

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS

Tuesday, January 19, 2016
Commencing at 7:00 p.m.

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

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

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

ERIN KNOEDLER, Director of Operations

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1 MS. DILLON: Okay.

2 ACTING CITY CLERK: This is a Regular
3 Public Meeting of the Union City Board of
4 Commissioner, being held on Tuesday, January 19,
5 2016, at seven p.m., at the Roosevelt School,
6 4507 Hudson Avenue, Union 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 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, Hudson Reporter, has been
22 posted on bulletin board in City Hall and has
23 been made available to the public in the office
24 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: Yes.

15

16 **CONSENT AGENDA:**

17

18 (1) Resolution Approving the Payment of Claims

19 (2) Resolution Approving the Payment of

20 Concurring Claims

21 (3) Resolution Approving the City Payroll for

22 the Period of December 26, 2015 through January

23 8, 2016

24 (4) Resolution Approving the Library Payroll

25 for the Period of December 26, 2015 through

- 1 January 8, 2016
- 2 (5) Resolution Approving Agreement with
3 Imagetrend Inc. for Electronic EMS Charting
4 System
- 5 (6) Resolution Approving Extension of Agreement
6 with Duncan Solutions Professional Management,
7 LLC for Municipal Court Debt Collection
- 8 (7) Resolution Authorizing Bids for the
9 Reconstruction of 11th Street from Bergenline to
10 Central Avenue
- 11 (8) Resolution Authorizing Bids for the 2016
12 Park Landscape Maintenance Project
- 13 (9) Resolution Authorizing Landscape
14 Maintenance Program for Washington, Ellsworth and
15 Police Parks
- 16 (10) Resolution Approving Disciplinary
17 Proceedings Against Tropical Bar & Restaurant t/a
18 Wendy C. Diaz, Located at 4100C Bergenline
19 Avenue, Liquor License No. 0910-33-060-003
- 20 (11) Resolution Approving Disciplinary
21 Proceedings Against El Munequito Corp. t/a El
22 Miguelino Bar, Located at 2103 Summit Avenue,
23 Liquor License No. 0910-33-100-009
- 24 (12) Amended Resolution Approving the 2015-2016
25 Renewal of Manhattan Bar & Grill Restaurant, Inc.

1 t/a Manhattan Bar & Grill, Located at 1711
2 Manhattan Avenue, Liquor License No.
3 0910-33-188-004 (Special Conditions)
4 (13) Resolution Designating Loading Zone at 2100
5 Kerrigan Avenue
6 (14) Resolution Authorizing the Appointment of
7 Susan Colditz as the Tax Searcher
8 (15) Resolution Discharging Lien Imposed on the
9 Property Known as 2505 Central Avenue for Tenant
10 Relocation Costs
11 (16) Resolution Authorizing the Refund of
12 Redemption Monies to Outside Lienholders
13 (17) Resolution Authorizing the Refund of
14 Premium Monies Collected at the Tax Sale
15 (18) Resolution Authorizing the Refund of a Tax
16 Appeal Issued by the Hudson County Board of
17 Taxation
18 (19) Resolution Authorizing the Refund of a
19 Duplicate Payment Made on Block 217 Lot 3 C0305
20 Also Known as 140 36 Street
21 (20) Any other matter of City business that may
22 arise
23
24 ACTING CITY CLERK: First item is the
25 Consent Agenda.

1 Item 1 is Resolution Approving the Payment
2 of Claims.

3 Item 2.

4 Resolution Approving the Payment of
5 Concurring Claims.

6 Item 3.

7 Resolution Approving the City Payroll for
8 the Period of December 26, 2015 through January
9 8, 2016.

10 Item 4.

11 Resolution Approving the Library Payroll
12 for the Period of December 26, 2015 through
13 January 8th, 2016.

14 Item 5.

15 Resolution Approving Agreement with
16 Imagetrend Inc. for Electronic EMS Charting
17 System.

18 Item 6.

19 Resolution Approving Extension of Agreement
20 with Duncan Solution Professional Management, LLC
21 for Municipal Court Debt Collection.

22 Item 7.

23 Resolution Authorizing Bids for the
24 Reconstruction of 11th Street from Bergenline
25 Avenue to Central Avenue.

1 Item 8.

2 Resolution Authorizing Bids for the 2016
3 Park Landscape Maintenance Project.

4 Item 9.

5 Resolution Authorizing Landscape
6 Maintenance Program for Washington, Ellsworth and
7 Police Parks.

8 Item 10.

9 Resolution Approving Disciplinary
10 Proceeding Against Tropical Bar and Restaurant,
11 also known as Wendy C. Diaz, Located at 4100C
12 Bergenline Avenue, Liquor License Number
13 0910-33-060-003.

14 Item 11.

15 Resolution Approving Disciplinary
16 Proceeding Against El Munequito Corp., also known
17 as El Miguelino Bar, Located at 2103 Summit
18 Avenue, Liquor License Number 0910-33-100-009.

19 Item 12, Resolution --

20 I'm sorry.

21 Item 12.

22 Amended Resolution Approving the 2015-2016
23 Renewal of Manhattan Bar and Grill Restaurant,
24 Inc., also known as Manhattan Bar and Grill,
25 Located at 1711 Manhattan Avenue, Liquor License

1 Number 0910-33-188-004, with Special Conditions.

2 Item 13.

3 Resolution Designating Loading Zone at 2100
4 Kerrigan Avenue.

5 Item 14.

6 Resolution Authorizing the Appointment of
7 Susan Colditz as the Tax Searcher.

8 Item 15.

9 Resolution Discharging Lien Imposed on the
10 Property Known as 2505 Central Avenue for Tenant
11 Relocation Cost.

12 Item 16.

13 Resolution Authorizing the Refund of
14 Redemption Monies to Outside Lienholders.

15 Item 17.

16 Resolution Authorizing the Refund of
17 Premium Monies Collected at Tax Sale.

18 Item 18.

19 Resolution Authorizing the Refund of a Tax
20 Appeal Issued by the Hudson County Board of
21 Taxation.

22 Item 19.

23 Resolution Authorizing the Refund of a
24 Duplicate Payment Made on Block 217, Lot 13 (sic)
25 C0305 also known as 140 36th Street.

1 Mayor, there are no item on the Consent
2 Agenda. You should take public comment on any
3 item on the Consent Agenda at this time?

4 MAYOR STACK: Sure.

5 Anyone wishing to comment on the Consent
6 Agenda, please step forward, state your name and
7 address for the record.

8 Seeing none.

9 ACTING CITY CLERK: Is there a motion to
10 close the public comment?

11 MAYOR STACK: Motion.

12 COMMISSIONER VALDIVIA: Motion.

13 ACTING CITY CLERK: Motion by Mayor Stack.
14 Second by Commissioner 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 ACTING CITY CLERK: Is there a motion to
3 approve all items on the Consent Agenda?

4 COMMISSIONER VALDIVIA: Motion.

5 COMMISSIONER RIVAS: Motion.

6 ACTING CITY CLERK: Motion by Commissioner
7 Valdivia.

8 COMMISSIONER RIVAS: Second.

9 ACTING CITY CLERK: Second by Commissioner
10 Rivas.

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 COMMISSIONER VALDIVIA: Yes.

18 ACTING CITY CLERK: Commissioner
19 Martinetti?

20 COMMISSIONER MARTINETTI: I'm recusing from
21 items number 1, number 12, and 15.

22 Aye on the rest.

23 ACTING CITY CLERK: Recusing item 1, 12,
24 and 15.

25 Aye on the rest.

1 Mayor Stack?

2 MAYOR STACK: Yes.

3

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

5

6 (1) AN ORDINANCE AMENDING CHAPTER 87 OF THE
7 CODE OF THE CITY OF UNION CITY REGULATING THE
8 PRESERVATION OF TREES

9

10 ACTING CITY CLERK: Next item is Ordinances
11 for Introduction.

12 These Ordinances will be further considered
13 at a meeting of the Board of Commission to be
14 held on February 2nd, 2016, at seven p.m. at the
15 Washington School, 3905 New York Avenue, Union
16 City, New Jersey.

17 First Ordinance Amending Chapter 87 of the
18 Code of the City of Union City Regulating the
19 Preservation of Trees.

20 Is there a motion to introduce?

21 MAYOR STACK: Krystle, you want to explain
22 that one?

23 MS. NOVA: Yes.

24 This Ordinance requires that people obtain
25 a permit to cut down a tree. And it also

1 requires replacement of the tree that is removed.

2 If there's improper removal of a tree there
3 will be a fine of a thousand dollars.

4 MAYOR STACK: What we're trying to do is
5 being that we're planting so many trees in the
6 community, we want to preserve the trees that we
7 have. So we require anyone to contact the City,
8 obtain a permit to cut a tree down and, of
9 course, then replace that tree.

10 I'll make the motion.

11 COMMISSIONER FERNANDEZ: Second.

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: 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?

2 MAYOR STACK: Yes.

3

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

5

6 (2) AN ORDINANCE AMENDING CHAPTER 366 OF THE
7 CODE OF THE CITY OF UNION CITY ENTITLED "STREETS
8 AND SIDEWALK" EXCAVATION

9

10 ACTING CITY CLERK: Next Ordinance Amending
11 Chapter 366 of the Code of the City of Union City
12 entitled Streets and Sidewalk Excavation.

13 MAYOR STACK: Krystle?

14 MS. NOVA: This -- this Ordinance will be
15 amending the current ordinance that has to do
16 with openings, cuts, and excavations of sidewalks
17 during -- it will -- prohibited during the winter
18 months, November through March, except in the
19 event of an emergency.

20 MAYOR STACK: Right. This would just stop
21 people from going forward cutting up their
22 sidewalk in the winter months, leaving it open
23 and exposed, and leaving the City in liability
24 and possibly causing a pedestrian to trip and
25 fall and hurt themselves.

1 Motion.

2 ACTING CITY CLERK: Motion Mayor Stack.

3 COMMISSIONER FERNANDEZ: Second.

4 COMMISSIONER MARTINETTI: 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: Mayor Stack?

18 MAYOR STACK: Yes.

19

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

21

22 (3) AN ORDINANCE AMENDING CHAPTER 366 OF THE
23 CODE OF THE CITY OF UNION CITY ENTITLED "STREETS
24 AND SIDEWALK" UNDERGROUND TANKS
25

1 ACTING CITY CLERK: Next Ordinance Amending
2 Chapter 366 of the Code of the City of Union City
3 Entitled Streets and Sidewalk Underground Tanks.

4 MS. NOVA: This Ordinance will amend the
5 current ordinance regarding removal of
6 underground fuel tanks.

7 It will also prohibit this during the
8 winter months, November through March, unless in
9 need of an emergency.

10 ACTING CITY CLERK: Is there a motion?

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: 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?

2 MAYOR STACK: Yes.

3

4 **REGULAR AGENDA:**

5

6 1. Resolution Authorizing Payment to the
7 Hudson County Improvement Authority

8

9 ACTING CITY CLERK: Next item is the
10 Regular Agenda.

11 First item is a Resolution Authorizing
12 Payment to the Hudson County Improvement
13 Authority.

14 MAYOR STACK: Motion.

15 ACTING CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER VALDIVIA: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Valdivia.

19 Roll call.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 ACTING CITY CLERK: Commissioner Rivas?
23 Recusing.

24 Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 Recusing.

4 Mayor Stack?

5 MAYOR STACK: Yes.

6

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

8

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

11 You wish to take public comment at this
12 time?

13 MAYOR STACK: Sure.

14 First I'd like to thank those members of
15 the public that are here this evening.

16 It's the policy of the Commissioners and
17 myself -- and I thank the Commissioners for
18 moving a hundred percent of our meetings around
19 the City and which we do every two weeks; we keep
20 them in the evening hours, in addition to all the
21 other items of Mobile Mayor's Office, the Police
22 Community Meetings, Fire Prevention Seminars.
23 Always try to make ourselves accessible to the
24 public.

25 Having said that, on behalf of the

1 Commissioners, we thank the public for coming
2 this evening.

3 Does anyone have any question or any issue
4 that they'd like to bring to the Board of
5 Commissioners' attention at this time?

6 Seeing none.

7 ACTING CITY CLERK: Mr. Farmer?

8 MAYOR STACK: At this portion of the
9 meeting now we'll go into liquor license
10 hearings.

11 This portion of the meeting, anyone who
12 would like to stay is welcome to stay for this
13 portion also.

14 MAYOR STACK: Mr. Farmer?

15 MR. FARMER: Yes.

16 Good evening --

17 MAYOR STACK: We have to make a motion to
18 close the public comment period.

19 ACTING CITY CLERK: Motion to close the
20 public comment by Mayor Stack.

21 COMMISSIONER VALDIVIA: Motion.

22 ACTING CITY CLERK: Second by Commissioner
23 Valdivia.

24 Roll call.

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?

10 MAYOR STACK: Yes.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

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3 1. Pupusa No. 2 Inc. t/a Pupusa Loca, 4709
4 Bergenline Avenue, Liquor License No.
5 0910-33-174-007

6 2. Manhattan Bar & Grill Restaurant, t/a
7 Manhattan Bar & Grill, 1711 Manhattan Avenue,
8 Liquor License No. 0910-33-188-004

9 3. Jor Per Corp. t/a Cucalambre (sic), 4418
10 Bergenline Avenue, Liquor License No.
11 0910-33-110-010

12

13 MR. FARMER: Good evening.

14 With respect to the liquor license --

15 MS. DILLON: Just keep your voice up, --

16 MR. FARMER: -- proceedings --

17 MS. DILLON: -- Mr. Farmer.

18 MR. FARMER: Yes.

19 With respect to the liquor license
20 proceedings, there are three on your calendar.

21 Detective Dunlay and I have been in
22 negotiations with the licensees and we are
23 confident that on the next meeting, which is
24 February 2nd, we'll have those resolved.

25 I just would like to point out that all

1 three of them are offenses that occurred in
2 January.

3 MAYOR STACK: I see.

4 MR. FARMER: So, we're current -- on top of
5 it.

6 MAYOR STACK: Okay.

7 MR. FARMER: So, I'd ask you just to carry
8 it.

9 These three and one more are all the
10 disciplinary hearings that we have at this level.
11 But, still, three weeks away, who knows what can
12 happen during that time.

13 MAYOR STACK: Okay.

14 Thank you very much. Thank you, Mr.
15 Farmer.

16 ACTING CITY CLERK: Is that all?

17 * * *

18

19 **ADJOURNMENT:**

20

21 ACTING CITY CLERK: We have no other item
22 on the agenda.

23 Is there a motion to adjourn?

24 COMMISSIONER RIVAS: Motion.

25 MAYOR STACK: Motion to adjourn.

1 ACTING CITY CLERK: Motion by Mayor Stack.

2 COMMISSIONER VALDIVIA: Second.

3 ACTING CITY CLERK: Second by Commissioner
4 Valdivia.

5 All in favor?

6

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

8

9 (Whereupon, the proceedings were concluded
10 at 7:09 p.m.)

11

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

6 **Board of Commissioners**

7

8

Attest:

9

Dominick Cantatore,

10

Acting City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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 Tuesday, January 19, 2016 and digitally
10 recorded.

11

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25 Monitored and Proofread by: Deborah Dillon