (indiscernible) -- o'clock.

11 MAYOR STACK: The reason I ask the
12 question, sir, is we're very strong with the
13 liquor establishments in the City. We want them
14 to abide by all the state laws and municipal
15 ordinances.

16 We've really improved the quality of life
17 in the City by not having bad liquor
18 establishments. Whether it's a liquor store, a
19 bar, a club. We just want to have -- we want to
20 make sure we have good quality of life.

21 You're on a residential block. You could
22 see --

23 MR. PATEL: Yeah.

24 MAYOR STACK: -- by Union City is a very
25 densely populated community. People live very

1 close together. Share common walls.

2 We just want to make sure that you operate
3 the establishment, make sure everybody that comes
4 in is proofed for their I.D., that they're
5 purchasing liquor, --

6 MR. PATEL: Yeah.

7 MAYOR STACK: -- no sale to minors, --

8 MR. PATEL: No sale to minors.

9 MAYOR STACK: -- no one intoxicated.

10 MR. PATEL: Yup.

11 MAYOR STACK: Okay.

12 Okay and you have ten years experience.
13 You're going to operate this business yourself?

14 MR. PATEL: Yes.

15 MAYOR STACK: You're going to be on the
16 premise?

17 MR. PATEL: Yes.

18 MAYOR STACK: Okay, that's good. Okay.

19 Any of the Commissioners, anyone else have
20 any comments?

21 Monica, any comments?

22 MS. de los RIOS: No.

23 MAYOR STACK: Okay.

24 Lieutenant Loaces, you have any comments?

25 LIEUTENANT LOACES: No, sir.

1 MAYOR STACK: No?

2 Okay.

3 I'll make a motion to approve.

4 Sir, good luck with your establishment.

5 MR. PATEL: Thanks.

6 ACTING CITY CLERK: Motion -- motion to
7 approve --

8 MAYOR STACK: Thank you.

9 ACTING CITY CLERK: -- from Mayor Stack.

10 COMMISSIONER RIVAS: Second.

11 ACTING CITY CLERK: Second by Commissioner
12 Rivas.

13 Roll call.

14 Commissioner Fernandez left.

15 Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 ACTING CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner Martinetti
20 left.

21 Mayor Stack?

22 Mayor, there are --

23 MAYOR STACK: Yes.

24 COMMISSIONER VALDIVIA: Yes.

25

1 **ADJOURNMENT:**

2

3 ACTING CITY CLERK: Mayor, there are no
4 other items on the agenda.

5 Is there a motion to adjourn?

6 MAYOR STACK: Motion to adjourn.

7 ACTING CITY CLERK: Motion by Mayor Stack.

8 Second by Commissioner Valdivia.

9 All in favor?

10

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

12

13 (Whereupon, the proceedings were concluded
14 at 7:50 p.m.)

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

6 **Board of Commissioners**

7

8 **Attest:**

9 **Dominick Cantatore,**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, May 5, 2015 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon