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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, June 16th,
4 2015, 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 of 1975, the Open Public Meeting Act.

16 Adequate notice of this meeting has been
17 provided as follows: Notice of this meeting
18 setting forth the time, date, location, and the
19 agenda, to the extent known, was forwarded to
20 Jersey Journal, The Record, Hudson Reporter, and
21 has been posted on bulletin board in City Hall,
22 and 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 **APPROVAL OF PREVIOUS MEETING MINUTES FROM MAY 13,**
16 **2015 and MAY 19, 2015:**

17

18 ACTING CITY CLERK: First item, Approval of
19 Previous Meeting Minutes, meeting held on May
20 13th, 2015 and May 19, 2015, be approved and
21 recorded.

22

COMMISSIONER VALDIVIA: Move it.

23

ACTING CITY CLERK: Motion made by

24

Commissioner Valdivia.

25

COMMISSIONER RIVAS: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Rivas.

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: I'm going to abstain on the
15 -- on the 13th meeting; on May 13th. I wasn't
16 present at that meeting because of the death of
17 my mom.

18 On the 19th I vote yes.

19 ACTING CITY CLERK: Mayor Stack abstaining
20 on 13; 19, 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 June 3, 2015 through June 16, 2015

4 (4) Resolution Approving the Library Payroll
5 for the Period of June 3, 2015 through June 16,
6 2015

7 (5) Resolution Authorizing Settlement in a
8 Workers Compensation Matter Entitled Joseph
9 Colavito Petition No. 1997-13891

10 (6) Resolution Approving Contract for Purchase
11 of Broom Street Sweeper from W.E. Timmerman Co.
12 Inc.

13 (7) Resolution Authorizing Cancellation of
14 Federal and State Grants

15 (8) Resolution Naming 36th Street from Palisade
16 Avenue to New York Avenue as Reverend Horst
17 Gerhardt "Gary" Gugler (sic) Way

18 (9) Resolution Approving Contract for Summer
19 Food Program with Nu-Way Concessionaries, Inc.

20 (10) Resolution Approving Amendment to Contract
21 for Personnel Consultant

22 (11) Resolution Approving Contract with Scanlan
23 Landscaping, Inc. for 2015 Park Landscape
24 Maintenance Program

25 (12) Resolution Designating Loading Zone at 142

1 32nd Street

2 (13) Resolution Authorizing the Clerk to
3 Advertise for Bids for the 2015 CDA Roadway
4 Improvements Project Section 2

5 (14) Resolution Authorizing the Clerk to
6 Advertise Bids for the Purchase of E-Ticketing
7 Software System

8 (15) Resolution Authorizing a Special Emergency
9 Appropriation

10 (16) Resolution Retiring Pocket Liquor License
11 No. 0910-33-157-001 Held by Pebble Beach, Inc.

12 (17) Resolution Approving the 2012-2013,
13 2013-2014 & 2014-2015 Renewal of Liquor License
14 No. 0910-33-063-005 for 1705 Restaurant LLC

15 (18) Resolution Authorizing Refund of Redemption
16 Monies to Outside Lienholders

17 (19) Resolution Authorizing the Refund of
18 Premium Monies Collected at the Tax Sale

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

21

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

24 First item is Resolution Approving the
25 Payments of Claims.

1 Item 2.

2 Resolution Approving the Payments
3 Concurring Claims.

4 Item 3.

5 Resolution Approving the City Payroll for
6 the Period of June 3rd, 2015 through June 16,
7 2015.

8 Item 4.

9 Resolution Approving the Library Payroll
10 for the Period of June 3rd, 2015 through June 16,
11 2015.

12 Item 5.

13 Resolution Authorizing Settlement in a
14 Workers Compensation Matter Entitled Joseph
15 Colavito Petition Number 1997-13891.

16 Item 6.

17 Resolution Approving Contract for Purchase
18 of Broom Street Sweeper from W.E. Timmerman
19 Corporation Inc.

20 Item 7.

21 Resolution Authorizing Cancellation of
22 Federal and State Grants.

23 Item 8.

24 Resolution Naming 36th Street from Palisade
25 Avenue to New York Avenue as Reverend Horst

1 Gerhardt "Gary" Gugler (sic) Way.

2 Item 9.

3 Resolution Approving Contract for -- for
4 Summer Food Program with Nu-Way Concessionaries,
5 Inc.

6 Item 10.

7 Resolution Approving Amendment to Contract
8 for Personnel Consultant.

9 Item 11.

10 Resolution Approving Contract with Scanlan
11 Landscaping, Inc. for the 2015 Park Landscaping
12 Maintenance Program.

13 Item 12.

14 Resolution Designating Loading Zone at 142
15 32nd Street.

16 Item 13.

17 Resolution Authorizing the Clerk to
18 Advertise for Bids for the 2015 CDA Roadway
19 Improvement Project Section 2.

20 Item 14.

21 Resolution Authorizing the Clerk to
22 Advertise Bids for the Purchase of E-Ticketing
23 Software System.

24 Item 15.

25 Resolution Authorizing a Special Emergency

1 Appropriation.

2 Item 16.

3 Resolution Retiring Pocket Liquor License
4 Number 0910-33-157-001 Held by Pebble Beach, Inc.

5 Item 17.

6 Resolution Approving the 2012-2013,
7 2013-2014 and the 2014-2015 Renewal of Liquor
8 License Number 0910-33-063-005 for 1705
9 Restaurant LLC.

10 Item -- item 18.

11 Resolution Authorizing Refund of Redemption
12 Monies to Outside Lienholders.

13 Item 19.

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

16 Mayor, you wish to take --

17 MAYOR STACK: Sure.

18 Just before we do, just to make a comment
19 on Resolution number 8 is very special to myself
20 and to the Board of Commissioners, I think along
21 with, you know, I would have to say the vast
22 majority of Union City residents, naming 36th
23 Street after the Reverend Gary Kugler.

24 I've come to know Gary probably in like
25 1980, a little bit before that -- I was in high

1 school at the time. I used to walk back and
2 forth to City Hall and speak to him all the time
3 when he formed the homeless shelter on 36th and
4 Palisade.

5 Very courageous at the time, took a lot of
6 criticism but helped people that no one else
7 would help. Everybody else would turn a blind
8 eye to. And I think he was just an exceptional
9 human being. Any time he picked up the phone and
10 called me, it was always about helping other
11 people. Even up until his last days.

12 I mean I remember him going to see my
13 mother at Englewood Hospital. I didn't even know
14 he knew my mother was there and he would show up
15 and visit my mother. It was the type of human
16 being he was. Always caring about people, always
17 doing his best to help people throughout his
18 whole life.

19 And I think it was just a great way to
20 honor him and to his family to always have that
21 street named after him right on 36th and Pal. So,
22 I thank the Board of Commissioners for
23 considering and sponsoring this.

24 On the resolution on the personnel
25 consultant. It's very important. This is for

1 Judy Gottlieb, I believe.

2 MS de los RIOS: Exactly.

3 MAYOR STACK: Judy Gottlieb.

4 Judy's done an excellent job as our
5 personnel consultant. She came from the State of
6 New Jersey and has done a good job.

7 On the resolution approving the contract
8 with Scanlan Landscaping, I was wishing we could
9 have got this much lower. We didn't get much
10 activity. People picked up on this but you
11 didn't get -- I don't think we received any other
12 bidders except Scanlan --

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

14 MAYOR STACK: -- on the contract for the
15 landscaping.

16 It's higher than what we like. Hopefully
17 going into next year we'll have more time and
18 we'll get a better amount of people coming in to
19 bid on the contract.

20 The CDA roadway improvements are important;
21 building up the infrastructure of the City --
22 continuing to do that.

23 I would like to give a special thank you to
24 -- to the diligence of Mr. Greg Farmer, our ABC
25 Prosecutor, for working on retiring the liquor

1 license at Pebble Beach, which was once located
2 at 41st -- 42nd -- well, 41st and Park Avenue. And
3 the great job that the Police Department, under
4 the leadership of the Chief, and specifically
5 Lieutenant John Loaces and Sergeant Dunlay who's
6 here today, who have really, really tried
7 diligently to clean up the liquor license
8 establishments in the City.

9 And this is just another one that we've
10 been able to return back to the City and help it
11 -- or hopefully it helps clean up the quality of
12 life as we've been doing.

13 Having said that anyone wishing to comment
14 on the Consent Agenda, please step forward, state
15 your name and address for the record.

16 Seeing none, I'll make a motion.

17 ACTING CITY CLERK: Motion to close public
18 comment by Mayor Stack.

19 COMMISSIONER FERNANDEZ: Second.

20 ACTING CITY CLERK: Second by Commissioner
21 Fernandez.

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 approve all items on the Consent Agenda?

11 COMMISSIONER VALDIVIA: Motion.

12 ACTING CITY CLERK: Motion by Commissioner

13 Valdivia.

14 COMMISSIONER RIVAS: Second.

15 ACTING CITY CLERK: Second by Commissioner

16 Rivas.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 ACTING CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: I'm recusing on
2 number 17; aye on the rest.

3 ACTING CITY CLERK: Recusing on number 17.
4 And Mayor Stack?

5 MAYOR STACK: Yes.

6

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

8

9 () AN ORDINANCE AMENDING CHAPTER 233 "LAND
10 DEVELOPMENT" OF THE CODE OF THE CITY OF UNION
11 CITY

12

13 ACTING CITY CLERK: Next item -- item is an
14 Ordinance for Introduction.

15 The Ordinance will be further considered at
16 a meeting of the Board of Commission to be held
17 on Tuesday, June 30th, 2015, at seven p.m. at the
18 Union Hill Middle School, 3800 Hudson Avenue.

19 First Ordinance is Amending Chapter 223,
20 Land Development, of the Code of the City of
21 Union City.

22 MAYOR STACK: Just -- just for everyone's
23 knowledge, on the agenda that everyone's holding
24 in their hand right now it says Wednesday, July
25 1st.

1 There was a change made so that it would be
2 held on --

3 The Regular Meeting on July 1st will still
4 take place but the Special Meeting for these
5 Ordinances will be held on June 30th at seven p.m.
6 at Union Hill Middle School.

7 Just so that there's no confusion.

8 I'll make a motion.

9 ACTING CITY CLERK: Is there a motion on
10 the first Ordinance?

11 Motion by Mayor Stack.

12 COMMISSIONER FERNANDEZ: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Fernandez.

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

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

4

5 () AN ORDINANCE PROVIDING FOR A SPECIAL
6 EMERGENCY APPROPRIATION FOR THE PAYMENT OF
7 CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES
8 RESULTING FROM THE LAYOFF OR RETIREMENT OF CITY
9 EMPLOYEES

10

11 ACTING CITY CLERK: Next Ordinance
12 Providing for a Special Emergency Appropriation
13 for the Payment of Contractually Required
14 Severance Liabilities Resulting from the Layoff
15 or Retirement of City Employees.

16 MAYOR STACK: Again, this will be held --
17 this will be held on Tuesday, June 30th, at seven
18 p.m. at Union Hill Middle School.

19 ACTING CITY CLERK: That's correct.

20 MAYOR STACK: Motion.

21 ACTING CITY CLERK: Motion by Mayor 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 **ORDINANCE (S) FOR INTRODUCTION:**

14

15 () AN ORDINANCE AMENDING CHAPTER 366 OF THE
16 CODE OF THE CITY OF UNION CITY ENTITLED "STREET
17 AND SIDEWALKS"

18

19 ACTING CITY CLERK: Next Ordinance Amending
20 Chapter 366 of the Code of the City of Union City
21 Entitled Street and Sidewalk.

22 MAYOR STACK: Again this will be held for
23 the public comment portion will be held on
24 Tuesday, June 30th, at Union Hill Middle School at
25 3800 Hudson Avenue at seven p.m.

1 ACTING CITY CLERK: Motion?

2 MAYOR STACK: Motion.

3 COMMISSIONER MARTINETTI: Second.

4 ACTING CITY CLERK: Motion by Mayor Stack.

5 Second by Commissioner Martinetti.

6 Roll call.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 ACTING CITY CLERK: Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner

14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 ACTING CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18

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

20

21 () AN ORDINANCE ADOPTING THE 3501-3511

22 PALISADE AVENUE REDEVELOPMENT PLAN

23

24 ACTING CITY CLERK: Next Ordinance Adopting

25 the 3501-3511 Palisade Avenue Redevelopment Plan

1 to be held -- to be held on Tuesday, June 30,
2 2015, at Union Hill Middle School, 3800 Hudson
3 Avenue.

4 MAYOR STACK: Motion.

5 ACTING CITY CLERK: Motion by Mayor Stack.

6 COMMISSIONER VALDIVIA: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 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 **REGULAR AGENDA:**

23

24 1. Resolution Approving the Redevelopment
25 Agency Payroll for the Period of June 3, 2015

1 through June 16, 2015

2

3 ACTING CITY CLERK: Next item is the
4 Regular Agenda.

5 First item is Resolution Approving the
6 Redevelopment Agency Payroll for the Period of
7 June 30(sic) -- 3rd, 2015 through June 16, 2015.

8 COMMISSIONER MARTINETTI: Motion.

9 ACTING CITY CLERK: Motion made by --

10 COMMISSIONER VALDIVIA: Second.

11 ACTING CITY CLERK: -- Commissioner
12 Martinetti.

13 Second by Commissioner Valdivia.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER MARTINETTI: Recusing.

17 ACTING CITY CLERK: Recusing.

18 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

3 **REGULAR AGENDA:**

4

5 2. Resolution Approving Disciplinary

6 Proceedings Against Mi Otra Casita t/a Mi Otra

7 Casita Bar & Liquor LLC, Located at 401 30th

8 Street, Liquor License No. 0910-33-080-009.

9

10 ACTING CITY CLERK: Item 2 is Resolution
11 Approving Disciplinary Proceeding Against Mi Otra
12 Casita, also known as Mi Otra Casita Bar and
13 Liquor LLC, Located at 401 30th Street, Liquor
14 License Number 0910-33-080-009.

15 Is there a motion on item 2?

16 COMMISSIONER VALDIVIA: Motion.

17 MAYOR STACK: Motion.

18 ACTING CITY CLERK: Motion by Commissioner
19 Valdivia.

20 Second by Mayor Stack.

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 Recusing.

6 Mayor Stack?

7 MAYOR STACK: Yes.

8

9 **REGULAR AGENDA:**

10

11 3. Resolution Authorizing Payment to the
12 Hudson County Improvement Authority

13

14 ACTING CITY CLERK: Item 3.

15 Resolution Authorizing Payment to the
16 Hudson County Improvement Authority.

17 MAYOR STACK: I'll move it.

18 ACTING CITY CLERK: Motion by Mayor Stack.

19 COMMISSIONER RIVAS: Thank you.

20 COMMISSIONER FERNANDEZ: Second.

21 ACTING CITY CLERK: Second --

22 COMMISSIONER RIVAS: Second.

23 ACTING CITY CLERK: -- by Commissioner
24 Fernandez.

25 Roll call.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 ACTING CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: Yes.

5 MS. de los RIOS: Recusing.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 COMMISSIONER FERNANDEZ: Recuse.

9 MS. de los RIOS: I'm sorry, recusing.

10 ACTING CITY CLERK: I'm sorry.

11 Commissioner Rivas; recusing.

12 MS. de los RIOS: Yes.

13 ACTING CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 ACTING CITY CLERK: Commissioner

16 Martinetti?

17 Recusing.

18 Mayor Stack?

19 MAYOR STACK: Yes.

20

21 **REGULAR AGENDA:**

22

23 4. Resolution Approving Payment to the Union

24 City Board of Education and the Union City High

25 School

1

2 ACTING CITY CLERK: Item 4.

3

4 Resolution Approving Payment to the Union
5 City Board of Education and the -- and the Union
6 City High School.

7

8 Is there a motion?

9

10 **REGULAR AGENDA:**

11

12 3. Resolution Authorizing Payment to the
13 Hudson County Improvement Authority

14

15 COMMISSIONER RIVAS: Excuse me?

16

17 I seconded number 3. I --

18

19 ACTING CITY CLERK: Recusing.

20

21 COMMISSIONER RIVAS: Yes, I'm recusing,
22 so --

23

24 MAYOR STACK: He was the second.

25

26 I'll be the second on that.

27

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

29

30 So, -- okay, --

31

32 MAYOR STACK: I was just going to correct
33 that right now.

34

35 ACTING CITY CLERK: Right.

36

37 MAYOR STACK: I think Commissioner --

1 either myself or Commissioner --

2 ACTING CITY CLERK: No. Commissioner
3 Martinetti --

4 I'm mean --

5 I'm sorry.

6 Item 3, right, --

7 MS. DILLON: Commissioner Fernandez.

8 ACTING CITY CLERK: -- Commissioner
9 Fernandez and Commissioner Rivas, recusing.

10 And Mayor Stack second the motion.

11 MAYOR STACK: Right.

12

13 **REGULAR AGENDA:**

14

15 4. Resolution Approving Payment to the Union
16 City Board of Education and the Union City High
17 School

18

19 ACTING CITY CLERK: Item 4.

20 Resolution Approving Payment to the Union
21 City Board of Education and Union City High
22 School.

23 Is there a motion on item 4?

24 MAYOR STACK: Motion.

25 ACTING CITY CLERK: Motion by Mayor Stack.

1 COMMISSIONER RIVAS: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Rivas.

4 Roll call.

5 Commissioner Fernandez?

6 Recusing.

7 Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 Recusing.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

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

18

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

22 MAYOR STACK: Sure.

23 Any member of the public at this time that
24 would like to comment on any matter concerning
25 municipal government in the City of Union City,

1 please step forward, state your name and address
2 for the record.

3 Right to the left.

4 Mr. Price?

5 MR. PRICE: Yes. Larry Price, 1006
6 Palisade Avenue.

7 Just a quick question.

8 This is the study for 3501-3511 Palisade
9 Avenue. It sort of reads like an ordinance but
10 it's not in an ordinance form.

11 Is there going to be something else or is
12 this it?

13 MS. de los RIOS: That --

14 Mayor, may I?

15 MAYOR STACK: Sure. Sure.

16 MS. de los RIOS: That is not -- that's not
17 the ordinance. The ordinance is actually
18 attached to the agenda.

19 What you're holding in your hand is not the
20 ordinance. That's -- that's the plan.

21 MAYOR STACK: Right. So, this evening --

22 MS. de los RIOS: That was authored by
23 David Spatz.

24 MAYOR STACK: -- this evening --

25 MR. PRICE: Yes.

1 MAYOR STACK: -- this evening produce a
2 copy of the ordinance to --
3 MS. de los RIOS: Absolutely.
4 MAYOR STACK: -- Mr. Price.
5 MR. PRICE: Oh. Okay.
6 MS. de los RIOS: I'll give it to him --
7 MAYOR STACK: All right?
8 MS. de los RIOS: -- afterwards.
9 MAYOR STACK: We'll give you a copy right
10 before you leave, Mr. Price.
11 MR. PRICE: Okay. Very good.
12 Thank you.
13 MAYOR STACK: Thank you.
14 Anyone else wishing to comment on the
15 Consent -- on the agenda --
16 I'm sorry.
17 -- on any matter concerning municipal
18 government?
19 Mr. Marotta?
20 Just right over here, Libero.
21 MR. MAROTTA: First of all, --
22 MS. DILLON: Name for the record.
23 MR. MAROTTA: Libero Marotta, 311 9th
24 Street.
25 MS. DILLON: Thank you.

1 MR. MAROTTA: Maybe we could get some audio
2 because I can't hear too well on that side. You
3 know?

4 MAYOR STACK: What I'm going to try to do,
5 Libero, I'm going to try to get -- I'm going to
6 try to get something that we can bring with us to
7 each meeting --

8 MR. MAROTTA: Yeah.

9 MAYOR STACK: -- being that we move them
10 around the City because it's hard to -- to have
11 something permanent being that we move them.

12 MR. MAROTTA: Right.

13 MAYOR STACK: So we'll try to have
14 something. We'll get something.

15 MR. MAROTTA: I've noticed that --

16 MAYOR STACK: Dominick, maybe you can do
17 that?

18 MR. MAROTTA: -- at other meetings, also.

19 MAYOR STACK: So they can hear us at least.
20 Something portable.

21 All right?

22 MR. MAROTTA: First of all what I want to
23 do I want to clear up what might be a
24 misunderstanding from the last meeting that we
25 had.

1 Because I made some comments on some topics
2 at the last meeting and the response I seemed to
3 get from the members of the Board were sort of
4 defensive and I couldn't understand that.

5 You know, I know what this Board has done.
6 I know what this Administration has done. In
7 fact, I think I'm one of the strongest supporters
8 of this Mayor and this Administration for many,
9 many years and I haven't waived from that
10 position all. I want this Board to know that.

11 However, I also want you to know that
12 criticism is not synonymous with disrespect. Or
13 criticism is not synonymous with not supporting.
14 Okay, let's -- let's clear that -- clear that air
15 once and for all.

16 Now, I know I've taken the subject up with
17 respect to what the -- what I feel the Board of
18 Adjustment has done to this City. I think it's
19 hurt the City very, very much. I've asked for
20 the entire Board and their professionals to
21 resign and get a new Board in there, which I
22 think we need that.

23 And I'm going to just make one point on
24 that.

25 All right?

1 History, since this Board has been there,
2 tells us that of all the appeals that have been
3 brought to the Superior Court and the Appellate
4 Division, 75 percent have been successful.

5 Just think of it for a moment.

6 Number one, the courts are very reluctant
7 to reverse a Board of Adjustment. They normally
8 vote in favor of the Board of Adjustment. So
9 when the courts take 75 percent of Union City
10 appeals and reverse the Board, I think that tells
11 us something.

12 But let's face it, no matter how much I
13 feel this Board must be changed, I don't see the
14 change coming.

15 All right?

16 However, I don't believe we can correct the
17 errors that we've made. But I think we could
18 mitigate the damage.

19 Union City needs parking. No question
20 about it.

21 All right?

22 What I'm going to recommend and discuss
23 with the Board is to create neighborhood parking
24 in the City.

25 We have a vacant lot on 13th and Palisade.

1 We have a vacant lot on 17th and Palisade. We
2 have a vacant lot on Summit Avenue between 8th and
3 10th Street. We have a beautiful vacant lot on
4 Hudson Avenue and 45th Street.

5 And I think if we took a poll of the
6 neighbors in these neighborhoods do they want to
7 see parking there or do they want to see a four
8 story building there that creates more problem, I
9 think we all know how the people would vote.

10 So I'm going to recommend and suggest that
11 this Board that we consider acquiring these lots
12 and putting public parking in there for the
13 people of this City.

14 All right?

15 That's number one.

16 MAYOR STACK: Libero, if I could just
17 respond to that?

18 On creating parking; we've looked at
19 45th --

20 Let me go with the last one first.

21 Forty-fifth and Hudson we've looked at but
22 the contamination is very, very heavy for the
23 City. We looked at it for a number of reasons;
24 to maybe do parking and also maybe some type of a
25 ball field for the children. We looked at a park

1 a number of years ago -- in fact, Commissioner
2 Martinetti and I did on doing something for
3 disabled children up there.

4 The problem is the environmental is so
5 severe. What I was told a number of years ago is
6 that the -- the file was opened on that property
7 in '85, if I'm correct -- and I'm just going back
8 to my memory -- and that the site was heavily
9 contaminated. That's why the City backed away
10 from doing that.

11 Thirteenth and Pal, basically, uses their
12 lot now for parking.

13 And 17th and Pal, I believe was bought, and
14 I think there were -- I don't know if they went
15 for approval or if they got an approval already,
16 I'm not really sure --

17 MR. MAROTTA: Well, --

18 MAYOR STACK: -- on those three.

19 But I do actively look because 7th and West
20 we created; 12th Street -- you remember the old
21 police garage, between 12th and Palisade --

22 MR. MAROTTA: Well, that's the only one I
23 know in the City.

24 But let me comment on --

25 MAYOR STACK: And I'll continue to look at

1 other places in the City.

2 MR. MAROTTA: But let -- let me say this.

3 Before these lots are grabbed up by these
4 developers, let the City take care of the rats.

5 MAYOR STACK: I agree. I agree.

6 MR. MAROTTA: All right?

7 On 45th Street there might be a problem
8 with contamination there but believe me when I
9 tell you there can't be a contamination or
10 environmental problem like there is on the
11 waterfront in Weehawken. And they have kids
12 playing on there. That's really contaminated.

13 MAYOR STACK: Right, I know it is.

14 MR. MAROTTA: So I think we could resolve
15 that problem.

16 But let's look into it. Please, let's get
17 parking for the people in your City.

18 One other point with respect to a vacant
19 lot.

20 We happen to have a vacant lot on 4th
21 Street and Palisade Avenue that's gorgeous. You
22 know every summer in New York City in Central
23 Park they give concerts and they give plays. And
24 people go there and sit in their lawn chairs,
25 they sit on the grass, they listen to the music

1 and what do they see? Trees.

2 In Union City if we had that on 4th Street
3 they'd see the most beautiful view in the world,
4 New York City. We could -- we could attract the
5 best artists in the world really into Union City
6 and make Union City truly a cultural center.

7 So, I would -- I would consider that.

8 Okay?

9 Now there's another issue I want to
10 discuss. I don't believe -- now, see with all
11 these years that I've supported this
12 Administration, -- before you people were an
13 Administration I supported you. I've never been
14 part of the Administration, so I've never had an
15 input. Okay?

16 And the only time you can have an input is
17 coming to a meeting like this where the public
18 has a right to express concern or express ideas.

19 I don't believe the answer to the financial
20 situation is building high rises. Believe me I
21 had arguments with Bill Musto 40 years ago about
22 that. He hasn't resolved it with high rises and
23 we're not going to resolve it. All we're going
24 to do is create a concrete jungle here and take
25 away that view.

1 All right?

2 Now I want to ask this question. Before
3 you became Mayor, Brian, the communities
4 including Union City decided to get together in
5 North Hudson and they created -- they put the
6 fire departments -- they consolidated the fire
7 departments.

8 Have we done a study? Actually are we
9 saving money?

10 MAYOR STACK: I don't believe so, no.

11 MR. MAROTTA: Well, if we're not saving
12 money then it's a big problem.

13 What are we going to do about it?

14 If we're not saving money, let's get the
15 hell out of there and take care of our own fire
16 department.

17 MAYOR STACK: Libero, I've looked -- I've
18 looked -- not to interrupt you but I've looked at
19 doing that but the cost -- I mean where we're at
20 now I don't believe we saved any money, I don't
21 believe we ever will save any money.

22 The problem that we have is that the prior
23 administration sold all the fire houses, sold
24 everything. And to start our own department it
25 just would be cost-prohibitive. It would be

1 impossible to do.

2 MR. MAROTTA: You know, Brian, I
3 remember --

4 MAYOR STACK: And most of the guys that
5 went from Union City to the Regional, I would say
6 90 -- 95 percent, are gone -- are retired.
7 Everybody left.

8 MR. MAROTTA: I hate to remind you but
9 remember the petition?

10 MAYOR STACK: I do. I would have never --

11 MR. MAROTTA: You --

12 MAYOR STACK: I'm on the record today and I
13 was on the record then, I would have never
14 regionalized that department. We had probably
15 the best fire department in the State.

16 I don't take anything against the -- the
17 men that are in the Regional now but I just feel
18 it could be run better and differently.

19 MR. MAROTTA: Well it seems that what we've
20 created up there or what -- what's been created
21 is some more political jobs to be given. Because
22 if we look at the payroll we could see what's
23 happening.

24 But talking about consolidation, I'm very,
25 very much concerned about that. I believe --

1 MAYOR STACK: So am I.

2 MR. MAROTTA: -- we must consider
3 consolidating with Weehawken.

4 Why can't we consolidate with Weehawken?

5 I know politically they're going to go
6 crazy. But let them go crazy. We consolidate
7 with Weehawken we have a waterfront. We
8 consolidate with Weehawken we preserve the views.
9 We consolidate with Weehawken we bring money in.

10 Look, I'm sorry, Mayor Turner might not
11 like the idea but --

12 COMMISSIONER FERNANDEZ: Understatement.

13 MAYOR STACK: I think it would be a good
14 idea.

15 MR. MAROTTA: I know. I think we should
16 really, really -- I think if we took a -- put
17 this on the question on the ballot as a non-
18 binding referendum, I think the people of Union
19 City would vote for it and I have a strong
20 feeling the people of Weehawken would vote for
21 it, too.

22 MAYOR STACK: Right.

23 MR. MAROTTA: So, please, let's consider
24 that.

25 MAYOR STACK: I definitely will.

1 MR. MAROTTA: Okay?

2 MAYOR STACK: I will.

3 MR. MAROTTA: Thank you very much.

4 MAYOR STACK: Thank you.

5 COMMISSIONER VALDIVIA: Hope they --

6 MAYOR STACK: Thank you.

7 Anyone else wishing to comment at this

8 time?

9 ACTING CITY CLERK: Seeing none.

10 Is there a motion to close public comment?

11 COMMISSIONER MARTINETTI: Motion.

12 MAYOR STACK: Motion.

13 ACTING CITY CLERK: Motion made by Mayor

14 Stack.

15 COMMISSIONER FERNANDEZ: Second.

16 ACTING CITY CLERK: Second by Commissioner

17 Fernandez.

18 Roll call.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

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3 1. R G Enterprise Entertainment t/a Therapy
4 Lounge, 2803 Bergenline Avenue, Liquor License
5 No. 0910-33-134-006

6 2. Bambinas Bar & Restaurant t/a Milagro
7 Ecuatoriano Restaurant, 2906 Bergenline Avenue,
8 Liquor License No. 0910-33-040-009

9 3. Enrique De Leon t/a Graciela's Cactus Bar &
10 Restaurant, 426 32nd Street, Liquor License No.
11 0910-33-227-005

12

13 ACTING CITY CLERK: Mayor, next item is
14 Liquor License Disciplinary Proceeding.

15 Mr. Farmer?

16 MAYOR STACK: Mr. Farmer?

17 MR. FARMER: If we could just --

18 Good evening, Mayor and Commissioners.

19 * * *

20

21 **BAMBINAS BAR & RESTAURANT t/a MILAGRO ECUATORIANO**
22 **RESTAURANT, 2906 Bergenline Avenue**
23 **Liquor License No. 0910-33-040-009**

24

25 MR. FARMER: We'll take number 2 first

1 | because counsel is here.

2 | MAYOR STACK: Just --

3 | MR. FARMER: I'm --

4 | MAYOR STACK: -- if you could keep your
5 | voice up, --

6 | MR. FARMER: Yes.

7 | MAYOR STACK: -- Mr. Farmer.

8 | MR. FARMER: This is you.

9 | MS. CARIDE: No. It's going to -- it's
10 | Milagro Ecuatoriano --

11 | MR. FARMER: Um-hum.

12 | MS. CARIDE: -- Restaurant.

13 | MR. FARMER: Um-hum.

14 | MS. CARIDE: Okay, yeah. Yeah.

15 | MR. FARMER: All right. Let's start all
16 | over again.

17 | Good evening.

18 | I'm addressing number 2 on your calendar.

19 | Ms. Caride is here representing the licensee.

20 | And although the licensee was supposed to be

21 | here, she's not here. She's communicated with

22 | Ms. Caride indicating that she is stuck in

23 | traffic.

24 | So we have already, with Mr. Gonzalez, have
25 | worked out a recommended plea which I would think

1 | that you'll accept. So I don't see any reason to
2 | keep everybody hanging around waiting for this
3 | woman to appear. If we could put it off for two
4 | weeks and --

5 | MAYOR STACK: Okay.

6 | So, we'll put --

7 | MR. FARMER: -- and --

8 | MAYOR STACK: -- we'll adjourn it for two
9 | weeks?

10 | MS. CARIDE: For the record, I just want to
11 | put my --

12 | MAYOR STACK: Sure.

13 | MS. CARIDE: Marlene Caride of Gonzalez and
14 | Caride.

15 | And, again, my apologies. There's seem to
16 | have been some kind of mis-communication,
17 | Mayor, --

18 | MAYOR STACK: Sure.

19 | MS. CARIDE: -- members of the -- of the
20 | Commissioners.

21 | So, what the counsel has said is correct.
22 | We have reached an agreement as to a resolution
23 | on this matter.

24 | MAYOR STACK: Good.

25 | MS. CARIDE: So when we come back it's just

1 to put it right through.

2 MAYOR STACK: That's fine. That's fine.

3 MR. FARMER: Okay? All right.

4 MS. CARIDE: Two weeks?

5 MR. FARMER: Yes.

6 MS. CARIDE: Beautiful.

7 MAYOR STACK: Thank you very much.

8 MS. CARIDE: Thank you so much.

9 MAYOR STACK: Thank you.

10 MS. CARIDE: And, again, my apologies.

11 MAYOR STACK: Sure.

12 MR. FARMER: Take care, Marlene.

13 MAYOR STACK: Thank you.

14 MS. CARIDE: Have a good day.

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1 R G ENTERPRISE ENTERTAINMENT t/a THERAPY LOUNGE,
2 2803 Bergenline Avenue
3 Liquor License No. 0910-33-134-006
4

5 MR. FARMER: With respect to Therapy, I've
6 made arrangements with Dominick and Detective
7 Dunlay to view a film on that. And that will
8 really dictate whether or not we're going to
9 pursue charges.

10 * * *

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1 ENRIQUE DE LEON t/a GRACIELA'S CACTUS BAR &
2 RESTAURANT, 426 32nd Street
3 Liquor License No. 0910-33-227-005
4

5 MR. FARMER: And then the last one is
6 Cactus Bar and Restaurant.

7 Gentlemen?

8 MS. DILLON: Right here in front of the
9 microphone, sir.

10 MR. FARMER: Right here.

11 MS. DILLON: Sir, what is your name?

12 MR. DE LEON: Enrique De Leon.

13 MS. DILLON: Spell it for me.

14 MR. DE LEON: E-N-R-I-Q-U-E. D-E-L-E-O-N.

15 MR. FARMER: Here.

16 MS. DILLON: D-E-R-E-O-- (sic) --

17 MR. DE LEON: D-E-L-E-O-N.

18 MS. DILLON: Okay.

19 MR. FARMER: Okay.

20 You're the owner and licensee of the Cactus
21 Bar.

22 Correct?

23 MR. DE LEON: Yes, I am.

24 MR. FARMER: Okay.

25 MR. DE LEON: Yes.

1 MR. FARMER: You came to my office
2 yesterday and we discussed this matter?

3 MR. DE LEON: Yeah, we -- yes we did.

4 MR. FARMER: Okay, you got to answer
5 verbally and keep your voice up.

6 MR. DE LEON: Okay.

7 MR. FARMER: And I indicated to you -- we
8 went over the charges against you, which were
9 paper violations.

10 Correct?

11 MR. DE LEON: That's correct.

12 THE PROSECUTOR: And you showed me, as you
13 have under your arm this evening, that you've
14 corrected those paper violations?

15 MR. DE LEON: Yes, I did.

16 THE PROSECUTOR: Okay.

17 Nevertheless I had indicated to you that it
18 has been the custom and practice for the Board
19 for years and years and years, when there ever is
20 a paper violation, the penalty is three days.
21 And I told you you could select those three days.

22 MR. DE LEON: Yes.

23 MR. FARMER: And you're in agreement with
24 that.

25 Correct?

1 MR. DE LEON: Yes, yes I agree.

2 MR. FARMER: Okay.

3 I would recommend a three day suspension,
4 it was a paper violation; there was somebody
5 missing on the E-141.

6 MAYOR STACK: Sir, do you have an attorney?

7 MR. DE LEON: No.

8 MAYOR STACK: Do you need -- do you want to
9 have an attorney with you?

10 MR. DE LEON: You think I need an attorney,
11 I could use it --

12 MAYOR STACK: No, no. I just want to -- I
13 just want to make sure you know you had the right
14 to consult an attorney.

15 You feel comfortable going ahead with this
16 three day suspension?

17 MR. DE LEON: Yes, I think it's -- we can
18 do that. You know, I think that -- that's right.

19 And also we -- we talk with Mr. Gregory
20 back at his office so -- we discuss everything,
21 so I think that's the best, you know, choice.

22 MAYOR STACK: And you -- you understand
23 everything that's going on?

24 MR. DE LEON: Yes, I did.

25 MAYOR STACK: You do.

1 MR. DE LEON: Yes, I --

2 MAYOR STACK: Okay.

3 MR. DE LEON: -- do. I do.

4 MAYOR STACK: And you know that this will
5 be a three day suspension of the license.

6 MR. DE LEON: Yes.

7 MAYOR STACK: You won't be able to serve
8 liquor during that period.

9 MR. DE LEON: I know. I do understand.

10 MAYOR STACK: Okay.

11 MR. DE LEON: I do understand that.

12 MAYOR STACK: Okay, sir.

13 Okay, I'll make a motion.

14 ACTING CITY CLERK: Is there a motion?

15 Motion by Mayor Stack.

16 COMMISSIONER FERNANDEZ: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Fernandez.

19 Roll call.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 ACTING CITY CLERK: Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 ACTING CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6 And your name for the record is?

7 MR. DE LEON: Enrique De Leon.

8 MAYOR STACK: And you're the owner of the
9 establishment?

10 MR. DE LEON: I'm the owner, yes.

11 MAYOR STACK: Great.

12 Thank you very much, sir. Thank you for
13 waiting.

14 MR. DE LEON: All right.

15 Thank you.

16 MR. FARMER: That's it.

17

18 * * *

19

20 **ADJOURNMENT:**

21

22 ACTING CITY CLERK: Mayor, there are no
23 other -- no other item on the agenda.

24 Is there a motion to adjourn?

25 MAYOR STACK: Motion.

1 COMMISSIONER MARTINETTI: Motion.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 Second by Commissioner Martinetti.

4 All in favor?

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

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8 (Whereupon, the proceedings were concluded

9 at 7:29 p.m.)

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

6 **Board of Commissioners**

7

8 **Attest:**

9 **Dominick Cantatore,**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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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, June 16, 2015 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon