

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS

Wednesday, November 4, 2015
Commencing at 7:01 p.m.

BRIAN P. STACK, MAYOR
LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER, (Left at 7:20 p.m.)
TILO E. RIVAS, COMMISSIONER

SCARINCI HOLLENBECK
BY: KRYSTLE NOVA, ESQ.
Corporation Counsel

A L S O P R E S E N T cont'd:

SUSAN COLDITZ, Chief Financial Officer

A P P E A R A N C E S:

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

RAMON M. GONZALEZ, ESQ.
Attorney for Angelo's Cafe
Attorney for Mayen Corp. t/a El Trebol

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	6
COMMUNICATIONS	34
APPROVAL OF PREVIOUS MEETING MINUTES	7
ORDINANCES FOR HEARING AND ADOPTION	8, 10, 13
CONSENT AGENDA	15, 39
ORDINANCES FOR INTRODUCTION	24
REGULAR AGENDA	26, 29, 31
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	32
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	42
Mayem (sic) Corp. t/a El Trebol	76
Bambinas Bar & Restaurant t/a	
Milagro Ecuatoriano Restaurant	79
RG Enterprise Entertainment t/a	
Therapy Lounge	84
Angelo's Cafe	46
Dolores Castro t/a Uno Bar	44, 75
ADJOURNMENT	88

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

Angelo's Café, 4215 Park Avenue

<u>WITNESS</u>	<u>PAGE</u>
DETECTIVE SERGEANT DAVID A. DUNLAY	48
LIEUTENANT JOHN LOACES	68

E X H I B I T S

<u>NO.</u>	<u>DOCUMENT</u>	<u>PAGE</u>
C-1	Proof of Service	Premarked
C-2	Notice	Premarked
C-3	Mailing List	Premarked

1 ACTING CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Wednesday, November
4 4th, 2015, at seven p.m., in the Islamic Education
5 Center, 4613 Cottage Place, 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:

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

25

1 **ROLL CALL:**

2

3 ACTING CITY CLERK: Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Here.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Here.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Here.

10 ACTING CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Here.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Here.

15 ACTING CITY CLERK: First --

16 Lucio? Commissioner? Is she here yet

17 or --

18 COMMISSIONER FERNANDEZ: She's walking.

19 Let's -- let's put her second.

20 ACTING CITY CLERK: You want to --

21 MAYOR STACK: We could go to something

22 else; maybe Communication. And when she walks

23 in, Lucio will alert you.

24 ACTING CITY CLERK: We have a Proclamation

25 Present --

1 COMMISSIONER FERNANDEZ: Let's do -- let's
2 go to approval of Minutes and all that; we'll
3 come back to that.

4 ACTING CITY CLERK: All right.

5 So, --

6 COMMISSIONER FERNANDEZ: Please.

7

8 **APPROVAL OF PREVIOUS MEETING MINUTES FROM OCTOBER**
9 **3, 2015 AND OCTOBER 20 (sic), 2015:**

10

11 ACTING CITY CLERK: We have Approval of the
12 Previous Meeting Minutes of October 6, 2015 and
13 October 30th, 2015, be approve and recorded.

14 Have a motion?

15 COMMISSIONER RIVAS: Motion.

16 ACTING CITY CLERK: Motion by Commissioner
17 Rivas.

18 COMMISSIONER MARTINETTI: Second.

19 ACTING CITY CLERK: Second by Commissioner
20 Martinetti.

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.

8

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11

12 () AN ORDINANCE OF THE CITY OF UNION CITY,
13 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
14 SUM OF \$100,000 IN FUNDING FROM THE CAPITAL
15 IMPROVEMENT FUND FOR POLICE SURVEILLANCE CAMERAS
16 FOR THE YARDLEY STEPS

17

18 ACTING CITY CLERK: Next item is Ordinances
19 for Hearing Adoption Consideration.

20 An Ordinance of the City of Union City,
21 County of Hudson, New Jersey, appropriating the
22 sum of a hundred thousand in funding from the
23 Capital Improvement Fund for Police surveillance
24 cameras for the Yardley Steps.

25 MAYOR STACK: Again this is another step --

1 I would like to thank the Police Department under
2 the leadership of Chief Molinari -- keeping our
3 City safe.

4 Cameras don't replace a police officer but
5 it does help the Police Department in doing their
6 job to make our City safer.

7 Anyone wishing to comment on this
8 ordinance, please step forward. It's a hundred
9 thousand dollars for the Yardley Steps to put
10 additional cameras in our community.

11 Seeing none.

12 ACTING CITY CLERK: Is there a motion?

13 MAYOR STACK: Motion.

14 ACTING CITY CLERK: Motion by Mayor 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.

5

6 **ORDINANCES FOR HEARING AND ADOPTION**

7 **CONSIDERATION:**

8

9 () AN ORDINANCE ESTABLISHING A NEW CHAPTER 426
10 ENTITLED "BUILDING CONSTRUCTION STANDARDS,"
11 ARTICLE I "LIMITATION ON CONSTRUCTION HOURS",
12 § 426-1 "CONSTRUCTION PROHIBITED" IN THE CODE OF
13 THE CITY OF UNION CITY

14

15 ACTING CITY CLERK: Next Ordinance
16 Establishing a New Chapter 425 (sic) Entitled
17 Building Construction Standards.

18 MAYOR STACK: I think this is on the times
19 of construction.

20 Right?

21 MS. NOVA: That's correct.

22 MAYOR STACK: Okay.

23 This again would alter the times that
24 individuals doing construction in the City of
25 Union City would be able to do it. This would

1 change the starting time to 8:30.

2 Right?

3 MS. NOVA: It's going to change it, Monday
4 through Friday, 8:30 to six p.m. And Saturday
5 9:30 to 2:30 p.m.

6 MAYOR STACK: Again, this would be tying in
7 with the quality of life, just making sure -- we
8 don't want to discourage any type of construction
9 or residents working on their home or anything.
10 But it would also just give peace and enjoyment
11 and quality of life to residents who live in the
12 community just to make sure they're not being
13 bothered by the sounds of construction.

14 Anyone wishing to comment on this ordinance
15 at this time, please step forward, state your
16 name and address for the record.

17 Seeing none.

18 I'll make a motion.

19 Just like to thank the Construction Code
20 Official --

21 ACTING CITY CLERK: Motion --

22 MAYOR STACK: -- for bringing this to our
23 attention.

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

1 COMMISSIONER VALDIVIA: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Valdivia.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Recusing.

14 ACTING CITY CLERK: Commissioner
15 Martinetti; recusing.

16 Mayor Stack?

17 MAYOR STACK: Yes.

18 ACTING CITY CLERK: Is there a motion to
19 adopt an Ordinance Establishing New Chapter 526
20 (sic) Entitled Building Construction Standards,
21 Article I Limitation on Construction Hours, 426-1
22 Construction Prohibited in the Code of the City
23 of Union City?

24 COMMISSIONER VALDIVIA: Motion.

25 ACTING CITY CLERK: Motion by --

1 MAYOR STACK: Second.

2 ACTING CITY CLERK: -- Commissioner

3 Valdivia.

4 Second by Mayor Stack.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER MARTINETTI: Recusing.

15 ACTING CITY CLERK: Recusing.

16 Mayor Stack?

17 MAYOR STACK: Yes.

18

19 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21

22 () AN ORDINANCE OF THE CITY OF UNION CITY,

23 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE

24 SUM OF \$100,000 IN FUNDING FROM THE CAPITAL

25 IMPROVEMENT FUND FOR POLICE SURVEILLANCE CAMERAS

1 FOR THE YARDLEY STEPS

2

3 ACTING CITY CLERK: Mayor, I have to go
4 back to the first ordinance.

5 We have to make a motion to adopt the first
6 Ordinance of the City of Union City, County of
7 Hudson, New Jersey, Appropriating the Sum of a
8 \$100,000.00 in the Funding from the Capital
9 Improvement Fund for Police Surveillance Camera
10 for the Yardley Step.

11 Is there a motion to adopt?

12 MAYOR STACK: Motion.

13 ACTING CITY CLERK: Motion by Mayor Stack.

14 COMMISSIONER FERNANDEZ: Second.

15 COMMISSIONER MARTINETTI: 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.

5 ACTING CITY CLERK: You want to --

6 MAYOR STACK: We'll do the Consent Agenda
7 and then we'll go to the --

8

9 **CONSENT AGENDA:**

10

11 (1) Resolution Approving the Payment of Claims

12 (2) Resolution Approving the Payment of

13 Concurring Claims

14 (3) Resolution Approving the City Payroll for

15 the Period of October 17, 2015 through October

16 30, 2015

17 (4) Resolution Approving the Library Payroll

18 for the Period of October 17, 2015 through

19 October 30, 2015

20 (5) Resolution Approving Designation of

21 Depositories for the Deposit of City Funds

22 (6) Resolution Approving Contract with G4S for

23 Security Cameras

24 (7) Resolution Awarding State Contract for Road

25 Salt to Morton Salt

- 1 (8) Resolution Approving State Contract with
- 2 Beyer Chrysler Dodge Jeep Ram for the Purchase of
- 3 DPW Vehicles
- 4 (9) Resolution Approving State Contract with
- 5 Beyer Ford for Purchase of Police Vehicles
- 6 (10) Resolution Re-Appointing Members Richard
- 7 Kalbian and Ben Temberella to the Library Board
- 8 of Trustee
- 9 (11) Resolution Appointing Carlos H. Vallejo
- 10 Public Agency Compliance Officer for the City of
- 11 Union City
- 12 (12) Resolution Authorizing the Clerk to
- 13 Advertise Bids for Wrestling Equipment and
- 14 Trophies - 2016
- 15 (13) Resolution Authorizing Notice for Receipt
- 16 of Bids for Camera Security System
- 17 (14) Resolution Authorizing Receipt of Proposal
- 18 for Consultant Services for Accreditation of the
- 19 Union City Police Department
- 20 (15) Resolution Authorizing Bids for the Lease
- 21 Renewal of Fabric Tension Structures Project
- 22 (16) Resolution Approving Disciplinary
- 23 Proceedings Against Uno Bar t/a Dolores Castro
- 24 (sic), Located at 3607 New York Avenue, Liquor
- 25 License No. 0910-33-108-004

1 (17) Resolution Approving Disciplinary
2 Proceedings Against Manhattan Bar & Grill
3 Restaurant t/a Manhattan Bar & Grill Restaurant
4 Inc., Located at 1711 Manhattan Avenue, Liquor
5 License No. 0910-33-188-004

6 (18) Resolution Authorizing the Placement of a
7 Lien on the Property Known as 540 31st Street AKA
8 3100 Central Avenue for Tenant Relocation Costs

9 (19) Resolution Authorizing the Refund of
10 Redemption Monies to Outside Lienholders

11 (20) Resolution Authorizing the Refund of
12 Premium Monies Collected at Tax Sale

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

15 (22) Resolution Cancelling Taxes Erroneously
16 Assessed on Property Block 154, Lot 39 Also Known
17 as 515 28th Street

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

20

21 ACTING CITY CLERK: Next item is the
22 Consent Agenda.

23 First item is Resolution Approving the
24 Payment of Claim.

25 Item 2.

1 Resolution Approving the Payment of
2 Concurring Claims.

3 Item 3.

4 Resolution Approving the City Payroll of
5 the Period of October 17, 2015 through October
6 30th, 2015.

7 Item 4.

8 Resolution Approving the Library Payroll of
9 the Period of October 17, 2015 through October
10 30th, 2015.

11 Item 5.

12 Resolution Approving Designation of
13 Depositories for the Deposit of City Funds.

14 Item 6.

15 Resolution Approving Contract with G4S for
16 Security Cameras.

17 Item 7.

18 Resolution Awarding State Contract for Road
19 Salt to Morton Salt.

20 Item 8.

21 Resolution Approving State Contract with
22 Beyer Chrysler Dodge Jeep Ram for the Purchase of
23 DPW Vehicles.

24 Item 9.

25 Resolution Approving State Contract with

1 Beyer Ford for the Purchase of Police Vehicles.

2 Item 10.

3 Resolution Re-Appointing Members Richard
4 Kalbian and Ben Temberella to the Library Board
5 of Trustee.

6 Item 11.

7 Resolution Appointing Carlos Vallejo Public
8 Agency Compliance Officer for the City of Union
9 City.

10 Item 12.

11 Resolution Authorizing the Clerk to
12 Advertise Bids for Wrestling Equipment and
13 Trophies, 2016.

14 Item 13.

15 Resolution Authorizing Notice of Receipt of
16 Bids for a Camera Security System.

17 Item 14.

18 Resolution Authorizing Receipt of Proposal
19 for Consultant Services for Accreditation of the
20 Union City Police Department.

21 Item 15.

22 Resolution Authorizing Bids for the Lease
23 Renewal of Fabric Tension Structure Project.

24 Item 16.

25 Resolution Approving Disciplinary

1 Proceedings Against Uno Bar, also known as
2 Dolores Castro, Located at 3607 New York Avenue,
3 Liquor License Number 0910-33-108-004.

4 Item 17.

5 Resolution Approving Disciplinary
6 Proceedings Against Manhattan Bar and Grill
7 Restaurant, also known as Manhattan Bar and Grill
8 Restaurant Inc., Located at 711 (sic) Manhattan
9 Avenue, Liquor License Number 0910-33-188-004.

10 Okay.

11 Mayor, I have to check on this liquor
12 license number; it may be incorrect.

13 MAYOR STACK: Which one, 1711?

14 ACTING CITY CLERK: The 17, the -- the
15 Manhattan Bar and Grill.

16 MAYOR STACK: Right, that's 1711 Manhattan
17 Avenue.

18 ACTING CITY CLERK: Yes.

19 MAYOR STACK: Okay.

20 ACTING CITY CLERK: So, we'll check on
21 that.

22 MAYOR STACK: Okay.

23 ACTING CITY CLERK: Item 18.

24 Resolution Authorizing the Placement of a
25 Lien to the Property Known as 540 31st Street,

1 also known as 3100 Central Avenue for Tenant
2 Relocation Cost.

3 Item 19.

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

6 Item 20.

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

9 Item 21.

10 Resolution Authorizing Tax Refund in Tax
11 Appeal Decision by the Tax Court of New Jersey.

12 Item 22.

13 Resolution Cancelling Taxes Erroneously
14 Assessed on Property Block 154, Lot 39 Also Known
15 as 515 28th Street.

16 Mayor, there are no items on the Consent
17 Agenda.

18 Would you wish to take public comment on
19 any matter?

20 MAYOR STACK: Anyone wishing to comment on
21 the Consent Agenda, please step forward, state
22 your name and address for the record.

23 Seeing none.

24 ACTING CITY CLERK: Is there a motion to
25 close public comment on Consent Agenda?

1 COMMISSIONER RIVAS: Motion.

2 ACTING CITY CLERK: Motion by Commissioner
3 Rivas.

4 COMMISSIONER FERNANDEZ: Second.

5 ACTING CITY CLERK: Second by Commissioner
6 Fernandez.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 ACTING CITY CLERK: Commissioner Rivas?

11 COMMISSIONER RIVAS: Yes.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 ACTING CITY CLERK: Commissioner
15 Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 ACTING CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: I'm sorry. I'm
20 recusing on any items --

21 COMMISSIONER RIVAS: To close.

22 COMMISSIONER FERNANDEZ: No, just to close.

23 COMMISSIONER MARTINETTI: -- in any payment
24 to Adolfo -- to Adolfo Lopez.

25 ACTING CITY CLERK: Yeah, we're closing --

1 closing the public comment.

2 MAYOR STACK: Close.

3 COMMISSIONER MARTINETTI: I'm sorry.

4 MAYOR STACK: Close.

5 COMMISSIONER MARTINETTI: Yes.

6 My apology.

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 MAYOR STACK: Motion.

12 ACTING CITY CLERK: Motion by Mayor Stack.

13 COMMISSIONER FERNANDEZ: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Fernandez.

16 Roll call.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Just to make it
19 clear, Clerk, on 17 we're voting on this item as
20 it pertains to Manhattan Bar and Grill Restaurant
21 regardless -- at that location; you'll specify
22 the number later on.

23 But we're still voting on that, right?

24 ACTING CITY CLERK: The location's correct.
25 It's the liquor license that's questioning.

1 COMMISSIONER FERNANDEZ: Okay, perfect.

2 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: I'm recusing on
10 any items pertaining to payment to Adolfo Lopez
11 or any items pertaining to UC Construction Code.

12 Aye on the rest.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 ACTING CITY CLERK: Okay, you want to
16 continue?

17 MAYOR STACK: Let's run through the Regular
18 Agenda and then we'll go -- and then we'll --
19 right before the Liquor Hearings we'll do that.

20 ACTING CITY CLERK: Okay.

21

22 **ORDINANCE FOR INTRODUCTION:**

23

24 () STATE FISCAL YEAR 2016 ORDINANCE TO EXCEED
25 THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO

1 ESTABLISH A CAP BANK (N.J.S.A. 49A:4-45.14)

2

3 ACTING CITY CLERK: Next item's Ordinance
4 for Introduction.

5 This Ordinances will be further considered
6 at a meeting of the Board of Commission to be
7 held on November 17, 2015, at seven p.m. at the
8 Bruce D. Walter Recreation Center, 504 -- 507
9 West Street, Union City, New Jersey.

10 State Fiscal Year 2015 Ordinance to Exceed
11 the Municipal Budget Appropriation Limits and
12 Establishing a Cap Bank, N.J.S.A. 49A:4-45:14
13 (sic).

14 Is there a motion to introduce this
15 ordinance?

16 COMMISSIONER MARTINETTI: Motion.

17 ACTING CITY CLERK: Motion by Commissioner
18 Martinetti.

19 COMMISSIONER VALDIVIA: Second.

20 ACTING CITY CLERK: Second by Commissioner
21 Valdivia.

22 Roll call.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 ACTING CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 ACTING CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 ACTING CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Yes.

7 ACTING CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9

10 **REGULAR AGENDA:**

11

12 1. Introduction of Municipal Budget for State
13 Fiscal Year 2016

14

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

17 First item is Introduction of Municipal
18 Budget for State Fiscal Year 2016.

19 Is there a motion to approve?

20 MAYOR STACK: Motion.

21 ACTING CITY CLERK: Motion by Mayor Stack.

22 COMMISSIONER RIVAS: Second.

23 ACTING CITY CLERK: Second by Commissioner
24 Rivas.

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 ACTING CITY CLERK: Item 2, --

13 MR. PRICE: Could I ask a question about --

14 MAYOR STACK: Sure.

15 MR. PRICE: Okay, about the budget --

16 MS. DILLON: Name for the record, Mr.

17 Price.

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

20 We're introducing the budget. My past
21 experience -- it's November 4th. My past
22 experience has been that it's just basically a
23 placeholder because we don't know usually this
24 early in our fiscal year what the State money is
25 going to be.

1 Is that still correct?

2 MS. COLDITZ: Yes.

3 Susan Colditz, CFO for the City.

4 Yes, this is just an introduction and it's
5 pending on transitional aid application, which is
6 due on Friday. So once we receive our aid, it
7 would change the budget.

8 MR. PRICE: Okay.

9 MS. COLDITZ: I don't think this year is
10 going to change it by much though.

11 MR. PRICE: Okay. Then my next question.

12 The budget always has last year, 2015, --

13 MS. COLDITZ: It has both.

14 MR. PRICE: -- actual.

15 MS. COLDITZ: Yes.

16 MR. PRICE: And then proposed, 2016, --

17 MS. COLDITZ: Yes.

18 MR. PRICE: -- which will --

19 Okay.

20 MS. COLDITZ: Yes.

21 MR. PRICE: Is the actual in stone now so
22 that if I look at 2015 numbers that's what they
23 are?

24 MS. COLDITZ: That's the actual. But we
25 also have a reserve that's in the balance column.

1 That usually gets expended in the subsequent
2 period for the bills that were outstanding on
3 June 30th.

4 MR. PRICE: Okay.

5 But that's the only --

6 MS. COLDITZ: Yeah. That's the only thing.
7 Yes.

8 MR. PRICE: Only item --

9 MS. COLDITZ: Yes.

10 MR. PRICE: And how soon will the -- after
11 Friday will the new adjusted budget be available?

12 MS. COLDITZ: We probably will have the
13 public hearing, I believe, on December 15th for
14 the introduction. And then as soon as the --
15 it's up to the State; we're at the mercy of the
16 State. When they allow us our aid and they award
17 us our aid, that's when we'll do hopefully the
18 adoption on any adjustments that need to be made.

19 MR. PRICE: Okay.

20 Thank you.

21 MAYOR STACK: Thank you.

22

23 **REGULAR AGENDA:**

24

25 2. Resolution Approving Shared Services

1 Agreement with the Union City Board of Education
2 for Solid Waste Collection Services

3

4 ACTING CITY CLERK: Item 2.

5 Resolution Approving Shared Service

6 Agreement with the Union City Board of Education
7 for Solid Waste Collection Services.

8 MAYOR STACK: I'll move it.

9 COMMISSIONER RIVAS: I'll --

10 ACTING CITY CLERK: Motion by Mayor Stack.

11 COMMISSIONER RIVAS: -- second.

12 ACTING CITY CLERK: Second by Commissioner
13 Rivas.

14 Roll call.

15 Commissioner Fernandez?

16 Recusing.

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 Recusing.

24 Mayor Stack?

25 MAYOR STACK: Yes.

1 MS. NOVA: For the record, on item number 2
2 of the Regular Agenda, Commissioner Valdivia is
3 voting based on the doctrine of necessity.

4

5 **REGULAR AGENDA:**

6

7 3. Resolution Approving Share Services
8 Agreement with the Union City Board of Education
9 for School Resource Officers for 2015-2016

10

11 ACTING CITY CLERK: Item 3.

12 Resolution Approving Share Service
13 Agreement with the Union City Board of Education
14 for School Resource Officers for 2015 and 2016.

15 MAYOR STACK: I'll move it.

16 ACTING CITY CLERK: Motion by Mayor Stack.

17 COMMISSIONER RIVAS: Second.

18 MAYOR STACK: Second by Commissioner Rivas.

19 Roll call.

20 Commissioner Fernandez?

21 Recusing.

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 Recusing.

4 Mayor Stack?

5 MAYOR STACK: Yes.

6 MS. NOVA: Again, on item number 3 for the
7 Regular Agenda, Commissioner Valdivia is voting
8 based on the doctrine of necessity.

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

11

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

13

14 ACTING CITY CLERK: Would you wish to take
15 comment on any item on the Consent Agenda at this
16 time?

17 MAYOR STACK: Sure.

18 Just before we do, I would just like to
19 thank the public for being here. Thank the
20 Commissioners also for moving a hundred percent
21 of our meetings throughout the community; we're
22 in, every two weeks, in a different location.

23 I'd also like to thank the Police Chief for
24 being here also, Rich Molinari, and members of
25 the Police Department.

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

4 Seeing none.

5 ACTING CITY CLERK: Is there a motion to
6 close the public comment portion of this meeting?

7 COMMISSIONER RIVAS: Motion.

8 COMMISSIONER VALDIVIA: Second.

9 ACTING CITY CLERK: Motion by Commissioner
10 Rivas.

11 COMMISSIONER VALDIVIA: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 Valdivia.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 ACTING CITY CLERK: Commissioner Rivas?

18 COMMISSIONER RIVAS: Yes.

19 ACTING CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 ACTING CITY CLERK: Commissioner
22 Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 ACTING CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 **COMMUNICATION(S) :**

2

3 1. Check Presentation on Behalf of the Union
4 City Police Department to Anna Campoverde
5 (American Cancer Society, Inc.)

6 2. Proclamation Presentation

7

8 ACTING CITY CLERK: So we have -- we have a
9 check presentation of behalf of the Union City
10 Police Department to Anna Campoverde for the
11 American Cancer Society, Inc.

12 COMMISSIONER FERNANDEZ: Yes, Clerk.

13 Police Chief Richard Molinari, along with
14 Police Officer Chris Scardino and Police Officer
15 Carlos Pina, and the Union City Police Department
16 would like to present this check to the American
17 Cancer Society.

18 So, if their representative, Ms.
19 Campoverde, and Chief, and the Officers could
20 come and make that presentation?

21 MAYOR STACK: Right over here, Chris.

22

23 (Whereupon, Police Officer Scardino made a
24 presentation to Anna Campoverede, American Cancer
25 Society Inc.)

1

2 (Whereupon, there was a pause in the
3 proceedings.)

4 (Whereupon, Commissioner Valdivia left the
5 meeting at 7:20 p.m.)

6 ACTING CITY CLERK: Mayor, the next item is
7 the Proclamation Presentation.

8 COMMISSIONER FERNANDEZ: Attention
9 everyone, please. Please. Gentlemen?

10 ACTING CITY CLERK: Attention.

11 COMMISSIONER FERNANDEZ: The City of Union
12 City, on behalf of all the Commissioners, we want
13 to congratulate the Mayor and the Chief of Police
14 for running such a terrific Police Department.
15 It makes us proud to see the Police Department
16 working towards such worthy causes as cancer
17 awareness.

18 So thank you, Officers, for your great
19 work. Thank you, Chief, Mayor, and thank you
20 very much.

21 At this time we'd like to take a moment to
22 recognize a Police Officer who works day and
23 night for all these causes; whether it be breast
24 cancer, the Special Olympics. So many things.
25 I'd like to call him up with his family. His

1 wife Pauline (phonetic) is here, his daughter,
2 his mom, his mother and father-in-law.

3 If they can all please come up here.

4 And the Police Officer who we're honoring
5 is Police Officer Chris Scardino.

6 (Applause.)

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

9 COMMISSIONER FERNANDEZ: I'll read this
10 really loud.

11 Whereas, the City of Union City is --

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

14 COMMISSIONER FERNANDEZ: This is a
15 Proclamation by Mayor Brian P. Stack and the
16 Board of Commissioners.

17 Whereas, the City of Union City is pleased
18 to honor Police Officer Chris Scardino for his
19 dedication to the Union City Police Department
20 and the residents of the City of Union City; and

21 Whereas, Police Officer Chris Scardino has
22 made significant contributions to the betterment
23 of the City of Union City, has dedicated hundreds
24 of hours to many worthy causes; and

25 Whereas, Police Officer Chris Scardino was

1 | born in Hoboken, New Jersey on April 3rd, 1970.
2 | He graduated from Emerson High School in 1988,
3 | earned his Associate Degree in Criminal Justice
4 | from Bergen Community College in 1990, and
5 | attended Saint Peters College to become a
6 | paralegal.

7 | In 1993 he was hired by the City of Union
8 | City as a Police Officer and graduated from the
9 | Police Academy on January 14th, 1994. Chris then
10 | became President of the Union City Police
11 | Benevolent Association, Local 8, and serving for
12 | eight years; and became the union's State
13 | Delegate, a position he still holds today.

14 | For the last ten years he has been
15 | coordinator for the New Jersey Special Olympics
16 | for both the union and the Union City Police
17 | Department.

18 | On behalf of the City of Union -- on behalf
19 | of the City of Union City Police Department,
20 | Chris is dedicated in helping many causes and
21 | charities including Breast Cancer Awareness,
22 | Autism, Special Olympics, and the Make-A-Wish
23 | Foundation.

24 | Chris was instrumental in the coordination
25 | of the September 11 monument placed at Liberty

1 Plaza honoring Union City residents killed on
2 September 11th, 2001. He played a leading role in
3 the creation of the Union City P.D. Memorial
4 Placed outside of Police Headquarters and the
5 Police Memorial at the William V. Musto Cultural
6 Center, and the renaming of streets after Union
7 City police officers who lost their lives in the
8 call of duty. He is most proud of his
9 involvement in the designing and building of the
10 County's first police memorial park to be
11 dedicated in 2016 in Union City; and

12 Whereas, Police Officer Chris Scardino has
13 dedicated years of service to the betterment of
14 the City of Union City. His accomplishments
15 serve as an inspiration to the citizenry of the
16 City and are hereby lauded and recognized; and

17 Now Therefore Be It Resolved, that Mayor
18 Brian P. Stack, Mayor of the City of Union City
19 and the Union City Board of Commissioners do
20 hereby honor Police Officer Chris Scardino.

21 Mayor?

22 (Applause.)

23 MAYOR STACK: Just before I present the
24 Proclamation, I appreciate Chris' family being
25 here. And the word true blue truly describes

1 Chris Scardino and I say it from my heart.

2 There's never a time we don't reach out to Chris
3 -- (indiscernible) -- Police Department and the
4 people in Union City, he's the first one there.
5 He's not out for himself. He's truly about the
6 community, the Police Department, and doing as
7 much as he can.

8 Chris, thank you very much and
9 congratulations.

10 (Applause.)

11 (Whereupon, Police Officer Scardino
12 addressed remarks to the Board of Commissioners
13 and the audience.)

14 (Applause.)

15 MAYOR STACK: Thank you, Chris.

16 OFFICER SCARDINO: Thank you, sir.

17

18 **CONSENT AGENDA:**

19

20 (17) Resolution Approving Disciplinary
21 Proceedings Against Manhattan Bar & Grill
22 Restaurant t/a Manhattan Bar & Grill Restaurant
23 Inc., Located at 1711 Manhattan Avenue, Liquor
24 License No. 0910-33-188-004

25

1 ACTING CITY CLERK: Mayor, I want to make a
2 note that I -- we confirmed that the liquor
3 license number is correct for Manhattan Bar and
4 Grill; it's 0910-33-188-004. That's a correct.

5 MAYOR STACK: And that's at 1711 Manhattan
6 Avenue.

7 ACTING CITY CLERK: That's 1711 Manhattan
8 Avenue.

9 MAYOR STACK: You got it.

10 ACTING CITY CLERK: Yes, sir.

11 Next --

12 MAYOR STACK: Okay, this --

13 ACTING CITY CLERK: Next item --

14 MAYOR STACK: Go ahead.

15 ACTING CITY CLERK: -- on the agenda,
16 Liquor License Disciplinary Proceedings.

17 Mr. Farmer?

18 MAYOR STACK: This portion of the hearing
19 now is Liquor License Disciplinary Hearings
20 everyone.

21 Those of you that can stay, you're more
22 than welcome to stay. Those of you that came for
23 the meeting, thank you very much everyone.

24 Thank you very much. Thanks again. Thank
25 you very much.

1 Thank you very much again, Anna.

2 Thank you. Take care of yourself.

3 Thank you very much. Thank you.

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

6

7 * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. Mayem (sic) Corp. t/a El Trebol, 3204
4 Bergenline Avenue, Liquor License No. 0910-33-
5 190-008

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

9 3. RG Enterprise Entertainment t/a Therapy
10 Lounge, 2803 Bergenline Avenue, Liquor License
11 No. 0910-33-134-006

12 4. HEARING FOR OBJECTIONS TO SPECIAL
13 CONDITIONS IMPOSED FOR 2015-2016 RENEWALS:
14 Angelo's Café, 4215 Park Avenue, Liquor License
15 No. 0910-33-111-006

16

17 **ADD ON:**

18

19 Dolores Castro t/a Uno Bar, Located at 3607 New
20 York Avenue, Liquor License No. 0910-33-108-004

21

22 MR. FARMER: Okay.

23 Ready?

24 MAYOR STACK: Yeah, we're ready.

25 MR. FARMER: Oh, okay.

1 MAYOR STACK: I'm sorry.

2 MR. FARMER: Good evening, members of the
3 Board.

4 I'd like to touch on a couple of things.

5

6 * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 DOLORES CASTRO t/a UNO BAR, Located at 3607 New
2 York Avenue
3 Liquor License No. 0910-33-108-004:
4

5 MR. FARMER: The first item that's going to
6 be on -- up for discussion is Angelo's Café.

7 But before we do that, --

8 MAYOR STACK: Just if you could keep your
9 voice up, Mr. Farmer.

10 MR. FARMER: Yeah.

11 MAYOR STACK: I appreciate it.

12 MR. FARMER: Before we do that, if you may
13 recall when we were here last time, we dealt with
14 Uno Bar.

15 MAYOR STACK: Yes.

16 MR. FARMER: The bottom line on Uno Bar is
17 still -- it's closed. At that time Mr. Diaz who
18 was representing Uno Bar indicated that he was
19 going to speak to the family about possibly
20 turning in, surrendering the license to the City.

21 I heard from Mr. Diaz earlier this week.
22 He's still in negotiations with them and trying
23 and telling me he's recommending that they do
24 that because the people who are taking it over
25 have no experience in that.

1 But -- so, he's going to report back to me
2 and next meeting I'll report back to the Board.

3

4

* * *

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **HEARING FOR OBJECTIONS TO SPECIAL CONDITIONS**
2 **IMPOSED FOR 2015-2016 RENEWALS:**

3
4 **ANGELO'S CAFÉ, Located at 4215 Park Avenue**
5 **Liquor License No. 0910-33-111-006:**

6
7 (Whereupon, the following exhibits were
8 pre-marked:

9 C-1 - Proof of Service

10 C-2 - Notice

11 C-3 - Mailing List.)

12
13 MR. FARMER: Now, we have before you
14 Angelo's Café. And Mr. Gonzalez represents
15 Angelo's Café.

16 As a preliminary, I have documents that I
17 showed Mr. Gonzalez earlier and what it is is
18 proof of service of -- to the residents and
19 owners within 200 feet of Angelo's Café, advising
20 them of tonight's meeting and sending them a
21 notice that if they wish to object to the
22 conditions that were placed on Angelo's Café last
23 year when the license was basically transferred
24 from 37th Street and Kennedy Boulevard to its
25 present location, which is on 4215 Park Avenue.

1 At that time we put in conditions that were
2 consented to and those conditions were the tavern
3 and café restaurant will close for all business,
4 including the sale of and consumption of food and
5 liquor every day from Monday through Sunday at 12
6 a.m. So there's a 12 o'clock closing.

7 So I sent that out; for your benefit it
8 turned out to be 127 residents and 73 property
9 owners, so -- over 200 people got the notice
10 about tonight.

11 I have Detective Dunlay who is here to
12 articulate the City -- Police Department's
13 position with respect to Angelo's.

14 And Mr. Gonzalez is here representing Mr.
15 -- Angelo's.

16 So if we can get started; it will take
17 maybe five minutes.

18 MAYOR STACK: Okay.

19 MR. FARMER: Okay?

20 MAYOR STACK: Sure. Go right ahead.

21 MR. FARMER: Ray? You want to put your
22 appearance in?

23 MR. GONZALEZ: Sure.

24 For the record, Ramon Gonzalez, firm of
25 Gonzalez and Caride, on behalf of Angelo's Café.

1 DETECTIVE SERGEANT DUNLAY: Good evening.
2 Sergeant David Dunlay, 8383, Union City Police,
3 on behalf of the Union City Police Department.

4 MS. DILLON: Mr. Farmer, does the Sergeant
5 need to be sworn?

6 MR. FARMER: Yes.

7 MS. DILLON: All right.

8 Sergeant, please raise your right hand.

9 Do you affirm the testimony you're about to
10 give this Board is the whole truth?

11 DETECTIVE SERGEANT DUNLAY: I do.

12 MS. DILLON: Name for the record.

13 DETECTIVE SERGEANT DUNLAY: David A.
14 Dunlay.

15 MS. DILLON: Thank you.

16 MR. FARMER: Detective, how long have you
17 been a member of the Union City Police
18 Department?

19 DETECTIVE SERGEANT DUNLAY: I'm on my tenth
20 year now.

21 MR. FARMER: Okay.

22 And you're a Detective and are you kind of
23 assigned or are you dealing with any aspect of
24 security and safety within the Union City Police
25 Department?

1 DETECTIVE SERGEANT DUNLAY: Yes, sir, I'm
2 currently the Detective Sergeant for the
3 Detective Bureau from seven at night to three in
4 the morning.

5 MR. FARMER: Okay.

6 And in that capacity -- how long you been
7 in that capacity?

8 DETECTIVE SERGEANT DUNLAY: I would say
9 going on five months --

10 MR. FARMER: Okay.

11 DETECTIVE SERGEANT DUNLAY: -- as a
12 supervisor but six years as a Detective prior to
13 that.

14 MR. FARMER: Okay.

15 And so you're familiar with the bars in --
16 in the City.

17 Correct?

18 DETECTIVE SERGEANT DUNLAY: Yes, sir.

19 MR. FARMER: And are you familiar with
20 Angelo's Café?

21 DETECTIVE SERGEANT DUNLAY: Yes, sir.

22 MR. FARMER: Are you familiar with Angelo's
23 Café when it was on 37th and Kennedy Boulevard?

24 DETECTIVE SERGEANT DUNLAY: Yes, sir.

25 MR. FARMER: And are you familiar with

1 Angelo's Café now that it's on 42 -- 42nd Street
2 and Park Avenue?

3 DETECTIVE SERGEANT DUNLAY: I know it's
4 there, yes.

5 MR. FARMER: Okay.

6 Now, my -- my question is, you're aware of
7 the fact that there were conditions placed on it
8 which really called for I think at 12 o'clock
9 closing.

10 Correct?

11 DETECTIVE SERGEANT DUNLAY: That is
12 correct.

13 MR. FARMER: All right. That was done last
14 year.

15 Can you articulate for us what the Union
16 City Police Department's position is with respect
17 to those conditions?

18 Should they be eliminated? Should they be
19 continued? Should they be scaled back?

20 What is the City -- or Police Department --

21 DETECTIVE SERGEANT DUNLAY: Well, the
22 Police --

23 MR. FARMER: -- feeling?

24 DETECTIVE SERGEANT DUNLAY: Well, the
25 Police Department's position is that it should

1 | stay the same. At this time it's actually
2 | working where we haven't had a problem with
3 | Angelo's Café at their new location.

4 | But that I wholeheartedly believe and so
5 | does the Police Department believe that it has to
6 | do with their 12 o'clock closing.

7 | MR. FARMER: Okay. Let me just ask you two
8 | questions.

9 | When Angelo's Café was on 37th Street and
10 | Kennedy Boulevard, that's the same licensee
11 | that's here now, right?

12 | DETECTIVE SERGEANT DUNLAY: That is
13 | correct.

14 | MR. FARMER: Okay.

15 | During that time did you have any
16 | complaints about noise and things like that?

17 | DETECTIVE SERGEANT DUNLAY: Absolutely,
18 | yes.

19 | MR. FARMER: Okay.

20 | Now at the bar that was -- Good Times?

21 | DETECTIVE SERGEANT DUNLAY: It was Good
22 | Times prior to its -- at 4215 Park Avenue.

23 | MR. FARMER: Yeah, prior to it being --

24 | DETECTIVE SERGEANT DUNLAY: Angelo's Café.

25 | MR. FARMER: -- Angelo's.

1 At Good Times did you have complaints of
2 noise and --

3 DETECTIVE SERGEANT DUNLAY: Yes.

4 MR. FARMER: Okay.

5 Quality of life issues?

6 DETECTIVE SERGEANT DUNLAY: Pretty much
7 that's all there was was -- it's a lot of quality
8 of life issues, predominantly noise complaints,
9 people outside yelling, and the loud music.

10 MR. FARMER: But I am correct in -- in
11 saying that now, at 42nd Street and Park, Angelo's
12 Café you do not get any of those complaints that
13 you had gotten prior to the imposition of the
14 condition?

15 DETECTIVE SERGEANT DUNLAY: That is
16 correct.

17 MR. FARMER: Okay.

18 I have no further questions.

19 MAYOR STACK: Just for clarity, the -- just
20 for the Commissioners and myself, the times of
21 closing right now, Mr. Farmer, are?

22 MR. FARMER: Twelve.

23 MAYOR STACK: Twelve.

24 MR. FARMER: Twelve.

25 MAYOR STACK: That's across the board?

1 MR. FARMER: Across the board.

2 MAYOR STACK: Okay.

3 Any restriction on the jukebox or music --

4 MR. FARMER: No.

5 MAYOR STACK: -- or music or --

6 MR. FARMER: No.

7 MAYOR STACK: -- anything like that?

8 No.

9 MR. FARMER: Simply closing.

10 MAYOR STACK: Okay.

11 MR. FARMER: All right? And it closes for
12 everything.

13 MAYOR STACK: Okay.

14 MR. FARMER: Food consumption and alcohol.

15 MAYOR STACK: Right.

16 And, Sergeant, you testified in the time
17 that they've been over there, there hasn't been
18 any issues?

19 DETECTIVE SERGEANT DUNLAY: There hasn't
20 been one issue of a noise complaint or anything
21 to that effect where we -- where we've had to
22 respond.

23 MAYOR STACK: Okay.

24 Mr. Gonzalez?

25 MR. GONZALEZ: Thank you.

1 Just so it's clear, I wasn't sure -- or I
2 didn't know quite frankly until this -- until I
3 arrived here that there was going to be this line
4 of questioning. But I'm pretty familiar with the
5 case because I did handle it when we originally
6 appeared before this Board.

7 So, I'm just going to ask a couple of
8 questions off the top of my head.

9 Detective Dunlay, your training and what
10 you do now has to do with community policing or
11 with licensing for liquor license control?

12 DETECTIVE SERGEANT DUNLAY: It's all
13 encompassing. I do investigative work. I do ABC
14 work. I do quality of life work. It's just part
15 of the overall aspect of being a Detective in the
16 Union City Police Department.

17 MR. GONZALEZ: And it's fair to say, based
18 on your testimony, that this -- there has been no
19 problems at that location.

20 Is that right?

21 DETECTIVE SERGEANT DUNLAY: Not that I'm
22 aware of, no.

23 MR. GONZALEZ: Okay.

24 And, in fact, were you doing the same job
25 you're doing today a year ago?

1 DETECTIVE SERGEANT DUNLAY: A year ago, I
2 would say, no. I was promoted already.

3 MR. GONZALEZ: You were promoted already.

4 DETECTIVE SERGEANT DUNLAY: So I was on the
5 midnight shift.

6 MR. GONZALEZ: So you weren't familiar with
7 what calls came in at Angelo's Café when it was
8 located at 38th and Kennedy Boulevard, is that
9 right?

10 DETECTIVE SERGEANT DUNLAY: Oh, no, I was
11 aware of it. I got promoted in September. Prior
12 to September of 2014 I was very familiar with
13 Angelo's Café and the noise complaints.

14 MR. GONZALEZ: You sound very confident,
15 right?

16 DETECTIVE SERGEANT DUNLAY: Extremely, yes.

17 MR. GONZALEZ: Extremely confident.

18 If I told you that the Police Department
19 provided to me a list of all the complaints that
20 came from that location and there were very
21 little to -- to the point where I could probably
22 say there was two complaints over the period of
23 time that Angelo's Café was there, would that
24 change your opinion?

25 DETECTIVE SERGEANT DUNLAY: From what time

1 to what time?

2 MR. GONZALEZ: From the time that they --
3 the owners of Angelo's Café, at 38th and Kennedy
4 Boulevard, there was only two complaints of
5 noise. Would that change your opinion?

6 DETECTIVE SERGEANT DUNLAY: That's
7 incorrect.

8 MR. GONZALEZ: That's not correct?

9 DETECTIVE SERGEANT DUNLAY: That's not
10 correct.

11 MR. GONZALEZ: In fact, --

12 MR. FARMER: If I -- well, could I just
13 make a -- can I make a --

14 MR. GONZALEZ: I'm in the middle of my --

15 MR. FARMER: I -- but wait a second. Just
16 because you're in the middle of something that
17 doesn't mean I can't object to what you're
18 saying.

19 MR. GONZALEZ: Well, --

20 MR. FARMER: You seem to be --

21 MR. GONZALEZ: -- what's the objection,
22 Greg?

23 MR. FARMER: I'm going to tell you.

24 You seem to be referencing your questioning
25 on some information that you seem to have, which

1 | you've never disclosed to me or --

2 | MR. GONZALEZ: Greg, you gave it to me.

3 | MR. FARMER: Hold it. Hold it. Wait a
4 | second. Let me finish.

5 | -- that you have not disclosed to me or
6 | even to the Police Department.

7 | And if you're going to say, gee, Greg, you
8 | just gave me this this evening and I had no idea
9 | and this, that or the other thing, that's not
10 | accurate. Because Marlene Caride --

11 | MR. GONZALEZ: What's the objection? I
12 | just don't under --

13 | MR. FARMER: Wait a second. My objection
14 | is --

15 | MR. GONZALEZ: If the counsel for the Board
16 | -- for the ABC Board --

17 | MR. FARMER: Please don't talk over me, --

18 | MR. GONZALEZ: -- could --

19 | MR. FARMER: -- Ray.

20 | MR. GONZALEZ: -- could rule on --

21 | MS. DILLON: Mr. Gonzalez, please step
22 | forward.

23 | MR. GONZALEZ: -- an objection or no
24 | objection, not on a statement that Mr. Farmer is
25 | going on with, --

1 MR. FARMER: Well, --

2 MR. GONZALEZ: -- we can proceed.

3 MR. FARMER: Well you gave the impression
4 that you were surprised that you got this stuff.

5 Marlene Caride's been in this case and been
6 here on a number of times dealing with this
7 issue. All I'm saying in a nutshell is I don't
8 think it's fair to ask questions to somebody
9 about documents that you have, asking them to
10 accept what your interpretation of those
11 documents is.

12 MAYOR STACK: Do you have a copy of them,
13 Mr. Gonzalez, just for --

14 MR. GONZALEZ: I don't have them here but
15 if he made reference to something during his
16 direct questioning, I clearly can ask questions
17 on it.

18 Whether Mr. Farmer has it or doesn't have
19 it, that's not my fault. He knew what his
20 procedure was going to be. But he clearly knew
21 that he was going to ask Detective Dunlay
22 something about what happened when it was
23 Angelo's Café on 38th Street. Luckily I remember
24 what was provided to me.

25 MR. FARMER: Well, luck has got nothing to

1 do with it. This is a -- the position of the --

2 MR. GONZALEZ: Then --

3 MR. FARMER: -- Police --

4 MR. GONZALEZ: Then --

5 MR. FARMER: -- the position with the
6 Police concerning the condition --

7 MR. GONZALEZ: That's --

8 MR. FARMER: -- that's on the license and
9 on the licensee.

10 I mean this is not rocket science.

11 MR. GONZALEZ: No it isn't but it --
12 there's still rules that we followed, Mr. Farmer.
13 And if you ask a question --

14 MR. FARMER: Well, --

15 MR. GONZALEZ: -- what happened when --
16 when Angelo's Café was on 38th and Kennedy, I can
17 ask questions to the Officer.

18 MR. FARMER: I have no problem with that.

19 MR. GONZALEZ: Well that's what I'm trying
20 to do.

21 MR. FARMER: Well you can't ask him, I got
22 a document that says there were no complaints on
23 such and such or there were complaints, is that
24 true, Officer?

25 I mean if you got a --

1 MR. GONZALEZ: You know what, Mr. Farmer,
2 I'll --

3 MR. FARMER: -- document show it to him.

4 MR. GONZALEZ: -- make it even easier.

5 MR. FARMER: Okay.

6 MR. GONZALEZ: Can I continue?

7 MAYOR STACK: Please.

8 MR. GONZALEZ: Do you know how many calls
9 were made to Angelo's Café?

10 DETECTIVE SERGEANT DUNLAY: No, I don't
11 have --

12 MR. GONZALEZ: You have none?

13 DETECTIVE SERGEANT DUNLAY: No.

14 MR. GONZALEZ: No idea.

15 Do you know how many calls were made to the
16 establishment prior to Angelo's Café opening up
17 on -- on Park Avenue?

18 DETECTIVE SERGEANT DUNLAY: Off the top of
19 my head, no I do not.

20 MR. GONZALEZ: No idea?

21 DETECTIVE SERGEANT DUNLAY: No.

22 MR. GONZALEZ: If I told you that there was
23 only one noise complaint, would that change the
24 Police Department's opinion?

25 DETECTIVE SERGEANT DUNLAY: That I could

1 tell you is not accurate.

2 MR. GONZALEZ: It isn't. You're saying no?

3 DETECTIVE SERGEANT DUNLAY: If what you're
4 tell -- if you're telling me that --

5 MR. GONZALEZ: That's fine.

6 DETECTIVE SERGEANT DUNLAY: -- 38 -- just
7 for --

8 MR. GONZALEZ: There's no question --

9 DETECTIVE SERGEANT DUNLAY: -- just for
10 clarification.

11 MR. GONZALEZ: There's no question asked.
12 You --

13 DETECTIVE SERGEANT DUNLAY: Okay.

14 MR. GONZALEZ: -- answered the question.
15 You answered the question.

16 DETECTIVE SERGEANT DUNLAY: Okay.

17 MR. FARMER: Anything else?

18 MR. GONZALEZ: I have no further questions.

19 MR. FARMER: All right.

20 That's it.

21 I'd like to just --

22 MAYOR STACK: Mr. Farmer?

23 MR. FARMER: I'd' just like to offer to the
24 -- to the Board the documents that I referred to,
25 my -- my affidavit and my -- and the notice and

1 the list of the people that we sent it to.

2 Is there anyone here in response to a
3 letter that they received concerning Angelo's
4 Café at 42nd Street and -- 46th Street -- or 42nd
5 Street -- and Park Avenue?

6 MAYOR STACK: Forty-two.

7 MS. NOVA: 4215.

8 MR. FARMER: Forty-two.

9 MAYOR STACK: 4215 Park Avenue.

10 MR. FARMER: 42nd.

11 Anybody here on that?

12 We sent out a couple hundred notices;
13 that's all I can say. And that's that.

14 MAYOR STACK: Okay.

15 Are the owners of the establishment here?

16 MR. GONZALEZ: No, because they -- they
17 weren't told that they were -- be here. I didn't
18 tell them we were going to be here because I
19 didn't think that we were going to have a hearing
20 to this fashion.

21 But irrespective, if the Board is familiar,
22 this is a meeting that we had at -- right on Park
23 Avenue, right down the block, where I had a great
24 dinner before we started at Beyti Kebab's.

25 MAYOR STACK: Oh, I remember.

1 MR. GONZALEZ: And it was quite a
2 contentious hearing because there were certain
3 people that were not owners, that were tenants --
4 actually there was only two. One, -- that was
5 the one who was -- really questioned the issue.
6 And we went through a full blown hearing.

7 And that's where the -- it was actually
8 Chief Molinari that provided to me every call
9 that came from every location where Angelo's was
10 and where they were going to. And that's how I
11 remembered this because there was quite a bit of
12 stack of information and it turned out that it
13 was very little calls.

14 In other words if the Police went because
15 somebody was blocking the fire hydrant, they
16 counted that as, ooh, a call to that area.
17 Unjustified. Where Chief Molinari actually said
18 this is what it is; there's only a minimal
19 amount.

20 As a condition and a suggestion, which I
21 thought was absolutely fine and I convinced my
22 client that it was the right thing to do, show
23 goodwill, show that you people will abide by
24 everything, and we agreed to the 12 o'clock
25 closing with the condition after a year we could

1 | come back. If there's really no problems, if
2 | nobody complains, there shouldn't be a problem.

3 | I've never seen the ABC Prosecutor send out
4 | certified mails to owners, tenants, in the amount
5 | of 200 to come -- notice to the hearing and not
6 | one person show up for that hearing to complain
7 | of an issue that really is moot.

8 | So, it befuddles me why the Police
9 | Department would object to something where they
10 | themselves are here testifying that there hasn't
11 | been a problem. And that the problems that --
12 | that are coming up were things in the past, which
13 | this Board found unjustified and uncalled for.

14 | So, I respectfully request that the
15 | condition that was placed on the Board (sic),
16 | rightfully so and agreed upon to show good will,
17 | should now be lifted.

18 | The Board has all the powers the Police do.
19 | If there's a problem there, they could still go
20 | and shut them down, give them a fine, give them a
21 | penalty, revoke their license. You're not giving
22 | up anything to that effect.

23 | The only person that's really being
24 | prejudiced here is the owner who has put the
25 | first step forward to say tell us what you want,

1 you'll see what we're about; and they proved it.

2 So, I just don't understand why the Police
3 Department would now come with this argument to
4 say, you know what, it's not a good idea.

5 That's all.

6 MAYOR STACK: Mr. Farmer?

7 MR. FARMER: Well, the only thing I want to
8 say is a couple of things.

9 When Mr. Gonzalez says he's never seen the
10 ABC Prosecutor send out letters to all the owners
11 and things like that, well if he had been here
12 two weeks ago he would have seen that, because
13 that's exactly what we did in Uno Bar.

14 MR. GONZALEZ: And I congratulate you,
15 Greg, because --

16 MR. FARMER: Okay.

17 MR. GONZALEZ: -- that way everybody's on
18 notice and there's no -- no issue that nobody --

19 MR. FARMER: Okay.

20 MR. GONZALEZ: -- knew about that's going
21 on.

22 MR. FARMER: The situation is this. The
23 Police say we had problems with respect to the
24 licensee and when it was over at Kennedy
25 Boulevard and 37th Street. They say no.

1 Well let me ask you this question, if
2 nothing's going on there how come the -- it's on
3 the Police radar? Nothing's going on there how
4 come it's on the Police radar with respect to
5 noise?

6 Not fights. Not -- not stabbings or this,
7 that or the other but with respect to noise. And
8 the noise seems to travel with the licensee. The
9 licensee had -- and, you know, was he making --
10 he's not making this up. They had noise; they
11 don't have noise. What happened? We put a
12 condition on the license. Therefore, no noise?
13 Condition. Noise? No condition.

14 So that's -- my sense is why -- why change
15 something that's working.

16 MAYOR STACK: What is -- Mr. Gonzalez,
17 maybe if I could just --

18 MR. GONZALEZ: Sure.

19 MAYOR STACK: -- what is -- what is their
20 intention at this establishment? To have live
21 music or --

22 MR. GONZALEZ: They don't have any of that.
23 They serve food. Everybody else around them is
24 open. You know, if they want to serve beer, they
25 serve beer. They serve wine to get patrons.

1 MAYOR STACK: What about in the way of like
2 music? Any live music? Any jukebox they're
3 going to have? Any type of --

4 MR. GONZALEZ: I think they have a jukebox.

5 MAYOR STACK: Okay.

6 MR. GONZALEZ: And the answer is we've gone
7 there and we've invited the Board to go there.
8 One of the issues was that prior to that they
9 used to have the doors open. They don't have the
10 doors open. That's one of the suggestions that
11 Your Honor made. They don't have the door open.

12 There's a door way in the back; they don't
13 even open that. And that was just for
14 ventilation. They wound up getting a system to
15 keep it cool without having any draft going
16 through.

17 So if it was a contention that everybody
18 was closed at 12, I wouldn't make an argument.
19 But it's being unfairly -- this condition now is
20 being unfair as to that owner. And they complied
21 with all the requests of the Board over a year
22 ago. And that's why we're here.

23 If there was purely condition that you're
24 never going to get it, I would have told my
25 client you're not going to get it. He might not

1 have gone into the business but he trusted in the
2 Board and he complied with the conditions of the
3 Board and he's fulfilled his side and now it
4 would be unfair not to give him what was
5 essentially promised if he complied.

6 MAYOR STACK: Okay. All right.

7 Lieutenant?

8 LIEUTENANT LOACES: Would it be okay if I
9 weighed in here?

10 MAYOR STACK: Please. Please.

11 LIEUTENANT LOACES: Lieutenant Loaces, L-O-
12 A-C-E-S.

13 MS. DILLON: Please raise your right hand.

14 Do you affirm the testimony you're about to
15 give this Board is the whole truth?

16 LIEUTENANT LOACES: I do.

17 MS. DILLON: Thank you.

18 LIEUTENANT LOACES: Mr. Gonzalez made a
19 comment --

20 MR. GONZALEZ: I have to object.

21 I don't understand what Officer Loaces is
22 doing. Is he -- is he giving a statement or is
23 he being questioned by the Prosecutor?

24 MAYOR STACK: I think he's --

25 MR. GONZALEZ: I'm missing it.

1 MAYOR STACK: I think he's just going to
2 maybe add some -- some information that maybe
3 could be beneficial to all of us.

4 And you'll have an opportunity to question
5 him also. Mr. Farmer wants to also.

6 LIEUTENANT LOACES: Excuse me.

7 Mr. Gonzalez made a comment that he's only
8 aware of two incidents that occurred. I'm not
9 sure what he's basing that on. I'm not doubting
10 that that's what he believes.

11 I can tell you myself that I've personally
12 been there on numerous occasions. Numerous.

13 That aside, --

14 MAYOR STACK: At what location?

15 LIEUTENANT LOACES: At the one at Kennedy
16 Boulevard, which is I believe what you stated
17 there was only two.

18 MR. GONZALEZ: Correct.

19 LIEUTENANT LOACES: Like I said --

20 MAYOR STACK: Thank you.

21 LIEUTENANT LOACES: -- I'm not doubting
22 what you believe but I believe your information
23 is erroneous.

24 Nonetheless, when we first came up with
25 this condition, I believe it was a year ago, as

1 far as them closing at midnight, I believe the
2 reason we came to that agreement was because of
3 the fact that the licensee made the argument that
4 their sole purpose or their main purpose for
5 existence is that of a restaurant.

6 We explained to them that the area was
7 problematic in the sense that we have had, with
8 the previous licensee and the previous
9 establishment, a lot of complaints there of
10 noise, disorderly groups and the like.

11 The licensee acquiesced and said that since
12 he is a restaurant he thought it was reasonable
13 for him to close at midnight.

14 Sergeant Dunlay is correct, I don't believe
15 we've had any calls for service there in the last
16 year. But I think the reason for that is because
17 of these conditions.

18 I am -- I fear that if we go back to two
19 o'clock that we're going to start getting these
20 calls again. Obviously I can't foretell the
21 future; I'm not suggesting that I can. But my
22 experience with that area is that once 12:15,
23 12:30 comes around and the music and the -- we're
24 going to start getting the complaints again.
25 Which not only are we going to be back here again

1 but it's going to hurt the licensee.

2 I mean I know Mr. Gonzalez pointed out that
3 it doesn't take away the Board's option to
4 suspend their license, revoke it and all those
5 things. But I just think -- and this is just my
6 opinion -- that if it's not broken, don't fix it.
7 It's working fine. The community has taken
8 Angelo's Café and made them a part of their
9 community. I think if we raised it again we're
10 going to start having the issues again.

11 And just one thing that I'd like to correct
12 Mr. Gonzalez on. He stated that those front
13 doors are not opened anymore. That is not true.
14 I have passed there myself in the summer on
15 numerous occasions and all those doors are open.
16 Mind you it's not causing a problem but as far as
17 them keeping those doors closed, that's
18 completely erroneous. I pass there -- granted
19 they're not -- maybe they're not open now because
20 we're in -- in the fall and maybe they won't be
21 open in the winter but come the summer again
22 they're going to be open again. And that's fine
23 because that's the ambience; it works. It's
24 working the way it is right now.

25 I just think that changing it back to two

1 o'clock is a mistake. And I think it would --
2 even going to -- I think if the Board's even
3 going to consider that, perhaps it would be
4 beneficial for both sides if we did it on a trial
5 basis. Perhaps three months, six months and see
6 what happens. But my feeling is it's going to be
7 a problem.

8 MAYOR STACK: Mr. Gonzalez, do you want to
9 ask any questions of Lieutenant Loaces?

10 MR. GONZALEZ: No.

11 LIEUTENANT LOACES: Thank you.

12 MAYOR STACK: Mr. Farmer, did you want to
13 have any questions for the Lieutenant?

14 MR. FARMER: No.

15 MAYOR STACK: Okay.

16 MR. FARMER: No, I don't have any.

17 MAYOR STACK: Do you have anything further?

18 MR. FARMER: No, that's it. I mean the
19 situation -- just so we got -- don't get confused
20 here.

21 This is not a disciplinary proceeding.
22 This is an application before this Board, which
23 issues licenses, for a continuation of their
24 license to dispense alcohol, to play music, to do
25 whatever. Just like a Planning Board. This is

1 not an adversarial proceeding.

2 Police got up and gave their opinion of
3 what it is. None of the residents showed up
4 despite the fact that they were noticed. And
5 Lieutenant Loaces came up with maybe a middle
6 ground suggestion. I don't know whether or not
7 that's, you know, what we want to do.

8 I mean it's not -- it's not a disciplinary
9 adversarial proceedings. Just like Board of
10 Adjustment and asking if you want to give them a
11 variance for a side yard restriction.

12 And it's pretty clear the positions. You
13 know, one person says, hey, I came in here and I
14 -- I agreed to this as a sign of a good faith and
15 -- not to do anything and I've done what I said I
16 was going to do. And you got the Police coming
17 in saying, listen, we had a lot of problems with
18 that place before and with the licensee when they
19 were over there; we put this condition on we
20 don't have any problems anymore.

21 MAYOR STACK: The biggest problem that we
22 have here is the opening of the front doors, the
23 door, the window in the front and the rear.
24 That's the biggest because -- I mean that's
25 something we dealt with -- not so much right now

1 but the past establishment that was there.

2 There's no doubt about that.

3 All right.

4 Anything further, Mr. Gonzalez?

5 Okay, I'll make a motion to keep the
6 conditions in place.

7 ACTING CITY CLERK: Motion by Mayor Stack.

8 COMMISSIONER FERNANDEZ: Second.

9 ACTING CITY CLERK: Second by Commissioner
10 Fernandez.

11 Roll call.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 ACTING CITY CLERK: Commissioner Rivas?

15 COMMISSIONER RIVAS: Yes.

16 ACTING CITY CLERK: Commissioner Valdivia?
17 Left.

18 Commissioner Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 ACTING CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 MR. FARMER: Okay, thanks.

23

24

* * *

25

1 DOLORES CASTRO t/a UNO BAR, Located at 3607 New
2 York Avenue
3 Liquor License No. 0910-33-108-004:
4

5 MR. FARMER: As an aside I spoke to
6 Detective Dunlay in the fact that if there was a
7 connection between Uno Bar and -- Uno Bar and El
8 Cuco. And apparently he's going to be talking
9 with the State to see whether or not there is any
10 interplay between El Cuco and Uno Bar.

11 Seems the State's investigating them with
12 respect to purchases from unauthorized people;
13 like, for example, a BJ's or something of that
14 kind.

15 So next time maybe I can report because
16 he's going to be meeting with the State in the
17 next couple of days.

18 MAYOR STACK: Okay.

19 MR. FARMER: All right?
20

21 * * *

22

23

24

25

1 **MAYEM (sic) CORP. t/a EL TREBOL, Located at 3204**
2 **Bergenline Avenue**
3 **Liquor License No. 0910-33-190-008**

4

5 MR. FARMER: We have El Trebol, which is
6 number 1 on your calendar. And Mr. Gonzalez
7 represents the licensee.

8 Okay.

9 You want to put your appearance on, so
10 that --

11 MR. GONZALEZ: Yes.

12 For the record, Ramon Gonzalez, firm of
13 Gonzalez and Caride, on behalf of El Trebol.

14 MS. DILLON: Thank you.

15 MR. FARMER: I would recommend that we
16 dismiss this. Let me tell you what the story is
17 here.

18 The Police came around with a disturbance
19 and they found a person who was intoxicated. The
20 licensee says the person came in, they pushed him
21 out, he got belligerent, he broke some window or
22 something, hit a customer, got arrested, had a
23 municipal court complaint. Whatever.

24 The Police report indicated, however, that
25 the person said that he had been drinking there

1 | for a long period of time, resulting in a charge
2 | of serving an intoxicated person.

3 | However, I'm not going to be able to prove
4 | that case because the person who was the main
5 | person in the drama here is no longer around and,
6 | as a matter of fact it's my understanding on
7 | information and belief from the Police, that he
8 | got arrested on a substantial drug case and is
9 | presently in jail.

10 | So it doesn't strike me as a case that we
11 | should keep lingering on because I don't think we
12 | have great optimism that we're going to get his
13 | cooperation in the future.

14 | So, I would recommend --

15 | Nobody -- and just as an ending, nobody got
16 | hurt in this. So, we don't have any issue of
17 | anybody seriously being injured.

18 | So I would recommend to the Board to
19 | dismiss it.

20 | MAYOR STACK: Okay. I'll make a motion to
21 | dismiss --

22 | ACTING CITY CLERK: Motion to dismiss --

23 | MAYOR STACK: -- upon Mr. Farmer's
24 | recommendation.

25 | ACTING CITY CLERK: -- by Mayor Stack.

1 COMMISSIONER FERNANDEZ: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Fernandez.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?
10 Not here.

11 Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 MR. FARMER: Okay.

16 Number --

17 MR. GONZALEZ: Thank you.

18 MR. FARMER: Thank you.

19 Take care, Ray.

20 MAYOR STACK: Thank you, Mr. Gonzalez.

21

22 * * *

23

24

25

1 **BAMBINAS BAR & RESTAURANT t/a MILAGRO ECUATORIANO**
2 **RESTAURANT, Located at 2906 Bergenline Avenue**
3 **Liquor License No. 0910-33-040-009**

4

5 MR. FARMER: Number 2, Bambinas. They
6 haven't showed up. I don't know why. But --

7 MAYOR STACK: This establishment though is
8 before us again on a new violation?

9 MR. FARMER: Well, that's what I'm trying
10 to --

11 This is -- Bambinas, 29 -- I don't think
12 it's a new violation. I think --

13 MAYOR STACK: This is a new violation
14 though.

15 Right?

16 What's the date of this violation?

17 MR. FARMER: What?

18 Bambinas. There --

19 DETECTIVE SERGEANT DUNLAY: That's a new
20 incident.

21 MR. FARMER: It's a new incident?

22 DETECTIVE SERGEANT DUNLAY: It should be a
23 new incident.

24 MR. FARMER: Well the one I'm talking
25 about --

1 DETECTIVE SERGEANT DUNLAY: Yeah, there was
2 a fight.

3 MS. NOVA: Milagro is a new --

4 MR. FARMER: Yeah.

5 MS. NOVA: -- violation.

6 DETECTIVE SERGEANT DUNLAY: Because I know
7 I asked --

8 MAYOR STACK: It's a new one?

9 MS. NOVA: Yes.

10 DETECTIVE SERGEANT DUNLAY: It's a new one,
11 yes, sir.

12 MS. NOVA: It's new.

13 MAYOR STACK: Constantly.

14 MR. FARMER: But there's --

15 MAYOR STACK: It's constantly.

16 (Whereupon, there was a pause in the
17 proceedings.)

18 MR. FARMER: Just -- Bambinas, just for --
19 I have the charges over there but I'm familiar
20 with the thing.

21 This is the one where the woman had an
22 offense couple months ago. We suspended the
23 license. She then was operating while the
24 license was suspended. We suspended it again for
25 seven days.

1 This situation deals with a person
2 apparently coming into the place. Two people go
3 in the bathroom, something happens, one person
4 leaves, another person goes into the kitchen, the
5 Police get there, everybody's gone. That's what
6 it's about.

7 If she stays true to form she will come
8 here next time and lament about that she's not
9 making any business and things like that and not
10 -- doing the best she can and nothing happened
11 here.

12 I've tried to talk to her about selling us
13 the license; I haven't gotten much of a response.

14 MAYOR STACK: She has an interest in
15 selling her license to the City?

16 MR. FARMER: I don't think so. I don't
17 think so.

18 MAYOR STACK: No?

19 MR. FARMER: No. Yeah, no, I don't think
20 so.

21 MAYOR STACK: No.

22 MR. FARMER: But the fact of the matter is
23 what you recall is that we suspended her license
24 and then she got -- she continued to operate
25 during suspension. She came back here, we did

1 the --

2 This is a new charge. And this is a charge
3 of not -- not a great deal of injury -- none --
4 none injury as a matter of fact. Not a big
5 incident.

6 MAYOR STACK: She --

7 MR. FARMER: Two people come in, --

8 MAYOR STACK: She needs to learn. I mean
9 just from my view, she needs to learn how to
10 manage the establishment.

11 MR. FARMER: Well, I think that's a real
12 issue, too. I think that's --

13 MAYOR STACK: It's constant.

14 MR. FARMER: Yeah.

15 MAYOR STACK: I mean it seems like she's
16 constantly before us.

17 MR. FARMER: Yeah.

18 MAYOR STACK: And it's the same thing over
19 and over and over again.

20 MR. FARMER: Yeah. Yeah.

21 MAYOR STACK: Wasting the Police
22 Department's time.

23 MR. FARMER: Um-hum.

24 MAYOR STACK: Bothering the neighbors in
25 the area. It's a constant thing.

1 MR. FARMER: All right, let's bring her in
2 on the 17th --

3 MAYOR STACK: Okay.

4 MR. FARMER: -- and put it to rest.

5 MAYOR STACK: So we'll re-notify her now,
6 Greg?

7 MR. FARMER: Yeah, I'll re-notify her.

8 MAYOR STACK: Okay.

9 MR. FARMER: Okay?

10 MAYOR STACK: Okay, good.

11

12 * * *

13

14

15

16

17

18

19

20

21

22

23

24

25

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

5 MR. FARMER: And the other one is -- the
6 last one is Therapy. And that's one where we're
7 going to need some film on it so-to-speak and
8 play an episode of what was captured on film at
9 that.

10

11 * * *

12

13 MR. FARMER: And I may have talked to you
14 about possibly having a day where we can get rid
15 of maybe all the cases that are pending.

16 MAYOR STACK: Okay.

17 MR. FARMER: And what I would suggest is
18 this. The next meeting we're going to have is
19 November 17th. At the expiration of that meeting,
20 whatever's left, we can put on for maybe first
21 week in December or something and perhaps get rid
22 of everything and start the new year on a zero --

23 MAYOR STACK: That would be good.

24 MR. FARMER: Okay?

25 MAYOR STACK: That would be good.

1 MR. FARMER: All right?

2 And that wraps it up.

3 MAYOR STACK: We could -- maybe we could
4 pick out a date right now in December while we're
5 all here.

6 ACTING CITY CLERK: No, Valdivia's not
7 here.

8 MAYOR STACK: We could pick it out right
9 now.

10 Why don't we do it on -- why don't we do it
11 on -- we could either -- well, how many -- how
12 much time do you think you'll need, Greg?

13 MR. FARMER: Three hours.

14 MAYOR STACK: Three?

15 MR. FARMER: Yeah.

16 MAYOR STACK: That's good.

17 MR. FARMER: If we could do one to four, I
18 think we could get rid of a lot of it.

19 MAYOR STACK: How about we'll do -- we'll
20 do it -- we'll start it at 12 noon, --

21 MR. FARMER: Okay. Let's --

22 MAYOR STACK: -- 12 to three. How's that?

23 MR. FARMER: All right, why don't you do 12
24 to four just in case something goes awry.

25 MAYOR STACK: All right, 12 to four.

1 ACTING CITY CLERK: When is this, Mayor?

2 MAYOR STACK: That's going to be on Friday,
3 December the 4th.

4 Lucio's going to bring lunch.

5 COMMISSIONER FERNANDEZ: Okay.

6 MAYOR STACK: Twelve to four.

7 ACTING CITY CLERK: December 4th.

8 COMMISSIONER MARTINETTI: That's my -- my
9 anniversary.

10 ACTING CITY CLERK: At the Musto?

11 MAYOR STACK: Yeah but that's okay; you'll
12 go out at night.

13 COMMISSIONER FERNANDEZ: Come on, Margie.

14 MAYOR STACK: All right?

15 ACTING CITY CLERK: Mayor, the Musto
16 Center, right?

17 MR. FARMER: Musto Center.

18 COMMISSIONER MARTINETTI: Marty's going to
19 --

20 MS. NOVA: Bring Marty.

21 MAYOR STACK: Go out at night. You going
22 to take the whole day off? You're with each
23 other every day.

24 COMMISSIONER FERNANDEZ: Yeah, come on,
25 Margie.

1 ACTING CITY CLERK: Mayor, Musto Center,
2 right?

3 MAYOR STACK: At the Musto Center. Twelve
4 to four, liquor hearings, December 4th -- Friday,
5 December 4th.

6 ACTING CITY CLERK: Got it.

7 MR. FARMER: Okay.

8 MAYOR STACK: You'll notify everyone?

9 MR. FARMER: Yes, I will.

10 MAYOR STACK: Maybe we'll get to see
11 Sergeant Dunlay again.

12 MR. FARMER: We're still going to have some
13 stuff on for November 17th.

14 MAYOR STACK: November 17th, I have that
15 down.

16 MR. FARMER: Right. Okay.

17 MAYOR STACK: We'll be ready for that.

18 ACTING CITY CLERK: That's the Regular
19 Meeting.

20 MR. FARMER: That's the Regular Meeting,
21 yes.

22 ACTING CITY CLERK: That's right.

23

24 **ADJOURNMENT:**

25

1 ACTING CITY CLERK: Mayor, there are no
2 other items on the agenda.

3 Is there a motion to adjourn?

4 COMMISSIONER RIVAS: Motion.

5 MAYOR STACK: Motion.

6 ACTING CITY CLERK: Motion by Commissioner
7 Fernandez.

8 Second by Mayor Stack.

9 All in favor?

10 MAYOR STACK: You got it.

11

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

13

14 (Whereupon, the proceedings were concluded
15 at 8:04 p.m.)

16

17

18

19

20

21

22

23

24

25

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

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 heard on Wednesday, November 4, 2015 and
10 digitally recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored by and Proofread by: Deborah Dillon