

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS

Tuesday, December 1, 2015
Commencing at 7:01 p.m.

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER

BRIAN P. STACK, MAYOR

SCARINCI HOLLENBECK
BY: KRYSTLE NOVA, ESQ.
Corporation Counsel

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1 ACTING CITY CLERK: This is a Regular
2 Public Meeting of the Union -- of the Union City
3 Board of Commissioner, being held on Tuesday,
4 December 1st, 2015, at seven p.m., at the Jose
5 Marti Freshman Academy, 1800 Summit Avenue, Union
6 City, New 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 Public Meeting Act (sic).

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

18 Notice of this meeting setting forth the
19 time, the date, location, 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 Absent.

15 COMMISSIONER MARTINETTI: Clerk, for the
16 record, I just want to say good evening,
17 everyone. Our Mayor wasn't able to be here
18 tonight; he had surgery. So he is home
19 recuperating. We wish him the best. Gallbladder
20 surgery.

21 Thank you, Alex.

22 He just wanted to extend his regards ands
23 let everyone know he wish he could be here
24 instead of home.

25 But we wish him the best and just so the

1 public notification he's recuperating at home.

2 Thank you.

3 COMMISSIONER FERNANDEZ: And I think this
4 is the first meeting he's ever missed --

5 ACTING CITY CLERK: I believe so.

6 COMMISSIONER FERNANDEZ: -- since we've --
7 this Commission's been together.

8 ACTING CITY CLERK: I believe so.

9 COMMISSIONER MARTINETTI: He has a great
10 record.

11 A VOICE: Second.

12 COMMISSIONER FERNANDEZ: Second?

13 MS. NOVA: In 15 years.

14 COMMISSIONER MARTINETTI: Great record.

15 COMMISSIONER FERNANDEZ: Second meeting
16 missed in 15 years. Commendable.

17 COMMISSIONER VALDIVIA: The last was when
18 his mom passed away.

19 COMMISSIONER MARTINETTI: Right.

20 Thank you.

21

22 **COMMUNICATION(S)**

23

24 1. Presentation of Special Recognition (Speedy
25 Guareno)

1 2. Presentation of Certificate of Appreciation
2 (Victor Herrera)

3

4 ACTING CITY CLERK: We have a -- I want to
5 call up Victor Herrera. We have presentation --
6 certification of appreciation for young man,
7 Victor Herrera.

8 How are you, sir?

9 We'd like to recognize Victor Herrera --
10 recognize for the good deed and a great act of
11 kindness that he performed.

12 On October 13, 2015, he noticed an elderly
13 woman that was fatigued and she was resting. He
14 assisted her. He quickly terminated whatever he
15 was doing, he grabbed her and the shopping bags
16 and held her, assisting her to her feet. He then
17 gently placed her unharmed into his -- and aided
18 her to the street towards her home.

19 The Board of Commissioners and Mayor Stack
20 will like to congratulate you and award you with
21 this certification of appreciation for your
22 kindness.

23 Thank you very much.

24 (Applause.)

25 (Whereupon, there was a pause in the

1 proceedings while photographs were taken.)

2 (Applause.)

3 ACTING CITY CLERK: Okay, Commissioner
4 Fernandez is -- Speedy Guareno's not here yet.

5 Right?

6 COMMISSIONER FERNANDEZ: No, not yet.

7 ACTING CITY CLERK: Okay, we'll continue.

8

9 **APPROVAL OF PREVIOUS MEETING MINUTES FROM OCTOBER**
10 **20, 2015:**

11

12 ACTING CITY CLERK: First item on the
13 agenda is Approval of the Previous Minutes of
14 October 20, 2015.

15 COMMISSIONER VALDIVIA: Move it.

16 ACTING CITY CLERK: Motion by Commissioner
17 Valdivia.

18 COMMISSIONER RIVAS: Second.

19 ACTING CITY CLERK: Second by Commissioner
20 Rivas.

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's absent.

7

8 **CONSENT AGENDA:**

9

10 (1) Resolution Approving the Payment of Claims

11 (2) Resolution Approving the Payment of

12 Concurring Claims

13 (3) Resolution Approving the City Payroll for

14 the Period of November 14, 2015 through November

15 27, 2015

16 (4) Resolution Approving the Library Payroll

17 for the Period of November 14, 2015 through

18 November 27, 2015

19 (5) Resolution Authorizing the Person to Person

20 Transfer of Liquor License No. 0910-43-203-004

21 Located at 800 New York Avenue

22 (6) Resolution Approving Disciplinary

23 Proceedings Against Centro Bar t/a 2216

24 Bergenline Avenue, LLC, Located at 2216

25 Bergenline Avenue, Liquor License No.

1 0910-33-166-004

2 (7) Resolution Approving Disciplinary

3 Proceedings Against El Papaturro t/a El

4 Papaturro, Located at 1018 Summit Avenue, Liquor

5 License No. 0910-33-137-005

6 (8) Resolution Authorizing Re-Appointment of

7 Acting Municipal Clerk

8 (9) Resolution Authorizing Re-Appointment of

9 Acting Chief Financial Officer

10 (10) Resolution Authorizing the Award of

11 Contract for Wrestling Supplies and Equipment

12 (11) Resolution Approving Contact (sic) with the

13 Rodgers Group, LLC for Consultant Services for

14 Accreditations of the Police Department

15 (12) Resolution Rejecting all Bids for the

16 Police Security System Camera System and

17 Authorizing Revision of the Bid Specifications

18 (13) Resolution Authorizing the Refund of

19 Redemption Monies to Outside Lienholders

20 (14) Resolution Authorizing the Refund of

21 Premium Monies Collected at the Tax Sale

22 (15) Resolution Authorizing Tax Refund in Tax

23 Appeal Decisions by the Tax Court of New Jersey

24 (16) Any other matter of City business that may

25 arise

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ACTING CITY CLERK: Next item is Consent
Agenda.

First item is Resolution Approving the
Payments of Claims.

Item 2.

Resolution Approving the Payment of
Concurring Claims.

Item 3,

Resolution Approving the City Payroll for
the Period of November 14, 2015 through November
27, 2015.

Item 4.

Resolution Approving the Library Payroll
for the Period of November 14, 2015 through
November 27, 2015.

Item 5.

Resolution Authorizing the Person to Person
Transfer of Liquor License Number
0910-43-203-004, Located at 800 New York Avenue.

Item 6.

Resolution Approving Disciplinary
Proceeding Against Centro Bar, also known as 2216
Bergenline Avenue, LLC, Located at 2216
Bergenline Avenue, Liquor License Number

1 0910-33-166-004.

2 Item 7.

3 Resolution Approving Disciplinary
4 Proceeding Against El Papaturro, also known as El
5 Papaturro, Located at 1018 Summit Avenue, Liquor
6 License Number 0910-33-137-005.

7 Item 8.

8 Resolution Authorizing Re-Appointment --
9 Re-Appointment of Acting Municipal Clerk.

10 Item 9.

11 Resolution Authorizing Re-Appointment of
12 Acting Chief Financial Officer.

13 Item 10.

14 Resolution Authorizing the Award of
15 Contract for Wrestling Supplies and Equipment.

16 Item 11.

17 Resolution Approving Contract with the
18 Rodgers Group, LLC for Consultant Services for
19 Accreditation of Police Department.

20 Item 12.

21 Resolution Rejecting all Bids for the
22 Police Security System Camera System and
23 Authorizing Revision of the Bid Specifications.

24 Item 13.

25 Resolution Authorizing the Refund of

1 Redemption Money Collected (sic) Outside
2 Lienholders.

3 Item 14.

4 Resolution Authorizing the Refund of
5 Premium Money Collected at Tax Sale.

6 Item 15.

7 Resolution Authorizing Tax Refund in Tax
8 Appeal Decisions by the Tax Court of New Jersey.

9 There are no other item on the Consent
10 Agenda. Would you wish to take public comment at
11 this time on any item on the Consent Agenda?

12 COMMISSIONER MARTINETTI: If anyone in the
13 public would like to have any comments on the
14 ordinance (sic)?

15 COMMISSIONER RIVAS: Come forward, say your
16 name.

17 ACTING CITY CLERK: None.

18 Is there a motion to close public comment
19 on --

20 COMMISSIONER RIVAS: Motion.

21 ACTING CITY CLERK: -- Consent Agenda?

22 Motion by Commissioner Rivas.

23 COMMISSIONER FERNANDEZ: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Fernandez.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: I'm recusing on
11 item number 1, payments to Adolfo Lopez; and on
12 number 5, Diaz and any items pertaining to the
13 Union City Construction Code.

14 Aye on the rest.

15 ACTING CITY CLERK: Recusing item 1; item
16 5; aye on the rest.

17 Mayor Stack is absent.

18 Is there a motion to approve all items on
19 the Consent Agenda?

20 COMMISSIONER VALDIVIA: Motion.

21 ACTING CITY CLERK: Motion by Commissioner
22 Valdivia.

23 COMMISSIONER FERNANDEZ: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Fernandez.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: Aye on the items
11 that I previously said that I was recusing and
12 aye on the rest.

13 ACTING CITY CLERK: Mayor Stack is absent.

14

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

16

17 (1.) AN ORDINANCE AMENDING CHAPTER 296 OF THE
18 CODE OF THE CITY OF UNION CITY ENTITLED "PEACE
19 AND GOOD ORDER"

20

21 ACTING CITY CLERK: Next item is -- are
22 Ordinances for Introduction.

23 These Ordinances will be further considered
24 at a meeting of the Board of Commission to be
25 held on December 15, 2015, at seven p.m. at the

1 Robert Waters Elementary School, 2800 Summit
2 Avenue, Union City, New Jersey.

3 First Ordinance, an Ordinance Amending
4 Chapter 296 of the Code of the City of Union City
5 Entitled Peace and Good Order.

6 Is there a motion to introduce?

7 COMMISSIONER MARTINETTI: Motion.

8 ACTING CITY CLERK: Motion by Commissioner
9 Martinetti.

10 COMMISSIONER VALDIVIA: Second.

11 ACTING CITY CLERK: Second by Commissioner
12 Valdivia.

13 Roll call.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 ACTING CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 ACTING CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 ACTING CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 ACTING CITY CLERK: Mayor Stack is absent.

24

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

1
2 (2.) AN ORDINANCE AMENDING TRAFFIC CHAPTER XVI
3 OF THE CODE OF THE CITY OF UNION CITY

4
5 ACTING CITY CLERK: Item -- Ordinance
6 number 2.

7 An Ordinance Amending Traffic Chapter XVI
8 of the Code of the City of Union City.

9 Is there a motion to introduce?

10 COMMISSIONER VALDIVIA: Motion.

11 ACTING CITY CLERK: Motion by Commissioner
12 Valdivia.

13 COMMISSIONER FERNANDEZ: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Fernandez.

16 Roll call.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 ACTING CITY CLERK: Commissioner Rivas?

20 COMMISSIONER RIVAS: Yes.

21 ACTING CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 ACTING CITY CLERK: Commissioner
24 Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 ACTING CITY CLERK: Mayor Stack's absent.

2

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

4

5 (3.) AN ORDINANCE AMENDING CHAPTER 223 "LAND
6 DEVELOPMENT" AND CHAPTER 366 "STREETS AND
7 SIDEWALKS" OF THE CODE OF THE CITY OF UNION CITY

8

9 ACTING CITY CLERK: Item 3.

10 An Ordinance Amending 223 Land Development
11 and Chapter 366 Street and Sidewalks of the Code
12 of the City of Union City.

13 Is there a motion to introduce?

14 COMMISSIONER VALDIVIA: Motion.

15 ACTING CITY CLERK: Motion by Commissioner
16 Valdivia.

17 COMMISSIONER RIVAS: Second.

18 ACTING CITY CLERK: Second by Commissioner
19 Rivas.

20 Roll call.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 ACTING CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 ACTING CITY CLERK: Commissioner
3 Martinetti?

4 Recusing.

5 Mayor Stack is absent.

6

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

8

9 (4.) AN ORDINANCE AMENDING CHAPTER 16 OF THE
10 CODE OF THE CITY OF UNION CITY ENTITLED "VEHICLES
11 AND TRAFFIC"

12

13 ACTING CITY CLERK: Ordinance number 4.

14 An Ordinance Amending Chapter 16 of the
15 Code of the City of Union City Entitled Vehicles
16 and Traffic.

17 Is there a motion to introduce?

18 COMMISSIONER MARTINETTI: Motion.

19 ACTING CITY CLERK: Motion by Commissioner
20 Martinetti.

21 COMMISSIONER RIVAS: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Rivas.

24 Roll all.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 ACTING CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 ACTING CITY CLERK: Mayor Stack is absent.

10

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

12

13 (5.) AN ORDINANCE AMENDING CHAPTER 223 "LAND
14 DEVELOPMENT" SECTION 12 OF THE CODE OF UNION CITY
15 ENTITLED "CONSTRUCTION REQUIREMENTS"

16

17 ACTING CITY CLERK: Item -- Ordinance
18 number 5.

19 An Ordinance Amending Chapter 223 Land
20 Development Section 12 of the Code of the City of
21 Union City Entitled Construction Requirements.

22 Is there a motion?

23 COMMISSIONER VALDIVIA: Motion.

24 ACTING CITY CLERK: Motion by Commissioner
25 Valdivia.

1 COMMISSIONER RIVAS: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Rivas.

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 Recusing.

14 Mayor Stack is absent.

15

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

17

18 (6.) AN ORDINANCE AMENDING CHAPTER 223 OF THE
19 CODE OF UNION CITY ENTITLED "LAND DEVELOPMENT"

20

21 ACTING CITY CLERK: Item -- Ordinance
22 number 6.

23 An Ordinance Amending Chapter 223 of the
24 Code of the City of Union City Entitled "Land
25 Development"

1 COMMISSIONER VALDIVIA: Motion.

2 ACTING CITY CLERK: Motion by Commissioner
3 Valdivia.

4 COMMISSIONER RIVAS: Second.

5 ACTING CITY CLERK: Second by Commissioner
6 Rivas.

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 Recusing.

17 Mayor Stack is absent.

18

19 **REGULAR AGENDA:**

20

21 1. Resolution Approving Payment to the Hudson
22 County Improvement Authority.

23

24 ACTING CITY CLERK: Next item is the
25 Regular Agenda; one item on the Regular Agenda.

1 Is a Resolution Approving Payment to the
2 Hudson County Improvement Authority.

3 Is there a motion to approve item 1 on the
4 Regular Agenda?

5 COMMISSIONER VALDIVIA: Motion.

6 ACTING CITY CLERK: Motion by Commissioner
7 Valdivia.

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 Recusing.

16 Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 ACTING CITY CLERK: Commissioner
19 Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 ACTING CITY CLERK: Mayor Stack is absent.

22

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

24

25 ACTING CITY CLERK: Commissioner, do you

1 wish to take public comment on any item on the
2 Regular Agenda and ordinances at this time?

3 COMMISSIONER MARTINETTI: If any person in
4 the public would like to make any comments on the
5 agenda?

6 No, we're good?

7 COMMISSIONER RIVAS: Motion to close.

8 COMMISSIONER MARTINETTI: Motion to close.

9 COMMISSIONER FERNANDEZ: Second.

10 ACTING CITY CLERK: Motion to close by
11 Commissioner --

12 COMMISSIONER RIVAS: Rivas.

13 ACTING CITY CLERK: -- Martinetti.

14 Second by Commissioner Fernandez.

15 Is there a motion to adjourn?

16

17 **COMMUNICATION(S)**

18

19 1. Presentation of Special Recognition (Speedy
20 Guareno)

21

22 COMMISSIONER FERNANDEZ: Wait, wait, excuse
23 me, Mr. Clerk?

24 On Communications, we're going to --

25 there's a -- on the number one, Presentation --

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

2 COMMISSIONER FERNANDEZ: -- of Special
3 Recognition to Speedy --

4 ACTING CITY CLERK: Yes.

5 COMMISSIONER FERNANDEZ: -- Guareno.

6 He is not here, so let's just put that on
7 the next meeting's agenda please.

8 ACTING CITY CLERK: We'll -- we'll put it
9 on the next meeting for December 15 at the Robert
10 Waters Elementary School.

11

12 **ADJOURNMENT:**

13

14 ACTING CITY CLERK: Is there a motion to
15 adjourn?

16 COMMISSIONER FERNANDEZ: Motion.

17 COMMISSIONER MARTINETTI: Motion.

18 ACTING CITY CLERK: Motion by Commissioner
19 Fernandez.

20 Second by Commissioner --

21 COMMISSIONER MARTINETTI: Oh --

22 COMMISSIONER FERNANDEZ: Is that him?

23 COMMISSIONER MARTINETTI: I don't know.

24 COMMISSIONER RIVAS: I don't know.

25 COMMISSIONER MARTINETTI: One minute --

1 COMMISSIONER RIVAS: No.

2 COMMISSIONER MARTINETTI: -- please.

3 COMMISSIONER FERNANDEZ: No.

4 COMMISSIONER RIVAS: No.

5 COMMISSIONER MARTINETTI: No?

6 COMMISSIONER FERNANDEZ: No.

7 COMMISSIONER MARTINETTI: Okay.

8 ACTING CITY CLERK: Motion by Commissioner
9 Fernandez.

10 Second by Commissioner Martinetti.

11 All in favor?

12

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

14

15 COMMISSIONER RIVAS: Opposed?

16 Nobody.

17

18 (Whereupon, the proceedings were concluded
19 at 7:13 p.m.)

20

21

22

23

24

25

1 _____ Lucio P. Fernandez

2 _____ Maryury A. Martinetti

3 _____ Celin J. Valdivia

4 _____ Tilo E. Rivas

5 **Board of Commissioners**

6

7 **Attest:**

8 **Dominick Cantatore,**

9 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, December 1, 2015 and digitally
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon