

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Saint Anthony School
700 Central Avenue
Union City, New Jersey

Tuesday, August 16, 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
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: KRYSTLE NOVA, 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
CONSENT AGENDA	4
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	10
LIQUOR LICENSE TRANSFER HEARING	13
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	25
A & C CORP. 2004 t/a ADORO CAFÉ AND LOUNGE	26
UNION DISCOUNT LIQUORS t/a UNION LIQUORS	30
SAINT ROSE OF LIMA COLUMBIAN CLUB, INC. t/a CLUB CABALLEROS de COLON	33
ADJOURNMENT	35

1 ACTING CITY CLERK: May 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, August 16, 2016, at seven p.m., at the
6 Saint Anthony School, 700 Central Avenue, Union
7 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, 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 in the 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 **CONSENT AGENDA:**

18

19 (1) Resolution Approving the Payment of Claims

20

(2) Resolution Approving the Payment of

21

Concurring Claims

22

(3) Resolution Authorizing the Award of

23

Contract for State and Grants Consultant with

24

Millennium Strategies LLC for Fiscal Year

25

2016-2017

- 1 (4) Amended Resolution Authorizing the
- 2 Submission of an Application to the New Jersey
- 3 Local Finance Board
- 4 (5) Proclamation/Resolution Supporting the
- 5 Drive Sober & (sic) Get Pulled Over 2016
- 6 Statewide Crackdown
- 7 (6) Resolution Accepting the 2016 Drive Sober
- 8 or Get Pulled Over Statewide Labor Day Crackdown
- 9 Grant Award
- 10 (7) Resolution Approving Table of Organization
- 11 for Various City Departments
- 12 (8) Resolution Authorizing the Treasurer to
- 13 Make a 2016 Budget Appropriation Reserve
- 14 Transfers
- 15 (9) Resolution Approving Disciplinary
- 16 Proceedings Against El Cuscatleco T/A El Rincon
- 17 Chapin Corp. Located at 2118 Bergenline Avenue
- 18 Liquor License No. 0910-33-075-010
- 19 (10) Resolution Approving Disciplinary
- 20 Proceedings Against Graciela's Cactus Bar &
- 21 Restaurant T/A Enrique De Leon Located at 426 32
- 22 Street Liquor License No. 0910-33-227-005
- 23 (11) Resolution Approving Disciplinary
- 24 Proceedings Against Variedad Latina Restaurant
- 25 Bar T/A Variedad Latina Inc. Located at 2417

1 Bergenline Avenue Liquor License No.

2 0910-33-031-012

3 (12) Resolution Approving Disciplinary

4 Proceedings Against El Centro Americano Bar &

5 Restaurant Inc. T/A Salvadorian Bar & Restaurant

6 Inc. Located at 4212 New York Avenue Liquor

7 License No. 0910-33-051-006

8 (13) Resolution Approving Disciplinary

9 Proceedings Against Juanita's Restaurant T/A

10 Juanita's II LLC Located at 2904 Bergenline

11 Avenue Liquor License No. 0910-33-144-010

12

13 ACTING CITY CLERK: First item on the -- on
14 the agenda is the Consent Agenda.

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

17 Item 2 is Resolution Approving the Payment
18 of Concurring Claims.

19 Item 3.

20 Resolution Authorizing the Award of a
21 Contract for State and Grants Consultant with
22 Millennium Strategies LLC for Fiscal Year
23 2016-2017.

24 Item 4.

25 Resolution --

1 I'm sorry.

2 Item 4.

3 Amended Resolution Authorizing the
4 Submission of an Application to the New Jersey
5 Local Finance Board.

6 Item 5.

7 Proclamation/Resolution Supporting the
8 Drive Sober and (sic) Get Pulled Over 2016
9 Statewide Crackdown.

10 Item 6.

11 Resolution Accepting the 2016 Drive Sober
12 or Get Pulled Over Statewide Labor Day Crackdown
13 Grant Award.

14 Item 7.

15 Resolution Approving Table of Organization
16 for Various City Departments.

17 Item 8.

18 Resolution Authorizing the Treasurer to
19 Make a 2016 Budget Appropriation Reserve
20 Transfer.

21 Item 9.

22 Resolution Approving Disciplinary
23 Proceeding Against El Cuscatleco, also known as
24 El Rincon Chapin Corporation, Located at 2118
25 Bergenline Avenue, Liquor License Number

1 0910-33-075-010.

2 Item 10.

3 Resolution Approving Disciplinary

4 Proceedings Against Graciela's Cactus Bar and

5 Restaurant, also known as Enrique De Leon,

6 Located at 426 32nd Street, Liquor License Number

7 0910-33-227-005.

8 Item 11.

9 Resolution Approving Disciplinary

10 Proceedings Against Variedad Latina Restaurant

11 and Bar, also known as Variedad Latina Inc.,

12 Located at 2417 Bergenline Avenue, Liquor License

13 Number 0910-33-31(sic)-012.

14 Item 12.

15 Resolution Approving Disciplinary

16 Proceedings Against El Centro Americano Bar and

17 Restaurant Inc., also known as Salvador--

18 Salvadorian Bar and Restaurant Inc., Located at

19 4212 New York Avenue, Liquor License Number

20 0910-33-051-006.

21 Item 13.

22 Resolution Approving Disciplinary

23 Proceedings Against Juanita Restaurant, also

24 known as Juanita II LLC, Located at 2904

25 Bergenline Avenue, Liquor License Number

1 0910-33-144-010.

2 Mayor, do you wish to --

3 MAYOR STACK: Anyone wishing to comment on
4 the Consent Agenda, please step forward, state
5 your name and address for the record.

6 Seeing no one.

7 Motion.

8 ACTING CITY CLERK: Motion --

9 COMMISSIONER MARTINETTI: Second.

10 ACTING CITY CLERK: -- to close public
11 comment?

12 Motion by Mayor Stack.

13 Second by Commissioner Martinetti.

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: Is there -- is there a
2 motion to approve all items --

3 COMMISSIONER VALDIVIA: Motion.

4 ACTING CITY CLERK: -- on the Consent
5 Agenda?

6 COMMISSIONER MARTINETTI: Second.

7 ACTING CITY CLERK: Motion by Commissioner
8 Valdivia.

9 Second by Commissioner 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

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

24

25 ACTING CITY CLERK: Mayor, do you wish to

1 take public comment on --

2 MAYOR STACK: Sure.

3 ACTING CITY CLERK: -- any item --

4 MAYOR STACK: Anyone wishing to address the
5 Board of Commissioners at this time, please step
6 forward, state your name and address for the
7 record.

8 Seeing no one.

9 COMMISSIONER MARTINETTI: Motion.

10 ACTING CITY CLERK: Motion by Commissioner
11 Martinetti.

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

3

*

*

*

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 LIQUOR LICENSE TRANSFER HEARING:

2

3 FOR 0910-33-119-005 PERSON TO PERSON & PLACE TO
4 PLACE TRANSFER FROM PARK AVENUE BAR & GRILL LLC
5 (Pocket Status) THROUGH JAY L. LUBETKIN, THE
6 LICENSEE'S CHAPTER 7 TRUSTEE IN BANKRUPTCY TO
7 CHADNI ANDMADHU LLC, THE PURCHASER, LOCATION WILL
8 REMAIN AT 3417 PARK AVENUE

9

10 ACTING CITY CLERK: Next item on the agenda
11 is a Liquor License Transfer Hearing.

12 This is for 0910-33-119-005, Person to
13 Person/Place to Place Transfer from Park Avenue
14 Bar and Grill LLC, Pocket Status, through Jay
15 Lubetkin, the Licensee Chapter 7 Trustee in
16 Bankruptcy to Chadni Andmadhu LLC, the Purchaser,
17 Location Remain at 3417 Park Avenue.

18 MS. NOVA: At this time I'd ask the
19 attorney for the applicant to come up.

20 MAYOR STACK: Good evening.

21 MR. SHAFKOWITZ: Good evening, Mayor.

22 Thanks again for having us.

23 MS. DILLON: I'm just going to ask you to
24 stand right by that microphone there.

25 MR. SHAFKOWITZ: Sure.

1 MS. DILLON: Thank you.

2 Your appearance?

3 MR. SHAFKOWITZ: My name is David
4 Shafkowitz. I'm here on behalf the applicant,
5 Chadni Andmadhu LLC.

6 Mr. Mayor, just by way of background. As
7 you will recall we were here, I believe two weeks
8 ago on the application. The Board had asked us
9 to meet with the Chief and staff about some of
10 the prior issues that involved the restaurant and
11 the -- and this particular location.

12 Following that meeting we under-- came to
13 an understanding of the questions and the
14 concerns of both the Board and the -- and the
15 Chief. And the applicant, as part of the
16 application, understands that there is a concern
17 about parking and has made -- is starting to make
18 and will make arrangements for valet and written
19 arrangements for parking offsite so that the --
20 those issues could be resolved.

21 One of the other questions that were
22 mentioned was the -- was the presence of outside
23 music. There is none planned for this location.
24 If there's going to be any live music, it will be
25 inside.

1 So to the extent that the Board is inclined
2 to approve our transfer, we would accept as a
3 condition that there be no live music outside.

4 The other issue was how over time we
5 understand that the Park Avenue Bar and Grill had
6 evolved into more of a nightclub than a
7 restaurant. It is absolutely the intent of this
8 applicant for this to be a restaurant first, with
9 a liquor license.

10 So to the extent that the Board requires
11 some authority to make sure that it doesn't again
12 evolve into a nightclub over time, we're willing
13 to accept that condition as well.

14 Having said that I have with me Priti Patel
15 who is the applicant, the owner/applicant. Luis
16 Iglesias is going to be our manager if the Board
17 has any questions about how the restaurant itself
18 or how it might be run. But --

19 MS. DILLON: Can you keep your voice up for
20 me?

21 MR. SHAFKOWITZ: Sorry.

22 One thing I do want to express is we were
23 very grateful for making the Chief and staff
24 available to us --

25 MAYOR STACK: Sure.

1 MR. SHAFKOWITZ: -- because it really made
2 us aware of the things we have to be concerned
3 about.

4 As we had mentioned previously this
5 applicant does run another restaurant in Hoboken
6 and it would be a similar type of restaurant as
7 that. So we're very well aware of being in a
8 residential community and those concerns that the
9 -- that the City would have in those regards.

10 MAYOR STACK: Okay.

11 Krystle, did you have anything further that
12 you wanted to add?

13 MS. NOVA: No, it was just that when you
14 say no live music, it's music in general.
15 Whether it's a live band or -- or radio or
16 anything, for outside.

17 MR. SHAFKOWITZ: Well, the only thing we
18 were thinking about for outside is just the
19 background music for the restaurant; not -- not
20 like blaring nightclub type -- (indiscernible).

21 MS. NOVA: I -- I think the concern was
22 whether there would be music played out-- outside
23 at night in the terrace.

24 MR. SHAFKOWITZ: Okay.

25 MS. NOVA: Would that be something that --

1 I don't know if the manager would like to come up
2 and speak about that.

3 MR. IGLESIAS: No, I don't think it should
4 be --

5 MAYOR STACK: Just if you could just step
6 forward just to enter your -- your name and your
7 appearance for the record.

8 MR. IGLESIAS: Luis Iglesias.

9 MS. DILLON: Okay, keep your voice up --

10 MR. IGLESIAS: Going to be the manager of
11 --

12 MS. DILLON: -- and just one step closer to
13 the --

14 MR. IGLESIAS: Sure.

15 MS. DILLON: -- microphone.

16 MR. IGLESIAS: Luis Iglesias.

17 Going to be the manager of the restaurant.

18 I believe that -- that outer terrace there
19 is covered. I mean we've -- we're not planning
20 to play any live music there.

21 Was background music there an issue at --

22 MAYOR STACK: The terrace -- the terrace is
23 open in the back. It might be covered with
24 canvas but it's open.

25 MR. IGLESIAS: Okay.

1 MS. NOVA: Yes.

2 MAYOR STACK: Yeah, it's open.

3 MR. IGLESIAS: When I went in to see it, it
4 was covered so I --

5 MAYOR STACK: Yeah. Yeah, it's -- it's
6 covered -- it's covered with canvas but that's
7 technically open.

8 MR. IGLESIAS: That's --

9 MAYOR STACK: Our biggest complaints were
10 in the rear --

11 MR. IGLESIAS: Okay.

12 MAYOR STACK: -- when people are out there.
13 Just keeping it down and trying to contain the
14 noise in there and no music outside.

15 MR. IGLESIAS: Okay.

16 MAYOR STACK: All right?

17 MR. IGLESIAS: Understood.

18 MAYOR STACK: Okay.

19 MS. NOVA: So, --

20 MAYOR STACK: Lieutenant, did you have
21 anything further, Lieutenant, that you wanted to
22 add?

23 LIEUTENANT LOACES: Good evening.

24 Lieutenant Loaces.

25 The Chief and I met with the applicant

1 | yesterday and he has assured us that he will --
2 | that they will actually make all attempts -- and
3 | they're working on a valet situation, so the
4 | vehicles aren't parked outside and the residents
5 | don't suffer, you know, additional parking
6 | issues, --

7 | MAYOR STACK: Right.

8 | LIEUTENANT LOACES: -- as well as the music
9 | concern. That is one of our biggest concerns,
10 | the Police Department.

11 | Because the majority of the complaints that
12 | we -- you got in the past from the Park Avenue
13 | Bar and Grill and from the area in general, since
14 | it is such a residential area, was noise.

15 | So I think our biggest concern is if we can
16 | agree that there will be no music outside
17 | whatsoever.

18 | MR. IGLESIAS: Okay.

19 | MAYOR STACK: Okay, good.

20 | MS. NOVA: And that would be made a
21 | condition of the Resolution, --

22 | MR. IGLESIAS: Absolutely.

23 | MS. NOVA: -- the transfer.

24 | And then the -- the last thing is that I
25 | would need a sketch of the premises and it would

1 need to show what -- where the tables are
2 located, exactly, and that it would not change at
3 night; that it would stay the same. And that
4 would be also a condition of the Resolution.

5 MAYOR STACK: And just also, if there's any
6 incident, I just encourage you to call the
7 Police. Don't allow somebody else to call the
8 Police if there's an incident in there. We're
9 just asking you to pick up the phone and call the
10 Police; we look at that.

11 MR. IGLESIAS: Correct.

12 MS. NOVA: Okay.

13 MAYOR STACK: There's going to be a small
14 disruption there. We're going to be repaving and
15 doing the sidewalks over on 35th Street sometime
16 between now and -- I should say the beginning of
17 September and probably early November on 35th
18 Street. Just to let you know.

19 I don't know when you're planning to open
20 but there's -- we're doing it from Park Avenue to
21 Hudson. We're doing new sidewalks, tree planting
22 and a brand new street. That's one of the blocks
23 that have been designated some -- about a year
24 ago we designated it. So there'll be some
25 disruption over there.

1 Just when they pull up the sidewalk it will
2 be an overnight thing.

3 MR. IGLESIAS: Okay.

4 MAYOR STACK: Does anyone -- any
5 Commissioner have anything on this that they'd
6 like to question on?

7 Chief, are you all satisfied with
8 everything?

9 CHIEF MOLINARI: Yes, Mayor. We are very
10 satisfied. We met and I think we laid out the
11 groundwork and I think they seem more than open
12 and willing to work with us on the issues. I
13 think it's been put on the record and I think
14 they'll, you know going forward, -- well no party
15 should be surprised at anything that occurs in --
16 you know, in the future.

17 MAYOR STACK: Good. Excellent.

18 Thank you, Chief.

19 CHIEF MOLINARI: Thank you.

20 COMMISSIONER FERNANDEZ: One of the
21 problems --

22 MAYOR STACK: Thank you, Lieutenant.

23 COMMISSIONER FERNANDEZ: One of the
24 problems --

25 MAYOR STACK: Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yeah. One of the
2 problems we had before was that people would come
3 out, being that there was the -- the no smoking
4 inside the establishment, --

5 MAYOR STACK: Exactly.

6 COMMISSIONER FERNANDEZ: -- and they'll
7 hang out right there in the corner and that would
8 carry to the side street up the block and that --
9 residential. So people smoking out there
10 carrying on --

11 MAYOR STACK: Maybe if they're going to
12 come out and have a smoke, if we can move them
13 south of the building. You know between -- by
14 your building, the southern end of the building
15 where the laundromat is and that there, --

16 MR. SHAFKOWITZ: Okay.

17 MAYOR STACK: -- that might be a better
18 spot for --

19 MR. SHAFKOWITZ: Yeah.

20 MAYOR STACK: -- them just --

21 And then once -- once at the end of the
22 night when everything's over, just no hanging out
23 in front. We just move the crowds out of there.

24 Great.

25 Does any member of the public have anything

1 they'd like to add or any questions on this
2 establishment?

3 This would be at 35-- I'm sorry -- 3417
4 Park Avenue.

5 Okay, with the stipulations that were
6 mentioned, I'll make a motion to approve --

7 ACTING CITY CLERK: Motion --

8 MAYOR STACK: -- the transfer.

9 ACTING CITY CLERK: Motion by Mayor Stack.

10 COMMISSIONER MARTINETTI: Second.

11 COMMISSIONER FERNANDEZ: Second.

12 ACTING CITY CLERK: Second by Commissioner
13 Martinetti.

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 Good -- good luck.

2 MR. SHAFKOWITZ: Thank you very much.

3 MAYOR STACK: Good luck with everything.

4 Good luck.

5 MR. SHAFKOWITZ: Thank you for working --

6 MAYOR STACK: Sure. Good luck.

7 Thank you.

8 Thank you, Chief.

9 Thank you, Lieutenant.

10

11

* * *

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. A & C Corp. 2004 T/A Adoro Café and Lounge

4 Located at 414 38th Street

5 Liquor License No. 0910-33-149-006

6 2. Union Discount Liquors T/A Union Liquors

7 Located at 710 Summit Avenue

8 Liquor License No. 0910-44-132-008

9 3. Saint Rose of Lima Columbian Club, Inc.

10 T/A Club Caballeros de Colon

11 Located at 2310-14 Summit Avenue

12 Liquor License No. 0910-33-198-003

13

14 MAYOR STACK: Liquor License Disciplinary

15 Hearings.

16 ACTING CITY CLERK: Yup.

17 MAYOR STACK: Mr. Farmer?

18 ACTING CITY CLERK: Gregory Farmer.

19 MR. FARMER: There are three on.

20 Mr. Diaz?

21 We have three on your calendar.

22 Where do you want me to be? Here?

23 MAYOR STACK: Yeah that would be fine.

24

25

* * *

1 **A & C CORP. 2004 T/A ADORO CAFÉ AND LOUNGE**

2 **Located at 414 38th Street**

3 **Liquor License No. 0910-33-149-006**

4

5 MR. FARMER: The first one is Adoro Café,
6 represented by Mr. Diaz.

7 MAYOR STACK: Okay.

8 MR. DIAZ: Good evening, Board members.
9 Luis Diaz on behalf of the licensee, Adoro Café,
10 trading as Adoro Café, A and C Corp.

11 MR. FARMER: I would just like, as a
12 preamble, to advise the Board that last Thursday
13 the three licensees who are here met with myself
14 and Detective Dunlay and we negotiated
15 suspensions which would I recommend to the Board.

16 Detective Dunlay isn't here this evening
17 because he's on vacation.

18 The first one is Adoro.

19 That -- that has a couple of charges. It
20 has, one, the underage drinking where the person
21 came in -- the undercover agent came in, was
22 served liquor, not asked for identification.

23 We've done ten days and he's got ten days
24 on that.

25 He has two disturbances thereafter. One

1 | which is really a shoving match and one which was
2 | an argument between a boyfriend and a girlfriend.

3 | I'm dismissing the shoving match one and
4 | he's pleading guilty to the second offense.

5 | I'm going to add four days onto that to
6 | make it a solid two weeks that he's closed. And
7 | that would be from September 5th to September
8 | 18th.

9 | MAYOR STACK: Okay. Mr. -- Mr. Diaz?

10 | MR. DIAZ: Yes. We enter a guilty plea to
11 | the selling to the minor and the incident between
12 | the husband and the wife.

13 | On the dismissal, I'd like to bring to the
14 | attention of the Board that the -- we -- I
15 | reviewed the tape, along with Detective Dunlay,
16 | and that was the reason why it was dismissed.

17 | The licensee did the right thing. They
18 | stopped serving the -- the two patrons. They
19 | were not intoxicated. They stopped serving them
20 | prior to being intoxicated but then it got late
21 | and the two patrons refused to leave and they
22 | were escorted out.

23 | I believe that they did the right thing.
24 | They prevented an escalation of the event and,
25 | again, they stopped serving the individuals prior

1 to them becoming intoxicated and being --
2 (indiscernible).

3 MAYOR STACK: Okay so that will be a 14 day
4 suspension, September 5th to September 18th.

5 MR. DIAZ: That is correct.

6 MR. FARMER: That's correct.

7 MAYOR STACK: I'll make the motion.

8 COMMISSIONER VALDIVIA: Second.

9 ACTING CITY CLERK: Motion by Mayor Stack.

10 Second by Commissioner Valdivia.

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 Recusing.

21 Mayor Stack?

22 MAYOR STACK: Yes.

23 MR. DIAZ: I'd just like to add that I
24 obtained the consent of the -- of the licensee.
25 He's outside with his son; he had to go outside.

1 I -- I think you heard the -- the child getting a
2 little bit --

3 MAYOR STACK: Yes. No problem.

4 MR. DIAZ: But I got his consent to the --
5 to the plea.

6 MAYOR STACK: Thank you very much, Mr.
7 Diaz.

8 Thank you.

9 MR. FARMER: Wait for me outside. I want
10 to talk to you.

11 MR. DIAZ: Okay.

12

13 * * *

14

15

16

17

18

19

20

21

22

23

24

25

1 **UNION DISCOUNT LIQUORS T/A UNION LIQUORS**

2 **Located at 710 Summit Avenue**

3 **Liquor License No. 0910-44-132-008**

4

5 MR. FARMER: The next one is Union Liquor,
6 represented by Mr. Bianciella.

7 MR. BIANCIELLA: Good evening, Mayor,
8 Commissioners.

9 MR. FARMER: This is a matter again where
10 the undercover agent went in, wasn't asked for
11 identification, he made a purchase. And we've
12 negotiated that to be ten days.

13 In addition to that there was discussion
14 concerning some paper violations and what that
15 consisted of and whether or not they were in
16 compliance or not in compliance and they brought
17 a big box saying that they were in compliance.

18 So what we've agreed to do is this. It's
19 going to be a plea to 15 days; five held in
20 abeyance on the condition that no subsequent
21 offense within the next nine month period. If
22 they do, then they get five days automatic.

23 And ten days -- and I think the time --

24 Tony, what did we say?

25 MR. BIANCIELLA: September 12th to the 21st.

1 MR. FARMER: Twelfth to the 21st.

2 MS. DILLON: Counsel, could I have your
3 appearance please?

4 MR. BIANCIELLA: Sure. It's Anthony
5 Bianciella.

6 Would you like that spelled?

7 MS. DILLON: Please.

8 MR. BIANCIELLA: B like boy, I-A-N-C-I-E-L-
9 L-A.

10 MS. DILLON: Thank you.

11 MAYOR STACK: And you agree to this?

12 MR. BIANCIELLA: Yes.

13 MAYOR STACK: Okay, great.

14 Okay, I'll make a motion to approve a ten
15 day suspension, September 12th through September
16 21st.

17 COMMISSIONER FERNANDEZ: Second.

18 ACTING CITY CLERK: Motion by Mayor Stack.

19 COMMISSIONER FERNANDEZ: Second.

20 ACTING CITY CLERK: Second by Commissioner
21 Rivas.

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 Thank you very much.

10 Thank you.

11 Thank you.

12 MR. FARMER: Tony, wait for me outside?

13 MR. BIANCIELLA: Sure.

14 MAYOR STACK: Thank you.

15

16 * * *

17

18

19

20

21

22

23

24

25

1 **SAINT ROSE OF LIMA COLUMBIAN CLUB, INC.**

2 **T/A CLUB CABALLEROS de COLON**

3 **Located at 2310-14 Summit Avenue**

4 **Liquor License No. 0910-33-198-003**

5

6 MR. FARMER: The last one is Saint Rose of
7 Lima and the Police Officer, Officer Estrada
8 (sic) -- Estevez is here.

9 Again I talked to Detective Dunlay and I
10 talked to the Officer. It appears that there was
11 an event, people came out and they were all
12 outside and somebody got into a shouting match,
13 the Police came and one person was dis--
14 disorderly, disruptive. Doesn't seem to appear
15 to have been drunk or anything like that.

16 And the Officer clearly indicated to me and
17 will tell you that as far as he's concerned that
18 the bar had nothing to do with the incident.

19 So I'd recommend it be dismissed; Detective
20 Dunlay agrees with that.

21 MAYOR STACK: Great.

22 Officer Estevez, you agree with what Mr.
23 Farmer has just stated?

24 OFFICER ESTEVEZ: Good evening, everybody.
25 Officer Estevez.

1 Yes, the event had nothing to do with it.
2 Just two parties outside arguing. The Police got
3 involved; the security from the event also got
4 involved and assisted us in disbursing the crowd.
5 So the event had nothing to do with the fight.

6 MAYOR STACK: Very good.

7 Thank you very much for your good work.
8 Thank you.

9 MR. FARMER: Thanks a lot.

10 Thank you.

11 MAYOR STACK: So I'll make a motion to
12 dismiss, Greg?

13 MR. FARMER: Yes.

14 MAYOR STACK: Motion to dismiss.

15 COMMISSIONER MARTINETTI: Second.

16 ACTING CITY CLERK: Motion by Mayor Stack.

17 Second by Commissioner Martinetti.

18 Roll call.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5 MR. FARMER: Okay.

6 That's it.

7 MAYOR STACK: Thank you, Greg.

8 MR. FARMER: Thank you.

9 (Whereupon, there was a pause in the
10 proceedings.)

11

12 * * *

13

14 **ADJOURNMENT:**

15

16 ACTING CITY CLERK: Mayor, we have no other
17 item on the agenda for tonight.

18 Is there a motion to adjourn?

19 MAYOR STACK: Motion.

20 COMMISSIONER MARTINETTI: Motion.

21 Second.

22 ACTING CITY CLERK: Motion by Mayor Stack.

23 COMMISSIONER MARTINETTI: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Martinetti.

1 All in favor?

2

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

4

5 (Whereupon, the proceedings were concluded
6 at 7:19 p.m.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

6 **Board of Commissioners**

7

8

Attest:

9

Dominick Cantatore,

10

Acting City Clerk

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, August 16, 2016 and digitally
10 recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored and Proofread by: Deborah Dillon