

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Bruce D. Walter
Recreation Center
507 West Street
Union City, New Jersey

Tuesday, November 17, 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
LUCIO P. FERNANDEZ, COMMISSIONER
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:

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

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1 ACTING CITY CLERK: This is a Public
2 Meeting of the Union City Board of Commissioner,
3 being held on Wednesday, --

4 Sorry.

5 -- on Tuesday, November 17 at seven p.m.,
6 at the Bruce D. Walter Recreation Center, 507
7 West Street, Union City, New Jersey.

8 Everyone please rise for the Pledge of
9 Allegiance.

10

11 (Whereupon the Pledge of Allegiance was
12 said.)

13

14 ACTING CITY CLERK: This meeting has been
15 called in accordance with Chapter 231, Public Law
16 of 1975, the Open Public Meeting Act.

17 Adequate notice of this meeting has been
18 provided as follows:

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

1

2 **ROLL CALL:**

3

4 ACTING CITY CLERK: Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Here.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Here.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Here.

11 ACTING CITY CLERK: Commissioner

12 Martinetti?

13 COMMISSIONER MARTINETTI: Here.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Here.

16

17 **ORDINANCES FOR HEARING AND ADOPTION**18 **CONSIDERATION:**

19

20 () STATE FISCAL YEAR 2016 ORDINANCE TO EXCEED

21 THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO

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

23

24 ACTING CITY CLERK: First item is Ordinance

25 for Hearing Adoption Consideration.

1 The Ordinance is State -- for the State
2 Fiscal Year 2016 Ordinance to Exceed the
3 Municipal Budget Appropriation Limits and to
4 Establish a Cap Bank, N.J.S.A. 49A:4-45.14.

5 COMMISSIONER VALDIVIA: Motion.

6 MAYOR STACK: I'll second.

7 COMMISSIONER MARTINETTI: You have to open
8 for public comment.

9 MAYOR STACK: I'm sorry.

10 ACTING CITY CLERK: Mayor, you want to
11 take --

12 MAYOR STACK: Sure.

13 COMMISSIONER MARTINETTI: Public comment.

14 ACTING CITY CLERK: -- public comment?

15 MAYOR STACK: Anyone wishing to comment at
16 this time, please step forward, state your name
17 and address for the record.

18 Seeing none.

19 ACTING CITY CLERK: Motion by Commissioner
20 Valdivia.

21 COMMISSIONER RIVAS: Second.

22 ACTING CITY CLERK: Second by Mayor Stack.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 ACTING CITY CLERK: Is there a motion to
11 adopt the Ordinance for the State Fiscal Year
12 2016 Ordinance to Exceed the Municipal Budget
13 Appropriation Limits and to Establish a Cap Bank,
14 N.J.S.A. 49A:4-45.14?

15 Is there a motion to adopt?

16 MAYOR STACK: Motion.

17 COMMISSIONER MARTINETTI: Motion.

18 Second.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 Second by Commissioner 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 **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 31, 2015 through November
16 13, 2015

17 (4) Resolution Approving the Library Payroll
18 for the Period of October 31, 2015 through
19 November 13, 2015

20 (5) Resolution Designating Certain Properties
21 as a Non-Condemnation Redevelopment Area

22 (6) Resolution Approving Contract for
23 Installation of Basketball Backboards Hoops at
24 24th Street Park

25 (7) Resolution Authorizing Second One Year

1 | Extension of Ambulance Billing Services Contract
2 | with Intermedix
3 | (8) Resolution Approving Shared Services
4 | Agreement with the Union City Board of Education
5 | for Crossing Guards Services for 2015-2016
6 | (9) Resolution Approving Qualifications of
7 | Emergency Snow Plowing Contractor to Persistent
8 | Construction Co.
9 | (10) Resolution Approving List of Emergency
10 | Electrical Repair Contractors to (Tabit Co,
11 | K Hanranrahan Enterprises, Inc., and Redmann
12 | Electric & Communication Co.)
13 | (11) Resolution Approving Disciplinary
14 | Proceedings Against El Trebol t/a Mayem (sic)
15 | Corp, Located at 416-418 43rd Street, Liquor
16 | License No. 0910-33-190-008
17 | (12) Resolution Approving Disciplinary
18 | Proceedings Against Angelo's Café t/a El Idolo,
19 | LLC, Located at 4215 Park Avenue, Liquor License
20 | No. 0910-33-111-006
21 | (13) Resolution Approving the Renewal of Vanessa
22 | Café Corp., Located at 120 43rd Street, Liquor
23 | License No. 0910-33-029-008
24 | (14) Resolution Appointing Lauren Sosa-Herrera
25 | to the Union City Library's Board of Trustees

1 (15) Resolution Authorizing the Refund of
2 Redemption Monies to Outside Lienholders

3 (16) Resolution Authorizing the Refund of
4 Premium Monies Collected at the Tax Sale

5 (17) Resolution Authorizing the Refund of a
6 Duplicate Payment Made on Block 202, Lot 5 C012B
7 Also Known as 3312 Hudson Avenue

8 (18) Resolution Authorizing the Refund of an
9 Overpayment for 2015 Taxes on Block 22, Lot 1.01
10 C0709 Also Known as 500 Central Avenue

11 (19) Resolution Authorizing the Refund of an
12 Overpayment on Block 168.02 Also Known as 3100
13 Bergenline Avenue

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

16

17 ACTING CITY CLERK: Next item is the
18 Consent Agenda.

19 First item is Resolution Approving the
20 Payments of Claim.

21 Item 2.

22 Resolution Approving the Payment of
23 Concurring Claims.

24 Item 3.

25 Resolution Approving the City Payroll for

1 the Period of October 31st, 2015 through November
2 13, 2015.

3 Item 4.

4 Resolution Approving the Library Payroll
5 for the Period of October 31st, 2015 through
6 November 13, 2015.

7 Item 5.

8 Resolution Designating Certain Properties
9 as a Non-Contamination (sic) Redevelopment Area.

10 Item 6.

11 Resolution Approving Contract for
12 Installation of Basketball Backboards Hoops at
13 24th Street Park.

14 Item 7.

15 Resolution Authorizing Second One Year
16 Extension of Ambulance Billing Services Contract
17 with Intermedix.

18 Item 8.

19 Resolution Approving Shared Service
20 Agreement with the Union City Board of Education
21 for Crossing Guards Services for 2015-2016.

22 Item 9.

23 Resolution Approving Qualification of
24 Emergency Snow Plowing Contract to Persistent
25 Construction Corporation.

1 Item 10.

2 Resolution Approving List of Emergency
3 Electrical Repair Contractor to Tabit
4 Corporation, K. Hanranrahan Enterprises, Inc.,
5 and Redmann Electric and Communication
6 Corporation.

7 Item 11.

8 Resolution Approving Disciplinary
9 Proceeding Against El Trebol, also known as Mayen
10 Corporation, Located at 416-418 43rd Street,
11 Liquor License number 0910-33-190-008.

12 Item 12.

13 Resolution Approving Disciplinary
14 Proceeding Against Angelo's Café, also known as
15 El Idolo, LLC, Located at 4215 Park Avenue,
16 Liquor License number 0910-33-111-006.

17 Item 13.

18 Resolution Approving the Renewal of Vanessa
19 Café Corporation, Located at 120 43rd Street,
20 Liquor License number 0910-33-029-008.

21 Item 14.

22 Resolution Appointing Lauren Sosa-Herrera
23 to the Union City Library Board of Trustee.

24 Item 15.

25 Resolution Authorizing the Refund of

1 Redemption Money to Outside Lienholders.

2 Item 16.

3 Resolution Authorizing the Refund of
4 Premium Monies Collected at the Tax Sale.

5 Item 17.

6 Resolution Authorizing the Refund of a
7 Duplicate Payment Made on Block 202, Lot 5 C0112
8 (sic) 012B, also known as 3312 Hudson Avenue.

9 Item 18.

10 Resolution Authorizing the Refund of
11 Overpayment for 2015 Tax -- Taxes on Block 22,
12 Lot 1.01 C0709 also known as 500 Central Avenue.

13 Item 19.

14 Resolution Authorizing the Refund of
15 Overpayment on Block 168.02, also known as 3100
16 Bergenline Avenue.

17 Mayor, do you wish to take public comment
18 on any item on the Consent Agenda at this time?

19 MAYOR STACK: Yes.

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

23 Seeing none.

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

1 MAYOR STACK: Motion.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 COMMISSIONER RIVAS: Second.

4 ACTING CITY CLERK: Second --

5 COMMISSIONER RIVAS: Second.

6 ACTING CITY CLERK: -- by Commissioner

7 Rivas.

8 Roll call.

9 Commissioner Ferna --

10 MS. NOVA: For the record, on item number 8
11 for the Consent Agenda, Commissioner Fernandez
12 and Commissioner Martinetti, Commissioner
13 Valdivia would normally recuse.

14 Commissioner Valdivia will be voting on
15 this based on the doctrine of necessity.

16 COMMISSIONER RIVAS: And I move it.

17 ACTING CITY CLERK: So, Commissioner
18 Fernandez --

19 COMMISSIONER FERNANDEZ: We're just voting
20 on closing the public comment.

21 MS. NOVA: Correct.

22 ACTING CITY CLERK: Right.

23 COMMISSIONER FERNANDEZ: Okay.

24 MAYOR STACK: Right.

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: We -- I think I
2 finished all that, right?

3 MS. NOVA: Yes.

4 ACTING CITY CLERK: The first step?

5 Is there -- is there a motion to approve
6 all --

7 MAYOR STACK: Motion.

8 ACTING CITY CLERK: -- all items on the
9 Consent Agenda?

10 Motion by Mayor Stack.

11 COMMISSIONER RIVAS: I'll second it.

12 ACTING CITY CLERK: Second by Commissioner
13 Rivas.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes with the
17 exception on number 8 as stated by the counsel.

18 Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: I'm recusing on
25 item 1, any payment to Adolfo Lopez and any items

1 | pertaining to the Union City Construction Code;
2 | and number 8.

3 | And aye on the rest.

4 | ACTING CITY CLERK: Mayor Stack?

5 | MAYOR STACK: Yes on all.

6 | I just wanted to thank the Commissioners
7 | for improving the basketball backboards at 24th
8 | Street Park. Specifically thank Commissioner
9 | Valdivia for his work in the parks. We're
10 | constantly rehabbing our parks.

11 | Also on the emergency snow plowing, that
12 | would just be for major snowstorms. If the City
13 | wasn't able to handle it we would utilize their
14 | service.

15 | Yes -- yes on all.

16 | ACTING CITY CLERK: Next item is a Liquor
17 | License Transfer Application.

18 | MAYOR STACK: Let's take any comments right
19 | now first --

20 | ACTING CITY CLERK: Okay.

21 | MAYOR STACK: -- before we go to liquor
22 | license.

23 |

24 | **OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:**

25 |

1 MAYOR STACK: Anyone wishing to comment on
2 any matter concerning municipal government in the
3 City of Union City, please step forward.

4 Seeing none.

5 I'll just make a motion.

6 I would just like to thank those members of
7 the public that are here this evening for
8 official meeting of the Board of Commissioners in
9 the City of Union City.

10 We move the meetings throughout the entire
11 community every two weeks or whenever we have a
12 regular scheduled Commission meeting. A hundred
13 percent of our meetings are in the evening hours
14 and -- unless it's a special or an emergency
15 meeting. And we move them throughout the
16 community every -- each Commission meeting is
17 held in a different location when we hold them so
18 we give all the public the right to come out and
19 comment on municipal government, which is the
20 most important layer of government I feel in a
21 resident's life.

22 So we thank you for coming.

23 The portion of the meeting that we'll go in
24 to right now everyone's welcome to stay for if
25 you'd like. This is liquor license disciplinary

1 | hearings.

2 | And thank you again everyone for coming out
3 | this evening.

4 | ACTING CITY CLERK: Next item is a liquor
5 | license transfer application.

6 | MAYOR STACK: I think we need to close the
7 | -- the public portion.

8 | ACTING CITY CLERK: Oh, you're right. I'm
9 | sorry, Mayor.

10 | MR. DIAZ: If I may --

11 | MAYOR STACK: Just one second, Mr. Diaz.

12 | Let's just close the public portion.

13 | ACTING CITY CLERK: Motion -- is there a
14 | motion to close the -- the comment portion of --

15 | COMMISSIONER RIVAS: Motion.

16 | ACTING CITY CLERK: -- this meeting?

17 | Motion by --

18 | COMMISSIONER VALDIVIA: Second.

19 | ACTING CITY CLERK: -- Commissioner Rivas.

20 | Second by Commissioner Valdivia.

21 | Roll call.

22 | Commissioner Fernandez?

23 | COMMISSIONER FERNANDEZ: Yes.

24 | ACTING CITY CLERK: Commissioner Rivas?

25 | COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

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1 **LIQUOR LICENSE TRANSFER APPLICATION:**

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3 APPLICATION REGARDING LIQUOR LICENSE #

4 0910-43-203-004 FOR A PERSON TO PERSON TRANSFER

5 (FROM LA ESPERANZA GROCERY STORE, INC. TO

6 SHRIJI11, LLC) LOCATED AT 800 NEW YORK AVENUE

7

8 MR. DIAZ: Mayor, if I may, I was speaking
9 with Mr. Farmer -- maybe I did not hear. I have
10 transfer, person to person.

11 MS. NOVA: Yes.

12 MR. DIAZ: Has that come up yet? Or --

13 MS. NOVA: That's the one --

14 ACTING CITY CLERK: That's next.

15 MS. NOVA: -- we're going to do right now.

16 MR. DIAZ: Oh, I'm sorry.

17 MAYOR STACK: Right now. Yeah.

18 MR. DIAZ: I apologize.

19 MAYOR STACK: Yeah, right now.

20 No problem.

21 MR. DIAZ: I didn't know --

22 ACTING CITY CLERK: Next item is a liquor
23 license transfer application.

24 Application Regarding Liquor License Number

25 0910-43-203-004 for a Person to Person Transfer

1 from La Esperanza Grocery Store, Inc. to Shriji,
2 LLC, Located at 800 New York Avenue.

3 MR. DIAZ: Good evening, Board Members.
4 Good evening, Board Members.

5 Luis Diaz for the applicant.

6 We have provide -- we have provided all the
7 paperwork to the -- to the municipality. We have
8 done the publication.

9 And, again, this is a person to person
10 transfer and the license will stay at the same
11 location.

12 Mr. Kapur (phonetic) is the principal of
13 the entity that is the receipt -- receipt of the
14 transfer, transferee. Mr. Kapur has had
15 experience in the grocery store business and the
16 sale of warm beer, which is what this license is
17 about.

18 MAYOR STACK: Sure.

19 I would just ask that you take precaution
20 and make sure we proof everyone that comes in
21 before we sell any type of beer to them. We're
22 working very hard to better the neighborhood,
23 especially for the children and the residents who
24 live there to make it a better neighborhood for
25 them.

1 Any cooperation that you could give we
2 greatly appreciate that.

3 Thank you.

4 Any other questions from the Commissioners?

5 Any member of the public have any comment
6 on this matter at 800 New York Avenue, grocery
7 store/warm beer license?

8 It's a transfer from the previous owner to
9 this gentleman who just purchased it recently.

10 Seeing no further, --

11 MS. NOVA: Mayor, --

12 MAYOR STACK: -- I'll make a motion to
13 approve.

14 MS. NOVA: Mayor, for the record, I did
15 speak to Sergeant Ocasio at the Police Department
16 and no objections were brought --

17 MAYOR STACK: All right.

18 MS. NOVA: -- forward.

19 MAYOR STACK: What time do you close your
20 business, sir?

21 MR. KAPUR: Twelve o'clock.

22 MAYOR STACK: Twelve o'clock.

23 Very good.

24 Okay.

25 I'll make a motion to approve.

1 MR. DIAZ: But his intention is not to sell
2 beer after 10, 10:30.

3 MAYOR STACK: That would be great. We
4 would appreciate that.

5 MR. DIAZ: It only brings trouble.

6 MAYOR STACK: We would appreciate that.
7 Thank you very much.

8 MR. KAPUR: No problem.

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

11 COMMISSIONER FERNANDEZ: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 Fernandez.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 ACTING CITY CLERK: Commissioner Rivas?

18 COMMISSIONER RIVAS: Yes.

19 ACTING CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 ACTING CITY CLERK: Commissioner
22 Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 ACTING CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 ACTING CITY CLERK: Next item is --

2 MR. DIAZ: Thank you very much. Good
3 night.

4 MAYOR STACK: Thank you, Mr. Diaz.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

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

5 2. 2216 Bergenline Avenue LLC t/a Centro Bar,
6 2216 Bergenline Avenue, Liquor License No.
7 01910-33-166-004 (sic)

8 3. El Chapin Corp t/a El Rincon Chapin (El
9 Cuscatleco), 2218 (sic) Bergenline Avenue, Liquor
10 License No. 0190-33-075-010 (sic)

11 4. JRV Restaurant Inc. t/a El Papaturro, 1018
12 Summit Avenue, Liquor License No. 0910-33-137-005

13 5. Bambinas Bar & Restaurant t/a Milagro
14 Ecuatoriano Restaurant, 2906 Bergenline Avenue,
15 Liquor License No. 0910-33-040-009

16

17 ACTING CITY CLERK: Liquor License
18 Disciplinary Proceeding.

19 Mr. Farmer?

20 MR. FARMER: Yes.

21 Good evening, members of the Board.

22 On your agenda is a couple of things. But
23 really before we get started, I have Detective
24 Dunlay here. And what I'd like him to do is is
25 give you some comments, information concerning

1 | some bars in -- in Union City, which were the
2 | subject of a dual investigation, raid, whatever
3 | you want to say, with the Union City Police
4 | Department, as well as the New Jersey Alcohol
5 | Beverage Control Commission, the State Agency.

6 | They went to a couple of places; one of
7 | which is Therapy Lounge. He'll give you a little
8 | bit more detail. But the sexy part of the
9 | Therapy Lounge thing is that when they went in
10 | there they found cash on the premises to the tune
11 | of \$700,000.00.

12 | So, that's something that the State is
13 | pursuing, along with some -- a couple of other
14 | bars, Bambinas and another one that Detective
15 | Dunlay will talk about. And we're cooperating
16 | and working together with the State and as usual
17 | the State, when they impose penalties, tend to
18 | let the person buyout of that penalty.

19 | Detective Dunlay's been working closely
20 | with the people who are in the positions of
21 | responsibility and they had indicated that if
22 | they got a letter from the Board, which would be
23 | consistent with our past history, that we would
24 | prefer -- and our philosophy is that the
25 | disciplinary proceedings work better when there

1 is a suspension of the bar, --

2 MAYOR STACK: Absolutely.

3 MR. FARMER: -- rather than --

4 MAYOR STACK: Absolutely.

5 MR. FARMER: -- just a fine.

6 MAYOR STACK: We've never --

7 MR. FARMER: So, --

8 MAYOR STACK: -- in the history of this
9 Board we've never done fines.

10 MR. FARMER: We have never done that.

11 MAYOR STACK: Never.

12 MR. FARMER: So, we can work on drafting a
13 letter that will go down and take care of that.

14 And the other one is that the State is --

15 MAYOR STACK: You'll work on that letter,
16 Mr. Farmer?

17 MR. FARMER: Yeah. Yeah. We'll --

18 MAYOR STACK: Okay. Good.

19 MR. FARMER: -- we'll get --

20 MAYOR STACK: Okay.

21 MR. FARMER: The other one is -- well,

22 we'll talk about Uno Bar but --

23 MAYOR STACK: Just if you could just keep
24 your voice up.

25 MR. FARMER: Yeah.

1 Why -- why don't you come up here for a
2 second.

3 El Cuco. Which was a third one that they
4 investigated and raided or whatever you want to
5 call it. And they found that there was a
6 substantial amount of purchases by El Cuco from
7 unauthorized source; BJ's -- that kind of stuff.

8 So there seems to be three heavy
9 investigations by the State as a result of raids
10 conducted with the Union City Police Department.
11 And that -- we're in touch with them, so I just
12 wanted to let you know. And if Detective Dunlay
13 can give you the details on it.

14 Why don't you just tell --

15 He doesn't have to be sworn.

16 COMMISSIONER FERNANDEZ: I'm sorry, Mr.
17 Farmer, I'm having a real hard time hearing you.

18 MR. FARMER: What?

19 Oh, you're having a hard time hearing me?

20 COMMISSIONER FERNANDEZ: Yeah.

21 MR. FARMER: I apologize. I apologize.

22 All right, why don't you keep your voice up
23 and tell the --

24 DETECTIVE SERGEANT DUNLAY: Good evening,
25 ladies and gentlemen.

1 I just wanted to just give you a quick
2 brief on the -- the investigation that's going on
3 --

4 MR. DILLON: Sir, do you --

5 DETECTIVE SERGEANT DUNLAY: -- with the
6 Police Department.

7 MR. DILLON: -- want me to swear him in?

8 COMMISSIONER MARTINETTI: No.

9 MR. FARMER: No.

10 MR. DILLON: Okay.

11 MAYOR STACK: Why don't you just state --
12 why don't you just --

13 DETECTIVE SERGEANT DUNLAY: Sure. I'm
14 sorry.

15 MAYOR STACK: -- go on the record; state
16 your --

17 DETECTIVE SERGEANT DUNLAY: I'm Sergeant
18 David Dunlay with the Union City Police
19 Department.

20 MAYOR STACK: Does he have to be sworn?

21 MR. FARMER: No.

22 MAYOR STACK: Okay.

23 DETECTIVE SERGEANT DUNLAY: Pretty much
24 just a quick synopsis of the investigation that
25 went on.

1 The State contacted the Union City Police
2 about a month or two ago regarding -- they were
3 doing a big investigation regarding prohibited
4 sources -- purchases of alcohol.

5 Normally the bars have to -- bars, liquor
6 stores, everybody else has to buy it from an
7 authorized distributor for tax purposes. And
8 then from there they would -- so they could keep
9 a record.

10 Well, El Cuco was actually ranked number
11 one in the State in the last three years,
12 purchasing \$700,000.00 worth of alcohol from BJ's
13 in East Rutherford.

14 That went -- caught the attention of the
15 State. The State conducted their investigation
16 and they're actually proceeding with some type of
17 filing by the end of the month -- I'm sorry, in
18 the beginning of December.

19 They're looking at approximately 600 day
20 suspension, in addition to whatever else we can
21 possibly get. But that's -- the importance is
22 that the Board write a letter to the -- actually
23 the ABC Board before this time comes up, before
24 the beginning of the month and advising them that
25 how we would prefer to proceed. Instead of just

1 a fine, we would actually like the time served.

2 Also we did a -- two weeks ago we did a
3 couple of --

4 MAYOR STACK: That \$700,000.00 of purchases
5 was done in what period of time?

6 I'm just curious?

7 DETECTIVE SERGEANT DUNLAY: In three years.
8 I'm sorry.

9 MAYOR STACK: Wow.

10 DETECTIVE SERGEANT DUNLAY: Yeah.

11 So, I -- usually at a three to 400 percent
12 markup you could just imagine the money that --

13 MAYOR STACK: Yeah, you'd have to sell some
14 amount of liquor to -- to make that back. Yeah.

15 DETECTIVE SERGEANT DUNLAY: And then now
16 last -- about two weeks ago we did -- we checked
17 about four or five bars with the State ABC.

18 Their main purpose, when they came up here,
19 was to look for underage drinkers -- underage --

20 I'm sorry.

21 -- sale to underage persons.

22 They looked at a couple of liquor stores
23 and stuff like that. They really couldn't find
24 much.

25 We have a pending case I believe with Los

1 Laureles, that you'll get, 47th and Broadway. It
2 should be coming up to you guys shortly.

3 But actually --

4 MR. FARMER: What about Bambinas?

5 DETECTIVE SERGEANT DUNLAY: And we did a
6 couple of tavern checks and they checked
7 Bambinas. Bambinas was found to be -- also, same
8 thing, purchasing alcohol from undistributed
9 sources, which totaled --

10 I couldn't give you a dollar amount but
11 when I could tell you it was a tableful of
12 liquor. You know, every time they made them dump
13 it all out at that point. And their matter is
14 also pending.

15 The hygiene of the place was very -- in
16 very poor condition. It also serves as a
17 restaurant. So I believe Lieutenant Loaces made
18 it a point to notify the Health Department to see
19 if they can actually go out there and conduct
20 their own check on them.

21 But that matter's pending.

22 Another check that they did was --

23 MAYOR STACK: Just make sure we're
24 following that with the Health Department to make
25 sure that they're following up on that.

1 Okay.

2 DETECTIVE SERGEANT DUNLAY: Another major
3 one was Therapy Lounge.

4 MAYOR STACK: Bambinas has come before us
5 quite a bit.

6 Right?

7 DETECTIVE SERGEANT DUNLAY: Yes.

8 MAYOR STACK: We've always issued days and
9 everything else.

10 MR. FARMER: With respect to Bambinas,
11 since we've -- we've brought that up, --

12 MAYOR STACK: Right.

13 MR. FARMER: -- that's on for -- that's on
14 for December 4th.

15 MAYOR STACK: Okay.

16 MR. FARMER: And, basically, it's a
17 situation which is really going to be hard to
18 prove.

19 Two people come in, they go to the bathroom
20 and apparently one person assaults the other
21 person.

22 I don't see how the licensee could know
23 that or prevent it. But that's not the point.

24 The point is that the licensee or this
25 license has been before you and indeed during

1 | this year they've been suspended 27 days.

2 | So I think we want to bring the woman in
3 | and talk to her as -- because it seems that she
4 | doesn't have control of the place really.

5 | MAYOR STACK: Bad management --

6 | MR. FARMER: And then we have --

7 | MAYOR STACK: -- there.

8 | MR. FARMER: Yes.

9 | MAYOR STACK: And we -- we saw that in the
10 | last few hearings we had --

11 | MR. FARMER: Yeah.

12 | MAYOR STACK: -- with this establishment.

13 | MR. FARMER: So that's on for December 4th
14 | and -- and we'll deal with that.

15 | MAYOR STACK: Okay.

16 | MR. FARMER: But Bambinas, El Cuco,
17 | Therapy; those are pretty serious investigations
18 | going on by the State and we're going along with
19 | them and keeping in touch with them and reporting
20 | back to you as to what the progress is.

21 | DETECTIVE SERGEANT DUNLAY: Okay, regarding
22 | Therapy, one of their -- the last -- that was
23 | actually the final check we did. When they did
24 | their actual -- their check of the place they're
25 | -- just like the Union City Police Department,

1 we're authorized to check the entire
2 establishment, you know, from top to bottom.

3 We usually aren't the experts in it. So we
4 kind of like when somebody else comes from an
5 outside source and actually shows us exactly this
6 is how we do it, this is exactly what needs to be
7 done. You can ask them to open this door, this
8 drawer, open the safe; and they did.

9 And in opening drawers and closets and
10 everything else they found bags of money and
11 things in the excess of about close to seven --
12 they counted that day, it wasn't a real count, it
13 was mostly a count on what the baggie said, was
14 approximately \$700,000.00.

15 COMMISSIONER RIVAS: Wow.

16 COMMISSIONER FERNANDEZ: In cash?

17 DETECTIVE SERGEANT DUNLAY: In cash.

18 Further on that, today actually the State
19 secured a search warrant and actually seized the
20 money.

21 So by night -- by tonight I'll actually
22 give you a real count on exactly how much money
23 was -- was found down there.

24 MR. FARMER: I think the concern has to be
25 where did that money come from?

1 MAYOR STACK: Exactly.

2 MR. FARMER: Is there drugs involved or
3 anything like that?

4 Apparently if there was a search, they
5 haven't found any contraband. But nevertheless
6 they seem to be pursuing this vigorously and
7 we're going to send them a letter tell --

8 MAYOR STACK: We need -- we need to do the
9 same thing at this level; seek the maximum
10 penalties against all these establishments.
11 Absolutely.

12 DETECTIVE SERGEANT DUNLAY: Yeah. That's
13 not to mention the other violations that they
14 found. You know? No books of accounts. The
15 inference that there's people -- women dancing
16 for money and --

17 MAYOR STACK: Exactly. Which --

18 DETECTIVE SERGEANT DUNLAY: -- buying
19 people drinks for money.

20 MAYOR STACK: -- has been our battle for a
21 long time.

22 MR. FARMER: Absolutely.

23 DETECTIVE SERGEANT DUNLAY: Correct.

24 And that's --

25 MAYOR STACK: We need --

1 DETECTIVE SERGEANT DUNLAY: -- that's one
2 of the --

3 MAYOR STACK: I mean we've done a good job
4 at the municipal level under -- under Lieutenant
5 Loaces' leadership and yours, Sergeant. And I
6 appreciate when outside agencies come in like
7 that to help us with this.

8 DETECTIVE SERGEANT DUNLAY: And hopefully
9 we can continue with that --

10 MAYOR STACK: Exactly right.

11 DETECTIVE SERGEANT DUNLAY: -- that
12 partnership.

13 MAYOR STACK: Exactly right.

14 MR. FARMER: Yeah.

15 MAYOR STACK: That's long overdue.

16 MR. FARMER: One --

17 MAYOR STACK: Just if we can get that
18 letter out as --

19 MR. FARMER: Yeah.

20 MAYOR STACK: -- soon as possible, so no
21 decision is made in the meantime.

22 MR. FARMER: It's going to --

23 MAYOR STACK: If we can get them --

24 MR. FARMER: -- take them a while.

25 MAYOR STACK: Yeah.

1 That would make the Police Department's job
2 a lot easier, too.

3 MR. FARMER: The -- one other thing that I
4 want to report on. I had gotten a writ of
5 execution -- I don't know where it's going to go,
6 on this Mayembre (phonetic). It's a discothèque
7 on I think about 45th and Bergenline. Apparently
8 they owe taxes. And I'm going to explore,
9 although I doubt it -- we can't bid on it at the
10 auction because we can't bid on it. That's the
11 law.

12 But I'm going to try to pursue to see
13 whether or not they'll retire the license.

14 MAYOR STACK: That will be great.

15 MR. FARMER: Yeah but --

16 MAYOR STACK: Where are they located?

17 MR. FARMER: 45th and Bergenline. Kind of
18 where --

19 DETECTIVE SERGEANT DUNLAY: Mayembre's
20 across the street from --

21 MAYOR STACK: Do they trade as --

22 DETECTIVE SERGEANT DUNLAY: -- Don Ramon.

23 MAYOR STACK: Is it another name that
24 they're under besides that name?

25 DETECTIVE SERGEANT DUNLAY: It's under --

1 | it's across the street from Don Ramon. I believe
2 | it's --

3 | MAYOR STACK: What on the second floor?

4 | DETECTIVE SERGEANT DUNLAY: Yes, sir.

5 | COMMISSIONER FERNANDEZ: I know where it
6 | is. That little place. Yeah.

7 | MAYOR STACK: See if they'll sell their
8 | license back.

9 | DETECTIVE SERGEANT DUNLAY: Il Paradiso.
10 | That's the name.

11 | COMMISSIONER MARTINETTI: Oh, okay.

12 | MAYOR STACK: That should never -- I don't
13 | know any place on the second floor was ever
14 | approved.

15 | I mean we saw what happened in the New
16 | York.

17 | MR. FARMER: Yup.

18 | MAYOR STACK: Happy Land. Yup. Many, many
19 | years ago.

20 | MR. FARMER: Okay.

21 | Louie? Come on up here.

22 | MAYOR STACK: I don't know how that was
23 | approved.

24 | COMMISSIONER FERNANDEZ: Yeah, right?

25 | MR. FARMER: Stay here.

1 DETECTIVE SERGEANT DUNLAY: No problem.

2 MAYOR STACK: That goes back to like the
3 eighties.

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

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4 MR. FARMER: Also, I want to report back to
5 you on Uno Bar.

6 Uno Bar is closed; is staying closed.

7 Mr. Diaz, who is now representing Uno Bar,
8 has produced this evening an awful lot of
9 paperwork that the Police have been asking for
10 for a long time.

11 So Detective Dunlay is taking that, going
12 through to see how that -- how that complies with
13 everything.

14 In the meantime we've made an agreement
15 that the place will stay closed. Okay? And as a
16 matter of fact they have to go through some
17 procedural stuff.

18 And, number one, somebody's got to be
19 appointed the executor or administrator of the
20 estate; that's got to take a while. Then whoever
21 that person is has got to file an application for
22 a transfer; fill out a 12-page application, get
23 fingerprinted, have that come back to Washington
24 -- from Washington.

25 So as you can see the place is going to be

1 closed for a good period of time because --

2 MAYOR STACK: Mr. Diaz, you represent them?

3 MR. DIAZ: Yes I do.

4 And I have here Mr. Izquierdo, who is the
5 son of the license holder -- the deceased license
6 holder. The son and the only heir.

7 MAYOR STACK: Maybe he needs a -- do you
8 need a translator, sir?

9 DETECTIVE SERGEANT DUNLAY: You need a
10 translator or no?

11 No.

12 MAYOR STACK: No.

13 MR. IZQUIERDO: No, no. No.

14 MR. FARMER: We have one.

15 MR. DIAZ: No.

16 No he's a licensed plumber. He understands
17 English.

18 Mr. Izquierdo has no interest whatsoever,
19 he expressed that to me very firmly, in ever
20 having this license open at that location.

21 MAYOR STACK: Okay.

22 MR. DIAZ: So he has no intention of having
23 this license at that location again.

24 He has cut all ties with the employees that
25 were there at the establishment. The individual

1 | that was here last time being one of them.

2 | He would like to bring the license --
3 | revive the license and would like to keep it as a
4 | pocket license until he decides what to do with
5 | it.

6 | There is an offer from the City. He's
7 | entertaining that. But during -- as previously
8 | expressed, during the foreseeable future the
9 | license will stay either closed because of the
10 | paperwork or as a pocket license not being
11 | operated.

12 | MAYOR STACK: The concern that I have is on
13 | the security of the place right now; other people
14 | having access in there.

15 | Is there anyone else that has keys to this
16 | establishment from the older -- from the -- from
17 | the old management of the establishment?

18 | MR. IZQUIERDO: No. No, they --

19 | MAYOR STACK: They don't have keys?

20 | MR. IZQUIERDO: They don't have any key.

21 | MAYOR STACK: Okay. Just make sure because
22 | -- make sure it's secured, make sure that there's
23 | -- the rear of the building is --

24 | It runs through the rear, right, John? It
25 | runs to the --

1 MR. DIAZ: But, Mayor, --

2 MAYOR STACK: -- is there a backyard in
3 this establishment?

4 If -- just --

5 MR. IZQUIERDO: No, no.

6 MR. DIAZ: No?

7 But, Mayor, if I may? He has cut all
8 ties --

9 MAYOR STACK: Okay.

10 MR. DIAZ: -- with the location.

11 MAYOR STACK: No, I understand.

12 MR. DIAZ: So, he's not going back in there
13 for any purpose.

14 MAYOR STACK: No, no, I understand.

15 MR. DIAZ: Whatever he had to get out he
16 took out --

17 MAYOR STACK: Right.

18 MR. DIAZ: -- and he has closed -- closed
19 his ties with it.

20 MAYOR STACK: Right.

21 Mr. Diaz, I'm just going in another
22 direction.

23 I just want to play, you know, play it safe
24 on a public safety issue.

25 I just want to make sure that nobody else

1 | has access to that place that can get inside
2 | because it's on a very congested block, --

3 | MR. DIAZ: Um-hum.

4 | MAYOR STACK: -- it's an attached
5 | structure.

6 | MR. DIAZ: Understood.

7 | MAYOR STACK: I just want to make sure the
8 | rear is secure, all the windows are secure; the
9 | building is totally secure --

10 | MR. DIAZ: Um-hum.

11 | MAYOR STACK: -- with the establishment --
12 | the bar that used to be there.

13 | MR. DIAZ: So, Mr. Izquierdo, if you can --

14 | MAYOR STACK: And if he could change the
15 | locks -- if he could change the locks on the
16 | establishment, just to be certain nobody made
17 | copies of keys. And God forbid that we're
18 | arriving there and something happens in that
19 | establishment.

20 | MR. DIAZ: And hand it over to the owner of
21 | the property and --

22 | MAYOR STACK: John, have them check the
23 | rear tonight?

24 | LIEUTENANT LOACES: Absolutely, sir.

25 | MAYOR STACK: All right?

1 MR. DIAZ: Understood.

2 MR. FARMER: Okay.

3 MAYOR STACK: All right?

4 Just, please, if you could get that done?

5 Make sure the windows are secure in the

6 rear; everything is tight, secure.

7 Thank you.

8 MR. FARMER: All right. That's it.

9 MR. DIAZ: Okay.

10 MR. FARMER: Okay.

11 MAYOR STACK: Thank you very much.

12 MR. DIAZ: Thank you. Have a good night.

13 MAYOR STACK: Thank you.

14 MR. FARMER: All right.

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1 MR. FARMER: Finally, just as -- from a
2 reporting point of view, you know we've talked
3 about an ordinance restricting the sale and
4 service of bottled beer. We tried to do this on
5 a voluntary basis but the only one who ever
6 really participated was El Papaturro on a
7 voluntary basis.

8 But just to report the progress. Counsel
9 and myself and Mr. Sapienza spoke to an expert in
10 the field who apparently worked for some
11 professional teams and this, that or the other
12 thing. And he -- he was kind of optimistic that
13 this could be done with some modifications. But
14 it had to deal with, first of all, getting the
15 raw material as far as the bottles to injuries to
16 liquor license and -- and all of that. And the
17 Police are doing that and assembling that.

18 But I just wanted to keep you up-to-date on
19 the progress of that.

20 MAYOR STACK: Great.

21 MR. FARMER: Okay?

22 Now, if we go back to the agenda, we can
23 maybe go through this pretty quickly.

24 We just went through number one, Uno Bar.

25 * * *

1 2216 BERGENLINE AVENUE LLC t/a CENTRO BAR, 2216
2 Bergenline Avenue
3 Liquor License No. 01910-33-166-004 (sic):
4

5 MR. FARMER: Number two, this is Centro
6 Bar.

7 This is a situation where somebody from --
8 came up to a police car and said there's a fight
9 over at Centro Bar. Cops got there; no one was
10 there. No victim. No assailant. Nothing. And
11 the people indicated that -- people indicated
12 that no fight took place.

13 So, consequently, you're not going to be
14 able to prove that.

15 Detective Dunlay and I have talked about
16 the case and gone over it and he's of the same
17 frame of mind as I am that the case should be
18 dismissed because nothing really happened and we
19 can't prove that --

20 MAYOR STACK: Where are they located,
21 Centro Bar?

22 MR. FARMER: They are 2216 Bergenline
23 Avenue.

24 DETECTIVE SERGEANT DUNLAY: 23rd and
25 Bergenline, sir.

1 MAYOR STACK: Okay.

2 Okay, so this is going to be dismissed?

3 MR. FARMER: Yes.

4 MAYOR STACK: Okay.

5 Okay.

6 MR. FARMER: Okay.

7 Is there a motion?

8 MAYOR STACK: Motion -- motion on Mr.

9 Farmer's recommendation and Sergeant Dunlay to
10 dismiss.

11 ACTING CITY CLERK: Motion by Mayor Stack.

12 COMMISSIONER VALDIVIA: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Valdivia.

15 Roll call.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 ACTING CITY CLERK: Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 ACTING CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

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

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1 EL CHAPIN CORP t/a EL RINCON CHAPIN (EL
2 CUSCATLECO), 2218 (sic) Bergenline Avenue
3 Liquor License No. 01910-33-075-010 (sic):
4

5 MR. FARMER: All right, the other one is El
6 Chapin. And although the licensee is here, he
7 advises me that he is represented by Luis Alum.
8 I haven't heard from Mr. Alum but I -- I accept
9 what the gentleman told me.

10 So, consequently, we're going to put that
11 on for the Special Meeting of December 4th.

12 MAYOR STACK: What's the location of
13 El Chapin? Where is that?

14 MR. FARMER: 2118 Bergenline Avenue.

15 MAYOR STACK: Okay, we just have a mistake
16 on the agenda. That's why I'm asking.

17 MR. FARMER: Okay. Yes.

18 MAYOR STACK: If we could just change --

19 MR. FARMER: We change --

20 MAYOR STACK: -- that from -- yeah, --

21 MR. FARMER: -- it from 2218 --

22 MAYOR STACK: Good.

23 MR. FARMER: -- to 2118.

24 MAYOR STACK: That's fine.

25 MR. FARMER: Okay?

1 MAYOR STACK: Okay. Great.

2 MR. FARMER: All right.

3 So, have the lawyer call me. All right?

4 A VOICE: Um-hum.

5 MR. FARMER: Okay, you -- you can go.

6 A VOICE: Thanks.

7 MAYOR STACK: Thank you very much. Thank
8 you.

9 MR. FARMER: All right.

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1 JRV RESTAURANT INC. t/a EL PAPATURRO,
2 1018 Summit Avenue
3 Liquor License No. 0910-33-137-005:
4

5 MR. FARMER: The next one is El Papaturro.

6 El Papaturro, the licensee is here. And
7 this is a incident for all intents and purposes a
8 fight. Really wasn't much of a fight.

9 I've spoken to the licensee. We've agreed
10 on a five day suspension with the dates being
11 December 21st to December 25th.

12 And that's okay with Sergeant Dunlay.
13 Parenthetically, it should be pointed out that
14 this is the only bar --

15 And he candidly indicated to me he doesn't
16 know whether or not he can continue --

17 -- the only bar that when we approached him
18 to restrict the sale of beer by bottle, he's the
19 only one who agreed to do that.

20 And he had indicated to me that he may not
21 be able to continue it because apparently if you
22 see beer not in bottles but in cups it cuts down
23 on your business. And --

24 MAYOR STACK: If you sell it in cups, as
25 opposed to selling it in a bottle, --

1 MR. FARMER: Yeah.

2 MAYOR STACK: -- people don't want it?

3 MR. FARMER: Yeah. Yeah. That's what
4 he --

5 MR. CLAROS: Yeah, plus they have the
6 freedom to say, okay, it seems like I was the
7 only one doing it. And I said, oh, somebody else
8 is doing it in bottle and it's -- it seems like
9 it's psychological thing. But maybe if it was --
10 if it was for like a lot of other places, --

11 MAYOR STACK: Yeah, everybody.

12 MR. CLAROS: -- for them, then they
13 wouldn't have the freedom, okay let's go to that
14 place because he has bottles.

15 DETECTIVE SERGEANT DUNLAY: I would like
16 the Board to consider, you know, being the fact
17 that he has -- being the sole -- sole liquor
18 establishment that has actually taken this by
19 himself. He hasn't been -- every other bar -- we
20 sat and spoke to I want to say nine or ten bars,
21 all brought them in, spoke to them, you know,
22 gave them the advantages, the disadvantages, but
23 asked them if they could do it on a voluntary
24 basis. The only bar in Union City that has done
25 this on a voluntary basis is El Papaturro.

1 Completely.

2 He's taken his entire -- his entire liquor,
3 traded it back in to wherever he's done with it,
4 I don't know, but if you go into his bar, --

5 MR. CLAROS: For six --

6 DETECTIVE SERGEANT DUNLAY: -- it's all
7 cans.

8 MR. CLAROS: Six months I've been -- I've
9 been doing it.

10 The first two month it didn't hurt a lot.
11 But then -- then the -- the last three months I
12 have seen the -- the change monetary-wise.

13 MAYOR STACK: People are going to other
14 places --

15 MR. CLAROS: Yeah --

16 MAYOR STACK: -- because there's bottles,
17 as opposed to --

18 MR. CLAROS: Exactly.

19 MAYOR STACK: -- staying in yours because
20 of cups?

21 MR. CLAROS: Exactly.

22 I even look it up in the -- in the internet
23 where it is the taste.

24 It seems like if you put people to taste a
25 can beer versus a bottle beer, there's no

1 difference. It seems it's the container itself
2 on whatever --

3 COMMISSIONER VALDIVIA: Psychologically.

4 MR. CLAROS: Um-hum.

5 MAYOR STACK: Right. Right.

6 Okay, Mr. Farmer, so what is your
7 recommendation?

8 MR. FARMER: This my -- this is my
9 recommendation.

10 I've spoken to the gentleman and we had
11 agreed on a five day suspension from December 21st
12 to December 25th.

13 If I could make a suggestion. My
14 suggestion is this. In light of his good faith
15 and participation, why don't we do this. If it's
16 -- obviously, if it's okay with the Board.

17 Five days, suspend it; and in the event
18 that there's a reoccurrence of a disciplinary
19 proceeding within the next six or nine months,
20 then the five days will be tacked on to whatever
21 violation of punishment the Board would give on a
22 new violation.

23 MAYOR STACK: Okay.

24 All right, I'll go along with Mr. Farmer's
25 recommendation due to Mr. -- due to Papaturro's

1 cooperation with no bottles and using cups.

2 We'll make -- as long as there's no violation in
3 the next nine months.

4 MR. FARMER: Okay.

5 MAYOR STACK: I'll make a motion.

6 ACTING CITY CLERK: Motion by Mayor Stack.

7 COMMISSIONER MARTINETTI: Second.

8 ACTING CITY CLERK: Second by Commissioner
9 Martinetti.

10 Roll call.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 ACTING CITY CLERK: Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 ACTING CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 ACTING CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 ACTING CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 MR. FARMER: Just -- you're pleading
23 guilty?

24 MR. CLAROS: Of course.

25 MR. FARMER: Yeah. Okay.

1 MR. CLAROS: Yes.

2 MAYOR STACK: All right.

3 Thank you very much.

4 MR. CLAROS: All right.

5 Thank you.

6 MAYOR STACK: Thank you, sir. Thank you.

7 MR. DILLON: This is Papaturro as well?

8 MR. FARMER: No.

9 Sir?

10 MR. DILLON: Yeah, I just --

11 MR. FARMER: Just take a seat. Just take a

12 seat.

13 MR. DILLON: -- I just never got his name

14 on --

15 DETECTIVE SERGEANT DUNLAY: Juan Claros.

16 MR. DILLON: Juan Claros?

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1 **BAMBINAS BAR & RESTAURANT t/a MILAGRO ECUATORIANO**
2 **RESTAURANT, 2906 Bergenline Avenue**
3 **Liquor License No. 0910-33-040-009:**
4

5 MR. FARMER: Bambinas. I have that on --
6 that's what's one of the issues that Detective
7 Dunlay talked about.

8 We're going to have it on for -- on
9 December 4th. As I indicated there's not much
10 substance in the case against her. But again you
11 have the situation where she may not have real
12 control over the place because there's been 27
13 days of suspension this past year.

14 And that's it.

15 MAYOR STACK: Great.

16 MR. FARMER: Okay?

17 MAYOR STACK: Thank you, Mr. Farmer.

18 Thank you, Sergeant.

19 * * *

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21 **ADJOURNMENT:**

22

23 ACTING CITY CLERK: Mayor, there are no
24 other items on the agenda tonight.

25 Is there a motion to adjourn?

1 MAYOR STACK: Yes. I make a motion to
2 adjourn.

3 I'd just thank all the members of the
4 public that are here this evening.

5 Thank you very much everyone for attending
6 the Commission meeting.

7 ACTING CITY CLERK: Motion by Mayor Stack.

8 COMMISSIONER FERNANDEZ: Second.

9 ACTING CITY CLERK: Second by Commissioner
10 Fernandez.

11 All in favor?

12

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

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15 (Whereupon, the proceedings were concluded
16 at 7:34 p.m.)

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

6 **Board of Commissioners**

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Attest:

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Dominick Cantatore,

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Acting City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, November 17, 2015 and digitally
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon