

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Emerson Middle School
318 18th Street
Union City, New Jersey

Tuesday, October 4, 2016
Commencing at 7:03 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

ERIN KNOEDLER, DEPUTY CITY CLERK

SCARINCI HOLLENBECK
BY: KRYSTLE NOVA, ESQ.
Corporation Counsel

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

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

3 This is a Regular Public Meeting of the
4 Union City Board of Commissioners, being held on
5 Tuesday, October 4th, 2016, at seven p.m., at the
6 Emerson Middle School, 318 18th Street, 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 time,
20 the date, location, and the agenda, to the extent
21 known, was forwarded to The Jersey Journal, to
22 The Hudson Reporter, and has been posted on the
23 bulletin board in City Hall, has been made
24 available to the -- to the public in the Office
25 of the 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

(Whereupon, the Board discussed and took

18

action on the following item:

19

APPROVAL OF PREVIOUS MEETING MINUTES FROM

20

SEPTEMBER 6, 2016.)

21

22

ACTING CITY CLERK: First item is Approval

23

of the Previous Meeting of September 6th, 2016.

24

COMMISSIONER RIVAS: Move it.

25

COMMISSIONER MARTINETTI: Second.

1 ACTING CITY CLERK: Moved by Commissioner
2 Rivas.

3 Second by Commissioner Martinetti.

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 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16

17 (Whereupon, the Board discussed and took
18 action on the following item:

19 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21 1. AN ORDINANCE AMENDING 397 OF THE CODE OF
22 THE CITY OF UNION CITY ENTITLED "TOWING".)

23

24 ACTING CITY CLERK: Next item is an
25 ordinance for Hearing and Adoption Consideration.

1 First Ordinance Amending Chapter 297 (sic)
2 of the Code of the City of Union City Entitled
3 Towing.

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

7 Seeing none.

8 ACTING CITY CLERK: Is there a motion to
9 close the public hearing?

10 COMMISSIONER MARTINETTI: Motion.

11 COMMISSIONER VALDIVIA: Motion.

12 ACTING CITY CLERK: Motion --

13 COMMISSIONER VALDIVIA: Second.

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

16 Second by Commissioner Valdivia.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 ACTING CITY CLERK: Commissioner
25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 ACTING CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 ACTING CITY CLERK: Is there a motion to --
5 to adopt?

6 COMMISSIONER VALDIVIA: Motion.

7 MAYOR STACK: Motion.

8 ACTING CITY CLERK: Motion by Commissioner
9 Valdivia.

10 COMMISSIONER MARTINETTI: Second.

11 ACTING CITY CLERK: Second by Commissioner
12 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

1 (Whereupon, the Board discussed and took
2 action on the following item:

3 **ORDINANCES FOR HEARING AND ADOPTION**

4 **CONSIDERATION:**

5 2. AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
6 APPROPRIATION LIMITS AND TO ESTABLISH A CAP
7 BANK.)

8

9 ACTING CITY CLERK: Next Ordinance is
10 Exceeding the Municipal Budget Appropriation
11 Limits to Establish a Cap Bank.

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

15 Seeing none.

16 ACTING CITY CLERK: None.

17 Is there --

18 COMMISSIONER MARTINETTI: Motion --

19 ACTING CITY CLERK: Motion --

20 COMMISSIONER MARTINETTI: -- to close.

21 ACTING CITY CLERK: -- by Commissioner
22 Martinetti.

23 COMMISSIONER RIVAS: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Rivas.

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: Yes.

11 ACTING CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 ACTING CITY CLERK: Is there a motion to

14 adopt?

15 COMMISSIONER MARTINETTI: Motion to adopt.

16 ACTING CITY CLERK: Motion by --

17 COMMISSIONER VALDIVIA: Second.

18 ACTING CITY CLERK: -- Commissioner

19 Martinetti.

20 Second by Commissioner Valdivia.

21 Roll call.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 ACTING CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 ACTING CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 ACTING CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8

9 (Whereupon, the Board discussed and took
10 action on the following item:

11 **ORDINANCES FOR HEARING AND ADOPTION**

12 **CONSIDERATION:**

13 3. AN ORDINANCE AMENDING CHAPTER 109 OF THE
14 CODE OF THE CITY OF UNION CITY ENTITLED "BUSINESS
15 HOURS OF OPERATION" (ADJACENT PROPERTIES).)

16

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

20 MAYOR STACK: Anyone wishing to comment on
21 this Ordinance at this time please step forward.

22 This will set hours of regulation on -- on
23 businesses in the City to close at midnight.

24 Am I correct, Krystle?

25 MS. NOVA: That's correct.

1 MAYOR STACK: Krystle, maybe you could give
2 a brief explanation.

3 MS. NOVA: Yes.

4 This amendment to the original Ordinance is
5 just allowing us to further clear up what the
6 exceptions are going to be.

7 So this essentially if you are not adjacent
8 to a residential dwelling --

9 And adjacent means attached, adjoining,
10 bordering, next to any part of the property.

11 -- then you will not be subject to the
12 business hours of operation.

13 Now this -- this would not affect the
14 pharmacies where CDS is available inside.

15 MAYOR STACK: Anyone wishing to comment on
16 this Ordinance at this time please step forward.

17 Seeing none.

18 ACTING CITY CLERK: Is there a motion to
19 close the public hearing on --

20 COMMISSIONER RIVAS: Motion.

21 ACTING CITY CLERK: -- the Ordinance?

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: Yes.

11 ACTING CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 ACTING CITY CLERK: Is there a motion to

14 adopt this Ordinance?

15 MAYOR STACK: Motion.

16 ACTING CITY CLERK: Motion by Mayor Stack.

17 COMMISSIONER FERNANDEZ: Second.

18 ACTING CITY CLERK: Second by Commissioner

19 Rivas (sic).

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 COMMISSIONER MARTINETTI: Yes.

5 ACTING CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7

8 (Whereupon, the Board discussed and took
9 action on the following item:

10 **ORDINANCES FOR HEARING AND ADOPTION**

11 **CONSIDERATION:**

12 4. AN ORDINANCE OF THE CITY OF UNION CITY,
13 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
14 SUM OF \$325,000 IN FUNDING FROM THE CAPITAL
15 IMPROVEMENT FUND FOR VARIOUS RENOVATIONS TO THE
16 47th STREET FIRE HOUSE.)

17

18 ACTING CITY CLERK: The next Ordinance of
19 the City of Union City, Appropriating the Sum of
20 325,000 of -- in Funding from the Capital
21 Improvement for Various Renovation to the 47th
22 Street Firehouse.

23 MAYOR STACK: This is for additional
24 improvements that are being made to the 47th
25 Street Firehouse.

1 As we've mentioned earlier in the year it's
2 taken us a little bit longer on this project.

3 We're not sure we're going to need this
4 additional 325,000 -- all of it I should say --

5 Some of it we definitely will.

6 -- but all of it -- for additional
7 improvements.

8 Instead of having I believe eight rooms,
9 now we'll have 11 rooms in the Firehouse. This
10 will be something that's used for emergency
11 purposes when there's a fire or a disaster in the
12 community where we would house the victims, as
13 opposed to going to hotels let's say on Tonnelles
14 Avenue, which are out of reach and totally
15 inconvenient for families that maybe suffer a --
16 whether it be a flood in the basement or a fire.

17 Hopefully we'll never need the building but
18 it would be set up for them. It's -- I've been
19 to the building twice in the last couple months.
20 It's coming along very well. We're hoping to
21 finish this project by the end of the year.

22 Anyone wishing to comment on this Ordinance
23 at this time please step forward, state your name
24 and address for the record.

25 ACTING CITY CLERK: Seeing none.

1 MAYOR STACK: Seeing none I'll make a
2 motion.

3 ACTING CITY CLERK: There a motion?

4 COMMISSIONER RIVAS: I'll second.

5 ACTING CITY CLERK: Motion by Mayor Stack.

6 COMMISSIONER RIVAS: Yes.

7 ACTING CITY CLERK: Second by Commissioner
8 Rivas.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 Mayor Stack?

19 MAYOR STACK: Yes.

20 MS. NOVA: Yeah, Commissioner Martinetti is
21 recusing --

22 ACTING CITY CLERK: Recusing?

23 MS. NOVA: -- on that.

24 ACTING CITY CLERK: Okay, good.

25

1 (Whereupon, the Board discussed and took
2 action on the following item:

3 **ORDINANCES FOR HEARING AND ADOPTION**

4 **CONSIDERATION:**

5 5. AN ORDINANCE AMENDING CHAPTER 223 "LAND
6 DEVELOPMENT," SECTION 12 OF THE CODE OF THE CITY
7 OF UNION CITY ENTITLED "CONSTRUCTION
8 REQUIREMENTS".)

9

10 ACTING CITY CLERK: Okay.

11 Next, Ordinance Amending Chapter 223 Land
12 Development, Section 12 of the Code of the City
13 of Union City Entitled Construction Requirements.

14 MAYOR STACK: Krystle, if you could please
15 explain that?

16 MS. NOVA: Sure.

17 This Ordinance amends the Code to prohibit
18 the use of tile and other similar or like
19 material for all construction related to or for
20 the purpose of renovating a preexisting building
21 façade or other street frontage.

22 This would be applicable to renovations of
23 buildings.

24 MAYOR STACK: Basically what we're trying
25 to stop in the community is where -- is where

1 people put this commercial tile so-to-speak that
2 people use on floors but on the outside and on
3 the façade of buildings. We're trying to stop
4 that.

5 I don't want to pinpoint locations in the
6 City but there were some locations on upper New
7 York Avenue where it looked terrible. It looked
8 terrible.

9 And they're basically using floor tiles but
10 they apply that to the side of a building and
11 they use that as a façade. Doesn't look good.
12 It doesn't blend in with the rest of the
13 community, whether people have aluminum siding on
14 their home or whether they have brick or a stucco
15 finish.

16 This is something that's totally out of the
17 ordinary and we're just trying to make it safer
18 also for everyone that none of these ever fall
19 off a building -- off the face of a building.

20 Having said that anyone wishing to comment,
21 please step forward, state your name and address
22 for the record.

23 Mr. Price?

24 ACTING CITY CLERK: None.

25 MR. PRICE: Larry Price, 1006 --

1 ACTING CITY CLERK: Oh.

2 MR. PRICE: -- Palisade.

3 A question.

4 It prohibits tiles on the façade or other
5 frontage. Does that mean that tile is only
6 prohibited on the front of the building or any
7 wall of the building?

8 MAYOR STACK: I don't believe on any wall
9 it's -- it's allowed. I believe it would be
10 prohibited.

11 Krystle?

12 MS. NOVA: That's correct. It would be
13 prohibited on all -- all the --

14 MAYOR STACK: All exterior.

15 MR. PRICE: And it --

16 MS. NOVA: The façade -- the definition
17 would be that it's anything that can be seen from
18 the outside.

19 MR. PRICE: Okay.

20 MS. NOVA: Yeah.

21 From the street. Anything that you can
22 see.

23 MR. PRICE: Could we -- could we make it
24 just simpler and just say any exterior wall --

25 MAYOR STACK: Yeah, I -- I think --

1 MR. PRICE: -- of the building?

2 MAYOR STACK: -- I think Mr. Price actually
3 has a good point there.

4 It shouldn't be anything that you could
5 just see from the street. It should be on all
6 four -- all walls surrounding -- the entire
7 envelope of the building should not -- you should
8 not be able to put that type of tile on. That's
9 my intention.

10 MS. NOVA: The definition of the building
11 façade in the Code is exactly that.

12 MAYOR STACK: Okay.

13 MS. NOVA: So it would -- it would --

14 MAYOR STACK: Just as long --

15 MS. NOVA: -- encompass exactly that.

16 MAYOR STACK: -- as we're covering all the
17 walls of the building on the exterior.

18 MS. NOVA: Yes.

19 MAYOR STACK: Okay.

20 MR. PRICE: Okay.

21 Thank you.

22 Thank you.

23 MAYOR STACK: Sure.

24 Anyone else wishing to comment at this
25 time?

1 Seeing no other.

2 ACTING CITY CLERK: Is there a motion to
3 close the public --

4 COMMISSIONER RIVAS: Motion.

5 ACTING CITY CLERK: -- hearing on this
6 Ordinance?

7 Motion by Commissioner Rivas.

8 COMMISSIONER VALDIVIA: Second.

9 ACTING CITY CLERK: Second by Commissioner
10 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; recusing.

20 Mayor Stack?

21 MAYOR STACK: Yes.

22 ACTING CITY CLERK: Okay.

23 Is there a motion to adopt --

24 COMMISSIONER VALDIVIA: Motion.

25 ACTING CITY CLERK: -- this Ordinance?

1 COMMISSIONER VALDIVIA: Motion.

2 ACTING CITY CLERK: Motion by Commissioner
3 Valdivia.

4 COMMISSIONER FERNANDEZ: 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: Recusing.

17 ACTING CITY CLERK: Recusing.

18 Mayor Stack?

19 MAYOR STACK: Yes.

20

21 (Whereupon, the Board discussed and took
22 action on the following items it total:

23 **CONSENT AGENDA:**

24 (1) Resolution Approving the Payment of Claims

25 (2) Resolution Approving the Payment of

1 Concurring Claims

2 (3) Resolution Approving the City Payroll for
3 the Period of September 19, 2016 through
4 September 30, 2016

5 (4) Resolution Approving the Library Payroll
6 for the Period of September 19, 2016 through
7 September 30, 2016

8 (5) Resolution Authorizing the Refund of a
9 Duplicate Payment

10 (6) Resolution Authorizing Refund of Redemption
11 Monies to Outside Lienholders

12 (7) Resolution Authorizing the Refund of
13 Premium Monies Collected at the Tax Sale

14 (8) Resolution Authorizing the Refund of a Tax
15 Appeal Issued by the Hudson County Board of
16 Taxation

17 (9) Resolution Authorizing a Contract be
18 Awarded to NJ Solutions & Electric for Police
19 Cameras

20 (10) Resolution Authorizing the Award of a
21 Contract to Roman Asphalt Corporation for 2016
22 Road Speed Bump Program

23 (11) Resolution Authorizing the Award of a
24 Contract to S. Batata Construction for 2016 CDA
25 Roadway Improvements for Bergenline Avenue

1 Section

2 (12) Resolution Authorizing the Person to Person
3 and Place to Place Transfer of Liquor License No.
4 0910-33-119-005 from Jay L. Lubetkin Chapter 7
5 Trustee for the Park Avenue Bar & Grill, LLC to
6 Chandi and Madhu, LLC located at 3417 Park Avenue
7 (With Conditions).)

8

9 ACTING CITY CLERK: Next item is a Consent
10 Agenda.

11 First item on the Consent Agenda is a
12 Resolution Approving the Payment of Claims.

13 Item 2 is Resolution Approving the Payment
14 of Concurring Claims.

15 Item 3 is Resolution Approving the City
16 Payroll for the Period of September 19, 2016
17 through September 30th, 2016.

18 Item 4.

19 Resolution Approving Library Payroll for
20 the Period of September 19, 2016 through
21 September 30th, 2016.

22 Item 5.

23 Resolution Authorizing the Refund of
24 Duplicate Payment.

25 Item 6.

1 Resolution Authorizing Refund of Redemption
2 Money to Outside Lienholders.

3 Item 7.

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

6 Item 8.

7 Resolution Authorizing the Refund of a Tax
8 Appeal Issued to (sic) the Hudson County Board of
9 Taxation.

10 Item 9.

11 Resolution Authorizing Contract to be
12 Awarded to NJ Solution Electric for Police
13 Cameras.

14 Item 10.

15 Resolution Authorizing the Award of
16 Contract to Roman Asphalt Corporation for 2016
17 Road Speed Bump Program.

18 Item 11.

19 Resolution Authorizing the Award of a
20 Contract to S. Batata Construction for 2016 CDA
21 Roadway Improvements for Bergenline Avenue --

22 MS. NOVA: Section.

23 ACTING CITY CLERK: -- Section.

24 Is that Section?

25 MS. NOVA: Section.

1 COMMISSIONER VALDIVIA: Section.

2 MAYOR STACK: And that would be from --
3 that would be from 13th to 18th on Bergenline
4 Avenue. Just for clarification on number 11.
5 It's not on here --

6 ACTING CITY CLERK: Okay.

7 MAYOR STACK: -- it's not on here but that
8 would be from 13th to 18th on Bergenline. That
9 will actually start next year.

10 ACTING CITY CLERK: Okay.

11 MAYOR STACK: Due to the colder weather.

12 ACTING CITY CLERK: Very good.

13 Authorizing CDA Improvement for Bergenline
14 Avenue Section.

15 Okay.

16 Item 12.

17 Resolution Authorizing the Person to
18 Person/Place to Place Transfer of Liquor License
19 Number 0910-33-119-005 from Jay L. Lubetkin
20 Chapter 7 Trustee for the Park Avenue Bar and
21 Grill, LLC to Chandi and Madhu, LLC located at
22 3417 Park Avenue, with Conditions.

23 MAYOR STACK: Anyone wishing to comment on
24 the Consent Agenda, please step forward, state
25 your name and address for the record.

1 Seeing none.

2 I'll make a motion.

3 ACTING CITY CLERK: So none.

4 Motion to approve.

5 COMMISSIONER FERNANDEZ: Second.

6 ACTING CITY CLERK: Motion by Mayor Stack.

7 COMMISSIONER FERNANDEZ: Second.

8 ACTING CITY CLERK: Second by Commissioner

9 Rivas (sic).

10 MS. NOVA: Fernandez.

11 COMMISSIONER FERNANDEZ: Fernandez.

12 ACTING CITY CLERK: Commissioner Fernandez.

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 Mayor Stack?

23 COMMISSIONER MARTINETTI: Yes.

24 MAYOR STACK: Yes.

25 MS. DILLON: Commissioner Martinetti, could

1 you --

2 COMMISSIONER MARTINETTI: Yes.

3 MS. DILLON: -- state your vote?

4 Thank you.

5 COMMISSIONER MARTINETTI: I vote yes.

6

7 (Whereupon, the Board discussed and took
8 action on the following item:

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

10 1. AN ORDINANCE AMENDING CHAPTER 4
11 "ADMINISTRATION OF GOVERNMENT" ARTICLE XIII OF
12 THE CODE OF THE CITY OF UNION CITY ENTITLED
13 "POLICE DEPARTMENT".)

14

15 ACTING CITY CLERK: Next item are
16 Ordinances for Introduction.

17 This -- the first Ordinance Amending
18 Chapter 4 Administration of Government Article
19 XIII of the Code of the City of Union City
20 Entitled Police Department.

21 MAYOR STACK: I'll make a motion.

22 ACTING CITY CLERK: Motion to introduce by
23 Mayor Stack.

24 COMMISSIONER MARTINETTI: Second.

25 ACTING CITY CLERK: Second by Commissioner

1 Martinetti.

2 Roll call.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 ACTING CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

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

15 (Whereupon, the Board discussed and took
16 action on the following item:

17 **REGULAR AGENDA:**

18 1. Resolution Authorizing Payment of Claim to
19 the Hudson County Improvement Authority.)

20

21 ACTING CITY CLERK: Next item, Regular
22 Agenda, we have a Resolution Authorizing Payment
23 of Claim to the Hudson County Improvement
24 Authority.

25 MAYOR STACK: I'll move it.

1 COMMISSIONER VALDIVIA: Second.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 Second by Commissioner Valdivia.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER FERNANDEZ: Recusing.

9 ACTING CITY CLERK: Recusing.

10 Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER FERNANDEZ: Recusing.

15 COMMISSIONER MARTINETTI: Recusing.

16 ACTING CITY CLERK: Recusing.

17 Mayor Stack?

18 MAYOR STACK: Yes.

19

20 (Whereupon, the Board discussed and took
21 action on the following item:

22 **REGULAR AGENDA:**

23 2. Resolution Approving Shared Services

24 Agreement with the Union City Board of Education
25 for Snow Removal.)

1

2

3

4

5

ACTING CITY CLERK: Item 2 on the Regular
Agenda is a Resolution Approving Shared Service
Agreement with the Union City Board of Education
for Snow Removal.

6

MAYOR STACK: I'll move it.

7

COMMISSIONER RIVAS: I'll second.

8

ACTING CITY CLERK: Motion by Mayor Stack.

9

Second by Commissioner Rivas.

10

Roll call.

11

Commissioner Fernandez?

12

Commissioner Rivas?

13

COMMISSIONER RIVAS: Yes.

14

ACTING CITY CLERK: Commissioner Valdivia?

15

COMMISSIONER VALDIVIA: Yes.

16

ACTING CITY CLERK: Commissioner

17

Martinetti?

18

Recusing.

19

Mayor Stack?

20

MAYOR STACK: Yes.

21

MS. NOVA: For the record, this --

22

Commissioner Valdivia is voting on this based on
the Doctrine of Necessity, as this is a Board of
Education matter.

25

MS. DILLON: Ms. Nova, can -- Commissioner

1 Fernandez is recusing?

2 MS. NOVA: Commissioner Fernandez is
3 recusing --

4 MS. DILLON: Thank you.

5 MS. NOVA: -- on this.

6

7 (Whereupon, the Board discussed and took
8 action on the following item:

9 **REGULAR AGENDA:**

10 3. Resolution Authorizing Shared Services
11 Agreement with the Union City Board of Education
12 for Crossing Guard Services for 2016-2017.)

13

14 ACTING CITY CLERK: Okay next item, item 3.
15 Resolution Authorizing Shared Service
16 Agreement with the Union City Board of Education
17 for the Crossing Guard Services for 2016-2017.

18 MAYOR STACK: I'll move it.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER RIVAS: I'll second.

21 ACTING CITY CLERK: Second by Commissioner
22 Rivas.

23 Roll call.

24 Commissioner Fernandez?

25 MS. NOVA: Recusing.

1 ACTING CITY CLERK: Recusing.

2 Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 Recusing.

9 Mayor Stack?

10 MAYOR STACK: Yes.

11 MS. NOVA: Again, Commissioner Valdivia is
12 voting on this based on the Doctrine of
13 Necessity, as this is a Board of Education
14 matter.

15

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

17

18 ACTING CITY CLERK: Mayor, do you wish to
19 take any public comment on any -- on -- on the
20 Regular -- on any items on the Regular Agenda at
21 this time?

22 MAYOR STACK: Sure.

23 Any-- anyone wishing to comment on any
24 matter concerning municipal government in the
25 City of Union City, please step forward, state

1 your name and address for the record.

2 MR. DIAZ: Good evening, Board members.

3 Luis Diaz, 412 38th Street.

4 Mayor, on behalf of all of us that work and
5 live here in Union City, we want to thank you for
6 taking care of the problem with the Parking
7 Authority.

8 MAYOR STACK: Thank you.

9 MR. DIAZ: It was a problem that persisted
10 for many months and, thank God, you took care of
11 it.

12 MAYOR STACK: Thank you.

13 MR. DIAZ: Thank you very much.

14 MAYOR STACK: Thank --

15 Mr. Diaz, I appreciate you and both your
16 partner for reaching out for me and bringing it
17 to my attention. It's things like that,
18 complaints like that, even constructive
19 criticism, help us to do a better job and I
20 appreciate that.

21 Thank you very much.

22 MR. DIAZ: Thank you, sir, again.

23 MAYOR STACK: Thank you.

24 Anyone else wishing to comment?

25 Please. If you could please step forward.

1 Just state your name and address for the record.

2 Thank you.

3 MR. PAGE: Carlos Page.

4 My address is 313 33rd Street in Union
5 City.

6 MS. DILLON: Sir, spell your last name for
7 me.

8 MR. PAGE: P-A-G-E.

9 MS. DILLON: Thank you.

10 MR. PAGE: My concerns are the new park
11 being built at the end of the block. It's a
12 cul-de-sac and I wonder were any measures are
13 being considered for preventing the park from
14 becoming -- or rather the block from becoming
15 part of the park.

16 In the past we have experienced challenges
17 with crowds on the street, loitering,
18 trespassing, security in general on that block.

19 And with the construction of the -- the
20 improvement of the park I imagine that crowds
21 would be even larger and -- and makes us wonder
22 how -- whether there is going to be any kind of
23 crowd control or security detail or looking ahead
24 what's being considered for that situation.

25 MAYOR STACK: Sure. I appreciate your

1 | comments.

2 | Definitely we'll have additional security
3 | once we open up the park next spring when it
4 | opens. We're under construction right now.
5 | We've been delayed because of -- of manufacturing
6 | delays of the play toys that are going in there.
7 | Once that park does open -- we're hoping to open
8 | it sometime probably in May of next year. Once
9 | it does open I'll speak with the Chief also about
10 | dedicating maybe a -- a Class II special police
11 | officer there. During peak hours in the
12 | afternoons when the kids are out of school or
13 | over the summer we'll have an officer there and
14 | we'll have additional security, we will.

15 | MR. PAGE: Maybe -- possibility of
16 | installing cameras to control the liability
17 | issues for all the homeowners and residents on
18 | the block. Like I said from -- truck passing,
19 | kids use the cul-de-sac as a playing ground for
20 | playing soccer and with increased crowds really I
21 | would appreciate --

22 | MAYOR STACK: Absolutely.

23 | And what we'll do, sir, is next -- next
24 | year in -- in say or March or so, if you could
25 | reach out for me. Reach out for me in March,

1 both the Chief and I will meet with you and with
2 the residents on the block, to go over all the
3 concerns and we'll make sure that they're
4 addressed on the park opening.

5 MR. PAGE: Thank you very much.

6 MAYOR STACK: But please reach out for me
7 in March by all means so we have plenty of time
8 in advance to come with a plan.

9 MR. PAGE: I understand.

10 MAYOR STACK: We will.

11 MR. PAGE: Thank you very much.

12 MAYOR STACK: Thank you.

13 Anyone else wishing to comment at this time
14 please step forward, state your name and address
15 for the record.

16 Seeing no other.

17 COMMISSIONER MARTINETTI: Motion.

18 MAYOR STACK: Make a motion to close.

19 ACTING CITY CLERK: Motion to close public
20 comment.

21 COMMISSIONER MARTINETTI: Second.

22 ACTING CITY CLERK: Motion by Mayor Stack.

23 Second by Commissioner Martinetti.

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:**

2

3 1. El Munequito Corp.

4 T/A El Miguelino

5 Located at 2103 Summit Avenue

6 Liquor License No. 0910-33-100-009

7 2. Vanessa Café

8 T/A Vanessa Café

9 Located at 120 43rd Street

10 Liquor License No. 0910-33-029-008

11 3. Mayen Corp.

12 T/A El Trebol

13 Located at 3204 Bergenline Avenue

14 Liquor License No. 0910-33-190-008

15 4. Bambinas Bar & Restaurant

16 T/A Milagro Ecuatoriano Restaurant

17 Located at 2906 Bergenline Avenue

18 Liquor License No. 0910-33-040-009

19 5. RG Enterprise Entertainment

20 T/A Therapy Lounge

21 Located at 2803 Bergenline Avenue

22 Liquor License No. 0910-33-134-006

23

24 ACTING CITY CLERK: Mayor, the next items

25 on the agenda is Disciplinary Proceeding.

1 MAYOR STACK: Just for everyone's knowledge
2 this portion of the meeting is on Liquor License
3 Disciplinary Proceedings.

4 Mr. Farmer?

5 MR. FARMER: Yes.

6 MAYOR STACK: Okay.

7 MR. FARMER: Good evening, Mayor --

8 MAYOR STACK: Thank you to those members of
9 the public --

10 MR. FARMER: -- and members of the Council.

11 MAYOR STACK: -- that are here this
12 evening.

13 Thank you very much.

14 MR. FARMER: You have about five on your
15 calendar but let's address them 1 through 5.

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1 **EL MUNEQUITO CORP.**

2 **T/A EL MIGUELINO**

3 **Located at 2103 Summit Avenue**

4 **Liquor License No. 0910-33-100-009**

5

6 MR. FARMER: The first one is El
7 Munequito/El Miguelino. That's a bar on 2103
8 Summit Avenue.

9 With respect to the history on this bar
10 we've already had disciplinary hearings
11 concerning this bar where the Board has revoked
12 their license and subsequently later refused to
13 renew their license.

14 They've taken an appeal on that and that
15 appeal is just been decided by the OAL judge
16 sustaining your action in revoking the license.

17 They have appealed and, as a matter of fact
18 it's customary -- not customary, mandatory, that
19 that decision, which is initial decision, be
20 renewed by the Director of the State ABC. That's
21 where it is right now.

22 MAYOR STACK: So, -- so, Mr. Farmer, just
23 -- if the -- if the -- how long -- how many days
24 does the Director have?

25 He has like a period of time, right, to --

1 MR. FARMER: He generally --

2 MAYOR STACK: -- review it?

3 MR. FARMER: -- has about 45 days.

4 MAYOR STACK: Okay. And if he reviews
5 it --

6 MR. FARMER: But he can give himself
7 extensions.

8 MAYOR STACK: I see.

9 If he reviews it and agrees with us then
10 what happens from there?

11 MR. FARMER: I would anticipate what would
12 happen from there is that once he agrees with you
13 he will put in a date when the license will be
14 ended.

15 MAYOR STACK: I see.

16 MR. FARMER: Now at that moment in time,
17 just like with Mexico Lindo, they have a right to
18 appeal to the Appellate Division.

19 MAYOR STACK: Right.

20 MR. FARMER: And that could take another
21 year.

22 But by the same token what I want to try to
23 do is that -- that one is pending. As I
24 indicated Detective Dunlay and Lieutenant Loaces,
25 this morning and all day today, testified in

1 another proceeding -- another disciplinary
2 proceeding against the same license on other
3 violations that you found them guilty of too.

4 So I'm hoping that when the Director
5 decides the case, when they take an appeal of
6 this case, we can ask that they be immediately
7 closed --

8 MAYOR STACK: That's what --

9 MR. FARMER: -- pending any appeals.

10 MAYOR STACK: That was my next question.
11 That's what I wanted to make sure.

12 MR. FARMER: So, --

13 MAYOR STACK: Okay.

14 MR. FARMER: -- like most of these
15 proceedings they take a long time and you really
16 got to build a record and we've been successful
17 on pretty much all of them.

18 So I would just ask that this be put off to
19 the side until we see what happens, which I think
20 is going to happen soon, on the appeals.

21 Okay?

22

23

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1 **VANESSA CAFÉ**

2 **T/A VANESSA CAFE**

3 **Located at 120 43rd Street**

4 **Liquor License No. 0910-33-029-008**

5

6 MR. FARMER: The next one is Vanessa Café.

7 MR. DIAZ: Good evening, Board members.

8 Luis Diaz for the licensee, Vanessa --
9 trading as Vanessa Café.

10 MR. FARMER: This is a paper violation.
11 And I've spoken to Mr. Diaz about it. It's the
12 second violation, so there's a little enhanced
13 penalty where it goes from three to five days.
14 And they're going to be closed from October 23rd,
15 24th, 25th, 26th and 27th.

16 MR. DIAZ: That's correct. And we -- we
17 plead to the violation.

18 MAYOR STACK: Okay.

19 And what will be the dates for the closing?

20 ACTING CITY CLERK: October --

21 MR. FARMER: October 23rd, 24th, 25th, --

22 ACTING CITY CLERK: -- 23rd, --

23 MR. FARMER: -- 26th, 27th.

24 ACTING CITY CLERK: -- 26th, --

25 MAYOR STACK: Okay.

1 MR. FARMER: Those five days.

2 MAYOR STACK: Mr. Diaz, did you enter your
3 appearance?

4 MR. DIAZ: Yes I did.

5 MAYOR STACK: Oh you did?

6 MR. DIAZ: Yeah.

7 MAYOR STACK: Okay.

8 And you agree with the terms?

9 MR. DIAZ: Yes, we agree.

10 MAYOR STACK: Okay.

11 MR. DIAZ: Yeah.

12 MAYOR STACK: Great.

13 MR. DIAZ: It was a --

14 MAYOR STACK: Okay.

15 MR. DIAZ: -- 141 violation, one person.

16 And, yes, we plead to -- to that violation.

17 MAYOR STACK: Okay.

18 I'll make a motion to approve.

19 ACTING CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER FERNANDEZ: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Fernandez.

23 Roll call.

24 Commissioner Rivas?

25 COMMISSIONER FERNANDEZ: Yes.

1 COMMISSIONER RIVAS: Yes.

2 ACTING CITY CLERK: Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 Recusing.

9 Mayor Stack?

10 MAYOR STACK: Yes.

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1 **MAYEN CORP.**

2 **T/A EL TREBOL**

3 **Located at 3204 Bergenline Avenue**

4 **Liquor License No. 0910-33-190-008**

5

6 MR. FARMER: The next one, El Trebol.

7 They're represented by John Lynch who's on

8 vacation in Ireland. So I'd ask that that be

9 carried to October 18th.

10 We had supplied them with some video, which

11 I'm hoping will change their mind with respect to

12 the position they're taking in this litigation.

13 So if we could carry this one to October

14 8th (sic) Lynch will be back by that time, and

15 Detective Dunlay and myself will talk to him with

16 -- in the context of the video that we've shown

17 him of the incidents.

18 MAYOR STACK: Great.

19 MR. FARMER: Okay?

20 MAYOR STACK: Thank you very much.

21 MR. FARMER: So that could be carried to

22 the 18th?

23 ACTING CITY CLERK: So that's a motion to

24 carry to the 18th.

25 MAYOR STACK: Motion.

1 COMMISSIONER MARTINETTI: Second.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 Second by Commissioner Martinetti.

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 Mayor Stack?

14 COMMISSIONER MARTINETTI: Yes. Yes.

15 MAYOR STACK: And the date of that meeting

16 is October --

17 The next Commission meeting is --

18 ACTING CITY CLERK: The next Commissioner

19 meeting --

20 MAYOR STACK: October 18th you said?

21 ACTING CITY CLERK: Well, no.

22 MAYOR STACK: Or 19th?

23 ACTING CITY CLERK: Carry the 18th.

24 DEPUTY CITY CLERK: The 20th.

25 ACTING CITY CLERK: But the next Commission

1 meeting --

2 MS. NOVA: October 20th.

3 ACTING CITY CLERK: I'm sorry.

4 MAYOR STACK: What is it?

5 MS. NOVA: October 20th.

6 MR. FARMER: Oh, October 20th.

7 ACTING CITY CLERK: October 20th?

8 MAYOR STACK: October 20th? Okay.

9 MR. FARMER: One better.

10 MAYOR STACK: I heard two different dates

11 that's why. Okay.

12 October 20th is the next meeting.

13 I got it.

14 ACTING CITY CLERK: Okay.

15 MAYOR STACK: My mistake.

16 COMMISSIONER FERNANDEZ: Three events that

17 day.

18 MR. FARMER: Okay.

19 COMMISSIONER FERNANDEZ: Not on the 18th?

20 MS. NOVA: No.

21 MS. DILLON: October 18th --

22 MS. NOVA: We double-checked it today.

23 MS. DILLON: -- is the next date.

24 MS. NOVA: It's the 20th.

25 COMMISSIONER FERNANDEZ: Not on Tuesday?

1 COMMISSIONER MARTINETTI: Eighteenth?

2 MAYOR STACK: Yeah, --

3 MS. DILLON: The 18th.

4 COMMISSIONER FERNANDEZ: Thursday?

5 MAYOR STACK: -- I -- I heard --

6 Yeah, I want to make sure I'm not --

7 MR. FARMER: Wait.

8 MAYOR STACK: -- going wacky here.

9 COMMISSIONER VALDIVIA: No, it's the 20th.

10 MAYOR STACK: I heard 18th, the 19th, and I
11 heard the 20th.

12 COMMISSIONER VALDIVIA: Yeah, --

13 MAYOR STACK: Which -- which is it now?

14 MS. NOVA: The 20th.

15 DEPUTY CITY CLERK: Twentieth.

16 MS. DILLON: Mr. Farmer initially said
17 October 18th.

18 MS. NOVA: It's the 20th.

19 COMMISSIONER VALDIVIA: The 20th.

20 COMMISSIONER FERNANDEZ: On a -- on a
21 Thursday?

22 MAYOR STACK: It's -- that's a Thursday the
23 20th.

24 MS. DILLON: That's a Thursday.

25 MAYOR STACK: It would be 18th.

1 COMMISSIONER FERNANDEZ: The 18th is the --

2 MAYOR STACK: The 18th.

3 COMMISSIONER FERNANDEZ: -- Tuesday.

4 MS. DILLON: The 18th is --

5 I have the schedule.

6 MAYOR STACK: The 18th.

7 ACTING CITY CLERK: So it is the 18th.

8 MAYOR STACK: It's the 18th.

9 You're right, Debbie.

10 MS. NOVA: Oh you have it the 18th?

11 ACTING CITY CLERK: October 18th.

12 MAYOR STACK: Thank God we have you.

13 COMMISSIONER FERNANDEZ: Come on, man. I
14 know I'm getting old but --

15 MS. DILLON: Thank you.

16 COMMISSIONER MARTINETTI: We're all getting
17 old. Excuse me.

18 ACTING CITY CLERK: October 18th.

19 Okay. Very good.

20

21

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1 **BAMBINAS BAR & RESTAURANT**

2 **T/A MILAGRO ECUATORIANO RESTAURANT**

3 **Located at 2906 Bergenline Avenue**

4 **Liquor License No. 0910-33-040-009**

5

6 MR. FARMER: Okay, the next one is Bambinas
7 Bar and Restaurant.

8 They're --- the licensee is represented by
9 Nino Falcone from North Bergen. And this
10 licensee has some corresponding State cases that
11 Mr. Falcone is attempting to work out, as well as
12 this one.

13 I seem to have on this case a plea of 90
14 days, which is a pretty substantial plea. This
15 is really paper violations on top of farming out
16 a license or letting somebody who is not a -- not
17 -- not filed -- not a disqualified person but
18 some other person who's not disqualified running
19 the business. And then there were a lot of paper
20 violations.

21 There was an overlap or an aspect of a
22 criminal case that had attached to it a certain
23 degree of sensationalism. However, that's
24 dissipated and indeed that case has been
25 dismissed leaving paper violations and the

1 unauthorized use of the license by an
2 unauthorized person.

3 Like I said it's 90 days. We're going to
4 see whether or not that 90 days could be
5 December, January and February or whether or not
6 it's going to be January, February, March.
7 Keeping in mind that in all of these proceedings,
8 if there's a disgruntled person, they can take an
9 appeal to the Administrative Law or the Director
10 of ABC and they have an automatic stay of any
11 punishment you -- you impose, resulting in the
12 issue being kicked down the -- the block for
13 probably about a -- a year or year and a half.

14 So I just point that out when we're talking
15 about the 90 day suspension.

16 Okay?

17 I -- just for your information, the
18 licensee has agreed to 90 days being January,
19 February and March. I've indicated we wanted
20 really December, January and February. Let's see
21 what he has to say.

22 MAYOR STACK: Yeah, I would like that
23 because the Police Department being busy as it is
24 but even in the month of December it being busy
25 with so many other --

1 MR. FARMER: I know. Yeah, I know.

2 MAYOR STACK: -- items on their agenda and
3 -- and knowing this place's history and the
4 problems that they've had, it probably be better
5 for all involved on the -- on the community end
6 to have it closed in December, January, February.

7 MR. FARMER: I'll certainly -- I'll
8 certainly try to talk them into that.

9 MAYOR STACK: Good.

10 MR. FARMER: But we have to recognize that
11 if they stand pat and we try it and we -- we --
12 you know, sentence them for lack of a better
13 phrase, to 90 days starting in December, they can
14 instantly go --

15 MAYOR STACK: I understand.

16 MR. FARMER: -- and block that. And then
17 you're on a list that will take forever to get
18 resolved.

19 And the last one --

20 So that's going off till the 18th.

21 -- is Therapy.

22

23 * * *

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25

1 **RG ENTERPRISE ENTERTAINMENT**

2 **T/A THERAPY LOUNGE**

3 **Located at 2803 Bergenline Avenue**

4 **Liquor License No. 0910-33-134-006**

5

6 MR. FARMER: Now Therapy is a situation
7 where Detective Dunlay, myself, looked at video,
8 went over the police reports. It seems that the
9 fact pattern --

10 And I realize that this place could be
11 determined to be a notorious place but in this
12 particular incident seems that the bar was
13 probably the victim in that somebody who was
14 removed -- removed from the bar, kicked out or
15 whatever hours before, returned and started a
16 disturbance in front of the bar -- never got
17 inside the bar and the Police were called. And
18 he got arrested because he was disorderly.

19 There's really nothing linking that arrest
20 to the bar because there was so much time from
21 the time the guy left to the time he returned and
22 the video of the scene doesn't show that the bar
23 was in any way resolved -- involved.

24 I realize that this bar again has a
25 checkered past but I don't think they did

1 anything in this particular time. And Detective
2 Dunlay and I have talked about it and looked at
3 everything and come to that conclusion.

4 So I would respectfully recommend to the
5 Board that Therapy Lounge case pending against
6 them be dismissed.

7 MAYOR STACK: I'm going to dismiss it on
8 your recommendation, Mr. Farmer.

9 The only frustration that I have here is
10 that this establishment continues to cause
11 problems in that neighborhood.

12 We probably get -- I can't say the most
13 complaints in this neighborhood but at the top
14 three in the City where we have problems.
15 Whether they're all attributed to Therapy Lounge
16 or not, I'm not a hundred percent sure but I can
17 tell you the issues that we have from 27 to 30 on
18 Bergenline is a mixture between Bambinas, between
19 Therapy; and also the 500 block of 28th Street
20 where we've had a number of problems there where
21 we've had the Police Department involved, the
22 Building Department, the Health Department --

23 MR. FARMER: Is that Club Monty?

24 MAYOR STACK: I'm sorry?

25 MR. FARMER: Is that Club Monty?

1 MAYOR STACK: No. No, that's -- that would
2 be on 6th and Bergenline.

3 But having said that the -- the number of
4 problems that we have in this neighborhood on
5 quality of life, public drunkard -- drunkardness,
6 public drinking, urination, congregating on
7 corners is all attributed at some point -- I'm
8 not sure the level -- between these
9 establishments that were mentioned, especially
10 Therapy.

11 So we're going to need to keep a close
12 watch here because this is a reoccurring problem
13 and people in the neighborhood constantly call.
14 I know they're calling me. I know they're
15 calling Lieutenant Loaces, Sergeant Dunlay, Chief
16 Molinari, the Commissioners and it's been a
17 constant, constant problem.

18 So, on the -- I'll make a motion to dismiss
19 it on your recommendation being that it doesn't
20 seem that they had any involvement on this one
21 but we need to keep a close watch on this.

22 MR. FARMER: We will.

23 MAYOR STACK: Thank you.

24 ACTING CITY CLERK: Motion to dismiss by
25 Mayor Stack.

1 COMMISSIONER FERNANDEZ: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Fernandez.

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 --

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: -- Valdivia?

13 Commissioner Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 ACTING CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 MR. FARMER: That concludes the ABC.

18 MAYOR STACK: Thank you, Mr. Farmer, --

19 MR. FARMER: Thank you.

20 MAYOR STACK: -- again, for your good work.

21 Thank you, Sergeant Dunlay.

22 SERGEANT DUNLAY: Thank you.

23 MAYOR STACK: I believe that's it, --

24

25 **ADJOURNMENT:**

1 ACTING CITY CLERK: Mayor, Commissioners,
2 there's no other items on the agenda at this
3 time.

4 COMMISSIONER RIVAS: Motion to adjourn.

5 ACTING CITY CLERK: Is there a motion to
6 adjourn?

7 COMMISSIONER MARTINETTI: Motion.

8 MAYOR STACK: Motion.

9 ACTING CITY CLERK: Motion by Mayor Stack.
10 Second by Commissioner Martinetti.
11 All in favor?

12

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

14

15 ACTING CITY CLERK: Thank you.

16

17 (Whereupon, the proceedings were concluded
18 at 7:33 p.m.)

19

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

6 **Board of Commissioners**

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Attest:

10

Dominick Cantatore,

11

Acting City Clerk

12

13

14

Attest:

15

Erin Knoedler,

16

Deputy City Clerk

17

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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, October 4, 2016 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon