

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Jose Marti Freshman Academy
1800 Summit Avenue
Union City, New Jersey

Tuesday, December 6, 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
CELIN J. VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER
BRIAN P. STACK, MAYOR

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

A L S O P R E S E N T:

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

A P P E A R A N C E S:

TOMAS ESPINOSA, ESQ.

Attorney for Los Laureles Liquors t/a
Los Laureles Liquors

MESSRS. DiMARIA & DiMARIA

BY: MARK R. DiMARIA, ESQ.

Attorney for Cattani Wine & Liquors t/a
Cattani Wine & Liquors

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1 DEPUTY CITY CLERK: -- Union City Board of
2 Commissioners, held on Tuesday, December 6 at
3 seven p.m., at Jose Marti Freshman Academy.

4 Please stand for the Pledge of Allegiance.

5
6 (Whereupon the Pledge of Allegiance was
7 said.)

8
9 DEPUTY CITY CLERK: This meeting has been
10 called in accordance with the Open Public
11 Meetings Act.

12 Adequate notice of the meeting has been
13 provided --

14 MAYOR STACK: Erin, just try to keep --

15 DEPUTY CITY CLERK: -- to The Jersey
16 Journal, --

17 MAYOR STACK: Just try to keep your voice
18 up.

19 DEPUTY CITY CLERK: -- The Record, and The
20 Hudson Reporter, and has been posted on the
21 bulletin board at City Hall and made available to
22 the public.

23

24 **ROLL CALL:**

25

1 DEPUTY CITY CLERK: Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Here.

3 DEPUTY CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: Here.

5 DEPUTY CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Here.

7 DEPUTY CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Here.

10 DEPUTY CITY CLERK: Mayor Stack?

11 MAYOR STACK: Here.

12

13 (Whereupon, the Board discussed and took
14 action on the following item:

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

16 1. AN ORDINANCE AMENDING CAPITAL IMPROVEMENT
17 ORDINANCE 104-1-2016 TO DECREASE THE AMOUNT
18 THEREIN

19

20 DEPUTY CITY CLERK: The first item for
21 approval is --

22 We're skipping over the meeting minutes.

23 We have two Ordinances for Introduction.

24 Adoption on first reading will result in

25 advertising and further consideration at the

1 meeting of December 20th at Robert Waters
2 Elementary School, 2800 Summit Avenue, Union
3 City, New Jersey.

4 The first Ordinance is an Ordinance
5 Amending the Capital Improvement Ordinance 0 --
6 104-1-2016 to Decrease the Amount Therein.

7 May I have a motion to introduce?

8 MAYOR STACK: Motion.

9 DEPUTY CITY CLERK: Motion by Mayor Stack.

10 COMMISSIONER VALDIVIA: Second.

11 DEPUTY CITY CLERK: Second; Commissioner
12 Valdivia.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

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

3 2. AN ORDINANCE AMENDING CHAPTER 4
4 "ADMINISTRATION OF GOVERNMENT" ARTICLE XIII OF
5 THE CODE OF THE CITY OF UNION CITY ENTITLED
6 "POLICE DEPARTMENT".)

7

8 DEPUTY CITY CLERK: The next is an
9 Ordinance Amending Chapter 4, Administration of
10 Government Article XIII of the Code of Union
11 City, Police Department.

12 May I have a motion?

13 COMMISSIONER FERNANDEZ: Motion.

14 DEPUTY CITY CLERK: Motion by
15 Commissioner --

16 COMMISSIONER RIVAS: Second.

17 DEPUTY CITY CLERK: -- Fernandez.

18 Second by Commissioner Rivas.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 DEPUTY CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 DEPUTY CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 DEPUTY CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 DEPUTY CITY CLERK: Mayor Stack?

4 MAYOR STACK: I'll be recusing due to my
5 roll as Public Safety Director.

6 DEPUTY CITY CLERK: Recusing by Mayor
7 Stack.

8

9 (Whereupon, the Board discussed the
10 following item:

11 **CONSENT AGENDA:**

12 (16) Resolution to Approve Bus Shelter on 4th
13 Street and Palisade Avenue in the City of Union
14 City.)

15

16 (Whereupon, the Board discussed and took
17 action on the following items in total:

18 **CONSENT AGENDA:**

19 (1) Resolution Approving the Payment of Claims

20 (2) Resolution Approving the Payment of
21 Concurring Claims

22 (3) Resolution Approving the City Payroll for
23 the Period of November 12, 2016 through November
24 25, 2016

25 (4) Resolution Approving the Library Payroll

1 for the Period of November 12, 2016 through
2 November 25, 2016

3 (5) Resolution Approving the City Payroll for
4 Public Safety for the Period of November 12, 2016
5 through November 25, 2016

6 (6) Resolution Requesting Permission for the
7 Dedication by Rider for Outside Employment of
8 Off-Duty Municipal Officers

9 (7) Resolution Requesting Permission for the
10 Dedication by Rider for Animal Control Fees

11 (8) Resolution Requesting Permission for the
12 Dedication by Rider for Forfeited Property

13 (9) Resolution Accepting the 2016 Byrne Justice
14 Assistance Grant Program Award

15 (10) Resolution to Award a Contract to Stan's
16 Sporting Goods for Wrestling Equipment and
17 Supplies

18 (11) Resolution Authorizing the Extension of the
19 Contracts with NJ Elevator Inspection Agency, LLC
20 for Elevator Inspections

21 (12) Resolution Rescinding the Contract to
22 Starlite Electric LLC for Audio, Visual and
23 Lighting Upgrades to the William V. Musto Center

24 (13) Resolution Authorizing Refund of Redemption
25 Monies to Outside Lienholders

1 (14) Resolution Authorizing the Refund of
2 Premium Monies Collected at the Tax Sale

3 (15) Resolution to Re-Approve Bus Shelter on
4 22nd Street and Palisade Avenue in the City of
5 Union City.)

6

7 DEPUTY CITY CLERK: We have 16 items on the
8 Consent Agenda.

9 The first item is a Resolution Approving
10 the Payment of Claims.

11 The second is a Resolution Approving the
12 Payment of Concurring Claims.

13 The third is a Resolution Approving the
14 City Payroll for the Period of November 12th, 2016
15 through November 25th, 2016.

16 The fourth is a Resolution Approving the
17 Library Payroll for the Period of November 12th,
18 2016 through November 25th, 2016.

19 The fifth is a Resolution Approving the
20 same payroll for Public Safety for the Period of
21 November 12th, 2016 through November 25th, 2016.

22 The sixth is a Resolution Requesting
23 Permission for the Dedication by Rider for
24 Outside Employment of Off-Duty Municipal
25 Officers.

1 The seventh is a Resolution Requesting
2 Permission for the Dedication by Rider for Animal
3 Control Fees.

4 The eighth is a Resolution Requesting
5 Permission for the Dedication by Rider for
6 Forfeited Property.

7 The ninth is a Resolution Accepting the
8 2016 Byrne Justice Assistance Grant Program
9 Award.

10 The tenth is a Resolution to Award a
11 Contract to Stan's Sporting Goods for Wrestling
12 Equipment and Supplies.

13 The eleventh is a Resolution Authorizing
14 the Extension of the Contract for New Jersey
15 Elevator Inspection Agency, LLC for Elevator
16 Inspections.

17 The twelfth is a Resolution Rescinding the
18 Contract to Starlite Electric LLC for Audio,
19 Visual and Lighting Upgrades to the William V.
20 Musto Center.

21 The thirteenth is a Resolution Authorizing
22 the Refund of Redemption Monies to Outside
23 Lienholders.

24 The fourteenth is a Resolution Authorizing
25 the Refund of Premium Monies Collected at Tax

1 Sale.

2 The fifteenth is a Resolution to Re-Approve
3 Bus Shelter on 22nd Street and Palisade Avenue in
4 the City of Union City.

5 The sixteenth is a Resolution to Approve
6 the Bus Shelter on 4th Street and Palisade Avenue
7 in the City of Union City.

8 Mayor, would you like to open the meeting
9 for public comment on the Consent Agenda?

10 MAYOR STACK: Sure.

11 Anyone wishing to comment on the Consent
12 Agenda, please step forward, just state your name
13 and address for the record.

14 MR. PRICE: Larry Price, 1006 Palisade
15 Avenue.

16 First a question on item number 5.

17 We've always had the City payroll and
18 public library. Now we're adding a third
19 payroll? The payroll for Public Safety? What is
20 that?

21 DEPUTY CITY CLERK: It's -- it's not a
22 third payroll. It is a -- an additional run for
23 off-duty --

24 MAYOR STACK: For the details.

25 Right?

1 DEPUTY CITY CLERK: For the details, yeah.

2 MAYOR STACK: Well, you can explain. Sure.

3 DEPUTY CITY CLERK: Mr. Price, it was
4 actually not a third run; it was a special run
5 for off-duty work for -- for detail for police
6 officers. There was a special run in addition to
7 the other two.

8 Normally they would be put in the municipal
9 -- Public Safety's included in the regular
10 payroll but because it's off-duty it comes out of
11 a different fund, so we have to do it as another
12 separate resolution.

13 MR. PRICE: Will we see this on an ongoing
14 basis?

15 DEPUTY CITY CLERK: I believe so, yes.

16 MR. PRICE: Okay.

17 The other question -- or the comment I
18 really want to make would be on item 16, the bus
19 shelter at 4th Street and Palisade.

20 That would indicate a shelter for people
21 for buses coming out of New York City. That --
22 that is a bus stop. But everybody at that bus
23 stop -- when people are coming out of the City
24 they get off the bus, they go home; they don't
25 wait at that corner. Bus shelter there wouldn't

1 be used.

2 MAYOR STACK: On -- on which corner --

3 MR. PRICE: But it --

4 MAYOR STACK: On which corner are you
5 talking about, Larry?

6 MR. PRICE: Fourth Street and Palisade
7 Avenue.

8 MAYOR STACK: Heading southbound.

9 MR. PRICE: Heading southbound.

10 MAYOR STACK: Right.

11 MR. PRICE: On the other hand, 3rd Street
12 and Palisade Avenue, which is sort of down the
13 block, --

14 MAYOR STACK: Right.

15 MR. PRICE: -- which is going into the
16 City, you have people standing there all the time
17 in -- there's no bus shelter there.

18 It might be a good idea to shift from 4th
19 Street to 3rd Street --

20 MAYOR STACK: I believe that may have been
21 the original intention but I'll check it.

22 If you could maybe just hold that one.

23 MS. NOVA: We will. Okay.

24 MAYOR STACK: We'll hold that one until you
25 and I talk on that one, Krystle.

1 All right?

2 MS. NOVA: Okay.

3 MAYOR STACK: It may have been a mistake.

4 MS. NOVA: We will.

5 MAYOR STACK: All right?

6 Thank you.

7 So number 16 will come off.

8 DEPUTY CITY CLERK: Sure.

9 MAYOR STACK: Just hold that till the next
10 meeting till we can get a clarification.

11 DEPUTY CITY CLERK: Absolutely.

12 MAYOR STACK: Anyone else wishing to
13 comment on the Consent Agenda?

14 DEPUTY CITY CLERK: May I have a motion to
15 close public comment?

16 COMMISSIONER FERNANDEZ: Motion.

17 DEPUTY CITY CLERK: Motion by Commissioner
18 Fernandez.

19 COMMISSIONER VALDIVIA: Second.

20 DEPUTY CITY CLERK: Second by Commissioner
21 Valdivia.

22 May I have a motion to approve all items on
23 Consent Agenda, except for item 16 which will be
24 tabled to the next meeting?

25 COMMISSIONER VALDIVIA: Motion.

1 DEPUTY CITY CLERK: Motion by Commissioner
2 Valdivia.

3 COMMISSIONER RIVAS: Second.

4 DEPUTY CITY CLERK: Second by Commissioner
5 Rivas.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 DEPUTY CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 DEPUTY CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 DEPUTY CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER MARTINETTI: I'm recusing on
15 item 1, payments of claim to Adolfo Lopez and
16 Diaz and to the North Hudson Regional Fire
17 Department.

18 Aye on the rest.

19 DEPUTY CITY CLERK: Okay.

20 Mayor Stack?

21 MAYOR STACK: Yes.

22 DEPUTY CITY CLERK: Okay.

23

24 (Whereupon, the Board discussed and took
25 action on the following item:

1 **REGULAR AGENDA:**

2 1. Resolution Authorizing Payment of Claim to
3 the Hudson County Improvement Authority.)

4

5 DEPUTY CITY CLERK: There's one item on the
6 Regular Agenda, a Resolution Authorizing the
7 Payment of Claim to Hudson County Improvement
8 Authority.

9 MAYOR STACK: Motion.

10 DEPUTY CITY CLERK: Motion by Commissioner
11 -- or Mayor Stack.

12 COMMISSIONER VALDIVIA: Second.

13 DEPUTY CITY CLERK: Seconded by
14 Commissioner Valdivia.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 DEPUTY CITY CLERK: Commissioner Rivas is
18 recusing.

19 Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 DEPUTY CITY CLERK: Commissioner Martinetti
22 is also recusing.

23 Mayor Stack?

24 MAYOR STACK: Yes.

25 DEPUTY CITY CLERK: Okay.

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

4 **ORDINANCES FOR HEARING AND ADOPTION**

5 **CONSIDERATION:**

6 1. AN ORDINANCE REQUIRING THE INSTALLATION OF
7 A KEY LOCK BOX EMERGENCY ACCESS SYSTEM FOR USE BY
8 THE UNION CITY POLICE DEPARTMENT DURING AN
9 EMERGENCY OR ANY OTHER ACTION DEEMED NECESSARY BY
10 THE NORTH HUDSON REGIONAL FIRE AND RESCUE AND
11 ADDING SECTION 4 OF CHAPTER 18 OF THE MUNICIPAL
12 CODE OF THE CITY OF UNION CITY.)

13
14 DEPUTY CITY CLERK: We have two items on
15 second reading and adoption.

16 The first Ord--

17 I'm sorry; Ordinance for second reading.

18 The first Ordinance is Requiring the
19 Installation of a Key Lock Box Emergency Access
20 System for the Use of the Union City Police
21 Department During an Emergency or Any Other
22 Action Deemed Necessary by the North Hudson
23 Regional Fire and Rescue and Adding Section 4 of
24 Chapter 18 to the Municipal Code of the City of
25 Union City.

1 Mayor, would you like to take public
2 comment at this time?

3 MAYOR STACK: Sure.

4 This is just something very important. It
5 would be on the larger buildings in the City
6 where the Fire Department go that there's a
7 special lock box so the Fire Department have
8 access to the building itself.

9 Anyone wishing to comment on the lock box
10 ordinance, please step forward, state your name
11 and address for the record.

12 Seeing none.

13 DEPUTY CITY CLERK: May I have a motion to
14 close public comment?

15 COMMISSIONER RIVAS: Motion.

16 COMMISSIONER VALDIVIA: Motion.

17 DEPUTY CITY CLERK: Motion by Commissioner
18 Rivas.

19 COMMISSIONER VALDIVIA: Second.

20 DEPUTY CITY CLERK: Seconded by
21 Commissioner Valdivia.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 DEPUTY CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 DEPUTY CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 DEPUTY CITY CLERK: Commissioner

4 Martinetti?

5 Recusing.

6 Mayor Stack?

7 MAYOR STACK: Yes.

8 DEPUTY CITY CLERK: May I have a motion to
9 adopt?

10 MAYOR STACK: Motion.

11 COMMISSIONER VALDIVIA: Motion.

12 DEPUTY CITY CLERK: Motion by Mayor Stack.

13 Commissioner Valdivia seconds.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 DEPUTY CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 DEPUTY CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 DEPUTY CITY CLERK: Commissioner Martinetti
21 is recusing.

22 Mayor Stack?

23 MAYOR STACK: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

2 **ORDINANCES FOR HEARING AND ADOPTION**

3 **CONSIDERATION:**

4 2. AN ORDINANCE AMENDING CHAPTER 334 OF THE
5 CODE OF THE CITY OF UNION CITY ENTITLED "RENT
6 STABILIZATION"

7

8 DEPUTY CITY CLERK: The second Ordinance on
9 second reading is an Ordinance Amending Chapter
10 334 of the Code of Union City Entitled Rent
11 Stabilization.

12 Mayor, would you like to take public
13 comment at this time?

14 MAYOR STACK: Sure.

15 Anyone wishing to comment on this time,
16 please step forward, state your name and address
17 for the record.

18 Seeing none.

19 I'll make a motion.

20 COMMISSIONER MARTINETTI: Second.

21 DEPUTY CITY CLERK: Motion made by Mayor
22 Stack.

23 Commissioner Martinetti seconds.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 DEPUTY CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 DEPUTY CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 DEPUTY CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 DEPUTY CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 DEPUTY CITY CLERK: May I have a motion to
11 adopt?

12 COMMISSIONER MARTINETTI: Motion.

13 DEPUTY CITY CLERK: Motion by

14 Commissioner --

15 COMMISSIONER VALDIVIA: Second.

16 DEPUTY CITY CLERK: -- Martinetti.

17 Second by Commissioner Valdivia.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 DEPUTY CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4

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

6

7 DEPUTY CITY CLERK: Mayor, at this time
8 would you like to open the meeting for public
9 comment on any item?

10 MAYOR STACK: Sure.

11 Anyone wishing to comment at this time on
12 any matter on the agenda, please step forward, or
13 any matter concerning the municipality -- the
14 City of Union City.

15 DEPUTY CITY CLERK: May I have a motion to
16 close?

17 MAYOR STACK: Motion.

18 COMMISSIONER MARTINETTI: Motion.

19 DEPUTY CITY CLERK: Motion by Mayor Stack.
20 Commissioner --

21 COMMISSIONER MARTINETTI: Second.

22 DEPUTY CITY CLERK: -- Valdivia; second.
23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 DEPUTY CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 DEPUTY CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 DEPUTY CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Yes.

7 DEPUTY CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9 DEPUTY CITY CLERK: Mayor, at this time
10 there's no other items on the regular agenda.

11 We have Liquor License Disciplinary
12 Proceedings.

13 MAYOR STACK: Sure.

14 First I'd like to thank those residents
15 that came out this evening.

16 This portion of the meeting now we'll go to
17 Liquor License Disciplinary Hearings.

18 Mr. Farmer?

19 (Whereupon, there was a pause in the
20 proceedings.)

21

22 * * *

23

24

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. Sai Prasad Inc.

4 T/A Bergenline Liquors

5 Location: 3819 Bergenline Avenue

6 License No. 0910-32-066-004

7 2. Los Laureles Liquors

8 T/A Los Laureles Liquors

9 Location: 4625 Broadway

10 License No. 0910-44-026-012

11 3. Jai Amba Inc.

12 T/A Union City Liquors

13 Location: 4122 Bergenline Avenue

14 Liquor License No. 0910-44-142-005

15 4. Cattani Wine & Liquors

16 T/A Cattani Wine & Liquors

17 Location: 601 Central Avenue

18 Liquor License No. 0910-44-032-006

19

20 MR. FARMER: We have four case--

21 Good evening, Mayor and members of the

22 Board.

23 We have four cases on tonight's agenda.

24

25

* * *

1 **LOS LAURELES LIQUORS**

2 **T/A LOS LAURELES LIQUORS**

3 **Location: 4625 Broadway**

4 **Liquor License No. 0910-44-026-012**

5

6 MR. FARMER: I'm going to take case number
7 2, which is Los Laureles. And that licensee is
8 represented by Mr. Espinosa.

9 MAYOR STACK: Just if, Mr. Farmer, if you
10 could just keep your voice up because --

11 MR. FARMER: Okay.

12 MAYOR STACK: -- there's some type of a
13 vent or something that's on; it just makes it
14 hard to hear --

15 MR. FARMER: Okay.

16 MAYOR STACK: -- when you speak.

17 MR. FARMER: Okay, just to repeat.

18 On your agenda, number 2, we're going to
19 take first. That licensee is represented by Mr.
20 Espinosa.

21 And the charges against that licensee is,
22 like many of the ones who have appeared before
23 you last meeting and again some of whom are going
24 to appear before you tonight, that their charges
25 are sale after hours of hard liquor and a paper

1 violation.

2 Apparently, as far as the paper violation
3 is concerned, they brought in evidence that they
4 were in compliance and I would recommend that we
5 dismiss that.

6 Mr. Espinosa and I have discussed a
7 resolution of it and -- and obviously he can
8 speak for himself, but it would be seven days,
9 which is consistent with all the other liquor
10 stores that we've had. That it would be
11 completed by the end of the year. They want to
12 start right away.

13 I said I could have a Resolution drawn and
14 come over here by Thursday. So they'd be closed
15 from, basically, the 8th to the 15th.

16 Okay?

17 MAYOR STACK: Okay.

18 And Mr. Espinosa, if you could just --

19 MR. ESPINOSA: That is exactly --

20 MAYOR STACK: Just if you could enter your
21 appearance just for the record.

22 MR. ESPINOSA: Yes.

23 Tomas Espinosa on behalf of the defendant
24 and Los Laureles Liquor store.

25 Yeah, the description of Mr. Farmer is

1 correct. That is the understanding.

2 MAYOR STACK: And you agree to the terms,
3 Mr. Espinosa?

4 MR. ESPINOSA: Yes. Totally.

5 MAYOR STACK: Thank you.

6 Okay, I'll --

7 MR. FARMER: And just one last thing.
8 Can't make application to the -- to the State
9 convert it into a fine.

10 MR. ESPINOSA: Yeah. No -- no --

11 MR. FARMER: And you can't appeal.

12 MAYOR STACK: Great.

13 MR. ESPINOSA: And cannot appeal.

14 MR. FARMER: Okay.

15 MAYOR STACK: Okay.

16 Thank you.

17 MR. FARMER: Thank you.

18 MAYOR STACK: I'll make a motion to
19 approve.

20 DEPUTY CITY CLERK: Motion by Mayor Stack.

21 COMMISSIONER FERNANDEZ: Second.

22 DEPUTY CITY CLERK: Seconded by
23 Commissioner Fernandez.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 DEPUTY CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 DEPUTY CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 DEPUTY CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 DEPUTY CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 Thank you.

11

12 * * *

13

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1 CATTANI WINE & LIQUORS

2 T/A CATTANI WINE & LIQUORS

3 Location: 601 Central Avenue

4 Liquor License No. 0910-44-032-006

5

6 MR. FARMER: And Cattani Liquor?

7 Cattani Liquor?

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

10 MAYOR STACK: I'm sorry, Mr. Farmer.

11 MR. FARMER: No. No, I'm just waiting for
12 them to come up, --

13 MAYOR STACK: Okay.

14 MR. FARMER: -- the licensee, on Cattani
15 Liquor.

16 And Cattani Liquor is number 4 on your
17 agenda.

18 Now I'd like to see whether or not we can
19 resolve this and I think we can.

20 MS. DILLON: Do you have a card?

21 MR. FARMER: The licensee here --

22 MS. DILLON: Do you have a card?

23 MR. FARMER: Oh, Mr. DiMaria?

24 MR. DiMARIA: I don't have a card with me.

25 Yes.

1 MR. FARMER: Oh, how are you?

2 MR. DiMARIA: Hi.

3 MR. FARMER: Greg Farmer.

4 MR. DiMARIA: Sorry I'm late.

5 MR. FARMER: No, okay.

6 MR. DiMARIA: I was prosecuting in --

7 MR. FARMER: All right.

8 MR. DiMARIA: -- Park; I just got out.

9 MS. DILLON: Just --

10 MAYOR STACK: How you doing?

11 MS. DILLON: -- step before the microphone,
12 sir.

13 MR. DiMARIA: Yes.

14 MS. DILLON: Thank you.

15 Your appearance?

16 MR. DiMARIA: Mark DiMaria, DiMaria and
17 DiMaria, on behalf of the Cattani Liquors.

18 MR. FARMER: Basically, this is the
19 situation.

20 This again is a sale after ten o'clock by a
21 liquor store.

22 There are some paper violations associated
23 with it -- and a number of them but, you know,
24 like somebody's not wearing a badge but they're
25 on the E-141.

1 So, as far at network or the paperwork is
2 concerned, Mr. DiMaria, along with his client, is
3 going to produce the paperwork, hopefully to the
4 satisfaction of the Police Department and we'll
5 dismiss the case.

6 As far as the seven days are concerned,
7 we've agreed to a seven day suspension. I don't
8 think I have the dates yet but nevertheless they
9 will be completed before the end of the year.

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

12 MAYOR STACK: We're going to have the dates
13 tonight though, right?

14 MR. FARMER: Yes. Yes.

15 MAYOR STACK: Okay.

16 MR. FARMER: The dates?

17 MR. DiMARIA: The dates for the suspension?

18 MR. FARMER: Yes.

19 MR. DiMARIA: I think they want to start
20 tomorrow.

21 Right?

22 MR. H. SHAH: Actually, we went to request
23 by --

24 MS. DILLON: Your name for the record, sir?

25 MR. H. SHAH: -- by January 1st.

1 MS. DILLON: Sir? I need your name.

2 MR. H. SHAH: Because we're new. We just
3 -- we start up --

4 MR. DiMARIA: This is --

5 State your name and your position with
6 the --

7 MR. H. SHAH: Oh.

8 MR. DiMARIA: -- company.

9 MR. H. SHAH: Oh. I'm sorry.

10 Myself, Himanshu Shah. And as a member of
11 -- (indiscernible) -- business.

12 MS. DILLON: Okay and can you spell your
13 name for me?

14 MR. H. SHAH: Himanshu, H-I-M-A-N-S-H-U.
15 Shah, S-H-A-H.

16 MS. DILLON: Thank you, sir.

17 MR. H. SHAH: Um-hum.

18 MR. FARMER: Okay, I guess, I --

19 MR. DiMARIA: We -- we had talked -- we had
20 talked about this but Mr. Himanshu Shah wanted to
21 be heard.

22 We were hopeful that we could do the seven
23 day suspension during the beginning of January.
24 This is the busiest time of year for a liquor
25 store and it would be a real hardship for him to

1 have to close this week or in the next couple of
2 weeks before Christmas and New Years.

3 So, if your -- if the Board would indulge
4 us we would be happy to do it the first week in
5 January --

6 MR. H. SHAH: Yeah.

7 MR. DiMARIA: -- just to get him through.

8 They -- they are new business owners of
9 this business, so they're just getting back on
10 their feet.

11 MR. H. SHAH: Right.

12 MR. DiMARIA: I actually did the liquor
13 license transfer for them. They've only owned
14 the business for a couple of months and it would
15 be a severe hardship not to be able to sell
16 liquor for the next couple of weeks before
17 Christmas and New Years.

18 MAYOR STACK: See, sir, what -- I would --
19 I would entertain that, the only problem is --
20 and it's the same with the other liquor license
21 owners that are here right -- the liquor store
22 owners that are here now, is Mr. Farmer had set
23 up plea agreements with them and then at the last
24 meeting people had left the meeting -- other
25 owners had left the meeting after agreeing to the

1 terms that we had set, how do we go back now and
2 tell them the terms are different for them than
3 it was for the class of individuals that are here
4 tonight.

5 That's the problem that we have.

6 MR. DiMARIA: Well, I mean as -- I mean the
7 suspension is the suspension. I mean I don't
8 know if anybody asked for what we asked at the
9 last meeting. Obviously, if they did then that's
10 a different story. But if they didn't then --

11 MAYOR STACK: No, they did.

12 MR. DiMARIA: Okay.

13 MAYOR STACK: They did and --

14 MR. DiMARIA: And --

15 MAYOR STACK: -- they did and they were
16 supposed to talk or --

17 MR. DiMARIA: And the last meeting was two
18 weeks ago?

19 MAYOR STACK: Yes.

20 MR. DiMARIA: Right. So, two weeks ago,
21 obviously if they had the suspension it's
22 starting the day after that meeting, you know,
23 that's not the -- that's not the Christmas
24 season, that's not as much of a hardship as now
25 having to be closed from, at the earliest

1 December 7th to December 14th, which is right in
2 the heart of the pre-Christmas where everybody's
3 buying stuff for the holidays and for their house
4 and for everything else.

5 New business owner; I mean that -- that
6 could put them out of business.

7 MAYOR STACK: Okay.

8 MR. DiMARIA: I mean so, --

9 MAYOR STACK: Mr. Farmer, --

10 MR. DiMARIA: -- I mean I don't --

11 MAYOR STACK: Mr. Farmer, your position --

12 MR. DiMARIA: -- you know, look I
13 understand that you're here and you want to
14 enforce the provisions and we understand that and
15 we're ready to, you know, take whatever penalty
16 we have but, you know, you also want to foster
17 relationships where the business will flourish in
18 your community and this could cause the business
19 to really, really have hard times if they have to
20 close.

21 MAYOR STACK: No. No, we do. We do. But
22 I just want to be fair to everyone also and not
23 set up a double standard or two different sets of
24 standards I should say.

25 Mr. Farmer and Lieutenant Loaces, what --

1 | what is your position? I mean --

2 | MR. FARMER: All right, the position is
3 | this.

4 | The position is just exactly what you
5 | articulated, consistency.

6 | We have had this offenses citywide; was
7 | probably about ten liquor stores. Everybody was
8 | offered pretty much the same thing and even with
9 | the added bonus that if the paperwork you brought
10 | in would dismiss that and forget it ever happened
11 | it was seven days. And it was clear.

12 | MR. DiMARIA: We have no problem with the
13 | seven days.

14 | MR. FARMER: Yeah but wait a second.

15 | It was clear that those seven days had to
16 | be served before the end of the year. That was
17 | clear from day one.

18 | Okay?

19 | Now what has happened is people keep coming
20 | in and coming in and saying let me do it after
21 | the first of the year and this, that or the other
22 | thing.

23 | Obviously you guys can do whatever you want
24 | but you're not going to be consistent and you
25 | have the situation that you just articulated

1 | where there were other people and, quite frankly,
2 | if people had done it the last time at the
3 | meeting their suspension would be over.

4 | There were people here -- there was one guy
5 | who was going back to Trenton.

6 | MR. DiMARIA: With all due respect to Mr.
7 | Farmer, consistency, the way I look at is that if
8 | you're forcing him to do it starting tomorrow or
9 | any time between now and Christmas, that's
10 | inconsistent than what you did two weeks ago.
11 | Because two weeks ago it wasn't the heart of the
12 | holiday season.

13 | So somebody is not going to have the same
14 | kind of hardship if they had to close, you know,
15 | November 22nd to November 29th, as they are going
16 | to have to close in the middle of December which
17 | as we all know is the time where everybody's
18 | stocking up for Christmas and -- and New Years.

19 | So I -- I would argue that having us having
20 | to serve it now is inconsistent with what you did
21 | with the other folks because they got to serve it
22 | in November. So now that we're into the middle
23 | of the holiday season consistency would be
24 | putting our suspension at a time that's not in
25 | the heart of the holiday season like those folks

1 got two weeks ago.

2 That would be my argument that it's not
3 consistent.

4 MAYOR STACK: I know but I think the
5 argument would be made by any liquor
6 establishment that the months of November and
7 December both, the argument would be made, that
8 they couldn't close at any time in November and
9 December.

10 If you want to call it, you know, what it
11 is, they would say well I can't close in November
12 or December because we got the Thanksgiving
13 holiday and the Christmas holiday and New Years.

14 And I understand.

15 But it's just us being consistent, as a
16 Board, --

17 MR. DiMARIA: Yes but --

18 MAYOR STACK: -- with people who left --
19 with people who were at the --

20 Mr. Farmer mentioned somebody was there
21 representing someone who went back to Trenton.
22 What do we go back and tell them, we changed the
23 standard for other people? I mean how do we do
24 that?

25 MR. DiMARIA: Well, I -- I don't know. I

1 mean I just -- like I said I mean I think closing
2 it the end of November is different than closing
3 a week or two weeks before the holiday where
4 people drink the most out of the entire year --
5 New Year's Eve.

6 So, I think that making us close before
7 that holiday is way inconsistent with having to
8 close at the end of November. That's my only
9 point.

10 And I would just ask you if you would
11 indulge us and we'd close January 2nd -- whatever
12 date you want right after the first of the year
13 and -- and we have no problem with that.

14 And I would -- I would argue that that
15 would be more consistent with -- with the people
16 that didn't have to close before December 1st.

17 MAYOR STACK: Okay.

18 Let me -- let me do this. Let me -- let me
19 take a couple -- let me -- let me take five
20 minutes with the Commissioners and Mr. --

21 Can we take Mr. Farmer also into the
22 Closed --

23 Erin?

24 DEPUTY CITY CLERK: Yes.

25 MAYOR STACK: -- into Closed Session?

1 DEPUTY CITY CLERK: Yeah, we have to --
2 we'll do a Resolution to go into Closed Session
3 for purposes of --

4 COMMISSIONER MARTINETTI: Motion to go --

5 COMMISSIONER RIVAS: I move.

6 COMMISSIONER MARTINETTI: -- go into Closed
7 Session.

8 COMMISSIONER FERNANDEZ: Motion.

9 MAYOR STACK: John?

10 DEPUTY CITY CLERK: Motion by Commissioner
11 Martinetti.

12 MAYOR STACK: Can I see you and the Chief
13 for a minute?

14 DEPUTY CITY CLERK: Second by --

15 LIEUTENANT LOACES: Yes, sir.

16 DEPUTY CITY CLERK: -- Commissioner
17 Fernandez.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 DEPUTY CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner
25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

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

6

7 (Whereupon, the Board moved to Closed
8 Session at 7:22 p.m.)

9

10 (Whereupon, the Board returned to Open
11 Session at 7:25 p.m.)

12

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

15 DEPUTY CITY CLERK: Can I have a motion to
16 go back into Open Session?

17 MAYOR STACK: Motion.

18 DEPUTY CITY CLERK: Motion by Mayor Stack.

19 COMMISSIONER MARTINETTI: Second.

20 DEPUTY CITY CLERK: Seconded by
21 Commissioner Martinetti.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 DEPUTY CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 DEPUTY CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 DEPUTY CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 DEPUTY CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8 DEPUTY CITY CLERK: Okay, we're back in
9 Open.

10 MAYOR STACK: Okay, after consulting with
11 the Commissioners, the agreement was with either
12 the liquor owners or their representative --
13 their attorney, was that the suspension would be
14 served this year.

15 If they want to begin serving their
16 suspension this Thursday, Mr. Farmer's willing to
17 set up the paperwork. That decision stands.

18 Mr. Farmer?

19 MR. DiMARIA: Okay.

20 MR. FARMER: Yeah. I can get it by
21 Thursday.

22 MR. DiMARIA: Well I think we'd like to
23 start the suspension tomorrow.

24 MAYOR STACK: I'm sorry?

25 MR. DiMARIA: We'd like to start the

1 suspension tomorrow, not Thursday.

2 MAYOR STACK: Okay.

3 Mr. Farmer, --

4 MR. FARMER: Well, --

5 MAYOR STACK: -- is that possible?

6 MR. FARMER: Well, the situation is this.

7 Just in the normal course of events we
8 generally pass the Resolution tonight and then
9 the formal Resolution is on the agenda two weeks
10 from now.

11 MAYOR STACK: Right.

12 MR. FARMER: I -- I said to them I wouldn't
13 do that.

14 As far as starting tomorrow I just said,
15 you know, give me a chance to get to the office,
16 to dictate it, prepare it, --

17 MAYOR STACK: Thursday morning though?

18 MR. FARMER: -- read the --

19 Yeah. Yeah.

20 MAYOR STACK: Start it Thursday.

21 MR. DiMARIA: Well, as I mentioned to you,
22 the -- the closer we get to Christmas and New
23 Years the more of a hardship it is.

24 So if you're forcing us to serve the
25 suspension before the end of December, which I

1 think is patently unfair and I think for all of
2 the people here that you should be treating them
3 consistently and allow them to -- their
4 businesses to flourish before the end of the year
5 when it's their busiest time and have them serve
6 the suspension in the beginning of January. It's
7 no harm --

8 MAYOR STACK: Okay but -- I know.

9 MR. DiMARIA: -- to the Board.

10 MAYOR STACK: We -- we already went over
11 that.

12 MR. DiMARIA: That's fine. So, --

13 MAYOR STACK: Sir, with all due respect, --

14 MR. DiMARIA: So, if you --

15 MAYOR STACK: -- you went over this with
16 Mr. Farmer prior to tonight, --

17 MR. FARMER: Yeah.

18 MAYOR STACK: -- right?

19 MR. FARMER: Yeah.

20 MR. DiMARIA: If he wants -- if he wants to
21 take two more weeks to put it on the
22 Resolution, --

23 MR. FARMER: No, I'm not saying that.

24 MAYOR STACK: No, he doesn't. He's not
25 saying that.

1 MR. DiMARIA: No but maybe that's --

2 MR. FARMER: I'm saying this Thursday.

3 MR. DiMARIA: -- what I want. Maybe he
4 should do that. And then we'll serve the
5 suspension after he does that, which will be
6 after the holiday.

7 So, I mean we want to serve it starting
8 tomorrow. You're making us plead guilty --

9 MAYOR STACK: We're not making you. We're
10 not making you.

11 MR. DiMARIA: We are being -- we're
12 pleading guilty tonight, so we want the
13 suspension to start immediately tomorrow.

14 MAYOR STACK: Okay. Sir, but don't put
15 words in our mouth. We're not making you accept
16 anything right now.

17 MR. DiMARIA: I know you're not making us.

18 MAYOR STACK: Sir, you're free to try the
19 case. Try the case.

20 MR. DiMARIA: I know you're not making us.

21 MAYOR STACK: Try it -- try it and we'll
22 schedule it for either the next meeting or in
23 January. You want to try the case, we'll try the
24 case. That's up to you.

25 But nobody's making anybody do anything.

1 Everybody agreed here to their own freewill when
2 they met Mr. Farmer.

3 MR. DiMARIA: Right.

4 MAYOR STACK: And they have a right to get
5 counsel. I said it at the last meeting.
6 Everybody had a right to go seek an attorney and
7 if they want to try the case they can.

8 MR. DiMARIA: Now may I ask you a question?

9 I would ask the Commissioners a question.
10 Why is it so important that the suspension be
11 served before December 31st?

12 MAYOR STACK: It's been a policy that Mr.
13 Farmer has had with the Police Department.

14 MR. DiMARIA: The Police Department doesn't
15 seem to have a problem with it. So I don't know
16 where this policy's coming from?

17 MAYOR STACK: And where do you get that
18 from?

19 MR. DiMARIA: Well we were just having a
20 conference when you called us up.

21 MAYOR STACK: Okay.

22 MR. DiMARIA: We were discussing the whole
23 case.

24 So, you know, I don't understand why
25 December 31st is a magic day. Suspension is the

1 suspension is the suspension. They're still
2 going to serve the penalty.

3 MAYOR STACK: Mr. Farmer, do you have any
4 position on that?

5 MR. FARMER: No. I -- the position is
6 this.

7 It's been consistent from day one, whenever
8 I've spoken to anybody that it be seven days,
9 completed by the end of the year. That's been
10 accepted by seven or eight of the people.

11 My feeling is you -- you know, I don't -- I
12 don't want to have that we're going to start
13 tomorrow and --

14 MR. DiMARIA: Well, --

15 MR. FARMER: -- they're going to close at
16 11:59 tonight.

17 All right?

18 I think it's reasonable -- I'm just talking
19 about reasonableness, to have the Resolution
20 prepared by tomorrow, submit it over there and it
21 starts at 11:59 tomorrow.

22 MR. DiMARIA: I guess -- I guess my point
23 is that the -- the maximum suspension they're
24 facing is ten days anyway.

25 Right?

1 MR. FARMER: Not so because you have the
2 paper violations.

3 MR. DiMARIA: Well, we're discussing the
4 paper violations, which we're going to clear up
5 today, with the Lieutenant who we've already been
6 sitting down with.

7 MR. FARMER: Well, you'll also have --
8 you'll also --

9 MR. DiMARIA: So, -- so, it might be more
10 beneficial for us to take a ten day suspension
11 and do it in January.

12 MAYOR STACK: Okay, if that's your position
13 we'll schedule it. We'll schedule it for the
14 next Commission meeting.

15 MR. DiMARIA: Okay.

16 And then we'll just plead guilty then and
17 take ten days in January.

18 COMMISSIONER FERNANDEZ: No. No.

19 MS. NOVA: It will not be allowed.

20 MAYOR STACK: No.

21 MR. FARMER: Well, wait --

22 COMMISSIONER FERNANDEZ: You have to try
23 the case.

24 MR. FARMER: -- but wait, wait, wait, you
25 don't direct this.

1 MS. NOVA: No. That will not be allowed.

2 MAYOR STACK: No.

3 MR. FARMER: No, not at all.

4 MAYOR STACK: No, that won't be allowed.

5 MR. FARMER: Not at all.

6 MR. DiMARIA: Why will it not be?

7 MR. FARMER: I'm going to answer that.

8 Okay? I'm going to answer that.

9 MR. DiMARIA: We could plead guilty --

10 MR. FARMER: You could --

11 MR. DiMARIA: -- anytime we want.

12 MR. FARMER: You can plead guilty to

13 anything you want. But let me tell you

14 something, you have a number of charges other

15 than selling afterhours.

16 You want to say I'm working it out? Well
17 how do you work out an employee not wearing his
18 badge?

19 MR. DiMARIA: Lieutenant and I just
20 discussed --

21 MR. FARMER: How do you -- how do you work
22 --

23 MS. DILLON: Please, one at a time.

24 MR. FARMER: -- out that it's not listed on
25 the E-141?

1 So all I'm saying to you -- you can say I'm
2 talking to the Lieutenant, you can say anything
3 you want, but keep in mind this is not a cavalier
4 ten days and I'll come back on the 20th and I'll
5 plead guilty to ten days.

6 MR. DiMARIA: Not cavalier.

7 MR. FARMER: I'm mean you're -- you're
8 going to be exposed to probably, if you add it
9 up, closer to 20 days.

10 Now, look, we've been consistent. We're
11 not going to change. It's -- you can whittle us
12 down and wear us down but we're going to be
13 consistent just like we did with everybody else.
14 You can pick the dates. You can give the paper
15 violations -- the proper paperwork to the Police.
16 They'll look at it. If they say okay, then that
17 goes away.

18 I think that's a good deal. But if you
19 don't, that's fine.

20 MAYOR STACK: Mr. Farmer, if they don't
21 want to plead guilty, we'll schedule it for the
22 next meeting; we'll hear it on the next meeting.

23 MR. FARMER: Well then at that time I'm
24 going to be prepared to pass the Resolution so
25 that it will go from the 20th to the 27th or the

1 21st or the 28th, --

2 MAYOR STACK: Well whenever it's decided.

3 MR. FARMER: -- which -- which it -- I
4 think -- I don't know if that's what they want.

5 MR. DiMARIA: Can I have a moment with my
6 client?

7 MS. NOVA: Fine.

8 MR. FARMER: Yeah.

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

11 MS. DILLON: Do you want to go off the
12 record?

13 COMMISSIONER FERNANDEZ: Yes, --

14 MAYOR STACK: Why don't we just go to the
15 next case?

16 DEPUTY CITY CLERK: Okay, we can do that.

17 MAYOR STACK: Mr. Farmer, you want to go to
18 the next case and just hold them --

19 MR. FARMER: Yeah, --

20 MAYOR STACK: -- till the end?

21 MR. FARMER: Yeah, all right.

22 Let's stay up here.

23 SERGEANT DUNLAY: Okay.

24 (Whereupon, there was a pause in the
25 proceedings.)

1 JAI AMBA INC.

2 T/A UNION CITY LIQUORS

3 Location: 4122 Bergenline Avenue

4 Liquor License No. 0910-44-142-005

5

6 MR. FARMER: Bergenline Liquors. All
7 right, Union City Liquors. Fine. This is
8 Bergenline Liquor.

9 MR. N. SHAH: Union City Liquor.

10 MR. FARMER: I'm sorry; Union City Liquor.

11 And the licensee -- licensee is here. And
12 this is the same --

13 MS. DILLON: Mr. Farmer, just wait until
14 you come back please.

15 MR. FARMER: -- as the other offenses.
16 This is the same as the other offenses.

17 We've negotiated a plea; seven days. They
18 can pick the seven days as long as it's completed
19 by the end of the year.

20 You may recall that the licensee was here
21 before you two weeks ago and articulated what
22 everybody's articulating, let us close in
23 January.

24 Okay?

25 That -- that dialogue went on for a while

1 and you had suggested to him if he had difficulty
2 with anything he could return tonight with an
3 attorney.

4 He's not here tonight with an attorney.
5 He's here by himself; wants to address the Board.
6 And as I have indicated to him a number of times
7 the Board's policy, which I don't think we really
8 have to defend, is seven days consecutive by the
9 end of the year. And whatever paper violation
10 they show to Detective Loaces before the night's
11 over and we'll dismiss it. And he can pick the
12 days.

13 MS. DILLON: Your name, sir, for the
14 record?

15 MR. N. SHAH: Nalin Shah.

16 MS. DILLON: I'm sorry?

17 MR. N. SHAH: Nalin, N-A-L-I--

18 MS. DILLON: I'm sorry?

19 MR. N. SHAH: N like in Nancy, A like
20 apple, L like Larry, I like I, N like Nancy.
21 Shah, S-H-A-H.

22 MS. DILLON: Okay.

23 Thank you.

24 MR. N. SHAH: No problem.

25 MR. FARMER: Okay.

1 Mr. Shah, --

2 MR. N. SHAH: Yes.

3 MR. FARMER: -- you heard what I said,
4 right?

5 MR. N. SHAH: Yes I did.

6 MR. FARMER: Okay. And we've talked about
7 this, have we not?

8 MR. N. SHAH: Yes but after that I call you
9 so many times to your office. I have all the
10 phone records. You never responded my phone.
11 That's number one.

12 Number two, you know, I request to the
13 Board again, as the other lawyer was requesting,
14 it's a very hardship, you know, to close, you
15 know, in the month of -- Brian, please -- you
16 know, to close in the month of December.

17 You know this is our bread and butter, you
18 know. This is a hardship month. Let put it in
19 this way, in the whole year this is the only
20 month that, you know, we make some, you know,
21 something out of this month, you know.

22 The rest of the months, you know,
23 September, October, is a very slow month for us.
24 You know we can barely survive. You know?

25 Second, June, if you tell us to close we

1 | will do it, all seven days, no problem. Even if
2 | you want, instead of seven, I will close eight
3 | days in January. You know. I'm ready to
4 | compromise on that. That's --

5 | MAYOR STACK: Sir, with all -- with all due
6 | respect, this was negotiated with Mr. Farmer. It
7 | was something that you guys had agreed to.

8 | Had you come in here and said that to the
9 | Board at the first time when you came here and it
10 | wasn't agreed upon, -- I gave you the -- the
11 | option you could hire a lawyer. If you don't
12 | want to have a lawyer, you could try the case;
13 | we'd be more than happy to do that.

14 | For the same reasons I just told the
15 | attorney that was here, we have to have the same
16 | policy. It can't be consistent with some and
17 | with others a different standard. We just can't
18 | do it. I'm sure you can appreciate that.

19 | MR. N. SHAH: No, I do appreciate.

20 | Whatever the Board will take decision, I
21 | will --

22 | MAYOR STACK: Okay.

23 | MR. N. SHAH: -- I'll -- you know, it's a
24 | law.

25 | MAYOR STACK: Okay. Do you --

1 MR. N. SHAH: So, I'll -- I'll take that.

2 MAYOR STACK: Do you want to --

3 MR. N. SHAH: That's not --

4 MAYOR STACK: Do you want to try the case?

5 Do you want to come back and not plead guilty and
6 try the case, you can, if you'd like?

7 MR. N. SHAH: Then can I come in January
8 instead of December?

9 MAYOR STACK: It would be -- it would be
10 scheduled for the next meeting, I believe.

11 Mr. Farmer, am I correct?

12 MR. FARMER: December 20th.

13 MAYOR STACK: When is it?

14 MR. FARMER: December 20th.

15 DEPUTY CITY CLERK: December 20.

16 MAYOR STACK: It would be for December
17 20th.

18 MR. N. SHAH: No. Because if I have to
19 close, you know, in December, then I will lose
20 the main days, you know?

21 MR. FARMER: Um-hum.

22 MAYOR STACK: Right.

23 MR. N. SHAH: So, I don't know what -- what
24 I'm supposed to do then. You know?

25 MAYOR STACK: It's what-- whatever --

1 | whatever you feel you should do. You have a
2 | right, like I said, to have an attorney tonight.
3 | You could do that. Your attorney could try the
4 | case for you. You could have consulted your
5 | attorney.

6 | MR. N. SHAH: Okay, I'll close from
7 | tomorrow.

8 | MR. FARMER: Well, Thursday.

9 | MR. N. SHAH: Tomorrow.

10 | MAYOR STACK: Thursday.

11 | MR. N. SHAH: Thursday, no. I -- I want to
12 | close from tomorrow.

13 | MAYOR STACK: I know. We -- we just had --

14 | MR. N. SHAH: Then -- see, Wednesday -- why
15 | -- why I have to lose one more day to work for
16 | Christmas time?

17 | MR. FARMER: Because it takes a while to do
18 | the paperwork.

19 | MAYOR STACK: There's got to be --

20 | MR. FARMER: And I've got --

21 | MR. N. SHAH: But just -- just tell me what
22 | paperwork and I will -- whatever the paperwork
23 | has to be done I will submit you tomorrow, nine
24 | o'clock in your office, I don't mind, before I
25 | open up the store. You know whatever the

1 paperwork you need, I compromise with that, --

2 MR. FARMER: Listen to me.

3 MR. N. SHAH: Okay, with all due respect,
4 Mr. Farmer and to the Board, I need to -- if I
5 have to close seven days I will close from
6 tomorrow. I cannot take one more day because
7 it's going towards the Christmas.

8 You know, we are losing -- we are -- any --
9 anyway we are losing the -- this is not helping
10 out to the business community.

11 Let me put it in this way, this is not at
12 all good for --

13 MAYOR STACK: Sir? Sir, with all due
14 respect, with all due respect, in the business
15 community, from the liquor establishments needs
16 to know the laws that you're governed by, --

17 MR. N. SHAH: Yes. I --

18 MAYOR STACK: -- such as not selling hard
19 liquor --

20 MR. N. SHAH: Okay, I agree.

21 MAYOR STACK: -- and other offenses that --

22 MR. N. SHAH: I'm -- I'm --

23 MAYOR STACK: Let me finish. I didn't
24 interrupt --

25 MR. N. SHAH: Okay.

1 MAYOR STACK: -- you when you spoke.

2 MR. N. SHAH: Okay.

3 MAYOR STACK: Let me finish.

4 MR. N. SHAH: Okay.

5 MAYOR STACK: And that's the way it has to
6 be.

7 You have a right to go get a lawyer, take
8 the plea tonight of not guilty, and we'll try
9 this case on the 20th. Okay?

10 Thank you very much, Mr. Farmer.

11 MR. N. SHAH: No, I -- I don't want to
12 try on --

13 MAYOR STACK: Sir, thank you very much.

14 MR. N. SHAH: -- I don't want to try on
15 20th.

16 MAYOR STACK: Thank you, -- sir, we've had
17 enough of this.

18 A VOICE: Thursday.

19 MAYOR STACK: You can -- you can be back
20 here on the 20th. Bring your attorney; we'll try
21 the case on the 20th.

22 Mr. Farmer, proceed to the next case.

23 A VOICE: Please, sir, sorry about it.

24 MR. N. SHAH: Brian, --

25 MAYOR STACK: No, it's okay.

1 Sir? Sir? It's okay. He spoke --

2 MR. N. SHAH: Brian, --

3 MAYOR STACK: -- just now. He wants to
4 plead not guilty; he's here on the 20th.

5 MR. N. SHAH: I'm not saying I'm not -- I
6 did plead guilty, Brian.

7 MAYOR STACK: Sir, we heard your argument.
8 We heard your argument.

9 MR. N. SHAH: Brian, what I'm --

10 MAYOR STACK: The fifteen --

11 MR. N. SHAH: -- saying is that --

12 MAYOR STACK: Sir, -- sir, let me finish.

13 MR. N. SHAH: -- from tomorrow, --

14 MAYOR STACK: Sir, let me --

15 MR. N. SHAH: -- if you allow --

16 MS. DILLON: One at a time.

17 MAYOR STACK: Let me finish. Let me
18 finish.

19 We heard your argument at the last meeting.
20 You said the same thing you're saying tonight.
21 Okay? I told you go back and get your attorney.

22 That's the argument you're making. You're
23 pleading not guilty. We'll see you here on the
24 20th.

25 Wherever the location is for the next --

1 A VOICE: Please. Please.

2 MAYOR STACK: -- Commission meeting, the
3 Clerk will advise you.

4 MR. N. SHAH: Okay, I'm sorry.

5 DEPUTY CITY CLERK: Robert Waters
6 Elementary School.

7 MR. N. SHAH: I will close on Thursday.
8 Just put it down.

9 MAYOR STACK: Okay.

10 MR. FARMER: All right.

11 MAYOR STACK: Whatever it -- you know what,
12 sir, I don't want you --

13 MR. N. SHAH: Thursday.

14 MAYOR STACK: -- to do anything against
15 your will. I want you to consult an attorney, --

16 MR. N. SHAH: Okay, I'm sorry, if it -- if
17 it --

18 MAYOR STACK: No, no, no. There's
19 nothing --

20 MR. N. SHAH: -- hurts your feelings or
21 if --

22 MAYOR STACK: -- to be sorry for.

23 MR. N. SHAH: -- I hurt the Board.

24 MAYOR STACK: There's nothing to be sorry
25 for.

1 MR. N. SHAH: Okay?

2 MAYOR STACK: You're defending your rights.

3 MR. N. SHAH: If you -- if you heard in
4 background I'm really sorry. I didn't mean it in
5 that way.

6 MAYOR STACK: We didn't --

7 MR. N. SHAH: But --

8 MAYOR STACK: -- we didn't --

9 MR. SHAH: -- but -- but --

10 MAYOR STACK: We didn't take it that way.
11 But we're hearing the same argument we heard at
12 the last meeting.

13 MR. N. SHAH: No, it's not -- it's not an
14 argument, Brian. It's a -- it's a consideration.

15 MAYOR STACK: I understand.

16 MR. N. SHAH: That's all I was -- I was
17 feeling.

18 DEPUTY CITY CLERK: Motion to table?

19 MR. N. SHAH: It's not --

20 MAYOR STACK: Let me -- let me ask you a
21 question.

22 Did you meet with Mr. Farmer --

23 MR. N. SHAH: Yes, I did.

24 MAYOR STACK: -- and express to Mr. Farmer
25 that you accepted the plea --

1 MR. N. SHAH: Yes.

2 MAYOR STACK: -- that was given to you and
3 the dates that were given?

4 MR. N. SHAH: Right.

5 MAYOR STACK: Okay.

6 Thank you very much.

7 MR. FARMER: Okay.

8 Do you want to do Thursday?

9 MR. N. SHAH: Thursday, yes.

10 MR. FARMER: All right.

11 MR. N. SHAH: Seven days.

12 MR. FARMER: Seven days.

13 A VOICE: Sorry.

14 MS. NOVA: Hold on. You have to --

15 DEPUTY CITY CLERK: Okay.

16 MR. FARMER: Okay.

17 DEPUTY CITY CLERK: I'm sorry, so --

18 MS. NOVA: -- put everything on the record.

19 MR. FARMER: Come back here --

20 MR. N. SHAH: I know. I'm just talking --

21 COMMISSIONER FERNANDEZ: You have to put it
22 on the record, Mr. Farmer.

23 DEPUTY CITY CLERK: We -- yeah, we have to
24 get that on the record.

25 MS. NOVA: Hold on. Hold on. You have to

1 put --

2 MR. FARMER: Come back.

3 COMMISSIONER FERNANDEZ: Mr. Shah.

4 MS. NOVA: -- everything on the record.

5 MR. FARMER: Mr. Shah, --

6 MR. N. SHAH: Yes.

7 MR. FARMER: -- you're agreeing to a seven
8 day suspension that's going to start Thursday, --

9 MR. N. SHAH: Yeah.

10 MR. FARMER: -- for seven days.

11 MR. N. SHAH: Okay.

12 MR. FARMER: Doing that freely?

13 MR. N. SHAH: I'm sorry?

14 MR. FARMER: Are you doing the plea of
15 guilty freely and --

16 MR. N. SHAH: Yeah, freely.

17 MR. FARMER: -- voluntarily --

18 MR. N. SHAH: Freely, yeah.

19 MR. FARMER: -- and willingly?

20 MR. N. SHAH: Yeah.

21 MR. FARMER: Okay.

22 MR. N. SHAH: Okay.

23 MR. FARMER: All right.

24 DEPUTY CITY CLERK: Can I have a -- can I
25 have a motion to approve seven day suspension?

1 MAYOR STACK: Motion.

2 COMMISSIONER FERNANDEZ: Second.

3 COMMISSIONER MARTINETTI: Second.

4 DEPUTY CITY CLERK: Second.

5 Mayor Stack made the motion.

6 Seconded by Commissioner Martinetti.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 DEPUTY CITY CLERK: Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 DEPUTY CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 DEPUTY CITY CLERK: Commissioner

14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 DEPUTY CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18 MR. FARMER: All right. Thank you.

19 MR. N. SHAH: Okay?

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25 **CATTANI WINE & LIQUORS**

1 T/A CATTANI WINE & LIQUORS

2 Location: 601 Central Avenue

3 Liquor License No. 0910-44-032-006

4

5 MR. DiMARIA: Today we never talked about
6 what day it would start.

7 MR. FARMER: Okay. Thursday's pretty good.

8 MR. DiMARIA: No, it's not good for them
9 because they get deliveries on Thursday. They
10 need to be reopened by next Thursday. You're
11 killing their business.

12 MR. FARMER: No. The point is --

13 MAYOR STACK: What's the next case? Mr.
14 Farmer, what is the next case?

15 MR. FARMER: Okay.

16 MR. DiMARIA: The Lieutenant said that they
17 would monitor that the place is closed tomorrow.

18 MAYOR STACK: Sir? Sir?

19 MR. FARMER: Hold on.

20 MAYOR STACK: Excuse me one second, sir?

21 MR. FARMER: All right, let's take the last
22 one.

23 MAYOR STACK: We're going to call the next
24 case. We're going to --

25 MR. FARMER: Okay.

1 MAYOR STACK: -- bring you back up after
2 we're done.

3 MR. FARMER: All right.

4 MAYOR STACK: Thank you.

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1 **SAI PRASAD INC.**

2 **T/A BERGENLINE LIQUORS**

3 **Location: 3819 Bergenline Avenue**

4 **Liquor License No. 0910-32-066-004**

5

6 MR. FARMER: Okay.

7 Bergenline Liquor.

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

10 MR. FARMER: This is Bergenline Liquor.

11 Again, this is an offense, liquor store
12 selling after ten o'clock hard liquor. And there
13 is some paper violations that the licensee is
14 going to comply with, so we're going to dismiss
15 the paper violations. Seven days. They can pick
16 the seven days.

17 This licensee is kind of tied in with the
18 licensee that just left or, you know, Union City
19 Liquor. And I think he's going to want to talk
20 about closing in January.

21 Why don't you put your appearance and --

22 MR. AMIN: Yes, sir, if you can do for
23 January, --

24 MS. DILLON: Speak up, sir.

25 What is your name?

1 MR. AMIN: Kirti.

2 MS. DILLON: Spell?

3 MR. AMIN: K-I-R-T-I.

4 MS. DILLON: I'm sorry?

5 MR. AMIN: K-I-R-T-I.

6 MS. DILLON: And your last name?

7 MR. AMIN: Amin, A-M-I-N.

8 MS. DILLON: Okay, just keep your voice up.

9 MR. FARMER: Have you agreed to a seven day
10 suspension?

11 MR. AMIN: Yes.

12 MR. FARMER: And you know that this is
13 going to have to be served before the end of the
14 year?

15 MR. AMIN: You're going to give me from
16 tomorrow or day after tomorrow?

17 MR. FARMER: From Thursday, just like
18 everybody else?

19 MR. AMIN: Yes.

20 MR. FARMER: Okay.

21 And you're entering a plea of guilty to
22 that, right?

23 MR. AMIN: Yes, I'm guil --

24 MR. FARMER: Okay.

25 DEPUTY CITY CLERK: May I --

1 MAYOR STACK: Sir, do you want to consult
2 an attorney?

3 Did you consult an attorney? Would you
4 like to come back with an attorney and try the
5 case on the 20th?

6 MR. AMIN: No. No, that's too expensive.

7 MAYOR STACK: Okay.

8 DEPUTY CITY CLERK: May I have a motion?

9 COMMISSIONER FERNANDEZ: Motion.

10 COMMISSIONER MARTINETTI: Second.

11 DEPUTY CITY CLERK: Commissioner Fernandez.

12 Seconded by Commissioner Martinetti.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner

20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 MS. DILLON: Mr. Farmer, do you want to
25 clarify the dates for the record? I'm not sure

1 if --

2 MR. FARMER: The 8th. Thursday, seven days
3 from Thursday.

4 MS. DILLON: Thank you.

5 MR. FARMER: Okay.

6 If you could perhaps indulge us five
7 minutes and maybe we can get rid of the one
8 that's still outstanding.

9 MAYOR STACK: Sure. No problem.

10 MR. FARMER: Okay.

11 MR. AMIN: Thank you.

12 MS. NOVA: For the record, Thursday's
13 December 8th.

14 MS. DILLON: Do you want to go off the
15 record?

16 DEPUTY CITY CLERK: Yes, please.

17 MS. NOVA: Please.

18 MAYOR STACK: Yes.

19

20 (Off the record at 7:41 p.m.)

21 (On the record at 7:44 p.m.)

22

23 DEPUTY CITY CLERK: Okay, on second.

24 MS. DILLON: On the record.

25 DEPUTY CITY CLERK: Okay, we're back on the

1 record.

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1 CATTANI WINE & LIQUORS

2 T/A CATTANI WINE & LIQUORS

3 Location: 601 Central Avenue

4 Liquor License No. 0910-44-032-006

5

6 MR. FARMER: Okay, I'm going to try now.

7 We're back on the record on Cattani Wine and

8 Liquor.

9 Counsel and I have had a discussion

10 concerning the starting of the seven days and

11 part of that conversation Detective Loaces was

12 involved. And we've come to a resolution --

13 we've come to a resolution that the seven day

14 suspension will start this evening.

15 I will prepare a Resolution, have it over

16 tomorrow, that the seven days starts at 11:59

17 tonight. The Police will monitor it that it's

18 shut down at 11--

19 MAYOR STACK: Okay.

20 MR. FARMER: -- at the stroke of

21 midnight --

22 MAYOR STACK: But then -- but then we have

23 to do it for all of them. We can't just do it

24 for this one.

25 MR. DiMARIA: My conversation today never

1 set forth parameters of the dates with Mr.
2 Farmer.

3 I came in with the understanding that it
4 was going to start immediately after the plea;
5 unlike discussions with other people --

6 MAYOR STACK: Okay. Well, --

7 MR. DiMARIA: -- where there were dates
8 discussed.

9 MAYOR STACK: -- I -- I understand that.
10 But if we're going to do it tonight for Cattani,
11 -- and I have no problem if that's what's been
12 agreed to -- then I want to do it for all of them
13 tonight.

14 A VOICE: Thank you, sir.

15 MR. FARMER: Okay. I'll get the --

16 MAYOR STACK: We should do every one --

17 MR. FARMER: I will get the Resolutions
18 together.

19 MAYOR STACK: -- we should do every one the
20 same time then.

21 MR. FARMER: I will get the Resolutions
22 together.

23 MAYOR STACK: What's fair is fair.

24 MR. FARMER: Okay.

25 MAYOR STACK: Let's do it for everybody.

1 MR. FARMER: Okay.

2 Then you know --

3 COMMISSIONER FERNANDEZ: Then we have to
4 bring everybody back up.

5 MR. FARMER: -- so they're all on notice
6 that at 11:59 tonight --

7 MS. NOVA: All right.

8 MR. FARMER: -- the Police are going to
9 come around and you can't be open.

10 A VOICE: Yes, -- (indiscernible, not near
11 microphone).

12 (Whereupon, there were multiple speakers.)

13 MR. FARMER: All right. Just --

14 LIEUTENANT LOACES: I'll see Sergeant
15 Dunlay.

16 MR. FARMER: Okay.

17 MR. DiMARIA: Thank you very much.

18 COMMISSIONER FERNANDEZ: But we got to
19 bring everybody back up.

20 MS. NOVA: Right.

21 We have to --

22 COMMISSIONER FERNANDEZ: Mayor?

23 MS. NOVA: Hold on.

24 COMMISSIONER FERNANDEZ: We have to bring
25 everybody back up.

1 MS. NOVA: We have to bring everybody back
2 up and do it all over again.

3 MS. DILLON: I know. I know. I realize
4 that.

5 MAYOR STACK: We have to bring everybody
6 back up.

7 Let -- let's finish --

8 MS. DILLON: But let's finish this one --

9 MAYOR STACK: -- let's finish with Cattani
10 right now.

11 MS. DILLON: -- first.

12 MAYOR STACK: We'll finish them and then
13 we'll bring them back.

14 MR. DiMARIA: Thank you.

15 MR. FARMER: Okay.

16 So, we're squared away?

17 MR. DiMARIA: Right. And I believe all the
18 paper violations are going to be dismissed.

19 MR. FARMER: Right.

20 LIEUTENANT LOACES: Everything -- all the
21 paperwork --

22 MR. FARMER: All the paperwork was produced
23 to the satisfaction of the Police Department.

24 So all we have is seven days starting
25 tonight at 11:59 and it will be Thursday for

1 seven days thereafter.

2 Correct?

3 MR. DiMARIA: Correct, Mr. Farmer.

4 MR. FARMER: Okay.

5 MAYOR STACK: All right?

6 MR. FARMER: Right.

7 MAYOR STACK: Okay, I'll make a motion to
8 approve.

9 DEPUTY CITY CLERK: Motion by Mayor Stack.

10 COMMISSIONER FERNANDEZ: Second.

11 DEPUTY CITY CLERK: Seconded by
12 Commissioner Fernandez.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 The dates were -- to clarify, the dates
24 were starting tonight, 11:59, for seven days.

25 MS. NOVA: Can you give us the exact dates

1 please?

2 The exact parameters?

3 MR. FARMER: The first day will be
4 tomorrow.

5 MAYOR STACK: 11-- 11:59 this evening on.

6 MR. FARMER: Right.

7 MAYOR STACK: Right.

8 MR. FARMER: So it's Thursday --

9 MAYOR STACK: Exactly.

10 MR. FARMER: -- for seven days.

11 MR. DiMARIA: So it would end at 11:59 --

12 COMMISSIONER VALDIVIA: From the 7th to the
13 14th.

14 DEPUTY CITY CLERK: On the --

15 MR. DiMARIA: -- on Wednesday evening going
16 into Thursday. Next week.

17 DEPUTY CITY CLERK: Yes.

18 MR. DiMARIA: The -- the -- 8, 9, 10, 11,
19 12 --

20 LIEUTENANT LOACES: Um-hum.

21 COMMISSIONER MARTINETTI: So first day open
22 would Thursday?

23 DEPUTY CITY CLERK: One, two, three, four,
24 five, six, seven.

25 MR. DiMARIA: The -- 11:59, the --

1 DEPUTY CITY CLERK: It's going to be on the
2 14th.

3 MR. DiMARIA: -- evening of the 13th.
4 Correct?

5 MAYOR STACK: Yes.

6 COMMISSIONER MARTINETTI: So you open the
7 14th.

8 MR. DiMARIA: That's when --

9 DEPUTY CITY CLERK: Yes.

10 MAYOR STACK: And -- and when are you
11 beginning? I just misunderstood. I thought it
12 was tonight.

13 MR. DiMARIA: 11:59 tonight.

14 MAYOR STACK: Tonight?

15 MR. DiMARIA: And -- and it would end at
16 11:59 on the -- on the -- on the evening of the
17 13th, --

18 MAYOR STACK: Okay.

19 MR. DiMARIA: -- one minute before the
20 14th.

21 MAYOR STACK: So, today -- it would -- it
22 would start December 7th, technically, tomorrow.
23 You got it. Okay.

24 Okay.

25 MR. DiMARIA: Thank you.

1 COMMISSIONER MARTINETTI: Right. To the
2 14th.

3 MR. FARMER: Seventh to the 13th.

4 MAYOR STACK: That's good.

5 COMMISSIONER MARTINETTI: The 7th to the
6 14th.

7 MR. FARMER: Okay.

8 MR. DiMARIA: Thank you very much,
9 Commissioners.

10 MS. NOVA: And -- and --

11 MAYOR STACK: Thank you very much. Thank
12 you.

13 MR. DiMARIA: I'm sorry to take up your
14 time.

15 MAYOR STACK: Thank you.

16 MS. NOVA: Just -- just to be clear, --

17 LIEUTENANT LOACES: Excuse me? I believe
18 she has a question.

19 Greg?

20 MR. FARMER: Um-hum.

21 MS. NOVA: -- all of the parameters
22 regarding appealing, conversion, --

23 MR. DiMARIA: Yes, we agree to --

24 MS. NOVA: -- everything, --

25 MR. DiMARIA: -- waive our right to appeal.

1 We agree to waive our right to petition the ABC
2 to convert the suspension into fine.

3 MS. NOVA: Thank you.

4 MR. DiMARIA: Okay, thanks.

5 MR. FARMER: Thanks a lot.

6 Safe trip.

7 MR. DiMARIA: Thank you.

8 LIEUTENANT LOACES: Thank you.

9 MS. NOVA: Okay.

10 DEPUTY CITY CLERK: Mr. Farmer, who do
11 you --

12 MR. FARMER: Yeah?

13 DEPUTY CITY CLERK: -- want to bring back
14 up?

15 Union City Liquor?

16 MR. FARMER: Yeah.

17 DEPUTY CITY CLERK: Union City Liquor.

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1 **JAI AMBA INC.**

2 **T/A UNION CITY LIQUORS**

3 **Location: 4122 Bergenline Avenue**

4 **Liquor License No. 0910-44-142-005**

5

6 MR. FARMER: I -- members of the Board, I
7 think we're back on Bergenline Liquor --

8 MR. N. SHAH: Union City Liquor.

9 MR. FARMER: -- Union City Liquor. I'm
10 sorry. I did that a second time.

11 MR. N. SHAH: No problem. That's --

12 MR. FARMER: When they pleaded guilty they
13 agreed to a seven day suspension starting
14 Thursday.

15 We've just gone through with Cattani Liquor
16 and the Board was inclined to let them close this
17 evening at 11:59, monitored by the Police
18 Department. And Union City Liquor wants to do
19 the same thing.

20 I agree that since we've always been
21 consistent, I will get the Resolutions to the
22 proper people by tomorrow. He can close at 11:59
23 tonight.

24 Is that agreed, Mr. Shah?

25 MR. N. SHAH: Yes. Yes.

1 MR. FARMER: Okay.

2 MS. DILLON: Name for the record.

3 MR. N. SHAH: Thank you so much.

4 MAYOR STACK: Motion to approve.

5 MS. DILLON: Just say your name for the
6 record.

7 MR. N. SHAH: Nalin Shah.

8 COMMISSIONER RIVAS: Second.

9 MR. N. SHAH: N-A-L-I-N. N-A-L-I-N. Last
10 name is Shah.

11 DEPUTY CITY CLERK: Motion by Mayor Stack.

12 Seconded by Commissioner Rivas.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 MR. FARMER: Okay.

25 MR. N. SHAH: To the Board of -- you know,

1 whole Board, I really appreciate that.

2 Thank you so much.

3 MAYOR STACK: Thank you.

4 MR. N. SHAH: Thank you, Brian.

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1 **SAI PRASAD INC.**

2 **T/A BERGENLINE LIQUORS**

3 **Location: 3819 Bergenline Avenue**

4 **Liquor License No. 0910-32-066-004**

5

6 MR. FARMER: This is -- the next one we
7 have and it's the last one is Bergenline Liquor.

8 And the licensee is here today. He'd
9 previously pleaded for seven days commencing on
10 Thursday.

11 And in light of the developments that
12 occurred this evening he would like to have the
13 suspension commence again this evening at 11:59.

14 DEPUTY CITY CLERK: Motion?

15 MAYOR STACK: Okay. Sir, do you understand
16 --

17 MR. FARMER: Starting tomorrow.

18 MAYOR STACK: -- the terms of that
19 agreement?

20 MR. AMIN: Ah, yes, I agree.

21 MAYOR STACK: That you would be closing
22 tonight at 11:59 p.m. --

23 MR. AMIN: Yes.

24 MAYOR STACK: -- forward?

25 MS. DILLON: And just state your name, --

1 MAYOR STACK: Motion.

2 MS. DILLON: -- sir?

3 MR. AMIN: Sorry?

4 COMMISSIONER RIVAS: Second.

5 MS. DILLON: Just state your name for the
6 record.

7 MR. AMIN: Kirti Amin. K-I-R-T-I. Last
8 name Amin, A-M-I-N.

9 MS. DILLON: Thank you.

10 DEPUTY CITY CLERK: Motion by Mayor Stack.
11 Second by Commissioner Rivas.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 MR. AMIN: I have one more question,
15 Farmer.

16 DEPUTY CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 DEPUTY CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 DEPUTY CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 MR. AMIN: During the closing, --

24 DEPUTY CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 MR. AMIN: -- can we take the delivery or
2 not?

3 (Indiscernible) -- we can take it or not?

4 COMMISSIONER MARTINETTI: Espinosa.

5 DEPUTY CITY CLERK: That's the only one?

6 MR. FARMER: Hmm.

7 LIEUTENANT LOACES: Is that during the day?

8 MR. AMIN: Sorry?

9 COMMISSIONER RIVAS: Motion to adjourn.

10 MAYOR STACK: Is that it though? Are you
11 sure?

12 COMMISSIONER MARTINETTI: Yeah.

13 LIEUTENANT LOACES: What -- was that during
14 the day or at night?

15 MR. AMIN: During the day.

16 COMMISSIONER MARTINETTI: Espinosa --

17 DEPUTY CITY CLERK: Mr. Farmer, --

18 MAYOR STACK: Mr. Farmer, do you have any
19 other matters?

20 MR. FARMER: No, that's it.

21 MAYOR STACK: Okay.

22

23 * * *

24

25 **ADJOURNMENT:**

1

2 DEPUTY CITY CLERK: Okay, do we have a
3 motion to adjourn?

4

COMMISSIONER FERNANDEZ: Motion.

5

COMMISSIONER VALDIVIA: Motion.

6

COMMISSIONER MARTINETTI: Motion.

7

MR. FARMER: I'll have to check that.

8

9 DEPUTY CITY CLERK: Motion by Commissioner
Fernandez.

10

Second by Commissioner Martinetti.

11

12 LIEUTENANT LOACES: When are you getting
delivery, tomorrow?

13

DEPUTY CITY CLERK: Commissioner Fernandez?

14

15 MAYOR STACK: Tilo Rivas, you're in hot
water, man.

16

DEPUTY CITY CLERK: Commissioner Rivas?

17

18 MR. AMIN: I have one delivery tomorrow;
one is on Thursday.

19

20 DEPUTY CITY CLERK: Okay, we're -- we're
adjourned.

21

22

23 (Whereupon, the proceedings were concluded
at 7:51 p.m.)

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

Attest:

14

Erin Knoedler,

15

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 Tuesday, December 6, 2016 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon