

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Islamic Education Center
4613 Cottage Place
Union City, New Jersey

Wednesday, November 9, 2016
Commencing at 7:01 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 Wednesday, November 9th, 2016, at seven p.m., at
6 the Islamic Education Center, 4613 Cottage Place,
7 Union City, New Jersey.

8 Everyone, please rise for the Pledge of
9 Allegiance of the flag.

10
11 (Whereupon the Pledge of Allegiance was
12 said by all.)

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, 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 the bulletin board in City Hall,
24 has been made available to the -- to the public
25 in the Office of -- 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

(Whereupon, the Board discussed and took

18

action on the following item:

19

APPROVAL OF PREVIOUS MEETING MINUTES FROM OCTOBER

20

18, 2016.)

21

22

ACTING CITY CLERK: First item on the

23

agenda is Approval of Previous Meeting Minutes of

24

October 18, 2016.

25

MAYOR STACK: I'll move it.

1 COMMISSIONER RIVAS: And I'll second.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 Second by Commissioner Rivas.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner

12 Martinetti?

13 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 INTRODUCTION:**

20 1. AN ORDINANCE REQUIRING THE INSTALLATION OF
21 A KEY LOCK BOX EMERGENCY ACCESS SYSTEM FOR USE BY
22 THE UNION CITY POLICE DEPARTMENT DURING AN
23 EMERGENCY OR ANY OTHER ACTION DEEMED NECESSARY BY
24 THE NORTH HUDSON REGIONAL FIRE AND RESCUE AND
25 CREATING A CHAPTER 18 OF THE CODE OF THE CITY OF

1 UNION CITY.)

2

3 ACTING CITY CLERK: Next item is an
4 Ordinance for Introduction.

5 This Ordinance will be -- will be further
6 considered at a meeting on November 22nd, 2016, in
7 the Bruce -- Bruce D. Walter Recreation Center,
8 Union City, New Jersey.

9 It's Ordinance Requiring the Installation
10 of a Key Lock Box Emergency Access System for Use
11 by the Union City Police Department During
12 Emergency or Any Other Action Deemed Necessary
13 for the North Hudson Regional Fire and Rescue and
14 Creating Chapter 18 of the Code of the City of
15 Union City.

16 MAYOR STACK: This Ordinance will be --
17 will be heard, as the Clerk just mentioned, on
18 November 22nd.

19 It just gives Public Safety one more way of
20 accessing to a building during emergency
21 situations.

22 I'll move it.

23 COMMISSIONER VALDIVIA: Second.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 Second by Commissioner Valdivia.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: I'm recusing.

11 ACTING CITY CLERK: Commissioner Martinetti
12 recusing.

13 Mayor Stack?

14 MAYOR STACK: Yes.

15

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

18 **ORDINANCES FOR INTRODUCTION:**

19 2. AN ORDINANCE AMENDING CHAPTER 334 OF THE
20 CODE OF THE CITY OF UNION CITY ENTITLED "RENT
21 STABILIZATION".)

22

23 ACTING CITY CLERK: Another Ordinance
24 Amending Chapter 334 of the Code of the City of
25 Union City Entitled -- Entitled Rent

1 Stabilization.

2 MAYOR STACK: This Ordinance also is --
3 we'll hearing it at the next meeting.

4 It's just also giving additional protection
5 to the tenants in the City of Union City during
6 the toughest economic times probably in most of
7 our lifetime, where it will be a maximum of two
8 percent that will be charged to a senior citizen
9 in Union City or the CPI, what is every lower.

10 On -- additional on all other tenants it
11 would be a maximum of three percent or the CPI,
12 which is ever lower.

13 That again will be held -- heard at our
14 next meeting of the Board of Commissioners. And
15 once again it's just another layer of protection
16 realizing how hard residents have it in the City
17 of Union City in buildings where it's a rent
18 controlled building.

19 I'll move it.

20 COMMISSIONER MARTINETTI: Second.

21 ACTING CITY CLERK: Moved by Mayor Stack.

22 Second by Commissioner Martinetti.

23 Roll -- roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 And just -- just to add one thing.

11 What spurred this is Ordinance is when you
12 see senior citizens getting an increase of only
13 \$7.00 in their check over a month period, I think
14 we have be -- recognize and be cognizant of the
15 struggle that many people have in our community.

16 And just once again I thank the
17 Commissioners for recognizing this.

18 Thank you, Mr. Clerk.

19

20 (Whereupon, the Board discussed and took
21 action on the following items in total:

22 **CONSENT AGENDA:**

23 (1) Resolution Approving the Payment of Claims

24 (2) Resolution Approving the Payment of

25 Concurring Claims

- 1 (3) Resolution Approving the City Payroll for
- 2 the Period of October 14, 2016 through October
- 3 28, 2016
- 4 (4) Resolution Approving the Library Payroll
- 5 for the Period of October 1, 2016 through October
- 6 28, 2016
- 7 (5) Resolution Approving the Cash Management
- 8 Plan
- 9 (6) Resolution Designating Official
- 10 Depositories
- 11 (7) Resolution Authorizing the Refund of
- 12 Duplicate Tax Payments
- 13 (8) Resolution Authorizing the Refund of
- 14 Redemption Monies to Outside Lienholders
- 15 (9) Resolution Authorizing the Refund of
- 16 Premium Monies Collected at Tax Sale
- 17 (10) Resolution Cancelling Certain Tax Sale
- 18 Certificate Sold in Error and Refund of Premium
- 19 Monies for 1208 Summit Avenue (Block 58, Lot 24)
- 20 (11) Resolution for the Emergency Replacement of
- 21 the Union City Library Boiler
- 22 (12) Resolution Establishing a Public Officer
- 23 Pursuant to the Multifamily Housing Preservation
- 24 and Receivership Act with the Related Appointment
- 25 of Alejandro Velazquez to Serve as the Public

1 Officer on Behalf of the City of Union City

2 (13) Resolution Authorizing the Application for
3 the New Jersey Department of Transportation Grant
4 for Transportation Alternatives

5 (14) Resolution Authorizing the Award of a
6 Contract to Starlite Electric, LLC for Audio
7 Visual and Lighting Upgrades to the William V.
8 Musto Cultural Center

9 (15) Resolution Authorizing Consent to Treatment
10 Works Application for 544 40th Street

11 (16) Resolution Authorizing the Submission of a
12 Strategic Plan for Union City Municipal Alliance
13 Grant Pursuant to the Governor's Council on
14 Alcoholism and Drug Abuse Fiscal Grant Cycle

15 (17) Resolution Awarding Raffle License to
16 Prodein Non-Profit, Inc. (2315 Bergenline Avenue)

17 (18) Resolution Approving Contracts for Snow
18 Plowing/Snow Removal Services.)

19

20 ACTING CITY CLERK: Next item is Consent
21 Agenda.

22 First item is Resolution Approving Payments
23 of Claims.

24 Item 2 is Resolution Approving the Payment
25 of Concurring Claims.

1 Item 3.

2 Resolution Approving the City Payroll for
3 the Period of October 14, 2016 through October
4 28, 2016.

5 Item 4.

6 Resolution Approving the Library Payroll
7 for the Period October 1st, 2016 through October
8 28, 2016.

9 Item 5 is Resolution Approving the Cash
10 Management Plan.

11 Item 6.

12 Resolution Designating -- Designating
13 Official Depositories.

14 Item 7.

15 Resolution Authorizing the Refund of
16 Duplicate Tax Payments.

17 Item 8.

18 Resolution Authorizing the Refund of
19 Redemption Money to Outside Lienholders.

20 Item 9.

21 Resolution Authorizing Refund of Premium
22 Money Collected at Tax Sale.

23 Item 10.

24 Resolution Cancelling Certain Tax Sale
25 Certificate Sold in Error and Refund of Premium

1 Monies for 1208 Summit Avenue, Block 1 -- Block
2 58, Lot 24.

3 Item 11.

4 Resolution for the Emergency Replacement of
5 the Union City Library Boiler.

6 Item 12.

7 Resolution Establish-- Establishing a
8 Public Officer Pursuant to the Multifamily
9 Housing Preservation and Receivership Act with
10 the Related Appointment of Alejandro Velazquez to
11 Serve as -- as the Public Officer on Behalf of
12 the City of Union City.

13 Item 13.

14 Resolution Authorizing Application for the
15 New Jersey Department of Transportation Grant for
16 Transportation Alternatives.

17 Item 14.

18 Resolution Authorizing the Award of
19 Contract to Starlite Electric, LLC for Audio
20 Visual Lighting Upgrades to the William V. Musto
21 Center.

22 Item 15.

23 Resolution Authorizing Consent to Treatment
24 Works Application for 544 40th Street.

25 Item 16.

1 Resolution Authorizing Submission of
2 Strategic Plan for Union City Municipal Alliance
3 Grant Pursuant to the Governor's Council
4 Alcoholism and Drug Abuse for Fiscal Grant Cycle.

5 Item 17.

6 Resolution Awarding Raffle -- Raffle
7 License to Prodein -- Prodein Non-Profit, Inc.,
8 2315 Bergenline Avenue.

9 Item -- Item 18.

10 Resolution Approving Contract for Snow
11 Plowing/Snow Removal Services.

12 Mayor, do you --

13 MAYOR STACK: Sure. Just before we do,
14 just on the -- number 12, the Establishment of
15 Public Officer Pursuant to the Multifamily
16 Housing Preservation and Receivership Act, it's
17 just another mechanism that the City of Union
18 City has when we have a property that's a
19 multifamily building occupied by tenants where
20 the landlord is not meeting his responsibility to
21 the tenants and you have Code violations, life
22 and safety violations, that we're able to appoint
23 a receiver to run the building, pick -- manage
24 the building, collect the rents, abate the
25 violations until the court deems necessary.

1 This is just one more mechanism. Not only
2 helping the people who live in the building but
3 obviously helping the residents who live in that
4 area where when you have one bad building in the
5 neighborhood it spreads through the neighborhood.

6 So we not only want to help, most
7 importantly, obviously, the people who live in
8 that building, that pay rent and live in that
9 building, we want to help the entire
10 neighborhood. And that's why we're -- we're
11 adopting that.

12 We've used this tool very -- very well in
13 the City of Union City in getting buildings
14 cleaned up and putting them into receivership.
15 It gives the landlord of that property -- and
16 99.9 percent of the time they're absentee
17 landlords, don't live in the City, obviously
18 don't live in the property, it gives them a
19 wakeup call that they have to take care of their
20 property or else the City's going to be coming in
21 and collecting the rents and managing the
22 building until we deem necessary.

23 In addition to that, the -- number 13, the
24 Authorizing Application, the New Jersey DOT.
25 We're looking obviously for a grant to do

1 additional work as we've been doing in the
2 community with street paving and sidewalk
3 improvements, traffic safety.

4 The upgrades to the William V. Musto Center
5 for Audio and Visual and Lighting Upgrades is
6 something we've been planning for a while. I
7 thank the Commissioners for moving ahead with
8 this.

9 Specifically, Commissioner Fernandez has
10 been outstanding in holding events at the Musto
11 Center and it makes me feel really good when we
12 see the Musto Center constantly used by residents
13 in the City. So many different events being held
14 there. It's really been a great tool for the
15 City of Union City to include so many people in
16 our public buildings and facilities.

17 You know while you can build parks and
18 build schools and build theaters and -- and build
19 a cultural center, you don't like to see those
20 facilities close. You like to see them open
21 where people can enjoy them. And the
22 Commissioner has done a great job in doing that,
23 along with the entire Board of Commissioners. So
24 I thank you for that, Commissioner.

25 COMMISSIONER FERNANDEZ: Thank you, Mayor.

1 Thank you.

2 MAYOR STACK: In addition, the Approving
3 Contracts for Snow Plowing and Snow Removal,
4 that's incase of an emergency. Should we have
5 any major snowstorm where the City can't handle
6 it, it's always good to have private vendors on
7 -- on -- on retainer as you should say or on --
8 where we can constantly call them if we need
9 them.

10 It's not a tool we've used a lot in the
11 last ten years in Union City but we've had
12 occasions where you have a blizzard, we've
13 obviously gone out and used their services,
14 especially during the big ones.

15 Just to go back to the Ordinance that we're
16 doing on the rent increases; the three percent or
17 lower for all tenants or two percent or lower for
18 senior citizens. This only applies to
19 multifamily buildings that are in the City right
20 now that are under rent control.

21 I don't want anybody thinking it applies to
22 their one or two-family house that they owner
23 occupy. That's not our intention.

24 Having said that, does anyone have any
25 questions on the Consent Agenda, please step

1 forward, state your name and address for the
2 record.

3 Seeing none.

4 ACTING CITY CLERK: None.

5 Is there a motion to approval all items on
6 -- on the Consent Agenda?

7 COMMISSIONER VALDIVIA: Motion.

8 ACTING CITY CLERK: Motion by Commissioner
9 Valdivia.

10 COMMISSIONER RIVAS: Second.

11 MS. NOVA: Second by Commissioner Rivas.

12 ACTING CITY CLERK: Second by Commissioner
13 Rivas.

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: I'm recusing from
24 number -- items number 1, any payments to the law
25 office of Adolfo Lopez and Luis Diaz; and

1 recusing on number 12.

2 ACTING CITY CLERK: Okay.

3 COMMISSIONER MARTINETTI: Aye on the rest.

4 ACTING CITY CLERK: Aye on the rest.

5 Mayor Stack?

6 MAYOR STACK: Yes.

7 ACTING CITY CLERK: Yes.

8

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

11 **REGULAR AGENDA:**

12 1. Resolution Approving Payment to the Union
13 City Board of Education.)

14

15 ACTING CITY CLERK: Next -- the next item
16 on the agenda is the Regular Agenda.

17 We have one item, which is Resolution
18 Approving Payment to the Union City Board of
19 Education.

20 MAYOR STACK: I'll move it.

21 COMMISSIONER RIVAS: I'll second it.

22 ACTING CITY CLERK: Motion by Mayor Stack.
23 Second by Commissioner Rivas.

24 MS. NOVA: Before we take the vote,
25 Commissioner Valdivia would normally recuse on

1 | this but based on the doctrine of necessity he
2 | will be voting on this item.

3 | ACTING CITY CLERK: Commissioner Fernandez?
4 | Recusing.

5 | Commissioner Rivas?

6 | COMMISSIONER RIVAS: Yes.

7 | ACTING CITY CLERK: Commissioner Valdivia?

8 | COMMISSIONER VALDIVIA: Yes.

9 | ACTING CITY CLERK: Commissioner
10 | Martinetti?

11 | Recusing.

12 | Mayor Stack?

13 | MAYOR STACK: Yes.

14 |

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

17 | **REGULAR AGENDA:**

18 | 2. Resolution Approving Shared Service
19 | Agreement with the Union City Board of Education
20 | for School Resource Officers for 2016-2017.)

21 |

22 | ACTING CITY CLERK: Next item is Resolution
23 | Approving Shared Service Agreement, Union City
24 | Board of Education, for School Resource Officers
25 | for 2016-2017.

1 MAYOR STACK: I'll move it.

2 COMMISSIONER RIVAS: I'll second it.

3 ACTING CITY CLERK: Motion by Mayor Stack.

4 Second by Commissioner Rivas.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER RIVAS: Recusing.

8 ACTING CITY CLERK: Recusing.

9 Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner

14 Martinetti?

15 Recusing.

16 Mayor Stack?

17 MAYOR STACK: Yes.

18 MS. NOVA: Again, that item, Commissioner

19 Valdivia voted on it based on the doctrine of

20 necessity.

21

22 (Whereupon, the Board discussed and took

23 action on the following item:

24 **REGULAR AGENDA:**

25 3. Resolution Authorizing the Retirement of El

1 Miguelino Liquor License (t/a El Miguelino Bar -
2 2013 Summit Avenue), License No.
3 0910-33-100-109.)
4

5 ACTING CITY CLERK: Next item is the
6 Resolution Authorizing the Retirement of El
7 Munequito Corporation.

8 MAYOR STACK: Is anybody here from --

9 MR. PENA: Yes.

10 MAYOR STACK: -- El Miguelino.

11 Okay.

12 (Whereupon, there was a pause in the
13 proceedings.)

14 MR. FARMER: Good evening, members of the
15 Board.

16 With respect to the Resolution concerning
17 El Miguelino, their -- their attorney Mr. Pena is
18 here today and he can put his appearance before
19 the Board.

20 MR. PENA: Yes. Good evening, Mr. Mayor,
21 Commissioners.

22 Peter Pena, One Lee Place, Paterson, on
23 behalf of the applicant seeking the retirement of
24 the license in question.

25 MR. FARMER: If it please the -- the Board,

1 previously on October 30th, the licensee, Miss
2 Merlos, who is the sole stockholder of El
3 Miguelino, submitted to the Board an application
4 to retire the license in consideration of
5 \$27,000.00.

6 This -- this evening Mr. Pena has given me
7 a corporate resolution by Miss Merlos with
8 respect to the corporation permanently retiring
9 the retail alcohol beverage consumption liquor
10 license to the City of Union City in exchange for
11 the sum of \$27,000.00.

12 So the paperwork is completed. They're
13 retiring the license.

14 And I would ask that you pass a resolution
15 approving that.

16 MAYOR STACK: Absolutely.

17 Is there anything further, sir, that you
18 have?

19 MR. PENA: Nothing further.

20 MAYOR STACK: Okay.

21 I'll make a motion to approve the
22 retirement of the license located at 2103 Summit
23 Avenue.

24 COMMISSIONER FERNANDEZ: Second.

25 ACTING CITY CLERK: Motion by 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 VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 MR. FARMER: Peter, thank you.

17 MAYOR STACK: Thank you very much.

18 MR. PENA: Thank you.

19 Thank you.

20 ACTING CITY CLERK: Next --

21 Mr. Farmer, you want to keep going with
22 your --

23 MAYOR STACK: No, we have to open it up for
24 opportunity for people --

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

1 MAYOR STACK: -- to comment on any
2 matter --

3 ACTING CITY CLERK: Yes.

4 MAYOR STACK: -- concerning municipal
5 government.

6 I'll just -- let me just let them get
7 settled.

8 The matter that we just heard was the
9 retirement, obviously, of a license at 2103
10 Summit Avenue; El Miguelino Bar.

11 Mr. Farmer and the Police Department I know
12 had numerous issues with this establishment over
13 the years.

14 So the retirement of the license just adds
15 to the number of licenses that we've been able to
16 get retired in the City of Union City. And just
17 some of these locations that have been
18 problematic to the community, this is definitely
19 a win/win for the neighborhood.

20 I would just like to thank at this time
21 under the leadership of Chief Molinari,
22 Lieutenant Loaces and the entire Police
23 Department for the work that they've done on
24 bringing it to this point. This is definitely a
25 victory for that neighborhood and a victory for

1 the residents of Union City.

2

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

4

5 MAYOR STACK: Any -- at this time this is
6 an opportunity for residents to comment on any
7 matter concerning municipal government in the
8 City of Union City.

9 Please step forward, state your name and
10 address for the record on any matter concerning
11 municipal government in the City of Union City.

12 Anyone wishing to comment at this time?

13 None.

14 I would just like thank, before we close
15 that portion of the meeting, just thank the
16 Commissioners for moving a hundred percent of our
17 meetings around the community in the evening
18 hours. We try to hold them in a different
19 location every two weeks in addition to the other
20 outreach that we do in the community. I feel
21 it's important that the residents know in every
22 neighborhood where the meetings are being held
23 and that they can come out and comment.
24 Hopefully a resident wouldn't have to wait to
25 comment at a Commission meeting; they could call

1 myself or the Commissioners at our office or cell
2 phone at any time and within that day or the next
3 day we'll always get back to them.

4 But I would like to thank the Commissioners
5 for -- for moving these meetings around the City
6 throughout the entire year.

7 We haven't been in City Hall in the
8 courtroom probably in 13, 14 years. It feels
9 good though to be out in the neighborhoods.

10 So, anyone wishing to comment at this time?

11 Okay, thank you very much.

12 I'll make a motion to close that portion of
13 the meeting.

14 COMMISSIONER FERNANDEZ: Second.

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 * * *

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1 **LIQUOR LICENSE TRANSFER HEARING:**

2 PERSON TO PERSON TRANSFER APPLICATION FOR LIQUOR
3 LICENSE #0910-33-068-004 FROM LE VIA, INC. TO THE
4 COUSINS RESTAURANT, INC., LOCATED AT 3905
5 BERGENLINE AVENUE, UNION CITY

6

7 ACTING CITY CLERK: We also have a -- next
8 item we have a Liquor License Transfer Hearing.

9 This is a Person to Person Transfer
10 Application for the Liquor License Number
11 0910-33-068-004 from Le Via, Inc. to the -- to
12 the Cousins Restaurants, Inc., Located at 3905
13 Bergenline Avenue, Union City, New Jersey.

14 MS. NOVA: Mayor and Commissioners, for the
15 record, the application has been completed
16 satisfactorily and the investigation was also
17 completed satisfactorily.

18 Sergeant Dunlay can speak to that if you'd
19 like.

20 MAYOR STACK: Great. Sure.

21 Mr. Marotta, --

22 MR. MAROTTA: Yeah, Mr. --

23 MAYOR STACK: -- if you could enter your
24 appearance for the record.

25 MR. MAROTTA: Right.

1 Mr. Mayor and Commissioners, this is not a
2 bar, this is not a tavern, this is not a
3 nightclub; it's a restaurant.

4 It's at 3905, as stated, Bergenline Avenue.
5 I believe this restaurant's been there for maybe
6 25 years.

7 MAYOR STACK: Longer.

8 MR. MAROTTA: Maybe longer than that.
9 Okay?

10 And the -- the two gentlemen here with me
11 are the principals and as you could see by the
12 name of the restaurant, to the Cousins
13 Restaurant, los primos, the two of them.

14 One has been working there for 15 years and
15 the other's been working there for ten years.
16 Actually these two gentlemen operate this
17 restaurant; they're very familiar with the
18 business. They open at eight a.m. and they close
19 at midnight.

20 And I remember, because my office was
21 across the street from this restaurant, I'd gone
22 there for many -- many years -- many times. To
23 my knowledge there's never been a problem but
24 like I say it's not a bar, it's not a tavern.
25 People go in to eat. If they want some liquor to

1 | drink or a beer, that's what the license is for.

2 | MAYOR STACK: Absolutely. Absolutely.

3 | Sergeant, do you have anything further?

4 | MR. MAROTTA: So if there's any

5 | questions, --

6 | MAYOR STACK: Sure.

7 | SERGEANT DUNLAY: Sorry.

8 | Sergeant Dunlay, Union City Police, 383.

9 | I just want to let -- let everybody on the
10 | Board know I completed a financial investigation
11 | on Mr. Guardado -- Jesus and Juan and they seem
12 | to perfectly in order. Their application seemed
13 | perfectly in order.

14 | I really have no objection -- I don't
15 | believe the Police Department has any objection
16 | to this transfer.

17 | MAYOR STACK: I've always known the current
18 | establishment to be a very well-run establishment
19 | and never any issues there whatsoever. I would
20 | just ask that we continue to keep it the same
21 | way.

22 | And I'll make a motion to approve.

23 | MR. MAROTTA: Thank you very much.

24 | MAYOR STACK: Thank you.

25 | COMMISSIONER VALDIVIA: Second.

1 A VOICE: Thank you.

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 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 ACTING CITY CLERK: Very good.

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LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

1. El Munequito Corp.

T/A El Miguelino

2103 Summit Avenue

License No. 0910-33-100-009

2. Mayen Corp.

T/A El Trebol

3204 Bergenline Avenue

License No. 0910-33-190-008

3. Partners Associates, LLC

T/A Los Reyes

3329 Hudson Avenue

License No. 0910-33-011-008

4. Variedad Latina

T/A Varidad Latina Restaurant

4417 Bergenline Avenue

License No. 0910-33-031-012

5. Hare Om, Inc.

T/A Yunaris Liquors

3196 Kennedy Boulevard

License No. 0910-32-171-008

6. Los Laureles Liquors

T/A Los Lauareles Liquors

4625 Broadway

1 License No. 0910-44-026-012

2 7. Sai Prasad Inc.

3 T/A Bergenline Liquors

4 3819 Bergenline Avenue

5 License No. 0910-32-066-004

6

7 ACTING CITY CLERK: The next portion, --

8 MAYOR STACK: Mr. Farmer?

9 ACTING CITY CLERK: -- Mr. Farmer,

10 Disciplinary Proceedings.

11 (Whereupon, there was a pause in the
12 proceedings.)

13 MR. FARMER: Okay.

14 MAYOR STACK: Okay, Mr. Farmer.

15 MR. FARMER: Good evening.

16 * * *

17

18 **EL MUNEQUITO CORP.**

19 **T/A EL MIGUELINO**

20 **2103 Summit Avenue**

21 **License No. 0910-33-100-009**

22

23 MR. FARMER: If you look at the agenda, the
24 first one can come off because we've just handled
25 El Miguelino.

1 **MAYEN CORP.**
2 **T/A EL TREBOL**
3 **3204 Bergenline Avenue**
4 **License No. 0910-33-190-008**

5

6 MR. FARMER: The second one is -- I've just
7 received the videos of the incident and Detective
8 Dunlay and I just have to look at it. So we'll
9 put that on for the next meeting.

10

11 * * *

12

13 **PARTNERS ASSOCIATES, LLC**
14 **T/A LOS REYES**
15 **3329 Hudson Avenue**
16 **License No. 0910-33-011-008**

17

18 MR. FARMER: The next one, Detective Dunlay
19 -- Partners, Los Reyes -- he's still
20 investigating another aspect of this case. So he
21 needs some time to do that.

22

23 * * *

24

25

1 **VARIEDAD LATINA**

2 **T/A VARIEDAD LATINA RESTAURANT**

3 **4417 Bergenline Avenue**

4 **License No. 0910-33-031-012**

5

6 MR. FARMER: Variedad Latina, which is
7 number 4, hasn't showed up. And indeed when we
8 had our plea meeting last week, he didn't show up
9 at that either.

10 I would ask that it be carried and
11 Detective Dunlay --

12 MAYOR STACK: Let -- let's carry them --
13 let's carry them to the next one. But if he
14 doesn't show up at the next one let's have the
15 hearing.

16 MR. FARMER: Okay.

17 MAYOR STACK: Let's make it very clear.
18 Maybe the Police Department can serve them --

19 SERGEANT DUNLAY: Yes, I could serve them
20 personally.

21 MAYOR STACK: -- by certified mail.

22 If they don't show up we'll have the
23 hearing without them.

24 MR. FARMER: Okay.

25 MAYOR STACK: But they have to show up.

1 **HARE OM, INC.**
2 **T/A YUNARIS LIQUORS**
3 **3196 Kennedy Boulevard**
4 **License No. 0910-32-171-008**

5

6 MR. FARMER: The next one is Yunaris Liquor
7 and the licensee is here.

8 Come on over here. And would you just
9 state your name?

10 MR. PATEL: My name is Samir Patel.

11 MS. DILLON: I'm sorry; could you spell
12 your name for me?

13 MR. PATEL: S-A-M-I-R. Patel, P-A-T-E-L.

14 MS. DILLON: Thank you.

15 MR. FARMER: And you're the licensee of
16 Yunaris Liquor at 3196 Kennedy Boulevard?

17 MR. PATEL: Yes.

18 MR. FARMER: Okay.

19 Now, you've been charged with basically
20 selling liquor -- hard liquor after ten o'clock.
21 Liquor stores can sell beer and wine up till two
22 but after ten o'clock they have to cease sales of
23 hard liquor.

24 Correct?

25 You're aware of that?

1 MR. PATEL: Yes.

2 MR. FARMER: And on the night in question
3 you sold to a police officer here a bottle of
4 hard liquor?

5 MR. PATEL: Yes.

6 MR. FARMER: What was it by the way?

7 MR. PATEL: I believe it was Palo -- Palo
8 Viejo.

9 MR. FARMER: And what is it?

10 SERGEANT DUNLAY: It's a fifth of Palo
11 Viejo rum.

12 I don't believe he was the gentleman who
13 was actually sell-- it was one of his employees.

14 MR. FARMER: Yeah. It was one of your
15 employees?

16 MR. PATEL: Yeah.

17 MR. FARMER: You didn't do it personally?

18 MR. PATEL: No.

19 MR. FARMER: Okay.

20 But, nevertheless, Detective Dunlay,
21 myself, and you talked about this at the plea
22 meeting that we had last week and we agreed to a
23 seven day suspension, from November 28th to
24 December 5th?

25 MR. PATEL: Yes.

1 Just a request to see if the date can be
2 adjusted to January, if possible.

3 MR. FARMER: Oh -- I -- at that time I had
4 indicated to you that we had a number of these
5 cases in the pipeline so-to-speak and that there
6 had been universal decisions being made, number
7 one with respect to the time, so everybody gets
8 the same amount of time for this kind offense.
9 And also that it be done before the end of the
10 year and I think we agreed to November 28th to
11 December 5th.

12 MR. PATEL: Yes.

13 MAYOR STACK: What is it? November
14 twenty--

15 MR. FARMER: Eighth.

16 COMMISSIONER MARTINETTI: Twenty-eighth to
17 December 5th.

18 MR. FARMER: To --

19 MAYOR STACK: Okay.

20 MR. FARMER: -- December 5th.

21 MAYOR STACK: Okay.

22 Okay, I'll make a -- okay.

23 ACTING CITY CLERK: Motion by Mayor Stack.

24 COMMISSIONER FERNANDEZ: Second.

25 ACTING CITY CLERK: Second by --

1 MAYOR STACK: I'll make a motion.

2 ACTING CITY CLERK: -- 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 VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner

12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 MR. FARMER: Okay.

17 Take care. Good luck to you.

18

19 * * *

20

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1 **LOS LAURELES LIQUORS**
2 **T/A LOS LAURELES LIQUORS**
3 **4625 Broadway**
4 **License No. 0910-44-026-012**

5

6 MR. FARMER: The next one, Los Laureles
7 Liquor.

8 I got a call today from Mr. Espinosa
9 indicating that he was representing them and
10 wanted an adjournment so he could prepare the
11 case and put forth a defense to the Board.

12 MAYOR STACK: Mr. Farmer, though, this one
13 has to get heard at the next one because this
14 establishment is a problem. There's constant
15 complaints up here. You know by the history on
16 the record on this one it's been a constant
17 problem.

18 I get complaints from the residents in the
19 area on a constant basis of cars being double-
20 parked outside, sales, people hanging out in
21 front -- even on the cooler nights people are
22 outside sitting on the front steps. It's been a
23 constant problem this place.

24 SERGEANT DUNLAY: Mayor, just on that note,
25 there's also been an application for a -- the

1 sale of the license, which we're in the process
2 of reviewing now, their financials.

3 MAYOR STACK: Okay.

4 SERGEANT DUNLAY: So, it may -- it may look
5 that, you know, they may be changing ownership in
6 the near future.

7 MAYOR STACK: Absolutely.

8 MR. FARMER: But we'll put it on for next
9 time anyway.

10 MAYOR STACK: Yes. Absolutely.
11 November 22nd, right?

12 ACTING CITY CLERK: Yes.

13 MR. FARMER: Yes.

14 MAYOR STACK: And who -- who's --

15 ACTING CITY CLERK: November 22nd.

16 MAYOR STACK: -- the attorney?

17 Who's the attorney?

18 COMMISSIONER MARTINETTI: Espinosa.

19 ACTING CITY CLERK: Espinosa.

20 No. Oh, no.

21 MR. FARMER: Okay.

22

23 * * *

24

25

1 **SAI PRASAD INC.**
2 **T/A BERGENLINE LIQUORS**
3 **3819 Bergenline Avenue**
4 **License No. 0910-32-066-004**

5

6 MR. FARMER: Finally, the -- the last one,
7 this is somewhat strange.

8 They're not here today but at the plea
9 meeting with myself and Detective Dunlay we had
10 negotiated a nine day suspension and this again
11 was -- what this one was was again a liquor store
12 selling hard liquor after ten o'clock, as well as
13 having some inadequacies on the E-141.

14 So we gave them -- we normally give three
15 days; we gave them two days on the E-141 and the
16 regular seven for selling the hard liquor after
17 ten o'clock.

18 COMMISSIONER MARTINETTI: Nine days.

19 MAYOR STACK: And you had a -- you had an
20 agreement with them?

21 MR. FARMER: Yeah. Yeah.

22 SERGEANT DUNLAY: They said --

23 MAYOR STACK: And?

24 MR. FARMER: We had the days; December 4th
25 to December 12th.

1 SERGEANT DUNLAY: We agreed. They said
2 they were going to come and -- on this day and
3 finalize it. They -- they were actually going to
4 make a plea to the Board if they wanted to see if
5 they could extend the days to carry it over till
6 January or February.

7 MR. FARMER: Well everybody's going to say
8 that.

9 MAYOR STACK: Yeah.

10 MR. FARMER: So, we'll do the same thing we
11 did last time, --

12 MAYOR STACK: Let's put them on for the
13 22nd.

14 MR. FARMER: Yeah.

15 MAYOR STACK: If they -- you know, let's
16 have a hearing --

17 MR. FARMER: Same thing.

18 MAYOR STACK: -- then if that's the case.
19 Just let them know we're preparing to have a
20 hearing.

21 MR. FARMER: Understand.

22 MAYOR STACK: Also, this -- this
23 establishment here is one of the few, right, in
24 the City where they can serve liquor in the
25 liquor store?

1 SERGEANT DUNLAY: No, sir, they --

2 MAYOR STACK: Is this one?

3 SERGEANT DUNLAY: No this is --

4 MAYOR STACK: No.

5 SERGEANT DUNLAY: That's not it.

6 MAYOR STACK: That's not it.

7 SERGEANT DUNLAY: It's the --

8 Mike, what is the name of the -- on 39th
9 Street?

10 MAYOR STACK: I thought that this was the
11 liquor store that they --

12 SERGEANT DUNLAY: The one next to --

13 MAYOR STACK: -- can actually serve.

14 SERGEANT DUNLAY: -- next to the --

15 COMMISSIONER VALDIVIA: I think -- I think
16 it's the one that can serve. In front of the
17 bank? Yeah.

18 MAYOR STACK: Yeah.

19 This is the one, in front of the bank.
20 This is right next to Terry's.

21 Right?

22 COMMISSIONER FERNANDEZ: Yeah.

23 SERGEANT DUNLAY: Thirty-eight --

24 MAYOR STACK: Terry's Coffee Shop?

25 SERGEANT DUNLAY: Yes, you're right.

1 A VOICE: Yes.

2 MAYOR STACK: Yeah.

3 SERGEANT DUNLAY: Yeah.

4 COMMISSIONER VALDIVIA: Yeah, they could
5 serve liquor.

6 MAYOR STACK: But he can't serve -- can he
7 serve hard liquor inside the establishment after
8 ten o'clock at night?

9 MR. FARMER: I will -- I'll check on what
10 this license --

11 MAYOR STACK: No. Nothing.

12 SERGEANT DUNLAY: No, no hard liquor period
13 after ten.

14 MAYOR STACK: Okay.

15 SERGEANT DUNLAY: He still --

16 MAYOR STACK: This is -- this is the only
17 license like that in the City?

18 SERGEANT DUNLAY: Yes, where they can serve
19 -- if they sell a beer they could drink it inside
20 the establishment.

21 COMMISSIONER VALDIVIA: No, Reuben's too
22 they have it. Reuben's.

23 SERGEANT DUNLAY: Doesn't exist.

24 MAYOR STACK: That so?

25 COMMISSIONER VALDIVIA: I think they

1 have --

2 SERGEANT DUNLAY: Yeah, they're the only
3 ones.

4 MAYOR STACK: That must be an old license,
5 huh?

6 SERGEANT DUNLAY: Correct.

7 MAYOR STACK: Yeah. Okay.

8 All right, so let's make sure that they're
9 on for the 22nd.

10 MR. FARMER: Right. Okay.

11 That's it.

12 MAYOR STACK: Mr. Farmer, good job --

13 MR. FARMER: Thanks.

14 MAYOR STACK: -- on El Miguelino.

15 MR. FARMER: Thanks.

16 MAYOR STACK: Good job again to the Police
17 Department.

18 MR. FARMER: It only took three years.

19 MAYOR STACK: Thank you very much. Thank
20 you.

21

22 **ADJOURNMENT:**

23

24 COMMISSIONER RIVAS: Motion to adjourn.

25 ACTING CITY CLERK: Okay.

1 Mayor, we have -- there are no other items
2 on the agenda for tonight.

3 COMMISSIONER FERNANDEZ: Second.

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

6 COMMISSIONER MARTINETTI: Motion to
7 adjourn.

8 Motion.

9 ACTING CITY CLERK: Motion by Commissioner
10 Martinetti.

11 Second by Commissioner Fernandez.

12 All in favor?

13

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

15

16 ACTING CITY CLERK: Thank you.

17

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

20

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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**

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Attest:

10

Dominick Cantatore,

11

Acting City Clerk

12

13

14

Attest:

15

Erin Knoedler,

16

Deputy City Clerk

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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 Wednesday, November 9, 2016 and
10 digitally recorded.

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25 Monitored and Proofread by: Deborah Dillon