

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Academy for Enrichment
and Advancement
2210 Kerrigan Avenue
Union City, New Jersey

Tuesday, July 12, 2016
Commencing at 7:02 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
TILO E. RIVAS, COMMISSIONER
CELIN J. VALDIVIA, 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: MONICA E. de los RIOS, ESQ.
Corporation Counsel

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

ERIN KNOEDLER, Director of Operations

I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
SALUTE TO FLAG	3
ROLL CALL	4
APPROVAL OF MINUTES	4
ORDINANCES FOR HEARING AND ADOPTION	5, 8, 10
CONSENT AGENDA	12
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	23
ORDINANCES FOR INTRODUCTION	21
REGULAR AGENDA	22
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	27
2216 BERGENLINE AVE. LLC t/a CENTRO BAR	28
CALIFORNIA CAFÉ CORP. t/a CALIFORNIA CAFÉ	32
JRV RESTAURANT, INC. t/a EL PAPATURRO	35
JOR PER CORP. t/a CUCALAMBE	44
S AND R AKSHAR LLC t/a GOOD TIMES LIQUORS	46
ADJOURNMENT	49

1 ACTING CITY CLERK: Can I have your
2 attention please?

3 This is the Regular Public Meeting of the
4 Union City Board of Commissioner, being held on
5 Tuesday, July 12, 2016, at seven p.m., at the
6 Academy for Enrichment and Advancement, 2210
7 Kerrigan Avenue, 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 -- adequate notice of this meeting
18 has been provided as follows:

19 Notice of this meeting setting forth the
20 time, date, location, the agenda, to the extent
21 known, was forwarded to The Jersey Journal, The
22 Record, The Hudson Reporter, has been posted on
23 bulletin board in City Hall and has been made
24 available to the public in the office of the
25 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 **APPROVAL OF PREVIOUS MEETING MINUTES FROM JUNE 8,**
18 **JUNE, 15 and JUNE 20, 2016:**

19

20 ACTING CITY CLERK: First item on the
21 agenda is Approval of Previous Meeting Minutes of
22 June 8th, June 15, June 20, 2016.

23 MAYOR STACK: I'll move it.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 COMMISSIONER RIVAS: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Rivas.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes on the meeting
6 on June 8th and June 20th; I abstain on June 15.

7 ACTING CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner
10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 ACTING CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14 COMMISSIONER RIVAS: Yes; myself.

15

16 **ORDINANCES FOR HEARING AND ADOPTION**

17 **CONSIDERATION:**

18

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

22

23 ACTING CITY CLERK: Next item is Ordinance
24 for Hearing and Adoption Consideration.

25 First Ordinance Amending Chapter 296 of the

1 Code of the City of Union City Entitled Peace and
2 Good Order.

3 MAYOR STACK: Do you want to explain that,
4 Monica, real quick?

5 MS. de los RIOS: Sure.

6 This Ordinance sets forth that any
7 entertainment occurring with guests of over 200
8 people should have an entertainment permit.

9 The application is to be made to the Union
10 City Police Department.

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

14 Seeing none.

15 Motion.

16 ACTING CITY CLERK: Is there a --
17 Motion by Mayor Stack.

18 COMMISSIONER VALDIVIA: Second.

19 COMMISSIONER FERNANDEZ: 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 ACTING CITY CLERK: Is there a motion to
10 adopt?

11 COMMISSIONER MARTINETTI: Motion.

12 ACTING CITY CLERK: Motion --

13 COMMISSIONER VALDIVIA: Second.

14 ACTING CITY CLERK: -- by Commissioner
15 Martinetti.

16 COMMISSIONER FERNANDEZ: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Fernandez.

19 Roll call.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 ACTING CITY CLERK: Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 ACTING CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 ACTING CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6

7 **ORDINANCES FOR HEARING AND ADOPTION**

8 **CONSIDERATION:**

9

10 (2.) AN ORDINANCE AMENDING CHAPTER 70 OF THE
11 CODE OF THE CITY OF UNION CITY ENTITLED "ANIMALS"

12

13 ACTING CITY CLERK: Next Ordinance is
14 Amending Chapter 70 of the Code of the City of
15 Union City Entitled Animals.

16 MAYOR STACK: If you could please explain
17 that, Monica.

18 MS. de los RIOS: Sure.

19 This -- this Ordinance is set forth --

20 there is a concern that animals -- certain
21 animals are being mis-- mistreated, then being
22 sold to -- to the public through pet shops.

23 What this Ordinance will do is prohibit the
24 sale of -- of certain animals if obtained from
25 other facilities that are not either an animal

1 | care facility, a rescue organization, or a
2 | shelter.

3 | MAYOR STACK: And direct breeders.

4 | It's more -- it's more where people,
5 | instead of purchasing through a pet store,
6 | they'll be purchasing directly from a breeder.

7 | Anyone wishing to comment on this Ordinance
8 | at this time, please step forward, state your
9 | name and address for the record.

10 | Seeing none.

11 | Motion.

12 | ACTING CITY CLERK: Is there a motion to
13 | adopt the Ordinance Amending Chapter 70 of the
14 | Code of the City of Union City Entitled Animals?

15 | COMMISSIONER MARTINETTI: Motion.

16 | ACTING CITY CLERK: Motion by Commissioner
17 | Martinetti.

18 | COMMISSIONER VALDIVIA: Second.

19 | ACTING CITY CLERK: Second by Commissioner
20 | 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.

8

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11

12 (3.) AN ORDINANCE CREATING CHAPTER 109 OF THE
13 CODE OF THE CITY OF UNION CITY ENTITLED "BUSINESS
14 HOURS OF OPERATION"

15

16 ACTING CITY CLERK: Next Ordinance Creating
17 Chapter 109 of the Code of the City of Union City
18 Entitled Business Hours of Operation.

19 MS. de los RIOS: May I please?

20 MAYOR STACK: Please.

21 MS. de los RIOS: Also, what -- what this
22 Ordinance does, in order to ensure the public
23 health and safety, establishments are now limited
24 to operation hours of five a.m. to 12 p.m.,
25 Monday through Sunday.

1 There are exceptions such as for liquor
2 stores, gas stations, diners, motels -- of the
3 like.

4 MAYOR STACK: Okay. Just tell Krystle to
5 coordinate that with me, so we can get this out
6 to all the businesses.

7 MS. de los RIOS: Yes I will.

8 MAYOR STACK: Okay?

9 Anyone wishing to comment on this Ordinance
10 at this time, please step forward.

11 Seeing none.

12 ACTING CITY CLERK: Is there a motion --

13 COMMISSIONER RIVAS: Motion.

14 ACTING CITY CLERK: -- motion to adopt the
15 Ordinance Creating Chapter 109 of the Code of the
16 City of Union City Entitled Business Hours of
17 Operations?

18 Motion by Commissioner Rivas.

19 COMMISSIONER MARTINETTI: Second.

20 ACTING CITY CLERK: Second by Commissioner
21 Martinetti.

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 **CONSENT AGENDA:**

11

12 (1) Resolution Approving the Payment of Claims

13 (2) Resolution Approving the Payment of

14 Concurring Claims

15 (3) Resolution Approving the City Payroll for
16 the Period of June 25, 2016 through July 8, 2016

17 (4) Resolution Approving the Library Payroll
18 for the Period of June 25, 2016 through July 8,
19 2016

20 (5) Resolution Approving Rights-of-Way Use
21 Agreement with Hudson Fiber Network, Inc.

22 (6) Resolution Authorizing the Debt Service
23 Requirement for the Fiscal Year Ending June 30,
24 2017

25 (7) Resolution Approving Contract with Beyer

1 Ford for the Purchase of Police Vehicles Through
2 the Monmouth County Cooperative Program
3 (8) Resolution Awarding Contract for Poly
4 Garbage Bags - 2016 to Central Poly Corp.
5 (9) Resolution Authorizing the Person to Person
6 Transfer of Liquor License No. 0910-33-104-002
7 from Ricky's Frontier Inc. to the Conga Café
8 Located at 1218 Kennedy Blvd.
9 (10) Resolution Approving the Renewal of Spanish
10 Mercantile Federation T/A Spanish Mercantile
11 Federation Located at 4113 Palisade Avenue,
12 Liquor License No. 0910-31-104-002
13 (11) Resolution Approving the Renewal of
14 Saiprasad Inc. T/A Bergenline Liquors Located at
15 3819 Bergenline Avenue, Liquor License No.
16 0910-32-066-004
17 (12) Resolution Approving the Renewal of Azucar
18 Club Inc. T/A Azucar Club Located at 421-43rd
19 Street, Liquor License No. 0910-33-003-007
20 (13) Resolution Approving the Renewal of Jor Per
21 Corp. T/A Cucalambe Club Located at 4418
22 Bergenline Avenue, Liquor License No.
23 0910-33-110-009
24 (14) Resolution Approving the Renewal of Mi Otra
25 Casita Bar & Liquor T/A Mi Otra Casita Located at

1 401 30th Street, Liquor License No.
2 0910-33-080-009
3 (15) Resolution Approving the Renewal of Luna
4 Inc. T/A Las Estrellas de Mexico 1 Located at
5 2421 West Street, Liquor License No.
6 0910-33-164-005
7 (16) Resolution Approving the Renewal of Pupusa
8 #2 Inc. T/A Pupusa 2 Located at 4709-11
9 Bergenline Avenue, Liquor License No.
10 0910-33-174-006
11 (17) Resolution Approving the Renewal of Dos
12 Hijas II T/A Mexico Lindo II (Pocket Status)
13 Located at 2421 West Street, Liquor License No.
14 0910-33-176-006
15 (18) Resolution Approving the Renewal of Angelo
16 Café T/A El Idolo Partnership Located at 4215
17 Park Avenue, Liquor License No. 0910-33-111-008
18 (19) Resolution Approving the Renewal of Aida
19 Sanchez T/A International Mini Market Located at
20 425 8th Street, Liquor License No. 0910-43-023-012
21 (20) Resolution Approving the Renewal of Jai
22 Amba Inc. T/A Union City Liquors Located at 4122
23 Bergenline Avenue, Liquor License No.
24 0910-44-142-005
25 (21) Resolution Authorizing the Refund of

1 Redemption Monies to Outside Lienholders

2 (22) Resolution Authorizing the Refund of
3 Premium Monies Collected at the Tax Sale

4 (23) Resolution Authorizing the Tax Collector to
5 Cancel Tax Sale Certificate #16-00587 for
6 Property Known as 222-24-48th Street, Block 281,
7 Lot 10 C0001G

8 (24) Resolution Authorizing the Tax Collector to
9 Refund the North Hudson Sewerage Authority on
10 Block 246, Lot 6 Also Known as 4204 New York
11 Avenue

12

13 ACTING CITY CLERK: Next item is the
14 Consent Agenda.

15 Item 1 is Resolution Approving the Payment
16 of Claims.

17 Item 2.

18 Resolution Approving the Payment of
19 Concurring Claims.

20 Item 3.

21 Resolution Approving the City Payroll for
22 the Period of June 25th through July 8th, 2016.

23 Item 4.

24 Resolution Approving the Library Payroll
25 for the Period of June 25th through July 8th,

1 2016.

2 Item 5.

3 Resolution Approving the Rights-of-Way Use
4 Agreement with Hudson Fiber Network, Inc.

5 Item 6.

6 Resolution Authorizing the Debt Service
7 Requirement for the Fiscal Year Ending June 30th,
8 2017.

9 Item 7.

10 Resolution Approving Contract with Beyer
11 Ford for the Purchase of Police Vehicles through
12 the Monmouth County Cooperative Program.

13 Item 8.

14 Resolution Awarding Contract for Poly
15 Garbage Bags, 2016 to Central Poly Corporation.

16 Item 9.

17 Resolution -- Resolution Authorizing the
18 Person to Person Transfer of Liquor License
19 Number 0910-33-104-002 from Ricky's Frontier Inc.
20 to the Conga Café, Located at 1218 Kennedy
21 Boulevard.

22 Item 10.

23 Resolution Approving the Renewal of Spanish
24 Mercantile Federation, also known as Spanish
25 Mercantile Federation, Located at 4113 Palisade

1 Avenue, Liquor License Number 0910-31-104-002.

2 Item 11.

3 Resolution Approving the Renewal of
4 Saiprasad Inc., also known as Bergenline Liquors,
5 Located at 3819 Bergenline Avenue, Liquor License
6 Number 0910-32-066-004.

7 Item 12.

8 Resolution Approving the Renewal of Azucar
9 Club Inc., also known Azucar Club, Located at
10 421-43rd Street, Liquor License Number
11 0910-33-003-007.

12 Item 13.

13 Resolution Approving the Renewal of Jor Per
14 Corp. -- Corporation, also known as Cucalambe
15 Club, Located at 4418 Bergenline Avenue, Liquor
16 License Number 0910-33-110-009.

17 Item 14.

18 Resolution Approving the Renewal of Mi Otra
19 Casita Bar and Liquor, also known as Mi Otra
20 Casita, Located at 401 30th Street, Liquor License
21 Number 0910-33-080-009.

22 Item 15.

23 Resolution Approving the Renewal of Luna
24 Inc., also known Las Estrellas de Mexico 1,
25 Located at 2421 West Street, Liquor License

1 Number 0910-33-164-005.

2 Item 16.

3 Resolution Approving the Renewal of the
4 Pupusa Number 2 Inc., also known as Pupusa 2,
5 Located at 4709-11 Bergenline Avenue, Liquor
6 License Number 0910-33-174-006.

7 Item 17.

8 Resolution Approving the Renewal of Dos
9 Hijas II, also known as Mexico Lindo II -- this
10 is a pocket license, Located at 2420 --

11 Sorry. This is just a pocket license.

12 Item 18.

13 Resolution Approving the Renewal of
14 Angelo's Café, also known as El Idolo
15 Partnership, Located at 4215 Park Avenue, Liquor
16 License Number 0910-33-111-008.

17 Item 19.

18 Resolution Approving the Renewal of Aida
19 Sanchez, also known International Mini Market,
20 Located at 425 8th Street, Liquor License Number
21 0910-43-023-012.

22 Item 20.

23 Resolution Approving the Renewal of Jai
24 Amba Inc., also known as Union City Liquors,
25 Located at 4122 Bergenline Avenue, Liquor License

1 Number 0910-44-142-005.

2 Item 21.

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

5 Item 22.

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

8 Item 23.

9 Resolution Authorizing the Tax Collector to
10 Cancel Tax Sale Certificate Number 16-00587 for
11 Property Known as 222-24 48th Street, Block 281,
12 Lot 10 C0001G.

13 Item 24.

14 Resolution Authorizing Tax Collector to
15 Refund the North Hudson Sewerage Authority on
16 Block 246, Lot 6, also known as 4204 New York
17 Avenue.

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

20 MAYOR STACK: Sure.

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

24 Seeing none.

25 I'll make a motion.

1 ACTING CITY CLERK: Is there a --
2 Motion to approve all items on the Consent
3 Agenda.
4 Mayor Stack.
5 MAYOR STACK: Motion.
6 COMMISSIONER VALDIVIA: Second.
7 ACTING CITY CLERK: Second by Commissioner
8 Valdivia.
9 Roll call.
10 Commissioner Fernandez?
11 COMMISSIONER FERNANDEZ: Yes, with the
12 exception of -- of number 2 as it pertains to the
13 Union City Redevelopment Agency.
14 Otherwise, yes on everything else.
15 ACTING CITY CLERK: Commissioner Rivas?
16 COMMISSIONER RIVAS: Yes, except on number
17 6 I'll abstain.
18 ACTING CITY CLERK: Commissioner Valdivia?
19 COMMISSIONER VALDIVIA: Yes.
20 ACTING CITY CLERK: Commissioner
21 Martinetti?
22 COMMISSIONER MARTINETTI: Yes, except on
23 number 6, I'm abstaining.
24 ACTING CITY CLERK: Commiss-- Mayor Stack?
25 MAYOR STACK: Yes on all.

1

2 **ORDINANCES FOR INTRODUCTION:**

3

4 () AN ORDINANCE AMENDING CHAPTER 223 OF THE
5 CODE OF THE CITY OF UNION CITY ENTITLED "LAND
6 DEVELOPMENT" (members)

7

8 ACTING CITY CLERK: Next item is an
9 Ordinance for Introduction.

10 This Ordinance will -- will be further
11 considered at a meeting of the Board of
12 Commissioners to be held on August 3rd, 2016 at
13 seven p.m. at the William V. Musto Cultural
14 Center, 420 15th Street, Union City, New Jersey.

15 MAYOR STACK: Motion.

16 ACTING CITY CLERK: It's Ordinance Amending
17 Chapter 223 of the Code of the City of Union City
18 Entitled Land Development.

19 Motion by Mayor Stack.

20 COMMISSIONER VALDIVIA: Second.

21 COMMISSIONER FERNANDEZ: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Rivas.

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.

11

12 **REGULAR AGENDA:**

13

14 1. Resolution Authorizing the Acceptance of
15 the Municipal Alliance Grant from Hudson County

16

17 ACTING CITY CLERK: Next item is a Regular
18 Agenda.

19 First item -- item on the Regular Agenda is
20 Resolution Authorizing the Acceptance of a
21 Municipal Alliance Grant from Hudson County.

22 MAYOR STACK: Motion.

23 ACTING CITY CLERK: Motion by Mayor Stack.

24 COMMISSIONER VALDIVIA: Second.

25 ACTING CITY CLERK: Second by Commissioner

1 Valdivia.

2 Roll call.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 ACTING CITY CLERK: Commissioner Rivas?

6 Recusing.

7 Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner

10 Martinetti?

11 COMMISSIONER MARTINETTI: Recusing.

12 ACTING CITY CLERK: Recusing.

13 Mayor Stack?

14 MAYOR STACK: Yes.

15

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

17

18 MAYOR STACK: Anyone at this time would

19 like to comment on any matter concerning

20 municipal government in the City of Union City,

21 please step forward.

22 Just step right over to my left; --

23 MS. DILLON: Right over here, Mr. Price.

24 MAYOR STACK: -- your right.

25 Just state your name and address for the

1 record.

2 MR. PRICE: Larry Price, 1006 Palisade
3 Avenue.

4 Reading The Jersey Journal and Newark Star-
5 Ledger, the Governor seems to be in a fight over
6 250 million dollars worth of benefits -- health
7 benefits. I didn't understand the fight but his
8 move -- last move was to, basically, defund
9 various items, including the special municipal
10 aid.

11 That's an 18 million dollar item for us.
12 And basically, as it stands right now, as I -- as
13 I understand the papers, we're not going to get
14 half of it. We're a month into the fiscal year
15 and we're not going to get a half of it.

16 That's a big chunk. What --

17 MAYOR STACK: I'm confident that everything
18 will be worked out. I have confidence in the
19 Senate President working things out with the
20 Governor and the Assembly. And being a Senator I
21 think we'll work things out, Larry. I don't
22 think we'll get to that point.

23 MR. PRICE: Okay. So, the --

24 MAYOR STACK: Right now we're -- right now
25 we're okay on the cash flow also. So we're doing

1 | okay right now. But I think we should see some
2 | resolution over the next three weeks or so.

3 | MR. PRICE: All right.

4 | Okay, so we're good for the 18 million?

5 | MAYOR STACK: Exactly.

6 | MR. PRICE: And we'll take your personal
7 | check if --

8 | MAYOR STACK: Not too much there; I could
9 | tell you that. That -- that I can guarantee is a
10 | fact.

11 | Anyone else wishing to comment on the
12 | Consent Agenda?

13 | Seeing no other.

14 | ACTING CITY CLERK: Is there a motion to
15 | close the public comment portion of this meeting?

16 | COMMISSIONER VALDIVIA: Motion.

17 | ACTING CITY CLERK: Motion by --

18 | COMMISSIONER MARTINETTI: Second.

19 | ACTING CITY CLERK: -- Commissioner
20 | Valdivia.

21 | Second by Commissioner Martinetti.

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 * * *

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. 2216 Bergenline Ave. LLC t/a Centro Bar

4 Located at 2216 Bergenline Avenue

5 Liquor License No. 0910-33-166-004

6 2. California Café Corp. t/a California Café

7 Located at 2002 Bergenline Avenue

8 Liquor License No. 0910-33-021-008

9 3. JRV Restaurant, Inc. t/a El Papaturro

10 Located at 1018 Summit Avenue

11 Liquor License No. 0910-33-137-005

12 4. Jor Per Corp. t/a Cucalambe

13 Located at 4418 Bergenline Avenue

14 Liquor License No. 0910-33-110-010

15 5. S and R Akshar LLC t/a Good Times Liquors

16 Located at 1314 New York Avenue

17 Liquor License No. 0910-33-045-007

18

19 MAYOR STACK: Liquor License.

20 ACTING CITY CLERK: Liquor License

21 Disciplinary Proceedings.

22 Mr. Farmer?

23 MR. FARMER: Where do you want me to be,

24 right here?

25 Good evening, Mr. Mayor and members of the

1 Council.

2 You have five matters on your agenda and I
3 think we've resolved the five. And we'll take
4 them in the order that they're listed.

5 Alongside of me is Sergeant Dunlay who has
6 participated in the negotiations and the
7 conferences and the talks between the law-- the
8 lawyers and the licensees previously. And we're
9 all in agreement on -- on this.

10

11 * * *

12

13 **2216 BERGENLINE AVE. LLC t/a CENTRO BAR**

14 **Located at 2216 Bergenline Avenue**

15 **Liquor License No. 0910-33-166-004**

16

17 MR. FARMER: The first one is Centro Bar.
18 This is an underage drinking.

19 We had the police officer, who's here
20 today, go to -- be assigned to a number of liquor
21 licenses and bars in the area -- and he was under
22 the age of 21, to see whether or not he would be
23 served. This is one of them -- sent into Centro
24 Bar. He was not asked for identification.

25 They're pleading guilty. It's a first

1 offense. It will be ten days but -- and ten
2 days. And those ten days are August 1st to August
3 10th.

4 There was a paper violation in this case
5 and normally on a paper violation we do three
6 days.

7 The situation with respect to this, it was
8 just a change of address with respect to the
9 wrong address on the sheet; everything else was
10 completed.

11 So what we have suggested when we meet
12 those situations -- and there will be another one
13 on tonight -- where the deejay wasn't listed,
14 that there be a three day plea to that but those
15 three days be suspended. If there is another
16 occurrence within nine months, those three days
17 are automatically -- we don't come back and try
18 this, those three days are automatically assessed
19 against the licensee, plus whatever he had.

20 MAYOR STACK: Okay.

21 Sir, if you could enter your appearance.

22 MR. AMARO: Good evening, everyone.

23 My name is Luis Amaro. I'm here for the
24 law firm Alonso and Navarrete on behalf of the
25 defendant.

1 I concur with the representations that were
2 made on the record by Mr. Farmer. My client also
3 would stipulate that he wouldn't appeal and he
4 wouldn't seek to convert any -- any of the
5 penalties to monetary damages.

6 MR. FARMER: Okay?

7 MAYOR STACK: Okay. I'll make a motion to
8 accept the plea.

9 ACTING CITY CLERK: Motion --

10 COMMISSIONER MARTINETTI: Second.

11 ACTING CITY CLERK: Motion by Mayor Stack.

12 Second by Commissioner Martinetti.

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?

24 MAYOR STACK: Yes.

25 MR. FARMER: Okay.

1 MR. AMARO: Thank you very much. Have a
2 great evening.

3 MS. DILLON: Excuse me. Do you have a
4 card? A card?

5 MR. AMARO: I don't have a card. I'm
6 covering for another attorney.

7 MS. DILLON: What is your first name?

8 MR. AMARO: L-U-I-S.

9 MS. DILLON: Last?

10 MR. AMARO: Last name is A, M as in
11 Michael, A-R-O.

12 MS. DILLON: And what firm?

13 MR. AMARO: It should be Alonso and
14 Navarrete.

15 MS. DILLON: Okay.

16 MR. AMARO: Okay?

17 MS. DILLON: Thank you.

18 MR. AMARO: Thank you. Have a good
19 evening.

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1 CALIFORNIA CAFÉ CORP. t/a CALIFORNIA CAFÉ

2 Located at 2002 Bergenline Avenue

3 Liquor License No. 0910-33-021-008

4

5 MR. FARMER: California Café.

6 This is California Café. Same kind of fact
7 scenario.

8 The underage police officer went in; asked
9 to be served. Was served. Wasn't asked for
10 identification.

11 It's a first offense. The -- the licensee
12 is here -- or the representative of the licensee
13 is here. Spoke to her, as well as a Robert Diaz,
14 who --

15 Is that his name, Robert Diaz?

16 MS. MATA: Peter.

17 MR. FARMER: Peter Diaz.

18 MS. MATA: Um-hum.

19 MR. FARMER: And we've agreed to ten days,
20 August 8th to August 17th.

21 And, as always, they're not going to take
22 an appeal and not make an application to convert
23 it into a fine.

24 MAYOR STACK: Sure.

25 Ma'am, can you just tell us who you are

1 with the establishment?

2 MR. FARMER: Come over here.

3 MS. DILLON: Right here.

4 MS. MATA: Oh, yeah. I'm the manager.

5 MAYOR STACK: Okay.

6 MS. DILLON: Your name.

7 MS. MATA: Johany Mata.

8 MS. DILLON: And spell your name please?

9 MS. MATA: J-O-H-A-N-Y. Last name is M-A-
10 T-A. M-A-T-A.

11 MS. DILLON: Thank you.

12 MAYOR STACK: Did you want to consult with
13 an attorney before you enter this plea?

14 Or you'll be accepting the plea?

15 MS. MATA: We'll accept the plea.

16 MAYOR STACK: Okay.

17 MS. MATA: Um-hum.

18 MAYOR STACK: Okay, I'll make a motion to
19 accept the plea.

20 ACTING CITY CLERK: Motion by Mayor Stack.

21 COMMISSIONER RIVAS: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Rivas.

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.

11 MR. FARMER: Okay. That's it.

12 MS. MATA: Thank you.

13 COMMISSIONER MARTINETTI: Welcome.

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1 JRV RESTAURANT INC. t/a EL PAPATURRO

2 Located at 1018 Summit Avenue

3 Liquor License No. 0910-33-137-005

4

5 MR. FARMER: The next one we have is
6 Cucalambe.

7 COMMISSOINER MARTINETTI: Cucalambe.

8 MR. FARMER: That's the next one on your
9 list.

10 ACTING CITY CLERK: No.

11 COMMISSIONER MARTINETTI: El Papaturro.

12 ACTING CITY CLERK: Yeah. El Papaturro.

13 MR. FARMER: Oh, I'm sorry, I didn't --

14 SERGEANT DUNLAY: -- Cucalambe.

15 ACTING CITY CLERK: Number three is El
16 Papaturro.

17 MR. DIAZ: Good evening, Board members,
18 Luis Diaz for --

19 MR. FARMER: I'm sorry, I called the wrong
20 one.

21 But we can do El Papaturro.

22 MAYOR STACK: Which one are we doing now?

23 ACTING CITY CLERK: Number three, Mayor.

24 MR. FARMER: We're doing number three.

25 MAYOR STACK: Okay.

1 ACTING CITY CLERK: El Papaturro.

2 MR. FARMER: My apologies.

3 MAYOR STACK: Okay.

4 MR. FARMER: We have --

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

7 MR. FARMER: We've -- with respect to El
8 Papaturro, this is one where --

9 Just bear with me.

10 This is one where the underage police
11 officer again went in. Wasn't asked for
12 identification and was served.

13 This particular licensee had a situation
14 where previously we had entered a Resolution on a
15 previous violation, which --

16 Just bear with me and I'll have it in a
17 second.

18 -- back on December 1st, 2015, we entered
19 into an agreement where there would be a five day
20 suspension on a previous disciplinary proceeding
21 and -- and that five days would remain hanging
22 so-to-speak if the licensee did not get another
23 offense within that period of time. This is
24 another offense, namely serving a officer who was
25 underage.

1 So we've agreed for ten days -- what we do
2 with everybody but we will add the five that he
3 agreed to back in December when he said if
4 there's a -- a new offense within nine months you
5 can add five days onto it.

6 So it's going to be 15 days. And again
7 there was a paper violation with respect to a
8 minor paper violation and we're going to add
9 three days to that.

10 So it's a total of 18 days. Fifteen days
11 right now to be consecutive and the three -- the
12 other three days to be --

13 MAYOR STACK: So, when -- when will this
14 one run?

15 The 15 days will run when?

16 MR. FARMER: The 15 days will run from
17 September 2nd to October 4th.

18 MAYOR STACK: Wait. Wait. September
19 2nd --

20 COMMISSIONER MARTINETTI: No, no, no, no.

21 MAYOR STACK: -- to October 4th?

22 MR. CLAROS: Twentieth.

23 SERGEANT DUNLAY: No, no, no.

24 MR. CARLOS: The 20th.

25 MR. FARMER: The 20th. The 20th.

1 MAYOR STACK: Okay.

2 ACTING CITY CLERK: September 20th.

3 SERGEANT DUNLAY: September 20th.

4 MR. FARMER: To October 4th.

5 Excuse me.

6 MAYOR STACK: Okay.

7 MS. DILLON: I'm sorry. September 20th?

8 MR. FARMER: Twenty.

9 MAYOR STACK: We couldn't -- we couldn't
10 have this --

11 COMMISSIONER MARTINETTI: September 20 to
12 October 4.

13 MR. FARMER: To October 4th.

14 Okay?

15 You want to put your name --

16 MS. DILLON: What is your name, sir?

17 MR. CLAROS: Oh.

18 MAYOR STACK: Just -- just going forward,
19 -- just going forward, --

20 MR. CLAROS: Juan --

21 MAYOR STACK: -- if we can make these
22 suspensions in a shorter period of time for the
23 date of the plea.

24 MR. FARMER: Okay.

25 MAYOR STACK: Because going way -- way on

1 to September is not something I agree with on --

2 MR. FARMER: I know.

3 MAYOR STACK: -- any establishment.

4 If we're going to accept a plea July 12th,
5 it's got to be within a month's time. It can't
6 be further than that.

7 MR. FARMER: Okay.

8 MAYOR STACK: It's just -- we got to come
9 up with this policy here. Okay?

10 This time we'll allow it because it's been
11 worked out but within a month's time it should be
12 served.

13 MR. FARMER: Okay.

14 MAYOR STACK: All right?

15 Just for paperwork and housekeeping reasons
16 for the Police Department I think.

17 MR. FARMER: Okay.

18 MS. DILLON: Sir, what is your name?

19 MR. CLAROS: Juan Claros.

20 MS. DILLON: Spell your last name.

21 MR. CLAROS: C-L-A-R-O-S.

22 MS. DILLON: Thank you.

23 MR. FARMER: Now you heard what I said?

24 MR. CLAROS: Yes.

25 MR. FARMER: Are you in agreement with it?

1 MR. CLAROS: Yes.

2 MR. FARMER: You want to get a lawyer?

3 MR. CLAROS: No. It's fine.

4 MAYOR STACK: You don't need a lawyer, sir?

5 MR. CLAROS: No.

6 MAYOR STACK: Okay.

7 MR. CLAROS: It's fine.

8 MAYOR STACK: Very good.

9 Okay, so it will be a plea of a total of 18
10 days?

11 MR. FARMER: Fifteen consecutive --

12 MAYOR STACK: Right.

13 MR. FARMER: -- and three being held if
14 the --

15 MAYOR STACK: I got it.

16 MR. FARMER: Okay.

17 MAYOR STACK: Okay, I'll make a motion to
18 accept the plea.

19 COMMISSIONER FERNANDEZ: Second.

20 ACTING CITY CLERK: Motion by Mayor Stack
21 -- Mayor Stack.

22 COMMISSIONER FERNANDEZ: Second.

23 ACTING CITY CLERK: Second by Commissioner
24 Fernandez.

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 MR. FARMER: Okay.

13 Thank you.

14 MR. CLAROS: Thank you.

15 MS. de los RIOS: Mayor, excuse me, for the
16 record please, --

17 I'm sorry.

18 Mr. Farmer, you -- you said that the time
19 period was September 2nd to September 20th?

20 MR. FARMER: September 20th to October 4th.

21 MS. de los RIOS: No, I'm sorry.

22 MAYOR STACK: Okay, because I got that
23 mixed up too. I wrote September 2nd to September
24 20th.

25 MS. de los RIOS: Yes but that's --

1 MAYOR STACK: And now --

2 MS. de los RIOS: -- that's 18 days.

3 And if we are suspending for -- for a
4 period of 15 days, holding three days in -- in
5 abeyance, that time period would be September 2nd
6 to September 17th, --

7 MAYOR STACK: So, -- so, when is the
8 suspension going to be carried out? When?

9 MR. FARMER: September 2nd --

10 MR. CLAROS: The 20th. No, September 20th
11 to October 4th.

12 MR. FARMER: September --

13 MR. CLAROS: Fifteen days.

14 MR. FARMER: Fifteen days. September 20th
15 to October 4th.

16 COMMISSIONER MARTINETTI: To the 4th.

17 MAYOR STACK: Okay.

18 MS. de los RIOS: I'm sorry, Mayor, I was
19 just --

20 MAYOR STACK: No problem.

21 MS. de los RIOS: -- confused.

22 MAYOR STACK: No. I got it. Okay, I got
23 it.

24 MR. FARMER: Okay.

25 MS. de los RIOS: So I think what we --

1 MR. FARMER: Right.

2 MAYOR STACK: Let's go back --

3 MS. de los RIOS: Yes, let's go back.

4 MAYOR STACK: Yeah.

5 So, just again, so just to clarify this,
6 this is JRV Restaurant, El Papaturro, 1018 Summit
7 Avenue.

8 MR. FARMER: That's correct.

9 MAYOR STACK: It will be September 20th
10 suspension to October 4th.

11 Is that correct?

12 MR. CLAROS: Yes.

13 MR. FARMER: Yes.

14 ACTING CITY CLERK: Fifteen days.

15 MR. FARMER: Okay.

16 MAYOR STACK: Okay, you got it.

17 MR. FARMER: Thank you.

18 Okay.

19 MR. CLAROS: Sorry.

20 MR. FARMER: All right.

21 MAYOR STACK: Thank you very much.

22 MR. CLAROS: Thank you.

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1 JOR PER CORP. t/a CUCALAMBE
2 Located at 4418 Bergenline Avenue
3 Liquor License No. 0910-33-110-010
4

5 MR. FARMER: Now, Cucalambe.

6 MR. DIAZ: Again, good evening members,
7 Luis Diaz for the licensee, trading at Cucalambe.

8 MR. FARMER: This is again a situation
9 where there was -- the police officer who was
10 underage; went into the establishment and was
11 served.

12 Again this is one where there was a paper
13 violation associated with it, namely the disc
14 jockey wasn't listed.

15 I've spoken to Mr. Diaz and it's going to
16 be a 13 day suspension; three of those days will
17 be held in abeyance if there isn't a reoccurrence
18 of an offense within nine months. And the ten
19 days will be from August 2nd to August 11th.

20 MR. DIAZ: That's correct.

21 I have spoken with the licensee; explained
22 the -- the offer that has been made and accepted
23 and plead guilty to the charge.

24 MAYOR STACK: And when is it going to be
25 served again from?

1 MR. FARMER: August 2nd to August 11th.

2 MAYOR STACK: Okay. You got it. Okay.

3 I'll make a motion to accept the plea.

4 ACTING CITY CLERK: Motion by Mayor Stack.

5 COMMISSIONER VALDIVIA: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Valdivia.

8 Roll call.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 ACTING CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 ACTING CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 ACTING CITY CLERK: Commissioner
16 Martinetti?

17 Recusing.

18 Mayor Stack?

19 MAYOR STACK: Yes.

20 MR. DIAZ: Thank you.

21 MR. FARMER: Okay.

22 MAYOR STACK: Thank you very much.

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1 S AND R AKSHAR LLC t/a GOOD TIMES LIQUORS

2 Located at 1314 New York Avenue

3 Liquor License No. 0910-33-045-007

4

5 ACTING CITY CLERK: Next, item number five.

6 MAYOR STACK: How are you?

7 MR. FARMER: The last one on your agenda is
8 Good Time Liquors.

9 Mr. Curcio is here -- Curcio is here
10 representing the licensee.

11 This again was the police officer going in;
12 not being asked for identification and purchasing
13 alcohol.

14 Now, this has a little bit of a -- a
15 backdrop.

16 Number one, this is although not a second
17 offense within a two year period, it's a second
18 offense within 24 months. And there were
19 previous offenses there with this licensee back
20 in 2014 and May of 2006.

21 In light of that history we have come to an
22 agreement of a 30 day suspension with the clear
23 understanding that because of the repeatedness of
24 the sell -- sale to minors that if there is
25 another offense we're going to seek revocation.

1 And as far as the days of suspension, July
2 25th to August 23rd.

3 MAYOR STACK: Okay.

4 Mr. Curcio?

5 MR. CURCIO: Good evening.

6 Thomas --

7 MAYOR STACK: Good evening.

8 MR. CURCIO: -- Curcio on behalf of --

9 I concur on the stipulation on behalf of my
10 client and my client does waive her right to
11 appeal.

12 MAYOR STACK: Okay.

13 And -- and with the -- total suspension
14 again, Greg, again is?

15 SERGEANT DUNLAY: Thirty days.

16 MR. FARMER: Thirty days, July 25th to
17 August 23rd.

18 MAYOR STACK: July 25th. To?

19 MR. FARMER: August 23rd.

20 COMMISSIONER MARTINETTI: August 23rd.

21 MAYOR STACK: Okay.

22 I'll make a motion to accept --

23 COMMISSIONER FERNANDEZ: Second.

24 MAYOR STACK: -- the plea.

25 ACTING CITY CLERK: Motion by Mayor Stack

1 to accept.

2 Second by Commissioner Fernandez.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Yes.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 ACTING CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 MR. FARMER: That concludes the ABC

16 matters.

17 MAYOR STACK: Thank you very much.

18 MR. CURCIO: Thank you.

19 MAYOR STACK: Thank you.

20 MR. FARMER: Thank you.

21 MAYOR STACK: Good evening now.

22 MR. CURCIO: Take care, Greg.

23 MR. FARMER: Good to see you.

24 MR. CURCIO: Likewise.

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ADJOURNMENT:

ACTING CITY CLERK: Mayor, at this time we
have no other item on the agenda.

Is there a motion to adjourn?

MAYOR STACK: Motion.

ACTING CITY CLERK: Motion by Mayor Stack.

COMMISSIONER RIVAS: Second.

ACTING CITY CLERK: Second by Commissioner
Rivas.

All -- all in favor?

(Whereupon, there was a chorus of ayes.)

(Whereupon, the proceedings were concluded
at 7:28 p.m.)

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, July 12, 2016 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon