

ORIGINAL

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

REGULAR MEETING

:
:
TRANSCRIPT OF RECORDED
:
PROCEEDINGS

Washington School
3905 New York Avenue
Union City, New Jersey

Tuesday, February 7, 2017
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

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1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioners being held on Tuesday, February 7th,
4 2017, at seven p.m. at Washington School, 3905
5 New York Avenue, Union City, New Jersey.

6 Please stand for the Pledge of Allegiance.

7
8 (Whereupon the Pledge of Allegiance was
9 said by all.)
10

11 DEPUTY CITY CLERK: This meeting has been
12 called in accordance with the Open Public
13 Meetings Act.

14 Adequate notice of the meeting has been
15 provided to The Jersey Journal, The Record, The
16 Hudson Reporter, and has been posted on the
17 bulletin board in City Hall and made available to
18 the public in the Office of Municipal Clerk.
19

20 **ROLL CALL:**
21

22 DEPUTY CITY CLERK: Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Here.

24 DEPUTY CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Here.

1 DEPUTY CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Here.

3 DEPUTY CITY CLERK: Commissioner

4 Martinetti?

5 COMMISSIONER MARTINETTI: Here.

6 DEPUTY CITY CLERK: Mayor Stack?

7 MAYOR STACK: Here.

8

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

11 **APPROVAL OF PREVIOUS MEETING MINUTES FROM JANUARY**
12 **17, 2017.)**

13

14 DEPUTY CITY CLERK: The first item on the
15 meeting is the Approval of the Previous Meeting
16 Minutes from January 17th.

17 May I have a motion to approve?

18 COMMISSIONER MARTINETTI: Motion.

19 COMMISSIONER VALDIVIA: Second.

20 DEPUTY CITY CLERK: Motion by Mayor --

21 I'm sorry.

22 Motion by Commissioner Martinetti.

23 Seconded by Commissioner Valdivia.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Abstain.

1 DEPUTY CITY CLERK: Abstain.

2 Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 DEPUTY CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 DEPUTY CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 DEPUTY CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11

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

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

15 1. AN ORDINANCE AMENDING CHAPTER 334 "RENT
16 STABILIZATION".)

17

18 DEPUTY CITY CLERK: We have three
19 Ordinances for Introduction tonight.

20 Upon first reading of the Ordinances they
21 will be placed in the -- for publication and the
22 second reading will be at Union Hill Middle
23 School, 3808 Hudson Avenue, on February 21st.

24 The first Ordinance is an Ordinance
25 Amending Chapter 334 of the Rent Stabilization.

1 MAYOR STACK: I'll move it.

2 DEPUTY CITY CLERK: Motion to introduce by
3 Mayor Stack.

4 Second?

5 COMMISSIONER MARTINETTI: Second.

6 COMMISSIONER RIVAS: Second.

7 DEPUTY CITY CLERK: By Commissioner
8 Martinetti.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 DEPUTY CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 DEPUTY CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 DEPUTY CITY CLERK: Commissioner
16 Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 DEPUTY CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20

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

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

24 2. AN ORDINANCE AMENDING THE CODE OF THE CITY
25 OF UNION CITY CREATING A CITY OF UNION CITY

1 IDENTIFICATION CARD PROGRAM FOR RESIDENTS OF THE
2 CITY OF UNION CITY.)
3

4 DEPUTY CITY CLERK: The second Ordinance is
5 an Ordinance Amending the Code of Union City
6 Creating the City of Union City Identification
7 Card Program for Residents of the City of Union
8 City.

9 May I have a --

10 MAYOR STACK: This -- just before we vote
11 on this, this will be a municipal I.D. for all
12 Union City residents, whether -- doesn't matter
13 what your status is, whether you're undocumented
14 or not.

15 Specifically we're doing it for the
16 undocumented but we're going to offer it to every
17 Union City resident so that there's not
18 stigmatizing our undocumented.

19 Every single Union City resident will be
20 offered, over the age of 14 years old, municipal
21 I.D. card. It will be very easy to get that
22 card. There will be no fee to receive the card.
23 And it will be run out of the City Clerk's
24 Office. We'll be doing it during the day we'll
25 have hours. We'll also have night hours to make

1 it convenient for anyone who would like to
2 receive a municipal I.D. I know I'll be getting
3 a municipal I.D. I'm encouraging everyone to
4 please get a municipal I.D.

5 This will be rolled out after March 1st of
6 this year.

7 I'll move it.

8 DEPUTY CITY CLERK: Motion by Mayor Stack.
9 Second?

10 COMMISSIONER RIVAS: Second.

11 DEPUTY CITY CLERK: Second by Commissioner
12 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

25 (Whereupon, the Board discussed and took

1 action on the following item:

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

3 3. AN ORDINANCE AUTHORIZING THE COMPLETION OF
4 VARIOUS CAPITAL IMPROVEMENTS AND APPROPRIATING
5 THE SUM OF \$1,600,000 THEREFOR; AUTHORIZING THE
6 ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND
7 ANTICIPATION NOTES OF THE CITY OF UNION CITY, IN
8 THE AGGREGATE PRINCIPAL AMOUNT OF UP TO
9 \$1,520,000; MAKING CERTAIN DETERMINATIONS AND
10 COVENANTS; AND AUTHORIZING CERTAIN RELATED
11 ACTIONS IN CONNECTION WITH THE FOREGOING.)

12

13 DEPUTY CITY CLERK: The third Ordinance is
14 an Ordinance Authorizing the Completion of
15 Various Capital Improvements and Appropriating
16 the Sum of 1.6 million therefore; Authorizing the
17 Issuance of General Obligation Bonds or Bond
18 Anticipation Notes of the City of Union City, in
19 the Aggregate Principal Amount of Up to 1.520
20 million; Making Certain Determinations and
21 Covenants and Authorizing Certain Related Actions
22 in Connection with the Foregoing.

23 May I have a motion to introduce?

24 COMMISSIONER MARTINETTI: Motion.

25 DEPUTY CITY CLERK: Motion by Commissioner

1 Martinetti.

2 COMMISSIONER VALDIVIA: Second.

3 DEPUTY CITY CLERK: Second by Commissioner
4 Valdivia.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 DEPUTY CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 DEPUTY CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 DEPUTY CITY CLERK: Commissioner

12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 DEPUTY CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16

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

19 **CONSENT AGENDA:**

20 (1) Resolution Approving the Payment of Claims

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

23 (3) Resolution Approving the Payment of Escrow
24 Refunds

25 (4) Resolution Approving the City Payroll for

1 the Period of January 9, 2016 (sic) through
2 January 20, 2017
3 (5) Resolution Approving the Library Payroll
4 for the Period of January 9, 2016 (sic) through
5 January 20, 2017
6 (6) Resolution Authorizing the Award of a
7 Casino Night License (Lambda Theta Phi)
8 (7) Resolution Designating Bank Account
9 Signatories for Baseball, Softball and Volleyball
10 Accounts
11 (8) Resolution Designating Bank Account
12 Signatories for Soccer
13 (9) Resolution to Cancel Outstanding Checks
14 (10) Resolution of the City of Union City
15 Authorizing Cancellation of Federal and State
16 Grants
17 (11) Resolution Approving the Submission of a
18 Grant Application to the New Jersey Department of
19 Transportation for the Kerrigan Avenue Project
20 (18th Street to 24th Street)
21 (12) Resolution Authorizing the Clerk to
22 Advertise for Bids for Baseball & Softball
23 Equipment and Uniforms
24 (13) Resolution Authorizing the Clerk to
25 Advertise for Bids for the 2017 Park Landscape

1 and Maintenance Program for Washington, Ellsworth
2 and Police Memorial Parks
3 (14) Resolution Authorizing the Clerk to
4 Advertise for Bids for the 2017 Park Landscape
5 and Maintenance Program at Twelve (12) Parks, the
6 Musto Center and Central Avenue Traffic Islands
7 (15) Resolution Authorizing the Clerk to
8 Advertise for Bids for the Installation of
9 Playground Features and Safety Surface at Duarte
10 Park
11 (16) Resolution Authorizing the Clerk to
12 Advertise for Bids for the NJDOT Municipal Aid:
13 Summit Avenue Section 5 (26th Street to 30th
14 Street) Project
15 (17) Resolution Authorizing the Clerk to
16 Advertise for Bids for Ambulance Billing Services
17 (18) Resolution Appointing Hector Rosario to the
18 Rent Control Board
19 (19) Resolution Authorizing the Release of a Tax
20 Lien Against the Premise Located at 2107
21 Bergenline Avenue
22 (20) Resolution Authorizing the Placement of a
23 Lien on the Property Known as 800 Palisade
24 Avenue, Block 186, Lot 15, in the City of Union
25 City for Emergency Repair Costs

- 1 (21) Resolution Authorizing the Placement of a
- 2 Lien on the Property Known as 906 New York
- 3 Avenue, Block 49, Lot 19, in the City of Union
- 4 City for Emergency Repair Costs
- 5 (22) Resolution Authorizing the Refund of an
- 6 Overpayment
- 7 (23) Resolution Authorizing the Refund of Tax
- 8 Appeal Issued by the Hudson County Board of
- 9 Taxation
- 10 (24) Resolution Authorizing the Adjustment of
- 11 Estimated Taxes for the First Quarter
- 12 (25) Resolution Authorizing Refund of Redemption
- 13 Monies to Outside Lienholders
- 14 (26) Resolution Authorizing the Refund of
- 15 Payment
- 16 (27) Resolution Authorizing the Refund of
- 17 Premium Monies Collected at the Tax Sale
- 18 (28) Resolution Authorizing Payment of Risk
- 19 Manager for 2017-2018
- 20 (29) Resolution Establishing a Sister City
- 21 Relationship with La Concepcion De La Vega,
- 22 Dominican Republic
- 23 (30) Resolution Authorizing the Submission of an
- 24 Application to the Local Finance Board
- 25 (31) Resolution of the Mayor and Board of

1 Commissioners Expressing Strong Disagreement with
2 a Federal Executive Order on Border Security and
3 Immigration Enforcement Improvements and Urging
4 New Jersey's Attorney General to Oppose the Order
5 and Express Solidarity with Refugees and
6 Immigrants to the United States

7 (32) Resolution of the Mayor and Board of
8 Commissioners Establishing and Designating the
9 City of Union City as a Sanctuary City
10

11 DEPUTY CITY CLERK: There are 33 items on
12 the Consent Agenda.

13 The first is a Resolution Approving the
14 Payment of Claims.

15 The second is a Resolution Approving the
16 Payment of Concurring Claims.

17 The third is a Resolution Approving the
18 Payment of Escrow Refunds.

19 The fourth is a Resolution Approving the
20 City Payroll for the Period of January 9th, 2016
21 -- 2017 through January 20th, 2017.

22 COMMISSIONER RIVAS: Sixteen? I'm sorry.

23 DEPUTY CITY CLERK: Yes, that is a typo.
24 It's supposed to be '17.

25 COMMISSIONER RIVAS: Okay. Sorry.

1 Thank you.

2 DEPUTY CITY CLERK: The fifth is a
3 Resolution Approving the Library Payroll for the
4 Period of January 9th, 2017 through January 20th,
5 2017.

6 The Resolution Authori-- the sixth is a
7 Resolution Authorizing the Award of a Casino
8 Night License.

9 The seventh is a Resolution Designating
10 Bank Account Signatories for Baseball, Softball
11 and Volleyball Accounts.

12 The eighth is a Resolution Designating Bank
13 Account Signatories for Soccer Accounts.

14 The ninth is a Resolution to Cancel
15 Outstanding Checks.

16 The tenth is a Resolution of the City of
17 Union City Authorizing Cancellation of Federal
18 and State Grants.

19 The eleventh is a Resolution Approving the
20 Submission of a Grant Application to New Jersey
21 Department of Transportation for the Kerrigan
22 Avenue Project, 18th Street to 24th Street.

23 The twelfth is a Resolution Authorizing the
24 Clerk to Advertise for Bids for Baseball and
25 Softball Equipment and Uniforms.

1 The thirteenth is a Resolution Authorizing
2 the Clerk to Advertise for Bids for the 2017 Park
3 Landscape and Maintenance Program for Washington,
4 Ellsworth and Police Memorial Parks.

5 The fourteenth is a Resolution Authorizing
6 the Clerk to Advertise for Bids for the 2017 Park
7 Landscape and Maintenance Program at 12 Parks,
8 the Musto Center and Central Avenue Traffic
9 Islands.

10 The fifteenth is a Resolution Authorizing
11 the Clerk to Advertise for Bids for the
12 Installation of Playground Features and Surface
13 -- Safety Surface at Duarte Park.

14 The sixteenth is a Resolution Authorizing
15 the Clerk to Advertise for Bids for the NJOT
16 (sic) Municipal Aid, Summit Avenue Section 5, 26th
17 Street to 30th Street, Project.

18 The seventeenth is a Resolution Authorizing
19 the Clerk to Advertise for Bids for Ambulance
20 Billing Services.

21 The eighteenth is a Resolution Appointing
22 Hector Rosario to the Rent Control Board.

23 The nineteenth is a Resolution Authorizing
24 the Release of a Tax Lien Against the Premises
25 Located at 2107 Bergenline Avenue.

1 The twentieth is a Resolution Authorizing
2 the Placement of a Lien on the Property Known as
3 800 Palisade Avenue, Block 186, Lot 15, in the
4 City of Union City for Emergency Repair Costs.

5 The twenty-first is a Resolution
6 Authorizing the Placement of a Lien on the
7 Property Known as 906 New York Avenue, Block 49,
8 Lot 19, in the City of Union City for Emergency
9 Repair Costs.

10 The twenty-second is a Resolution
11 Authorizing the Refund of an Overpayment.

12 The twenty-third is a Resolution
13 Authorizing the Refund of Tax Appeals Issued by
14 the Hudson County Board of Taxation.

15 The twenty-fourth is a Resolution
16 Authorizing the Adjustment of Estimated Tax --
17 Taxes for the First Quarter.

18 The twenty-fifth is a Resolution
19 Authorizing the Refund of Redemption Money to
20 Outside Lienholders.

21 The twenty-sixth is a Resolution
22 Authorizing the Refund of Payment.

23 The twenty-seventh is a Resolution
24 Authorizing the Refund of Premium Monies
25 Collected at Tax Sale.

1 The twenty-eighth is a Resolution
2 Authorizing the Payment of Risk Manager for 2017
3 to 2018.

4 The twenty-ninth is a Resolution
5 Establishing a Sister City Relationship with La
6 Concepcion De La Vega, Dominican Republic.

7 The thirtieth is a Resolution Authorizing
8 the Submission of an Application to the Local
9 Finance Board.

10 The thirty-first is a Resolution of the
11 Mayor and Board of Commissioners Expressing
12 Strong Disagreement with a Federal Executive
13 Order on Border Security and Immigration
14 Enforcement Improvements and Urging New Jersey
15 Attorney General to Oppose the Order and Express
16 Solidarity with Refugees and Immigrants of the
17 United States -- to the United States.

18 The thirty-second is a Resolution of the
19 Mayor and Board of Commissioners Establishing and
20 Designating the City of Union City as a Sanctuary
21 City.

22
23 The thirty-second (sic) is a --

24 MAYOR STACK: Thirty-third.

25 DEPUTY CITY CLERK: -- Resolution Naming

1 16th Street from West Street to Bergenline Avenue
2 as Mayor Arthur Weichert Way.

3 Mayor, at this time would you like to take
4 public comment on Consent?

5 MAYOR STACK: Sure.

6 Just -- just before we do, --

7 Thank you, Erin.

8 -- just on -- on number 11, the Resolution
9 Approving Submission of a Grant to New Jersey DOT
10 for Kerrigan Avenue. We're actually doing
11 improvements around Kerrigan in that neighborhood
12 as we've been trying to do throughout the City.

13 We have a brand new school that's going in;
14 that's Gilmore School. And that will be open in
15 September. According to the construction
16 schedule we should be there.

17 We're going to be milling and paving the
18 streets in that area, as we've been doing
19 improvements throughout the City.

20 We'll be putting in new sidewalks, tree
21 planting, decorative lighting. That will be on
22 both 16th and 17th, from Summit Avenue to Kerrigan
23 Avenue.

24 And then this year we're hoping to do from
25 14 Street to 18 Street on Kerrigan Avenue.

1 This application would be for 18th to 24th
2 on Kerrigan to finish off Kerrigan Avenue. It
3 would almost -- it's not only going to improve
4 the neighborhood but it will make almost like a
5 plaza area where there will be a gateway into the
6 high school and other facilities that we have in
7 that neighborhood.

8 Number 13.

9 On the Landscape and Maintenance Program
10 for our parks. We feel very strongly; we've done
11 so much work to the parks. We're continuing our
12 Landscape and Maintenance Program to keep the
13 parks in good condition.

14 In addition to that we're seeking bids for
15 various parks and -- and buildings throughout the
16 City.

17 The Installation of Playground Features and
18 Safety Equipment at Duarte Park. Duarte Park was
19 behind schedule. We were hoping to have it open
20 last year; it will be open this summer.

21 We have equipment going into the park right
22 now -- a helicopter. And we also have the pirate
23 ship that will be going in. The park will be
24 completely refurbished once again.

25 This is a beautiful park; thousands and

1 thousands of children from Union City and
2 throughout the area use the park. We're very
3 proud of it -- what we've been able to do there,
4 as with our other parks.

5 In addition, number 16, the DOT Municipal
6 Aid Project on Summit Avenue.

7 Summit Avenue's been milled and paved from
8 5th Street up until 21st Street.

9 This will be a continuation from 21st to
10 26th; we already have the sidewalks in; 26th to
11 the -- the end, to 32 will be done over the next
12 year -- two years it will be done. That's right
13 by the high school.

14 In addition I'd like to thank Mr. Rosario,
15 who came forward, that wanted to serve on the
16 Rent Control Board. We always encourage
17 residents -- anyone who would like to serve on
18 any municipal board.

19 Years ago to get on a board in Union City,
20 -- people seem to forget this and not know this
21 -- you had to know somebody in the City to serve
22 on a board. You had to be connected. In our
23 sense, anyone who comes forward and would like to
24 serve on any board, when we get an opening, we
25 try to get you appointed to the board.

1 We did that with the Master Plan Committee.
2 We did that with the Zoning Ordinance in the
3 City. Everyone who came over had a right to
4 serve on a board.

5 Resolution number 20 and number 21, I'm not
6 going to go into a lot of detail but these are
7 properties that weren't being maintained.

8 800 Palisade is a property that's been
9 vacant for quite some time. We had it boarded
10 up. We feel it's always best that we go in and
11 take a proactive measure.

12 Unlike many other communities where you'll
13 see buildings with no windows in them and totally
14 unsecure, in Union City we take the bull by the
15 horns and we go out there. So we're not dealing
16 with a fire at night in one of these buildings or
17 somebody gets hurt inside or children go inside.
18 We keep them secured.

19 And 906 New York Avenue, there wasn't work
20 done for tenants in the building. The City of
21 Union City got the work done and we put a lien on
22 the property.

23 Number 31.

24 Expressing our Strong Disagreement with the
25 Federal Executive Order of Border Security. I

1 mean it goes without saying -- I don't think I
2 have to convince anyone in Union City on this.
3 It's sad that the President of the United States
4 has done what he's done so far in a short period
5 of time. Targeting countries based on their race
6 and ethnic background and what language they may
7 speak or even more importantly what religion they
8 practice is sad.

9 The Resolution on Establishing and
10 Designate Union City as a Sanctuary City. We're
11 doing this tonight. It's always been a sanctuary
12 city.

13 Anyone who comes to City Hall is not
14 questioned on -- for their documents, whether
15 they have documents or not. We help everyone
16 that comes there.

17 That's always been the philosophy of the
18 Commissioners and myself and for that matter the
19 City employees. The Police Department is not an
20 arm of Immigration; they never will be. They
21 have their job cut out for them doing the good
22 job that they do in our community. We want them
23 to continue that.

24 And if it wasn't for the undocumented,
25 reporting crimes whether they're the victim of a

1 crime or see-something/say-something, our crime
2 would be much higher in the City. So we thank
3 the undocumented.

4 We thank all the residents of Union City
5 for really being a model, for being a model in
6 the community here in Union City that could be
7 used throughout the nation.

8 For a city with so many different religious
9 backgrounds, so many different ethnic backgrounds
10 and everyone gets along so well. We're very
11 proud of the immigrant population.

12 If the President wants to look at a city,
13 how well it gets along and how well people
14 function together, he look no further than Union
15 City.

16 COMMISSIONER VALDIVIA: I would like to --

17 MAYOR STACK: Anyone wishing to comment on
18 the Consent Agenda at this time, --

19 COMMISSIONER VALDIVIA: Mr. Price, just a
20 minute.

21 I would -- I would like to say something
22 about number 33, naming 16th Street -- 16th Street
23 between Bergenline Avenue and West Street, Arthur
24 -- Mayor Arthur Weichert Way.

25 Arthur Weichert -- I want to thank the

1 Mayor and my fellow Commissioners for -- for
2 doing this for Mayor -- for Mayor Weichert and
3 his beautiful wife Connie. They're good friends
4 of mine.

5 Arthur Weichert was my teacher at Union
6 Hill in 1979, my senior year. And I developed --
7 developed a good relationship with him, with his
8 wife Connie. He's a man of integrity. Very
9 decent man. A man who served Union City as Mayor
10 during a very difficult time with integrity and
11 decency.

12 So thank you very much, Mayor.

13 Thank you my fellow Commissioners for
14 making -- giving this reward to Arthur Weichert.

15 He's not here tonight. His wife -- they're
16 -- he's in therapy; his wife was also under the
17 weather a little bit. But I congratulate them
18 and I'll say a little more when we name the
19 street after him.

20 MAYOR STACK: I --

21 COMMISSIONER VALDIVIA: Thank you very
22 much.

23 MAYOR STACK: Commissioner, thank you very
24 much.

25 I -- I got wrapped up on number 32 because

1 the things that have happened in this country in
2 the last two weeks get me kind of excited, so
3 that's why I spoke on that quite -- quite much.

4 But number 33 I would also like to comment
5 on Mayor Weichert.

6 Arthur Weichert was a person that worked
7 extremely hard for the City of Union City.
8 Always an honest man. Always looking out for the
9 community; he still does. He still lives on 16th
10 Street in Union City, him and his family. And
11 I'd like to thank him for the service to the
12 community as a Commissioner and as a former Mayor
13 of Union City. Always a decent hardworking man,
14 someone who always looked out for the entire
15 community and I'd like to thank him for that.
16 And thank him and his family for staying in Union
17 City as residents.

18 I first met Arthur Weichert -- I'm really
19 going to give secrets away now -- about 37 years
20 ago when I was about 13 years old when I first
21 got involved in Union City and he was the Mayor
22 of Union City. Always a hardworking man. Always
23 inclusive of everyone in the community. Somebody
24 who is really a model Union City resident.

25 So I'm proud, along with the Commissioners,

1 -- and what Commissioner Valdivia said I echo
2 those statements about the Mayor.

3 We'll be doing more of a public street
4 naming in the spring when the weather is nice.
5 That block in the City was one of the blocks that
6 we're paving, we're redoing over. So we'll have
7 a nice ceremony and everyone will be invited to
8 that.

9 Thank you very much.

10 COMMISSIONER VALDIVIA: Thank you, Mr.
11 Mayor.

12 MAYOR STACK: Anyone wishing to comment at
13 this time, please step forward.

14 Mr. Price?

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

17 I would really like to just maybe -- it's
18 item 32, maybe 31.

19 I realize and appreciate the sentiment
20 behind the adoption of those Resolutions. But
21 the fact of the matter is we got a President who's
22 a little on the crazy side and, you know, who
23 takes offense -- personal offense at any -- any
24 pushback.

25 And that Resolution, which is one many --

1 I'm told 300 resolutions -- similar resolutions
2 adopted by cities around the country, puts us on
3 a hit list and I wonder if that's wise.

4 I mean in the -- you know, in the battle
5 between the elephants it's the grass that gets
6 trampled and we don't need to be trampled.

7 Now, I also -- I am told that the monies
8 that we get directly from the federal government
9 are very modest, so that the possibilities of
10 repercussions are limited but they're still
11 there. And if this puts an X on the back of
12 Union City; is it wise?

13 MAYOR STACK: Just to respond to that.

14 I don't believe that the President of the
15 United States could -- could take away any
16 federal funding in a sense that trying to make
17 local police to enforce immigration laws that are
18 supposed to be federally enforced. So I don't
19 think he'll be able to do it.

20 Second, I don't believe the court system
21 will allow him to do it. In this sense we would
22 rely on the federal courts. Thank God for the
23 federal court system in this country I think
24 where commonsense would prevail and they wouldn't
25 allow it to happen.

1 And I don't believe there's anything under
2 the Constitution right now that would allow him
3 to withdraw federal funding for this -- for this
4 purpose, no.

5 MR. PRICE: Okay.

6 MAYOR STACK: Thank you very much.

7 Anyone else wishing to comment at this time
8 on any matter on the Consent Agenda?

9 Seeing none.

10 DEPUTY CITY CLERK: May I --

11 MAYOR STACK: I'll make a motion.

12 DEPUTY CITY CLERK: Motion by Mayor Stack.

13 COMMISSIONER MARTINETTI: Oh, one more
14 question.

15 MS. NOVA: Hold on.

16 MS. CANYON: Sorry.

17 May I?

18 MAYOR STACK: Sure.

19 MS. CANYON: Colleen Canyon.

20 MR. DILLON: Sorry, what's your name?

21 MS. CANYON: Colleen Canyon.

22 MR. DILLON: How do you spell your last
23 name?

24 MS. CANYON: C-A-N-Y-O-N.

25 MR. DILLON: C-A- -- oh, okay.

1 MS. CANYON: Yeah.

2 Just thank you, Mayor Stack.

3 I feel proud -- even more proud to live in
4 a place where we are declaring that this is a
5 sanctuary city. So I really appreciate the --

6 MR. DILLON: Can you just -- sorry, --

7 MS. CANYON: That's all right.

8 MR. DILLON: -- you just have to talk
9 into --

10 MS. CANON: I appreciate the formality.

11 MAYOR STACK: Thank you very much.

12 MS. CANYON: Yes.

13 MAYOR STACK: Thank you.

14 MS. CANYON: I do have a question about the
15 I.D. program.

16 Is this the right time to ask?

17 MAYOR STACK: Sure. Yeah. Sure.

18 MS. CANYON: I'm wondering what information
19 will be collected?

20 MAYOR STACK: Well, I'm going to have the
21 Clerk -- the -- the Acting Clerk that's here
22 tonight, Erin Knoedler, is going to be involved
23 with the program.

24 There'll be nothing kept on file because
25 it's not OPRA'able or anything like that.

1 MS. CANYON: Um-hum.

2 MAYOR STACK: There'll be nothing kept on
3 file. And I know what the concerns are there
4 because they're my concerns also. I think that
5 we're both thinking about the --

6 MS. CANYON: So then it won't be digital?

7 MAYOR STACK: I'm going to have -- I'll
8 have Erin --

9 DEPUTY CITY CLERK: No, it will be digital.

10 What the Mayor is getting at is that
11 whatever identification we would need, whatever
12 documents that we would obtain in order to prove
13 residency and -- and identify the individual, we
14 would not keep copies of those.

15 We would obviously have to keep some
16 information -- name, address, things like that,
17 so that we could detect fraud if possible.

18 MS. CANYON: Um-hum.

19 DEPUTY CITY CLERK: You know, basically,
20 the -- the whole process is to try to allow
21 residents who may not have the opportunity to get
22 identification in other places for them an
23 opportunity to receive identification that they
24 can use to open a bank account, to get into a
25 public building, to get a library card. Things

1 | like that.

2 | So, you know, -- but it's important for --
3 | to make a distinction that we're not going to ask
4 | for citizenship status, we're not going to deny
5 | it based on religion, sexual orientation, gender,
6 | any of those -- any of those identifiers.

7 | MAYOR STACK: And we'd make it as simple as
8 | possible that they can get an I.D. The simplest
9 | form, whether it be a rent receipt, -- whatever
10 | it may be. And there'll be no fee. There'll be
11 | no fee for the I.D.

12 | MS. CANYON: Okay.

13 | What would the benefit be of someone who is
14 | documented to get an I.D.?

15 | MAYOR STACK: Another -- it would be
16 | another I.D. they could possibly use. And also
17 | it would be in support of what we're trying to do
18 | for the undocumented.

19 | MS. CANYON: Yeah.

20 | MAYOR STACK: It would be more of a
21 | symbolic gesture than I think anything else.

22 | MS. CANYON: No free museum membership?

23 | MAYOR STACK: Maybe we could look for
24 | something? Maybe with the businesses in the
25 | City --

1 MS. CANYON: I mean that's what they did in
2 New York. Yeah.

3 MAYOR STACK: That would be my next pitch.
4 Once we -- we're looking to hold them -- we're
5 looking to hold two seminars -- two or three
6 seminars in the City for the undocumented and
7 everyone just to learn what their rights are in
8 the community.

9 We won't just say for the undocumented; we
10 don't want anybody to feel that coming to this
11 thing they're going to be targeted as
12 undocumented in the City. They'll be for
13 everyone in the City. Everyone would be notified
14 in late February will be holding them.

15 Maybe we can enlist the businesses in the
16 City. Maybe it could become a good incentive for
17 the businesses in the City that if somebody comes
18 in with the I.D. card we can work out some type
19 of an incentive with the businesses on
20 Bergenline, Summit Avenue and throughout the
21 City.

22 MS. CANYON: Okay.

23 COMMISSIONER MARTINETTI: I know, Mayor,
24 that for a fact probably the seniors are going to
25 be one of the people that are --

1 MAYOR STACK: Right.

2 COMMISSIONER MARTINETTI: -- going to
3 benefit because I know seniors they have a hard
4 time going to Motor Vehicle because they have to
5 produce so many type of --

6 MAYOR STACK: True. Sure.

7 COMMISSIONER MARTINETTI: -- papers to --
8 in order to get an I.D.

9 So if we're going to have something locally
10 I'm pretty sure that our seniors are going to be
11 benefiting --

12 MAYOR STACK: Absolutely.

13 COMMISSIONER MARTINETTI: -- a great deal.

14 MAYOR STACK: Thank you very much.

15 Thank you, Commissioner.

16 Anyone else wishing to comment at this
17 time?

18 Seeing no other.

19 DEPUTY CITY CLERK: I had a motion by Mayor
20 Stack to close public comment.

21 Can I have a second?

22 COMMISSIONER MARTINETTI: Second.

23 DEPUTY CITY CLERK: Second by Commissioner
24 Valdivia.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.
2 DEPUTY CITY CLERK: Commissioner Rivas?
3 COMMISSIONER RIVAS: Yes.
4 DEPUTY CITY CLERK: Commissioner Valdivia?
5 COMMISSIONER VALDIVIA: Yes.
6 DEPUTY CITY CLERK: Commissioner
7 Martinetti?
8 COMMISSIONER MARTINETTI: Yes.
9 DEPUTY CITY CLERK: Mayor Stack?
10 MAYOR STACK: Yes.
11 DEPUTY CITY CLERK: May I have a motion to
12 approve all agenda items on the Consent Agenda?
13 COMMISSIONER VALDIVIA: Motion.
14 DEPUTY CITY CLERK: Motion by Commissioner
15 Valdivia.
16 Second?
17 COMMISSIONER RIVAS: Second.
18 DEPUTY CITY CLERK: 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: I'm recusing on
3 number 1, any payments related to Adolfo Diaz
4 (sic) and -- I'm sorry, Adolfo Lopez and Diaz;
5 and also numbers 19, 20 and 21 that pertains to
6 the Code -- Union City Code of Construction.

7 DEPUTY CITY CLERK: Okay. And yes on the
8 rest?

9 COMMISSIONER MARTINETTI: Yes, aye on the
10 rest.

11 Thank you.

12 DEPUTY CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14 DEPUTY CITY CLERK: Okay.

15

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

18 **ORDINANCES FOR HEARING AND ADOPTION**

19 **CONSIDERATION:**

20 1. ORDINANCE OF THE CITY OF UNION CITY, COUNTY
21 OF HUDSON, NEW JERSEY, CANCELLING CERTAIN
22 UNFUNDED APPROPRIATION BALANCES HERETOFORE
23 PROVIDED FOR VARIOUS CAPITAL IMPROVEMENTS.)

24

25 DEPUTY CITY CLERK: We have one Ordinance

1 for Adoption this evening.

2 The Ordinance of the City of Union City,
3 County of Hudson, New Jersey -- County of Hudson,
4 New Jersey, Cancelling Certain Unfunded
5 Appropriation Balances Heretofore Provided for
6 Various Capital Improvements.

7 MAYOR STACK: Motion.

8 DEPUTY CITY CLERK: Mayor, would you like
9 to open for public comment?

10 MAYOR STACK: Oh, I'm sorry.

11 DEPUTY CITY CLERK: That's okay.

12 MAYOR STACK: I'm sorry.

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

16 DEPUTY CITY CLERK: Seeing none, may I have
17 a motion?

18 COMMISSIONER MARTINETTI: Motion.

19 DEPUTY CITY CLERK: Motion by Mayor Stack.

20 Second?

21 COMMISSIONER MARTINETTI: Second.

22 DEPUTY CITY CLERK: By Commissioner
23 Martinetti.

24 May I have a motion to adopt?

25 COMMISSIONER MARTINETTI: Motion.

1 DEPUTY CITY CLERK: Motion by Commissioner
2 Martinetti.

3 Second?

4 COMMISSIONER VALDIVIA: Second.

5 DEPUTY CITY CLERK: Second by Commissioner
6 Valdivia.

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

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

21 **REGULAR AGENDA:**

22 1. Resolution for a Payment of Claim to the
23 Union City Day Care Program

24

25 DEPUTY CITY CLERK: Mayor, we have one item

1 on the Regular Agenda.

2 It's a Resolution for the Payment of Claim
3 for the Union City Day Care.

4 May I have a motion to approve?

5 COMMISSIONER MARTINETTI: Motion.

6 COMMISSIONER VALDIVIA: Motion.

7 DEPUTY CITY CLERK: Motion by Commissioner
8 Martinetti.

9 Second by Commissioner Valdivia.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Abstain.

12 DEPUTY CITY CLERK: Abstain.

13 Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 DEPUTY CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 DEPUTY CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 DEPUTY CITY CLERK: Mayor Stack?

21 MAYOR STACK: Abstain.

22 DEPUTY CITY CLERK: Okay.

23

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

25

1 DEPUTY CITY CLERK: At this time, Mayor,
2 would you like to open the public --

3 MAYOR STACK: Sure.

4 DEPUTY CITY CLERK: -- comment?

5 MAYOR STACK: Anyone wishing to comment at
6 this time on any matter concerning municipal
7 government in the City of Union City, please step
8 forward, state your name, address for the record.

9 MR. PRICE: Still Larry Price.

10 I have a complaint. I got, as I guess all
11 the residents in Union City did, a notice from
12 the Parking Authority this last summer saying
13 you're going to need a permit.

14 I got this. I said, okay, I got five
15 things I could take up, I get a -- I said let me
16 beat the crowd, I make copies, went up to the
17 Parking Authority. Okay. They said, sorry, we
18 haven't got the forms yet. And I -- okay, when
19 will you have them? Then said in a couple weeks.
20 So I said okay.

21 Months later I go back, same form, same
22 documentation, they say we don't have forms. I
23 said they didn't come in yet? They said they
24 came in, we had a lot of business and we used
25 them all up. I said okay.

1 January -- so now I've made two trips and
2 have nothing.

3 January, a month ago, I go off again with
4 my documentation. And I'm -- Miss Castro
5 (phonetic) who's taking care of me at the window
6 says -- looks at -- doesn't even want to look at
7 my Public Service bill, my Verizon bill, or the
8 registration for my car. Says do you have a
9 driver's license and I said sure. Can I see it?
10 And I said I will show it to you; I don't want
11 you making a copy of it. And she said if you
12 don't allow us to scan it we won't give you your
13 permit.

14 Okay. So I ask for the supervisor; Officer
15 Martinez came out and basically told me the same
16 thing. So I said, okay, here's my name and my
17 number, would you have Lieutenant Vasquez call
18 me, which he did not do.

19 Okay. My complaints are three.

20 First of all I've made three trips. I came
21 with the documentation that's required and I got
22 nothing. So this is not a great way to run a
23 railroad.

24 Number two, is that public agencies should
25 and are, in fact, required to cut square corners.

1 If I bring in the documentation that you tell me
2 I need and I bring it in and you won't give me
3 the permit because you've changed the rules,
4 that's not cutting square corners. The fact that
5 you can do it because you've got the power to do
6 it doesn't mean that it should be done.

7 The third thing and the most troubling is
8 they want to scan my driver's license. Now those
9 magnetic tapes on the back of your driver's
10 license contain a lot of personal information.
11 They don't need that information to determine
12 that I'm a resident of Union City. So, the deep
13 suspicion on my part is that there is some other
14 reason for building a database of drivers.

15 Okay. The problem with building that
16 database is that when they're hacked -- and they
17 will be hacked -- all that information's out
18 there.

19 So they put the residents of Union City at
20 risk, needlessly at risk. We shouldn't be
21 blackmailed into bearing our souls in order to
22 park on the street. Luckily I don't park on the
23 street; I have a garage. But I have visitors; I
24 need that parking permit. But I'm not going to
25 bear my soul, nor should I be required to in

1 order to -- to get that permit.

2 MAYOR STACK: Okay. Mr. Price, first and
3 foremost you shouldn't have been treated that
4 way. I will handle it tomorrow with the Parking
5 Authority.

6 Lieutenant Vasquez is on vacation this week
7 but he should have gotten back to you. There's
8 no excuse. I'm big on follow-up and getting back
9 to everybody; there's no reason why they
10 couldn't.

11 I will speak to them tomorrow and this will
12 be resolved and I'll check into the driver's
13 license issue also.

14 MR. PRICE: But the documentation that's
15 listed here is perfectly good documentation.

16 MAYOR STACK: Yes.

17 MR. PRICE: If I bring in a Public Service
18 bill that's less than 30 days old, --

19 MAYOR STACK: Sure.

20 MR. PRICE: -- there's a very high
21 probability that's where I live.

22 MAYOR STACK: If they're bringing -- if
23 you're bringing -- this should be very easy to
24 get this done. I'll clear it up tomorrow and
25 somebody will follow up with you at your home.

1 I'll have them call you.

2 You still have the same phone number,
3 right?

4 MR. PRICE: Sure.

5 MAYOR STACK: Okay.

6 MR. PRICE: It hasn't changed in --

7 MAYOR STACK: All right. I'll have
8 somebody --

9 MR. PRICE: -- 46 --

10 MAYOR STACK: -- I'll have somebody --
11 you'll hear from somebody tomorrow.

12 MR. PRICE: Yes.

13 MAYOR STACK: All right? We'll clear it
14 up.

15 Thank you very much.

16 And I'm sorry you went through that.

17 MR. PRICE: No, no.

18 MAYOR STACK: We'll handle that tomorrow.

19 Anyone else wishing to comment on any
20 matter concerning government in the City of Union
21 City?

22 Please -- please step forward.

23 MR. DILLON: Just state your name and
24 address for the record.

25 MS. SCHUMACHER: LeAnn Schumacher, 313 33rd

1 Street.

2 MR. DILLON: Schumacher?

3 MS. SCHUMACHER: Yes. S-C-H-U-M-A-C-H-E-R.

4 MR. DILLON: Okay.

5 MS. SCHUMACHER: 313 33rd.

6 I just wanted to touch base about 33rd
7 Street and Duarte Park.

8 MAYOR STACK: Sure.

9 MS. SCHUMACHER: We had spoken in the fall
10 about meeting up with the neighbors about a
11 security meeting when the park opens in the
12 summertime.

13 And I've spoken with my neighbors and we're
14 all onboard. We really wanted to have a
15 conversation about our -- our needs, as far as
16 security goes, when those thousands of children
17 come and enjoy the park. And also because the
18 park tends to become a -- our block tends to
19 become an extension of the park in the summer. A
20 soccer field and our houses becoming the goals
21 and whatnot.

22 And we understand that boys will play ball
23 but we -- yeah. And then, you know, people sit
24 on the stoops and -- so we just would like to
25 have a conversation about --

1 MAYOR STACK: We -- we definitely will. If
2 you can maybe give me a call LuAnn (sic), maybe
3 like the end of March when it's a little bit
4 warmer outside, --

5 MS. SCHUMACHER: Yeah.

6 MAYOR STACK: -- I'll come and hold a
7 meeting. No problem at all.

8 MS. SCHUMACHER: Okay. Yeah, we -- we
9 talked -- we were thinking March.

10 MAYOR STACK: Yeah that would be fine.

11 MS. SCHUMACHER: And, so -- so what should
12 I do? Should I give you a call?

13 MAYOR STACK: Call me on my cell phone
14 anytime after the 15th of March and we'll set it
15 up right away.

16 MS. SCHUMACHER: Excellent.

17 MAYOR STACK: Not a problem.

18 MS. SCHUMACHER: Okay. Fantastic.

19 MAYOR STACK: We'll do it in the evening
20 hours when everybody's home.

21 MS. SCHUMACHER: Excellent. That's great.

22 MAYOR STACK: Absolutely.

23 MS. SCHUMACHER: And it -- it would --
24 would it be in your office?

25 MAYOR STACK: Yeah, we could do it there.

1 Sure. I could either come to the block or I
2 could -- could do it in my office. Either or.

3 MS. SCHUMACHER: Okay, yeah. Okay,
4 fantastic.

5 MAYOR STACK: Whatever's easier.

6 MS. SCHUMACHER: So -- because we're going
7 to get together and kind of talk about it --

8 MAYOR STACK: Absolutely.

9 MS. SCHUMACHER: -- in February so that
10 we're all onboard.

11 MAYOR STACK: Come up with a list of things
12 and we'll accommodate it.

13 MS. SCHUMACHER: Okay. Fantastic.

14 MAYOR STACK: No problem at all.

15 MS. SCHUMACHER: Excellent.

16 MAYOR STACK: Thank you very much.

17 MS. SCHUMACHER: Thank you so much.

18 MAYOR STACK: Thank you.

19 Anyone else wishing to comment on any
20 matter in the City of Union City?

21 Seeing no other.

22 DEPUTY CITY CLERK: May I have a motion to
23 close public portion?

24 COMMISSIONER VALDIVIA: Motion.

25 COMMISSIONER MARTINETTI: Motion.

1 DEPUTY CITY CLERK: Motion by Commissioner
2 Valdivia.
3 Second by Commissioner Martinetti.
4 Commissioner Fernandez?
5 COMMISSIONER FERNANDEZ: Yes.
6 DEPUTY CITY CLERK: Commissioner Rivas?
7 COMMISSIONER RIVAS: Yes.
8 DEPUTY CITY CLERK: Commissioner Valdivia?
9 COMMISSIONER VALDIVIA: Yes.
10 DEPUTY CITY CLERK: Commissioner
11 Martinetti?
12 COMMISSIONER MARTINETTI: Yes.
13 DEPUTY CITY CLERK: Mayor Stack?
14 MAYOR STACK: Yes.
15 DEPUTY CITY CLERK: Mayor, we have four
16 items on the --
17 MAYOR STACK: Sure.
18 DEPUTY CITY CLERK: -- Liquor License
19 Disciplinary --
20 MAYOR STACK: Anyone that would like to
21 stay, -- we're going into Liquor License Hearings
22 at this point.
23 Anyone who wants to stay is more than
24 welcome to stay.
25 If you're not going to be staying, I'd like

1 to thank all the residents that came out tonight
2 to the meeting.

3 Thank you very much.

4 Have a safe night and a good night.

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

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Don Ramon, Inc.

4 T/A Don Ramon

5 Location: 4538 Bergenline Avenue

6 License No. 0910-33-047-004

7 2. Mayen Corp.

8 T/A El Trebol

9 Location: 3204 Bergenline Avenue

10 License No. 0910-33-190-008

11 3. Niel Akshar

12 T/A Reuben Liquors

13 Location: 2117 Summit Avenue

14 License No. 0910-33-178-005

15 4. Cactus Restaurant

16 T/A Cactus Restaurant

17 Location: 426 32nd Street

18 License No. 0910-33-227-005

19 5. Wendy C. Diaz

20 T/A Tropical Bar & Restaurant

21 Location: 4100C Bergenline Avenue

22 License No. 0910-33-060-003

23

24 MAYOR STACK: Mr. Farmer?

25 No problem.

1 MR. FARMER: We probably can take as the
2 first matter --

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

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1 DON RAMON, INC.

2 T/A DON RAMON

3 Location: 4538 Bergenline Avenue

4 Liquor License No. 0910-33-047-004

5

6 DEPUTY CITY CLERK: The first -- the first
7 item, we're going to talk about Don Ramon?

8 MR. FARMER: Don Ramon.

9 DEPUTY CITY CLERK: Okay.

10 The first item is Don Ramon.

11 MAYOR STACK: Sure.

12 Are you ready, Mr. Farmer? Or you --

13 MR. FARMER: Yes.

14 MAYOR STACK: -- need --

15 MR. FARMER: No. No.

16 MAYOR STACK: -- a few minutes?

17 You're ready?

18 Okay.

19 MR. FARMER: As you may recall this is the

20 case that was tried last -- two weeks ago at the

21 last meeting. That case was concluded.

22 Summations were made and I was waiting for a

23 determination by you today.

24 Counsel for the licensee has indicated to

25 me that --

1 And he can address the particulars of his
2 client.

3 -- that he wished to change his plea of not
4 guilty to guilty and ask if he could have a ten
5 day suspension.

6 I thought it was fair. The licensee does
7 not have much of a record; offenses that got a
8 one or two day suspension over the last four
9 years.

10 And it's my understanding that the licensee
11 is in the -- is starting to -- is in the process
12 of selling the business. He's been in the
13 business for a long time, 30 -- this is his life.
14 So, I think under the circumstances ten days
15 would be a reasonable solution to the problem.

16 MAYOR STACK: Okay.

17 Mr. Paneque?

18 MR. PANEQUE: Yes.

19 Good evening, Mayor, ladies -- Commissioner
20 -- Commissioners of the Board.

21 Tomas R. Paneque, attorney for Mr. Guido
22 Miranda, who is the principal of Don Ramon
23 Restaurant.

24 As Mr. Farmer stated to the Board, we did
25 have a conversation regarding changing the plea

1 to one of guilty with respect to the allegations
2 of the incident that took place on the night of
3 September 4th.

4 I'd just like to -- to bring certain facts
5 about this place and about my client to the
6 Board.

7 My client has been in business at this
8 location since 1983. So he's going on his 34th
9 year of running this establishment. For the last
10 34 years that he's been running this
11 establishment, -- I have a copy of his record --
12 there -- there's only been a couple of minor
13 incidents.

14 There were two paper violations; one in
15 1988, one in 1994. And then there were two
16 violations stemming out of incidents of brawls
17 that took place in 2011 and 2012.

18 So for the last five years, going on from
19 2012, there haven't been any incidents. My
20 client, as I stated, is actively in the business
21 every day that the business is open and he has
22 been there for the better part of 34 years.

23 This has been his life. This business has
24 been the -- the main source of income that
25 sustains his family and his livelihood and he's

1 dedicated his whole life to it and that's why he
2 takes so much care to make sure that it remains a
3 very quiet place without any incidents. And the
4 record speaks for itself. For 34 years just two
5 brawls and two paper incidents, it's -- it's a
6 really a remarkable record considering what we
7 see with other establishments. And this is a
8 very well frequented location by the patrons that
9 he has.

10 My client is in the process, after 34
11 years, of selling the establishment. And, in
12 fact, we have entered into negotiations with a
13 perspective buyer.

14 I just want to bring to the Board's
15 attention that this business, after 34 years, it
16 -- it's basically his retirement pension. So
17 when he sells this business he's cashing in on
18 his pension, what -- what he has built for the
19 last 34 years. And the suspension that the Board
20 will hand down today, I just ask that the Board
21 take into consideration the fact that all the
22 years that he's put in, the -- the work that he's
23 put in in maintaining a very clean and -- and
24 safe environment.

25 And I also would like just to point out a

1 couple of facts about what was brought out during
2 the hearing two weeks ago.

3 Even if we were to believe the testimony at
4 full faith and credit that the witness, Mr.
5 Triana, gave, Mr. Triana indicated to the Board
6 that he entered the establishment looking for a
7 fare and that as he approached his fare that the
8 gentleman, without any kind of provocation, threw
9 an ice bucket at him causing the laceration above
10 his eye.

11 What's interesting about that is that as
12 the owner of the establishment, in that type of
13 situation, there's very little that a person can
14 do to avoid it or to not make it happen. It's
15 unprovoked. It's -- it's totally unexpected. By
16 his own testimony Mr. Triana said he never
17 entered into any argument with the gentleman. It
18 wasn't like a fight escalated, which would have
19 given Mr. Miranda the opportunity to step in and
20 his -- his bouncers to try to break it up.

21 It -- it was a spur of the moment. The ice
22 bucket allegedly was thrown causing the
23 laceration. And then the gentleman who -- who
24 did this criminal act walked out the door.

25 Now I did bring certain facts to the

1 attention of the Board such as we didn't see any
2 blood. There -- there was -- Mr. Miranda
3 testified that there was nothing that he saw of
4 any type of altercation. That there was no
5 blood. There was no cleanup.

6 When the gentleman called the police
7 officer and the police officer arrived at the
8 scene, the photograph that was taken did show a
9 laceration above the eye but that laceration had
10 been cleaned, there was no blood on his shirt.
11 There was no testimony from none of the officers
12 that there was blood anywhere.

13 So, there -- there's a lot of let's just
14 say in a question of weighing credibility, it --
15 it's -- there's really a factor to be weighed
16 here as to who was telling a more credible
17 version of what actually transpired.

18 Also, I'd -- I'd like to point out to the
19 Board that Mr. Triana, the witness and the
20 alleged victim, at no point was he able to point
21 out to my client and say Mr. Miranda was the
22 person I spoke to that evening as the owner.
23 Even though he was standing next to me and even
24 though in his testimony he said that he knew the
25 owner from several times he had been there and on

1 that specific evening he had told the owner that
2 he -- that he had been assaulted and that the
3 owner didn't do anything.

4 So, taking all that into consideration, we
5 throw ourselves at the mercy of this Board and
6 ask if this Board either go with the
7 recommendation that Mr. Farmer has made or, if
8 the Board sees fit, to allow for something
9 lesser, we would definitely have no objection to
10 that.

11 MR. FARMER: Well, obviously, I don't think
12 they'd have an objection.

13 I did not realize we were going to get into
14 another discussion of the facts. But suffice it
15 to say, if you may recall the testimony, this
16 gentleman, the licensee said I was there the
17 whole time, nothing happened.

18 Now, we know the guy was injured. We know
19 it was bleeding. I thought we had an agreement
20 here of ten days and I am willing to stand by
21 that.

22 MR. PANEQUE: We'll stand by that also.

23 MR. FARMER: But let's not -- let's not get
24 involved in the facts because the facts are not
25 too good --

1 MR. PANEQUE: Okay.

2 MR. FARMER: -- on their side.

3 MAYOR STACK: All right, I'll make a motion
4 to approve.

5 DEPUTY CITY CLERK: Motion by Mayor Stack.
6 Second?

7 COMMISSIONER MARTINETTI: Second.

8 DEPUTY CITY CLERK: Second by Commissioner
9 Martinetti.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Since I wasn't
12 here at the last meeting, I abstain.

13 DEPUTY CITY CLERK: Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 DEPUTY CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 DEPUTY CITY CLERK: Commissioner
18 Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 DEPUTY CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 MR. PANEQUE: If I may just -- and I -- we
23 did have an agreement, Mr. Farmer, and I -- by no
24 means did I try to torpedo that agreement. I was
25 just --

1 MAYOR STACK: I understand.

2 MR. PANEQUE: -- putting the Board --
3 statements on the record, which I thought the
4 Board -- in representing my client I thought the
5 Board should have been aware of, just to
6 reiterate what transpired.

7 However, something that I left out, was
8 that Mr. Farmer and I discussed the time period
9 for this suspension to take place and we had
10 agreed on --

11 MR. FARMER: March --

12 MR. PANEQUE: -- March the 6th --

13 MR. FARMER: -- to 16th.

14 MR. PANEQUE: -- through March 16th. So we
15 would like that to be part of the record also.

16 MAYOR STACK: Absolutely.

17 MR. FARMER: And since we're on the record,
18 the plea that is being entered is being entered
19 on the condition that you will not go to the
20 State to seek the penalty to be turned into a
21 fine.

22 And that you won't take an appeal of these
23 proceedings. Those are all standardized things
24 we do on all the pleas.

25 MR. PANEQUE: That's acceptable.

1 MR. FARMER: Okay.

2 MAYOR STACK: Thank you very much. Thank
3 you.

4 MR. PANEQUE: Thank you, --

5 MAYOR STACK: Thank you.

6 MR. PANEQUE: -- Mayor, --

7 COMMISSIONER MARTINETTI: Good night.

8 MR. PANEQUE: -- Commissioners. Have a
9 good evening.

10 COMMISSIONER MARTINETTI: Thank you.

11 MR. FARMER: Okay.

12

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15 MAYOR STACK: Are we going in order, Mr.
16 Farmer, or --

17 MR. FARMER: Yeah.

18 MAYOR STACK: Okay.

19 MR. FARMER: We can just as easy go in
20 order.

21 MAYOR STACK: Okay.

22

23 * * *

24

25

1 MAYEN CORP.

2 T/A EL TREBOL

3 Location: 3204 Bergenline Avenue

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

5

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

7 This -- this is a matter that it's going to
8 be pleaded out. He's represented by Ray
9 Gonzalez.

10 Ray called me today; indicated that there
11 was a illness -- not an illness -- he was going
12 to a wake and asked that we carry it. And I
13 see --

14 MAYOR STACK: Oh. Absolutely.

15 MR. FARMER: -- no reason --

16 MAYOR STACK: We'll carry it to the next
17 meeting.

18 MR. FARMER: And this is a rather simple
19 case that's going to be worked out --

20 MAYOR STACK: We'll carry that to the next
21 meeting?

22 MR. FARMER: Yes. Yes.

23 MAYOR STACK: Okay.

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1 NIEL AKSHAR

2 T/A REUBEN LIQUORS

3 Location: 2117 Summit Avenue

4 Liquor License No. 0910-33-178-005

5

6 MR. FARMER: The next one is Reuben Liquor.

7 Reuben Liquor is represented by Mr.

8 Espinosa.

9 He called me this morning indicating he was

10 sick and, quite frankly, I was not surprised at

11 that because I had seen the guy about ten days

12 earlier in the courthouse and he was telling me

13 he was getting over pneumonia and he didn't sound

14 too well and he didn't sound too well when he was

15 on the phone today.

16 So I said, you know, --

17 MAYOR STACK: Not -- not a problem.

18 MR. FARMER: Yeah.

19 MAYOR STACK: We'll carry it to the next

20 meeting. No problem at all.

21 MR. FARMER: Correct.

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1 CACTUS RESTAURANT

2 T/A CACTUS RESTAURANT

3 Location: 426 32nd Street

4 Liquor License No. 0910-33-227-005

5

6 MR. FARMER: The next one is Cactus.

7 And Cactus is also represented by Ray

8 Gonzalez.

9 MAYOR STACK: If we can speak to them --

10 because there seems to be a lot of complaints

11 about noise and stuff like that. So maybe before

12 they come in you can speak to them, okay?

13 MR. FARMER: Well, no -- no question about

14 that.

15 Basically, just procedurally, --

16 MAYOR STACK: Okay.

17 MR. FARMER: -- generally the Thursday

18 before we meet on Tuesday --

19 MAYOR STACK: Right.

20 MR. FARMER: -- I have all of the licensees

21 who are going to be on the Tuesday agenda --

22 agenda appear at the courtroom in -- in City Hal,

23 with Detective Dunlay, and we go through the

24 whole thing.

25 MAYOR STACK: Good. Good.

1 Very good.

2 MR. FARMER: So, I will --

3 MAYOR STACK: Make a note of it please.

4 MR. FARMER: -- make sure that --

5 MAYOR STACK: And I appreciate that.

6 MR. FARMER: -- about the noise.

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1 WENDY C. DIAZ

2 T/A TROPICAL BAR & RESTAURANT

3 Location: 4100C Bergenline Avenue

4 Liquor License No. 0910-33-060-003

5

6 MR. FARMER: And the last one is Tropical.

7 The licensee is here. I have not had a
8 chance to speak to her.

9 MAYOR STACK: Do you want to take a few
10 minutes maybe speak to her and then --

11 MR. FARMER: No, I think it'll be more than
12 that. Because the reason I say that is I spoke
13 to Detective Dunlay, who is out of town right now
14 -- he's not available --

15 MAYOR STACK: Okay.

16 MR. FARMER: -- today, and he has certain
17 opinion of this.

18 MAYOR STACK: Okay.

19 MR. FARMER: So what I'd like to do is
20 carry it to the next time.

21 MAYOR STACK: Sure. That will be carried
22 to the next meeting.

23 MR. FARMER: Okay?

24 MAYOR STACK: No problem.

25 Thank you very much.

1 MR. FARMER: Okay. All right.

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5 **ADJOURNMENT:**

6

7 DEPUTY CITY CLERK: Okay.

8 At this time, Mayor, there are no other
9 items on the agenda.

10 May I have a motion to --

11 COMMISSIONER RIVAS: Motion.

12 DEPUTY CITY CLERK: -- adjourn?

13 Motion by --

14 COMMISSIONER MARTINETTI: Second.

15 DEPUTY CITY CLERK: -- Commissioner Rivas.

16 Seconded by Commissioner Martinetti.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 DEPUTY CITY CLERK: Commissioner Rivas?

20 COMMISSIONER RIVAS: Yes.

21 DEPUTY CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 DEPUTY CITY CLERK: Commissioner

24 Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 DEPUTY CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3 DEPUTY CITY CLERK: Thank you.

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5 (Whereupon, the proceedings were concluded
6 at 7:43 p.m.)

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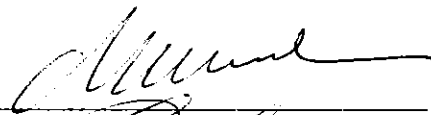
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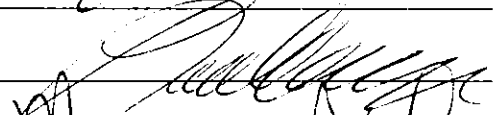
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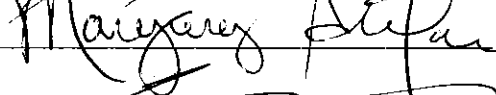
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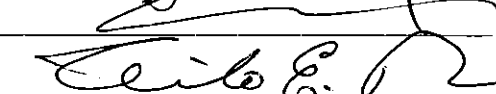
Brian P. Stack



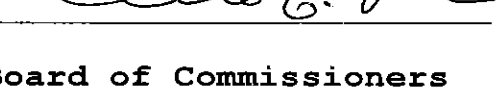
Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia



Elio E. Rivas

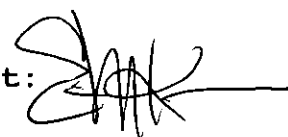
Board of Commissioners

Attest:

Dominick Cantatore,

Acting City Clerk

Attest:



Erin Knoedler,

Deputy City Clerk

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, February 7, 2017 and digitally
10 recorded.

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Karen A. Marino

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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon