

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Saint Anthony School
700 Central Avenue
Union City, New Jersey

Tuesday, August 18, 2015
Commencing at 7:01 p.m.

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

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

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

LUCIO P. FERNANDEZ, COMMISSIONER

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

DOMINICK CANTATORE, ACTING CITY CLERK

SCARINCI HOLLENBECK
BY: KRYSTLE NOVA, ESQ.
Corporation Counsel

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

ERIN KNOEDLER, Director of Operations

I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
PLEDGE OF ALLEGIANCE	3
ROLL CALL	3
ORDINANCES FOR HEARING AND ADOPTION	4
CONSENT AGENDA	7
 ORDINANCES FOR INTRODUCTION	 18, 20, 23
 REGULAR AGENDA	 24, 25, 26
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	28
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	30
ADJOURNMENT	36

1 ACTING CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Tuesday, August 18,
4 2015, at seven p.m., at the Saint Anthony School,
5 700 Central 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.

15 Adequate notice of this meeting has been
16 provided as follows:

17 Notice of this meeting setting forth the
18 time, the 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

Absent.

5

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

And Commissioner Fernandez is out of town

15

with his family.

16

17

ORDINANCES FOR HEARING AND ADOPTION

18

CONSIDERATION:

19

20

1. AN ORDINANCE AMENDING CHAPTER 223 "LAND

21

DEVELOPMENT" OF THE CODE OF THE CITY OF UNION

22

CITY

23

24

ACTING CITY CLERK: First item is an

25

Ordinance for Hearing and Adoption Consideration.

1 An Ordinance Amending Chapter 223 Land
2 Development of the Code of City of Union City.

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

6 Seeing none.

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

9 MAYOR STACK: Motion.

10 ACTING CITY CLERK: -- hearing?

11 COMMISSIONER MARTINETTI: Second.

12 ACTING CITY CLERK: Motion by Mayor Stack.

13 Second by Commissioner Martinetti.

14 Roll call.

15 Commissioner Fernandez?

16 Absent.

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 ACTING CITY CLERK: Is there a motion to
2 adopt the Ordinance Amending Chapter 223 Land
3 Development of the Code --

4 COMMISSIONER RIVAS: Motion.

5 ACTING CITY CLERK: -- of the City of Union
6 City?

7 ACTING CITY CLERK: Motion made by
8 Commissioner --

9 COMMISSIONER VALDIVIA: Second.

10 ACTING CITY CLERK: -- Rivas.

11 Second by Commissioner Valdivia.

12 Roll call.

13 Commissioner Fernandez?

14 Absent.

15 Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 ACTING CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 ACTING CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 ACTING CITY CLERK: Next item is --

25 MAYOR STACK: Just before we do, I'd just

1 | like to thank those individuals that were at the
2 | meeting. I know Mr. Price was here at the last
3 | meeting some time ago on this Ordinance. And I
4 | know Mr. Marotta submitted comments in writing on
5 | it.

6 | Just thank them for their input.

7 |

8 | **CONSENT AGENDA:**

9 |

10 | (1) Resolution Approving the Payment of Claims

11 | (2) Resolution Approving the Payment of

12 | Concurring Claims

13 | (3) Resolution Approving the City Payroll for

14 | the Period of July 25, 2015 through August 7,

15 | 2015

16 | (4) Resolution Approving the Library Payroll

17 | for the Period of July 25, 2015 through August 7,

18 | 2015

19 | (5) Resolution Authorizing the City to Enter

20 | into a Cooperative Agreement with the Middlesex

21 | Regional Education Services Commission

22 | (6) Resolution Authorizing the Clerk to

23 | Advertise Bids for the Construction of the Police

24 | Memorial Park and Reconstruction of 11th Street

25 | from Bergenline Avenue to Central Avenue Project

- 1 (7) Resolution Approving Disciplinary
2 Proceedings Against Uno Bar t/a Dolores Castro,
3 Located at 3607 New York Avenue, Liquor License
4 No. 0910-33-108-004
- 5 (8) Resolution Approving Disciplinary
6 Proceedings Against Los Tejares t/a Los Tejares,
7 LLC, Located at 3901 Bergenline Avenue, Liquor
8 License No. 0910-33-038-005
- 9 (9) Resolution Awarding Contract to Barbato
10 Nursery Corporation for Purchase of Dog Waste
11 Bags
- 12 (10) Resolution Awarding Contract to Central
13 Poly Corporation for Poly Garbage Bags
- 14 (11) Resolution Awarding Contracts to Dario,
15 Albert, Metz & Eyerman, Yaker Glatt LLC and Alan
16 G. Peyroutan for Public Defender
- 17 (12) Resolution Awarding Contract for Library
18 Board Counsel for the City of Union City with
19 Ulysses Isa ESQ.
- 20 (13) Resolution Awarding a Contract for Zoning
21 Board of Adjustment Counsel to Tomas R. Paneque
22 ESQ.
- 23 (14) Resolution Authorizing the Award of a
24 Contract for Tenant Rights Rent Board Counsel
25 with Ulysses Isa ESQ.

- 1 (15) Resolution Re-Appointing Members Miguel
2 Ortiz and Victor M. Grullon to the Zoning Board
3 of Adjustments (sic)
- 4 (16) Resolution Re-Appointing Members Alicia
5 Morejon, Jeanne Koehler and Jose Guareno to the
6 Planning Board
- 7 (17) Resolution Re-Appointing Member Lucio
8 Fernandez to the Union City Redevelopment Agency
- 9 (18) Resolution Re-Appointing Member Laura
10 Espinal to the Public Library's Board of Trustees
- 11 (19) Resolution Authorizing Settlement in a
12 Workers Compensation Matter Claim Petition No.
13 1997-13891 entitled Joseph Colavito v. City of
14 Union City
- 15 (20) Resolution Authorizing the City of Union
16 City to Join in the Preparation of a Statewide
17 Fair Share Analysis
- 18 (21) Resolution Authorizing Refund of Redemption
19 Monies to Outside Lienholders
- 20 (22) Resolution Authorizing the Refund of
21 Premium Monies Collected at the Tax Sale
- 22 (23) Resolution Authorizing Tax Refund in Tax
23 Appeal Decisions by the Tax Court of New Jersey
- 24 (24) Resolution Authorizing the Refund of an
25 Overbill for 2015 Taxes on Block 26, Lot 10

1 Located at 315 7th Street

2 (25) Resolution Cancelling Taxes on Property
3 Erroneously Assessed on Block 101, Lot 15 C0204,
4 Also known as 1908 New York Avenue

5 (26) Resolution Cancelling Overbill on Block
6 101, Lot 15, Located at 1908 New York Avenue

7 (27) Resolution to Adjust 3rd and 4th Quarter
8 Taxes on the Property List (14 Pages)

9 (28) Any other matter of City business that may
10 arise

11

12 ACTING CITY CLERK: Next item is a Consent
13 Agenda.

14 First item is Resolution Approving the
15 Payment of Claims.

16 Item 2.

17 Resolution Approving the Payment of
18 Concurring Claims.

19 Item 3.

20 Resolution Approving the City Payroll for
21 the Period of July 25th, 2015 through August 7th,
22 2015

23 Item 4.

24 Resolution Approving the Library Payroll
25 for the Period of July 25th, 2015 through August

1 7th, 2015.

2 Item 5.

3 Resolution Authorizing the City Clerk --
4 the City to Enter into Cooperative Agreement with
5 the Middlesex Regional Education Service
6 Commission.

7 Item 6.

8 Resolution Authorizing the Clerk to
9 Advertise Bids for the Construction of the Police
10 Memorial Park and Reconstruction of 11th Street
11 from Bergenline Avenue to Central Avenue Project.

12 Item 7.

13 Resolution Approving Disciplinary
14 Proceeding Against Uno Bar also known as Dolores
15 Castro, Located at 3607 New York Avenue, Liquor
16 License Number 0910-33-108-004.

17 Item 8.

18 Resolution Approving Disciplinary
19 Proceeding Against Los Tejares also known as Los
20 Tejares, LLC, Located at 3901 Bergenline Avenue,
21 Liquor License Number 0910-33-038-005.

22 Item 9.

23 Resolution Awarding Contract to Barbato --
24 Barbato Nursery Corporation for Purchase of Dog
25 Waste Bags.

1 Item 10.

2 Resolution Awarding Contract to Central
3 Poly Corporation for Poly -- Poly Garbage Bags.

4 Item 11.

5 Resolution Awarding Contracts to Dario,
6 Albert, Metz, Eyerman, Yaker Glatt LLC and Alan
7 G. Peyroutan for Public Defender.

8 Item 12.

9 Resolution Awarding Contract for Library
10 Board Counsel for the City of Union City with
11 Ulysses Isa, Esquire.

12 Item 13.

13 Resolution Awarding a Contract for Zoning
14 Board of Adjustment Counsel to Thomas(sic) R.
15 Paneque, Esquire.

16 Item 14.

17 Resolution Authorizing the Award of a
18 Contract for Tenant Right Rent Board Counsel with
19 Ulysses Isa, Esquire.

20 Item 15.

21 Resolution Re-Appointing Members Miguel
22 Ortiz and Victor M. Grullon to the Zoning Board
23 of Adjustment.

24 Item 16.

25 Resolution Re-Appointing Members Alicia

1 Morejon, Jeanne Koehler and Jose Guareno to the
2 Planning Board.

3 Item 17.

4 Resolution Re-Appointing Member Lucio
5 Fernandez to the Union City Redevelopment Agency.

6 Item 18.

7 Resolution Re-Appointing Member Laura
8 Espinal to the Public Library Board of Trustee.

9 Item 19.

10 Resolution Authorizing Settlement in a
11 Worker -- Workers Compensation Matter Claim
12 Petition Number 1997-13891 entitled Joseph
13 Colavito against City of Union City.

14 Item 20.

15 Resolution Authorizing the City of Union
16 City to Join in the Preparation of Statewide Fair
17 Share Analysis.

18 Item 21.

19 Resolution Authorizing Refund of Redemption
20 Money to Outside Lienholders.

21 Item 22.

22 Resolution Authorizing the Refund of
23 Premium Monies Collected at Tax Sale.

24 Item 23.

25 Resolution Authorizing Tax Refund in Tax

1 Appeal Decision by the Tax Court of New Jersey.

2 Item 24.

3 Resolution Authorizing the Refund of an
4 Overbill for 2015 Taxes on Block 26, Lot 10
5 Located at 315 7th Street.

6 Item 25.

7 Resolution Cancelling Taxes on Property
8 Erroneously Assessed on Block 101, Lot 15 C0204,
9 also known as 1908 New York Avenue.

10 Item 26.

11 Resolution Cancelling Overbill on Block
12 101, Lot 15, Located at 1908 New York Avenue.

13 Item 27.

14 Resolution to Adjust 3rd and 4th Quarter
15 Taxes on the Property List, 14 Pages.

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

18 MAYOR STACK: Sure.

19 Just before we do, Mr. Clerk, thank you, on
20 item number 6 on the agenda, the advertisement of
21 bids for construction of the Police Memorial
22 Park.

23 Just by the naming everyone knows this will
24 be named after police officers who died in the
25 line of duty in the City of Union City.

1 The park took a lot of work. We've been
2 working closely with the PBA and Chris Scardino
3 and the entire Police Department to really create
4 a beautiful park here. It's going to be even a
5 lot better than what we thought originally.

6 We're also going to be doing Bergenline to
7 West and West to Central; brand new streetscape
8 in this area. We're going to tie it in all with
9 the brand new park in the neighborhood and make
10 it really, really a nice park. Some water
11 equipment for the children in the area.

12 And something really nice for people to go
13 to; whether you want to go there and just be
14 grateful to those police officers that put up
15 their life in the line of duty or if you want
16 your children to go to a safe park to play, it's
17 going to be something really nice.

18 In addition to that, on the dog waste bags,
19 we're still continuing with the quality of life
20 in the City on trying to get people to pick up
21 after their dog. I mean we're trying to make it
22 as easy as possible so that people have the dog
23 bags out there; they could use them when they're
24 on the pole, pick up after their dog and discard
25 it in the -- in the corner trash receptacle. Tie

1 it into our quality of life.

2 Believe it or not that's probably like our
3 number one issue in the City right now in the
4 meetings that we go to -- in the community
5 meetings. That could be a good thing and a bad
6 thing.

7 The Resolution re-appointing members to the
8 Zoning Board. I'd like to thank all those
9 members who are being re-appointed.

10 Thank those members who have come forward
11 in the community asking to be appointed to a
12 Board.

13 Everyone who has asked to be appointed to a
14 municipal board in this City, we've appointed.

15 So anyone who would like to serve on a
16 public board, please step forward, we'll be more
17 than happy to have you part of the Administration
18 and serve the public in this capacity.

19 At this time anyone wishing to comment on
20 the Consent Agenda, please step forward, state
21 your name and address for the record.

22 Seeing none at this time.

23 ACTING CITY CLERK: Is there a motion to
24 close --

25 MAYOR STACK: I'll move it.

1 ACTING CITY CLERK: -- public comment?
2 Motion by Mayor Stack.
3 COMMISSIONER RIVAS: Second.
4 ACTING CITY CLERK: Second by Commissioner
5 Rivas.
6 Roll call.
7 Commissioner Fernandez?
8 Absent.
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: Yes.
16 ACTING CITY CLERK: Mayor Stack?
17 MAYOR STACK: Yes.
18 ACTING CITY CLERK: Is there a motion to
19 approve all items on the Consent Agenda?
20 COMMISSIONER VALDIVIA: Motion.
21 ACTING CITY CLERK: Motion by Commissioner
22 Valdivia.
23 COMMISSIONER RIVAS: Second.
24 ACTING CITY CLERK: Second by Commissioner
25 Rivas.

1 Roll call.

2 Commissioner Fernandez is absent.

3 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: I'm recusing on
10 item 13 and 15.

11 Aye on the rest.

12 ACTING CITY CLERK: Commissioner Martinetti
13 recusing item 13 and 15; aye on the rest.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

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

18

19 () AN ORDINANCE AMENDING CHAPTER 386 OF THE
20 CODE OF THE CITY OF UNION CITY ENTITLED
21 "TAXICABS"

22

23 ACTING CITY CLERK: Next items Ordinances
24 for Introduction.

25 The Ordinances will be further considered

1 at a Meeting of the Board of Commissioner to be
2 held on September 1st, 2015, at seven p.m. at the
3 Colin Powell Elementary School, 1500 New York
4 Avenue, Union City, New Jersey.

5 First Ordinance.

6 An Ordinance Amending Chapter 386 of the
7 Code of the City of Union City Entitled Taxicabs.

8 MAYOR STACK: What we're doing with this,
9 we're reducing the insurance requirement. We
10 originally went up several months ago to a
11 \$300,000.00 limit; we're reducing that down to a
12 hundred thousand dollars as the taxicabs weren't
13 able to get insurance.

14 It's hard to get insurance as a taxicab in
15 the State of New Jersey right now. And we're
16 just keeping it in line with most other
17 municipalities in the State.

18 Honestly, I think the State requirement is
19 35,000.

20 ACTING CITY CLERK: Thirty-five.

21 MAYOR STACK: We're making it a hundred
22 thousand. So that's tying in what we spoke to
23 the taxicab owners at the last meeting.

24 Mr. Farmer and Krystle, if you could both
25 maybe get a copy of the Ordinance to all the

1 taxicab companies in the City --

2 MS. NOVA: Absolutely.

3 MAYOR STACK: -- just in case they want to
4 have any comment at the next meeting.

5 MS. NOVA: Absolutely.

6 MAYOR STACK: I would appreciate that.

7 I'll move it.

8 ACTING CITY CLERK: Motion by Mayor Stack.

9 COMMISSIONER RIVAS: Second.

10 ACTING CITY CLERK: Second by Commissioner
11 Rivas.

12 Roll call.

13 Commissioner Fernandez?

14 Absent.

15 Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 ACTING CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner

20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 ACTING CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24

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

1
2 () AN ORDINANCE AMENDING CHAPTER 16 OF THE
3 CODE OF THE CITY OF UNION CITY ENTITLED "VEHICLES
4 AND TRAFFIC"

5
6 ACTING CITY CLERK: Next Ordinance an
7 Ordinance Amending Chapter 16 of the Code of City
8 of Union City Entitled Vehicles and Traffic.

9 MAYOR STACK: Do you want to explain that
10 one, Krystle?

11 MS. NOVA: Sure.

12 This Ordinance is to raise the penalty of
13 where -- commercial vehicles, where there's no
14 parking signs, basically from nine p.m. to seven
15 a.m. It was originally a hundred dollars; it
16 will now be a hundred and fifty dollars.

17 Also, for vehicles that -- similarly,
18 commercial vehicles, in no parking zones from
19 nine p.m. to seven a.m., however, in excess of
20 4,000 pounds, the minimum will be a hundred and
21 fifty dollars and the maximum fine will be
22 \$500.00.

23 MAYOR STACK: And this is just to encourage
24 more parking in the City of Union City.

25 Our residents get home from work after a

1 long day at work, they're able to find a parking
2 spot and not commercial vehicles parked on the
3 street.

4 This is something the Police Department's
5 been strictly enforcing; probably issuing a
6 couple hundred summonses a week right now.

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

8 MAYOR STACK: I'll move it.

9 ACTING CITY CLERK: -- introduce?

10 Motion by Mayor Stack.

11 COMMISSIONER RIVAS: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 Rivas.

14 Roll call.

15 Commissioner Fernandez?

16 Absent.

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

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

3

4 () AN ORDINANCE AMENDING CHAPTER 351-7 OF THE
5 CODE OF THE CITY OF UNION CITY TO PROHIBIT THE
6 SALE OF TOBACCO AND NICOTINE TO PERSON UNDER THE
7 AGE OF TWENTY-ONE (21)

8

9 ACTING CITY CLERK: Next Ordinance Amending
10 Chapter 351-7 of the Code of the City of Union
11 City to Prohibit the Sale of Tobacco and Nicotine
12 to Person Under the Age of 21.

13 MAYOR STACK: Once again this is a public
14 policy issue that the Commissioners and myself
15 are taking. That the sale of tobacco should be
16 at 21.

17 We see the effects of tobacco on our young
18 people and people in general. We feel it's a
19 step in the right direction.

20 Hopefully this will be something that the
21 State follows suit with.

22 ACTING CITY CLERK: Is there a motion?

23 MAYOR STACK: Motion.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 COMMISSIONER MARTINETTI: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Martinetti.

3 Roll call.

4 Commissioner Fernandez?

5 Absent.

6 Commissioner Rivas?

7 COMMISSIONER RIVAS: Yes.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 ACTING CITY CLERK: Commissioner
11 Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15

16 **REGULAR AGENDA:**

17

18 1. Resolution Approving the Redevelopment
19 Agency Payroll for the Period of July 25, 2015
20 through August 7, 2015

21

22 ACTING CITY CLERK: Next item is a Regular
23 Agenda.

24 First item.

25 Resolution Approving the Redevelopment

1 Agency Payroll for the Period of July 25th, 2015
2 through August 7, 2015.

3 COMMISSIONER VALDIVIA: Move it.

4 ACTING CITY CLERK: Motion by Commissioner
5 Valdivia.

6 COMMISSIONER MARTINETTI: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Martinetti.

9 Roll call.

10 Commissioner Fernandez?

11 Absent.

12 Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 **REGULAR AGENDA:**

23

24 2. Resolution Authorizing Payment of Claims to
25 Union City Board of Education

1

2

ACTING CITY CLERK: Item 2.

3

Resolution Authorizing Payment of Claims to

4

Union City Board of Education.

5

COMMISSIONER RIVAS: Moved.

6

MAYOR STACK: Second.

7

ACTING CITY CLERK: Motion made by

8

Commissioner Rivas.

9

Second by Mayor Stack.

10

Roll call.

11

Commissioner Fernandez is absent.

12

Commissioner Rivas?

13

COMMISSIONER RIVAS: Yes.

14

ACTING CITY CLERK: Commissioner Valdivia?

15

COMMISSIONER VALDIVIA: Yes.

16

ACTING CITY CLERK: Commissioner

17

Martinetti?

18

Recusing.

19

Mayor Stack?

20

MAYOR STACK: Yes.

21

MS. NOVA: And for the record, Commissioner

22

Valdivia is voting on this item based on the

23

doctrine of necessity.

24

25

REGULAR AGENDA:

1

2

3. Resolution Approving Disciplinary

3

Proceedings Against Azucar Club Inc., Located at

4

421 43rd Street, Liquor License No.

5

0910-33-003-007

6

7

ACTING CITY CLERK: Item 3.

8

Resolution Approving Disciplinary

9

Proceeding Against Azucar Club Inc., Located at

10

421 43rd Street, Liquor License Number

11

0910-33-003-007.

12

MAYOR STACK: I'll move it.

13

ACTING CITY CLERK: Motion made by Mayor

14

Stack.

15

COMMISSIONER RIVAS: Second.

16

ACTING CITY CLERK: Second by Commissioner

17

Rivas.

18

Roll call.

19

Commissioner Fernandez?

20

Absent.

21

Commissioner Rivas?

22

COMMISSIONER RIVAS: Yes.

23

ACTING CITY CLERK: Commissioner Valdivia?

24

COMMISSIONER VALDIVIA: Yes.

25

ACTING CITY CLERK: Commissioner

1 Martinetti?

2 Recusing.

3 Mayor Stack?

4 MAYOR STACK: Yes.

5

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

7

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

11 MAYOR STACK: Yes, anyone wishing to
12 comment on any matter concerning municipal
13 government, please step forward, state your name
14 and address for the record.

15 Seeing none.

16 Just before we move, I'd just like to thank
17 the Commissioners once again for moving a hundred
18 percent of our meetings throughout the community.

19 I'd like to thank those members of the
20 public who have come to the meeting this evening.

21 I'll move it.

22 COMMISSIONER RIVAS: Second.

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

25 COMMISSIONER RIVAS: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Fernandez (sic).

3 COMMISSIONER RIVAS: No. Rivas.

4 ACTING CITY CLERK: I mean Commissioner
5 Fernandez is --

6 Commissioner Rivas. I'm sorry.

7 Commissioner Fernandez?

8 Absent.

9 Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER FERNANDEZ: Yes.

13 ACTING CITY CLERK: Commissioner
14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 ACTING CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18

19 * * *

20

21

22

23

24

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. El Chain Corp t/a El Rincon Chapin, Located
4 at 2118 Bergenline Avenue, Liquor License No.
5 0910-33-075-009

6 2. Plaza Espana, Inc. t/a Plaza Hispana,
7 Located at 2506 Bergenline Avenue, Liquor License
8 No. 0910-33-136-020

9 3. Wendy C. Diaz t/a Tropical Bar &
10 Restaurant, Located at 4100C Bergenline Avenue,
11 Liquor License No. 0910-33-060-003

12

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

15 MAYOR STACK: Mr. Farmer?

16 MR. FARMER: Yes.

17 There are three matters on your calendar.

18 MS. DILLON: Just come closer, Mr. Farmer.

19 MR. FARMER: Where do you want me? Right
20 here. Okay.

21 There are three matters on your calendar.

22

23

* * *

24

25

1 EL CHAPIN CORP t/a EL RINCON CHAPIN, Located at
2 2118 Bergenline Avenue
3 Liquor License No. 0910-33-075-009
4

5 MR. FARMER: The first one is El
6 Rincon/Chapin. The licensee is to my left. He
7 has indicated that Luis Alum is his attorney and
8 he just retained him. This is the first time
9 it's on, so --

10 MAYOR STACK: All right, we'll adjourn it
11 till the next meeting.

12 MR. FARMER: Right.

13 Okay. And I'll send you a notice on
14 everything, okay?

15 MAYOR STACK: Thank you very much, sir.
16 Thank you.

17 A VOICE: Thank you. Have a good night
18 everybody.

19 MAYOR STACK: You, too.

20 COMMISSIONER MARTINETTI: Thank you.

21 MAYOR STACK: Thank you, sir.

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

25 * * *

1 PLAZA ESPANA, INC. t/a PLAZA HISPANA, Located at
2 2506 Bergenline Avenue
3 Liquor License No. 0910-33-136-020
4

5 MR. SARSANO: Hello.

6 MAYOR STACK: How you doing, Mr. Sarsano?
7 How are you?

8 MR. SARSANO: Doing well.

9 MR. FARMER: Okay, this next one is Plaza
10 de Espana.

11 Your client here? Why don't you bring him
12 up.

13 MS. DILLON: You got to keep your voice up,
14 Mr. Farmer.

15 MR. SARSANO: Come on up.

16 MAYOR STACK: Just if you could keep our
17 voices up, --

18 MR. FARMER: Yes.

19 MAYOR STACK: -- just so the public could
20 also hear.

21 MR. FARMER: The next one is Plaza Espana
22 and it's located at 2506 Bergenline Avenue.
23 That's number 2 on your list.

24 This is a situation where police came on
25 the scene of a disturbance and one of the people

1 | was very intoxicated. He was outside the place,
2 | so that does present some proof problems. And
3 | there were some paper violations.

4 | I've spoken to Mr. Sarsano and we've agreed
5 | upon a ten day suspension, which I think is a
6 | healthy suspension and it will start this Sunday.

7 | I will draft the Resolution and get it over
8 | to Dominick and to Chief Molinari and to
9 | Lieutenant Loaces.

10 | MAYOR STACK: Okay.

11 | Mr. Sarsano?

12 | MR. SARSANO: That's fine. It's agreeable.
13 | That's what we agreed to.

14 | MS. DILLON: Your appearance, Mr. Sarsano?

15 | MAYOR STACK: Just your appearance on the
16 | record.

17 | MR. SARSANO: My name is Anthony Sarsano.
18 | I represent the Plaza de Espana.

19 | MAYOR STACK: Okay, good.

20 | And you're agreeing to a ten day
21 | suspension?

22 | MR. SARSANO: Um-hum. I am.

23 | MAYOR STACK: Okay. Very good.

24 | MR. SARSANO: Starting on Sunday.

25 | MAYOR STACK: Thank you very much.

1 MR. SARSANO: Thank you.

2 MAYOR STACK: Thank you.

3 Motion.

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

6 COMMISSIONER RIVAS: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Rivas.

9 Commissioner Fernandez?

10 Absent.

11 Commissioner Rivas?

12 COMMISSIONER RIVAS: Here. Yes.

13 ACTING CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 ACTING CITY CLERK: Commissioner
16 Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 ACTING CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20 MR. FARMER: Okay.

21 Thank you.

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

24

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* * *

1 **WENDY C. DIAZ t/a TROPICAL BAR & RESTAURANT,**
2 **Located at 4100C Bergenline Avenue**
3 **Liquor License No. 0910-33-060-003**
4

5 MR. FARMER: The last one is Tropical Bar
6 and Restaurant. Ms. Diaz, the licensee is here,
7 along with her attorney, --

8 MAYOR STACK: How you doing, sir?

9 MR. FARMER: -- Mr. Crossin.

10 Mr. Crossin just got involved in the case.
11 Called me yesterday as a matter of fact; appeared
12 here tonight so that we could talk about it and
13 the police officer was here, so we all talked
14 about it. I think we need some more time.

15 So, I -- he needs some more time to talk to
16 some witnesses, so I'd like you to, if it would
17 be okay since it's the first time on, to carry it
18 to September.

19 MAYOR STACK: Mr. Crossin?

20 MR. CROSSIN: That is my request --

21 MS. DILLON: Your appearance please?

22 MAYOR STACK: If you could just enter your
23 appearance --

24 MR. CROSSIN: Sorry.

25 MAYOR STACK: -- for the record.

1 MR. CROSSIN: I'm terribly sorry.

2 Altamura and Crossin, Union City, by
3 Richard Crossin, for Tropical.

4 Yeah, I -- Mr. Farmer was good enough to
5 introduce me to the police officer and it appears
6 that there might have been an earlier altercation
7 I was not aware of.

8 MAYOR STACK: Okay.

9 MR. CROSSIN: I'd like to locate witnesses
10 to that and see if we can't arrive at some
11 resolution the next time around.

12 MAYOR STACK: Okay, great.

13 We'll put it on for two weeks then?

14 MR. FARMER: Yes.

15 MAYOR STACK: Great.

16 Thank you very much.

17 MR. CROSSIN: Thank you.

18 MAYOR STACK: Thank you.

19 Thank you.

20 ACTING CITY CLERK: Anything else, Mr. --

21 MR. FARMER: No, that's it.

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25 **ADJOURNMENT:**

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

Is there a motion to adjourn?

MAYOR STACK: Motion.

ACTING CITY CLERK: Motion by Mayor Stack.

COMMISSIONER RIVAS: Second.

ACTING CITY CLERK: Second by Commissioner
Rivas.

All in favor?

(Whereupon, there was a chorus of ayes.)

(Whereupon, the proceedings were concluded
at 7:18 p.m.)

1 _____ Brian P. Stack

2 _____ Maryury A. Martinetti

3 _____ Celin J. Valdivia

4 _____ Tilo E. Rivas

5 **Board of Commissioners**

6

7 **Attest:**

8 **Dominick Cantatore,**

9 **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, August 18, 2015 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon