

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Housing Authority
Hillside Pavilion
3911 Kennedy Boulevard
Union City, New Jersey

Tuesday, March 7, 2017
Commencing at 7:10 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 DEUPUTER CITY CLERK: Ready?

2 MS. DILLON: On the record.

3 DEPUTY CITY CLERK: This is a Regular
4 Public Meeting of the Union City Board of
5 Commissioners being held on Tuesday, March 7th,
6 2017, at seven p.m. at the Housing Authority
7 Hillside Pavilion, 39 Kennedy -- 3911 Kennedy
8 Boulevard, Union City, New Jersey.

9 Please stand for the Pledge of Allegiance.

10

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

13

14 DEPUTY CITY CLERK: This meeting has been
15 called in accordance with the Open Public
16 Meetings Act.

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

22

23 **ROLL CALL:**

24

25 DEPUTY CITY CLERK: Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Here.

2 DEPUTY CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Here.

4 DEPUTY CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Here.

6 DEPUTY CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Here.

9 DEPUTY CITY CLERK: Mayor Stack?

10 MAYOR STACK: Here.

11

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

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

15 1. BOND ORDINANCE AUTHORIZING THE COMPLETION
16 OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE
17 CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY;
18 APPROPRIATING THE SUM OF \$3,100,000 THEREFOR;
19 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
20 BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF
21 UNION CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF
22 UP TO \$2,023,500; MAKING CERTAIN DETERMINATIONS
23 AND COVENANTS; AND AUTHORIZING CERTAIN RELATED
24 ACTIONS IN CONNECTION WITH THE FOREGOING.)

25

1 DEPUTY CITY CLERK: We have two Ordinances
2 for Introduction tonight.

3 If the Ordinances are adopted on the first
4 reading, it authorizes the Municipal Clerk to
5 advertise for final passage.

6 The Ordinances will be further considered
7 at the meeting of the Board of Commissioners to
8 be held on March 21st, 2017, at the Holy Cross
9 Armenian Center, 2610 Bergenline Avenue, Union
10 City, New Jersey at seven p.m.

11 The first is a Bond Ordinance Authorizing
12 the Completion of Various Capital Improvements in
13 the City of Union City, County of Hudson, New
14 Jersey; Appropriating the Sum of 3.1 million
15 Therefor; Authorizing the Issuance of General
16 Obligation Bonds or Bond Anticipation Notes for
17 the City of Union City, County of Hudson, New
18 Jersey, in the Aggregate Principal Amount of
19 2,023,500; Making Certain Determinations and
20 Covenants; and Authorizing Certain Related
21 Actions in Connection with the Foregoing.

22 May I have a motion to introduce?

23 MAYOR STACK: Motion.

24 COMMISSIONER MARTINETTI: Second.

25 DEPUTY CITY CLERK: Motion by Mayor Stack.

1 Second by Commissioner Martinetti.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 DEPUTY CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 DEPUTY CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 DEPUTY CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: Yes.

11 DEPUTY CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13

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

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

17 2. GUARANTY ORDINANCE OF THE CITY OF UNION
18 CITY, IN THE COUNTY OF HUDSON, NEW JERSEY
19 REGARDING THE PAYMENT OF THE PRINCIPAL OF AND
20 INTEREST ON CERTAIN CITY GUARANTEED LEASE REVENUE
21 BONDS, SERIES 2017 (CITY OF UNION CITY SCHOOL
22 DISTRICT PARKING PROJECT) OF THE HUDSON COUNTY
23 IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL
24 AMOUNT NOT EXCEEDING \$15,000,000 FOR THE PURPOSE
25 OF PROVIDING ADDITIONAL SECURITY IN CONNECTION

1 WITH THE BONDS.)

2

3 DEPUTY CITY CLERK: The second Ordinance is
4 Guaranty Ordinance of the City of Union City, in
5 the County of Hudson, New Jersey, Regarding the
6 Payment of the Principal and Interest on Certain
7 Guaranteed Lease Revenue Bonds, Series 2017, City
8 of Union City School District Parking Project of
9 the Hudson County Improvement Authority in the
10 Aggregate Principal Amount Not to Exceed
11 15,000,000 for the Purpose of Providing
12 Additional Security in Connection with the Bonds.

13 MAYOR STACK: Motion.

14 DEPUTY CITY CLERK: May --

15 Motion by Mayor Stack.

16 MS. NOVA: For purposes of this Ordinance,
17 Commissioner Valdivia, Commissioner Martinetti
18 are going to vote based on the doctrine of
19 necessity.

20 DEPUTY CITY CLERK: May I have a second?

21 COMMISSIONER VALDIVIA: Second.

22 DEPUTY CITY CLERK: Second by Commissioner
23 Valdivia.

24 Commissioner Fernandez is abstaining.

25 Commissioner Rivas abstains.

1 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

9 (Whereupon, the Board discussed and took
10 action on the following items in total:

11 **CONSENT AGENDA:**

12 (1) Resolution Approving the Payment of Claims

13 (2) Resolution Approving the Payment of
14 Concurring Claims

15 (3) Resolution Approving the Payment of Escrow
16 Refunds

17 (4) Resolution Approving the City Payroll for
18 the Period of February 18, 2017 through March 3,
19 2017

20 (5) Resolution Approving the Library Payroll
21 for the Period of February 18, 2017 through March
22 3, 2017

23 (6) Resolution Authorizing the Submission of
24 the 2016 Municipal Recycling Tonnage Grant
25 Application to NJ Department of Environmental

1 Protection

2 (7) Resolution Authorizing the Adjustment of
3 Estimated Taxes for the First Quarter

4 (8) Resolution Authorizing the Refund of
5 Duplicate Payments

6 (9) Resolution Authorizing the Refund of
7 Premium Monies Collected at the Tax Sale

8 (10) Resolution Cancelling Cell Tower Bill

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

11 (12) Resolution Awarding a Contract for
12 Ambulance Billing Services to Intermedix

13 (13) Resolution Authorizing Deputy Clerk to
14 Advertise for Bids for Dog Waste Dispensers and
15 Bags

16 (14) Resolution Authorizing the Deputy Clerk to
17 Advertise for Bids for Chlorine & Pool Chemicals

18 (15) Resolution Authorizing Contract with G4S
19 Technology, LLC for Installation and Servicing
20 Contract for Security Cameras at 8th - 10th Street
21 Municipal Parking Lot

22 (16) Resolution Authorizing the Deputy Clerk to
23 Advertise for Pools & Spray Grounds Opening,
24 Maintenance and Closing

25 (17) Resolution Authorizing the Placement of a

- 1 Lien on the Property Known as 2015 Summit Avenue,
2 Block 107, Lot 7, in the City of Union City for
3 Tenant Relocation Costs
4 (18) Resolution Authorizing the Placement of a
5 Lien on the Property Known as 2606 Central
6 Avenue, Block 148, Lot 21, in the City of Union
7 City for Emergency Repair Costs
8 (19) Resolution Authorizing the Submission of an
9 Application to the New Jersey Local Finance Board
10 (20) Resolution Reappointing Kennedy Ng as Rent
11 Regulation Officer for the City of Union City
12 (21) Resolution in Support of Building a
13 Thriving New Jersey

14
15 DEPUTY CITY CLERK: We have 21 items on the
16 Consent Agenda tonight.

17 The first item is a Resolution Approving
18 the Payment of Claims.

19 The second is a Resolution Approving the
20 Payment of Concurring Claims.

21 The third is a Resolution Approving the
22 Payment of Escrow Refunds.

23 The fourth is a Resolution Approving the
24 City Payroll for the Period of February 18th, 2017
25 through March 3rd, 2017.

1 The fifth is a Resolution Approving the
2 Library Payroll for the Period of February 18th,
3 2017 through March 3rd, 2017.

4 The sixth is a Resolution Authorizing the
5 Submission of the 2016 Municipal Recycling
6 Tonnage Grant Application to the New Jersey
7 Department of Environmental Protection.

8 The seventh is a Resolution Authorizing the
9 Adjustment of Estimated Taxes for the First
10 Quarter.

11 The eighth is a Resolution Authorizing the
12 Refund of Duplicate Payments.

13 The ninth is a Resolution Authorizing the
14 Refund of Premium Monies Collected at Tax Sale.

15 The tenth is a Resolution Cancelling Cell
16 Tower Bill.

17 The eleventh is a Resolution Authorizing
18 Refund of Redemption Monies to Outside
19 Lienholders.

20 The twelfth is a Resolution Awarding a
21 Contract for Ambulance Billing Services to
22 Intermedix.

23 The thirteenth is a Resolution Authorizing
24 the Deputy Clerk to Advertise for Bids for Dog
25 Waste Dispensers and Bags.

1 The fourteenth is a Resolution Authorizing
2 the Deputy Clerk to Advertise for Bids for
3 Chlorine and Pool Chemicals.

4 The fifteenth is a Resolution Authorizing
5 the Contract for G4S Technology, LLC for
6 Installation and Servicing Contract for Security
7 Cameras at the 8th through 10th Street Municipal
8 Parking Lot.

9 The sixteenth is a Resolution Authorizing
10 the Deputy Clerk to Advertise for Pool and Spray
11 Ground Opening, Maintenance and Closing.

12 The seventeenth is a Resolution Authorizing
13 the Placement of a Lien on the Property Known as
14 2015 Summit Avenue, Block 107, Lot 7, in the City
15 of Union City for Tenant Relocation Costs.

16 The eighteenth is a Resolution Authorizing
17 the Placement of a Lien on the Property Known as
18 2606 Central Avenue, Block 148, Lot 21, in the
19 City of Union City for Emergency Repair Costs.

20 The nineteenth is a Resolution Authorizing
21 the Submission of an Application to the Local
22 Finance Board.

23 The twentieth is a Resolution Appointing
24 (sic) Kennedy Ng as the Rent Regulation Officer
25 for the City of Union City. I'm sorry;

1 reappointing.

2 The twenty-first is a Resolution in Support
3 of the Building a Thriving New Jersey.

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

6 MAYOR STACK: Sure.

7 Anyone wishing to comment on the Consent
8 Agenda, please step forward, just state your name
9 and address for the record.

10 MR. PRICE: Larry Price, 1006 Palisade.

11 A question about number 10. What is the
12 cell tower bill?

13 MS. NOVA: This was a -- this was a bill
14 that -- we had a cell tower in the City and the
15 cell tower was taken down and erroneously the
16 City still charged the company for the cell
17 tower.

18 So we had to cancel that on the -- on the
19 books. So we're just canceling, basically, the
20 invoice essentially.

21 MR. PRICE: We had a -- where was this cell
22 tower located?

23 MS. NOVA: The location --

24 Just one second.

25 DEPUTY CITY CLERK: It was at 4810 through

1 16 Palisade Avenue.

2 MR. PRICE: 4810 --

3 DEPUTY CITY CLERK: Through 16 Palisade
4 Avenue.

5 MR. PRICE: Right. Okay.

6 MAYOR STACK: I don't -- I don't believe it
7 belonged to the City but it belonged to the
8 property owner and we were probably billing --

9 MS. NOVA: Correct.

10 MAYOR STACK: -- as an added assessment.

11 DEPUTY CITY CLERK: Yes.

12 MAYOR STACK: Yeah.

13 MR. PRICE: Thank you.

14 MAYOR STACK: Anyone else wishing to
15 comment on the Consent Agenda?

16 Seeing none.

17 I'll make a motion.

18 DEPUTY CITY CLERK: Motion by Mayor Stack.

19 COMMISSIONER VALDIVIA: Second.

20 DEPUTY CITY CLERK: Second by Commissioner
21 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 COMMISSIONER MARTINETTI: I'm recusing
6 from -- (indiscernible) --
7 Close?
8 DEPUTY CITY CLERK: Yes.
9 COMMISSIONER MARTINETTI: Yes. Sorry.
10 DEPUTY CITY CLERK: Okay. Mayor Stack?
11 MAYOR STACK: Yes.
12 DEPUTY CITY CLERK: May I have a motion to
13 approve all agenda items on Consent Agenda?
14 COMMISSIONER VALDIVIA: Moved.
15 DEPUTY CITY CLERK: Motion by Commissioner
16 Valdivia.
17 Second?
18 COMMISSIONER RIVAS: Second.
19 DEPUTY CITY CLERK: By Commissioner Rivas.
20 Commissioner Fernandez?
21 COMMISSIONER FERNANDEZ: Yes.
22 DEPUTY CITY CLERK: Commissioner Rivas?
23 COMMISSIONER RIVAS: Yes.
24 DEPUTY CITY CLERK: Commissioner Valdivia?
25 COMMISSIONER VALDIVIA: Yes.

1 DEPUTY CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: I'm recusing from
4 items number 1, payments of claims to Lopez --
5 Adolfo Lopez and Diaz; and for the North Hudson
6 Regional Fire Department.

7 Aye on the rest.

8 DEPUTY CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10

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

13 **ORDINANCES FOR HEARING AND ADOPTION**

14 **CONSIDERATION:**

15 1. AN ORDINANCE AMENDING CHAPTER 58 OF THE
16 CODE OF THE CITY OF UNION CITY ENTITLED
17 "ALCOHOLIC BEVERAGE CONTROL".)

18

19 DEPUTY CITY CLERK: We have one Ordinance
20 for Adoption this evening.

21 It's an Ordinance Amending Chapter 58 of
22 the Code of Union City Entitled Alcohol Beverage
23 Control.

24 MAYOR STACK: Erin, --

25 I'm sorry.

1 Krystle, if you could just explain that
2 briefly to the public?

3 MS. NOVA: Yes.

4 This Ordinance makes it so that all music
5 has to cease by 11:30 at night -- I mean, I'm
6 sorry, 1:30 in the morning at night so that every
7 liquor license establishment closes at two
8 o'clock in the morning. So 1:30 in the morning
9 all music has to cease.

10 DEPUTY CITY CLERK: Mayor, at this time
11 would you like to take public comment on this
12 Ordinance?

13 MAYOR STACK: Sure.

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

17 Obviously this is being done again -- once
18 again for quality of life purposes. Just giving
19 the public the right to peace and quiet after
20 certain hours in the evening hours.

21 Anyone wishing to comment at this time
22 please step forward.

23 Seeing none.

24 DEPUTY CITY CLERK: May I have a motion to
25 close public comment?

1 COMMISSIONER MARTINETTI: Motion. Motion.
2 DEPUTY CITY CLERK: Motion by Commissioner
3 Martinetti.
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 DEPUTY CITY CLERK: At this time may I have
19 a motion to adopt the Ordinance?
20 COMMISSIONER VALDIVIA: Motion.
21 DEPUTY CITY CLERK: Motion by --
22 COMMISSIONER MARTINETTI: Second.
23 DEPUTY CITY CLERK: -- Commissioner
24 Valdivia.
25 Second by Commissioner Martinetti.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 DEPUTY CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: Yes.

5 DEPUTY CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 DEPUTY CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 DEPUTY CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12

13 (Whereupon, the Board discussed and took

14 action on the following item:

15 **REGULAR AGENDA:**

16 1. Resolution for Payment of Claim to the
17 Hudson County Improvement Authority.)

18

19 DEPUTY CITY CLERK: Mayor, at this time we
20 have one item on the Regular Agenda.

21 It's a Resolution for the Payment of Claim
22 to the Hudson County Improvement Authority.

23 MAYOR STACK: I'll move it.

24 DEPUTY CITY CLERK: Motion by Mayor Stack.

25 COMMISSIONER VALDIVIA: Second.

1 DEPUTY CITY CLERK: Second by Commissioner
2 Valdivia.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 DEPUTY CITY CLERK: Commissioner Rivas is
6 recusing.

7 Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 DEPUTY CITY CLERK: Commissioner
10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 DEPUTY CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

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

16

17 DEPUTY CITY CLERK: Mayor, at this time,
18 would you like to take public comment on any item
19 on the agenda or any matter concerning government
20 in Union City?

21 MAYOR STACK: Sure.

22 I'd just like to thank the Commissioners at
23 this time for working together on this and moving
24 the meetings totally around the City, all in the
25 evening hours -- unless we have a Special

1 Meeting.

2 Anyone wishing to comment at this time on
3 any matter concerning municipal government in the
4 City of Union City, please step forward.

5 Seeing none.

6 DEPUTY CITY CLERK: May I have a motion to
7 close public comment?

8 COMMISSIONER FERNANDEZ: Motion.

9 DEPUTY CITY CLERK: Motion by Commissioner
10 Fernandez.

11 Second?

12 COMMISSIONER RIVAS: Second.

13 DEPUTY CITY CLERK: Second by Commissioner
14 Rivas.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 DEPUTY CITY CLERK: Commissioner Rivas?

18 COMMISSIONER RIVAS: Yes.

19 DEPUTY CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 DEPUTY CITY CLERK: Commissioner

22 Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 DEPUTY CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 LIQUOR LICENSE TRANSFER HEARING:

2

3 PERSON TO PERSON TRANSFER APPLICATION FOR LIQUOR
4 LICENSE # 0910-44-026-012 FROM LOS LAURELES
5 LIQUORS T/A LOS LAURELES LIQUORS (SELLER: RADHE
6 KRISHNA CORP. II) TO PRAMUKH VARNI, LLC. (BUYER),
7 LOCATED AT 4625 BROADWAY, UNION CITY

8

9 DEPUTY CITY CLERK: At this time, Mayor, we
10 have a Liquor License Transfer Hearing.

11 It's a person to person transfer
12 application for the Liquor License
13 0910-44-026-012 from Radhe Krishna Corp., trading
14 as Los Laureles Liquors to Pramukh Varni, LLC,
15 located at 4625 Broadway, Union City.

16 MS. NOVA: Mayor and Commissioners, the
17 Police Department has done their investigation.
18 They have -- the application is complete and the
19 Police Department has found no reason at this
20 time to move forward with the application hearing
21 before the Board.

22 Counsel is here with the buyer.

23 MAYOR STACK: Sure.

24 MS. FIGARO: Good evening.

25 MAYOR STACK: If you could just give your

1 appearance for the record?

2 MR. FIGARO: Good evening.

3 My name is Savio Figaro.

4 I represent Pramukh Varni, LLC, which is
5 the purchaser of the license.

6 And beside me is my client, which is the
7 principal of Pramukh Varni, which is Mr. Varun
8 Amin.

9 MR. AMIN: Hi, my name is Varun Amin. I
10 going to be the owner of Pramukh Varni, LLC.

11 MAYOR STACK: What -- what experience do
12 you have in the liquor industry?

13 MR. AMIN: I had -- since last six years I
14 had experience in the liquor license. We had a
15 -- we had a previous license in Bayonne and
16 Jersey City.

17 MAYOR STACK: Have you ever owned a license
18 in Union City prior or no?

19 MR. AMIN: What happen? I --

20 MAYOR STACK: Have you owned a license in
21 Union City in the past?

22 MR. AMIN: No. Never.

23 MAYOR STACK: No.

24 The -- the reason I'm asking, sir, is that
25 this location we've had a lot of issues over the

1 years.

2 MR. AMIN: Um-hum.

3 MAYOR STACK: We've had sales to minors.

4 Issues with people hanging outside the
5 establishment. Public drinking. It's become a
6 real problem.

7 Anytime we hold Community Meetings in the
8 area, whether it be on Broadway or Brown Street
9 or 47th Street, there's always -- probably in the
10 top five complaints come to liquor store.

11 So I just want to make sure going forward
12 we're not going to have these same issues. They
13 were just closed not that long ago for sales to a
14 minor.

15 Many nights I pass there, up until the last
16 week, the front door is wide open. We have an
17 Ordinance that doesn't allow you to keep your
18 door open. A door has to be closed at all times.

19 And I just want to make sure going forward
20 we don't experience the same problems at this
21 location.

22 MR. FIGARO: You know, Mr. Mayor, just so I
23 could indicate that, during the process of the
24 license application we did witness what Your
25 Honor has indicated and we intend to basically

1 make several changes to adjust to that.

2 Mr. Amin's experience in selling licenses
3 is -- is somewhat pristine and he's familiar with
4 the various laws. And he intends to basically do
5 his best to improve the condition of that
6 particular area.

7 The biggest concern is that the license
8 does have some marks on it. And we intend to
9 continue to have the license and profit as well
10 as be a part of the community. So, there's a --
11 there's a conscious intent to make the
12 improvements that Your Honor has indicated.

13 MAYOR STACK: Right. Because I mean it's
14 not only that you -- I -- I want him to prosper
15 in his business like I'd like to see any
16 business. But you have to be mindful of the
17 neighborhood, the people who live in that
18 neighborhood, raise their families there, the
19 amount of children in that neighborhood. There's
20 a daycare two blocks away. There's daycares
21 right down the block.

22 MR. AMIN: Yes.

23 MAYOR STACK: There's a school; Roosevelt
24 School is not far from that location -- very
25 close.

1 And I just want to make sure we're not
2 going to have any issues of people in front of
3 the establishment, you know, at any time,
4 especially in the evening hours. Noise. Public
5 drinking.

6 You know I know in the summertime a lot of
7 the liquor stores like to sell beer -- the single
8 beer. What happens is people walk on the street
9 with that beer. Not only do they walk on the
10 street with the beer, it's the appearance they
11 gave children. Then that beer can winds up on
12 somebody's front porch or in somebody's front
13 yard. It's not fair to the neighborhood.

14 We work really, really hard to keep quality
15 of life up in Union City. We've closed numerous
16 liquor establishments that have not complied over
17 the years. And I just want to make sure, going
18 forward, we're not going to have the same issues.

19 What time are you going to be closing?

20 MR. AMIN: Soon like 1:30, 1.

21 MAYOR STACK: That -- that concerns me.
22 That closing hour concerns me. It definitely
23 concerns me.

24 Why -- why do you have to be open that
25 late?

1 MR. AMIN: Here's the thing, is the -- now
2 the business usually come at the nighttime. In
3 the morning there is no business. Usually the
4 business start after six or seven o'clock.

5 MAYOR STACK: I know. I know but who --
6 who's buying beer at -- at 12 o'clock, one
7 o'clock in the morning? Who's buying beer at
8 that time?

9 MR. AMIN: The people pass through from
10 over there, they buy usually, you know.

11 MR. FIGARO: Well, --

12 MAYOR STACK: You're familiar with hard
13 liquor sales? After a certain time there's no
14 hard liquor sale.

15 MR. AMIN: I know. After ten there's no
16 hard liquor.

17 MAYOR STACK: You -- you wouldn't be
18 willing to close earlier than -- than 1:30?

19 MR. AMIN: I can close. I can see like the
20 business is very -- really slow now. But I can
21 see after one or two months how is the business
22 going.

23 If it's going properly, then I close before
24 like 12, you know, before 12 or 11, you know?

25 MAYOR STACK: I mean that's what I would --

1 I would like to see if we could just close a
2 little bit earlier so that the neighborhood is
3 given some type of a break, some type of a
4 reprieve. Because the people in that area --

5 And I know it's not your fault. You're
6 just coming in. I understand that. But the
7 people in that area have to put up with a lot.
8 You know and we're trying, like I said, very hard
9 to give the people a decent quality of life.

10 MR. AMIN: Yeah I can close earlier.
11 That's no big deal. But I have to first watch --
12 I want to think -- I want to see the business how
13 it's running. You know?

14 MAYOR STACK: Right.

15 MR. AMIN: I can -- I -- I am -- I have no
16 problem to closing early.

17 MAYOR STACK: Okay.

18 MR. AMIN: I can close early.

19 MAYOR STACK: Could you close at 12:30?

20 MR. AMIN: Yeah. Sure.

21 MAYOR STACK: All right, let's try it at
22 12:30 and then you can come back, you know, in a
23 year or six months, come back to the Board. If
24 there's no issue or anything we could reconsider
25 it.

1 MR. AMIN: No problem.

2 MAYOR STACK: I mean if you'd be willing to
3 do that.

4 Do you want to confer with your client?

5 MR. FIGARO: Reconsider what specifically?

6 MAYOR STACK: I'm sorry?

7 MR. FIGARO: Reconsider the closing hour,
8 correct?

9 MAYOR STACK: Twelve-thirty.

10 MR. FIGARO: Yeah, that -- that's fine.

11 MAYOR STACK: Yes.

12 MR. FIGARO: That's fine.

13 MR. AMIN: That's fine.

14 MAYOR STACK: Okay.

15 All right, I think it works well for
16 everybody. I think it shows the people in that
17 area that you're a new owner. Even get to know
18 the neighbors in the area. I mean that
19 sincerely. If I was you I would try to walk, you
20 know, a half a block in each direction and just
21 introduce yourself that you're a new owner there.

22 MR. AMIN: Okay.

23 MAYOR STACK: Because I think the image
24 that they have is what -- what's existed there
25 for many years.

1 And we went from -- I don't think the
2 person that owned it the last time -- they were
3 there for a few years.

4 Right?

5 MR. AMIN: Yeah.

6 MAYOR STACK: And then the person that was
7 there before, I think there were also issues
8 there.

9 So maybe it might be a good idea, just to
10 get to know the people in that area and introduce
11 yourself.

12 MR. AMIN: Sure.

13 MAYOR STACK: Okay?

14 MR. AMIN: Yeah.

15 MAYOR STACK: I really appreciate that.

16 I'll make a motion to approve.

17 DEPUTY CITY CLERK: Motion by Mayor Stack.

18 COMMISSIONER VALDIVIA: Second.

19 DEPUTY CITY CLERK: Second by Commissioner
20 Valdivia.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 DEPUTY CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 DEPUTY CITY CLERK: Commissioner --

1 Commissioner Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 DEPUTY CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5 Good luck with your business, sir.

6 MR. AMIN: Thank you --

7 MR. FIGARO: Thank you.

8 MR. AMIN: -- very much.

9 MAYOR STACK: Thank you very much.

10 MR. FIGARO: Thank you.

11 MAYOR STACK: Thank you, sir.

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Lee Entertainment, LLC

4 T/A Fantasy Night Club

5 Location: 418 43rd Street

6 License No. 0910-33-072-007

7 2. Marvinna, Inc.

8 T/A El Cobre Restaurant

9 Location: 4413-4415 Bergenline Avenue

10 License No. 0910-33-208-010

11 3. Cactus Restaurant

12 T/A Cactus Restaurant

13 Location: 426 32nd Street

14 License No. 0910-33-227-005

15

16 DEPUTY CITY CLERK: At this time, Mayor, we
17 have Liquor License Disciplinary Hearings --
18 Disciplinary Proceedings.

19 COMMISSIONER RIVAS: Proceedings.

20 DEPUTY CITY CLERK: Mr. Farmer?

21 (Whereupon, there was a pause in the
22 proceedings.)

23 MR. FARMER: Good evening, --

24 MAYOR STACK: Good evening, Mr. Farmer.

25 MR. FARMER: -- Mayor, and members of the

1 Board.

2 You have three matters on.

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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: Mr. Gonzalez is here on the
7 last one, Cactus Restaurant.

8 He and I have talked about this and I've
9 had an opportunity to talk to Detective Dunlay
10 and indeed Mr. Gonzalez has talked to Detective
11 Dunlay.

12 This is a situation where there was
13 literally a spontaneous occurrence that occurred
14 on video that Detective Dunlay viewed and felt
15 that it was something that could not be
16 controlled by the licensee. That it was a flare-
17 up and it was over instantaneously.

18 Mr. Gonzalez and I have discussed this and
19 what we've agreed, as far as a reasonable
20 mediation here, that there would be a ten day
21 suspension but that suspension would be suspended
22 for a period of six months. And if something
23 happened in the six months then that ten days
24 would go into effect.

25 It really comes down to how spontaneous

1 | this was and Detective Dunlay has looked at the
2 | video and the report of the video that I received
3 | from the first officer who looked at it. It's
4 | just two people sitting at a table. Suddenly
5 | somebody gets up and slaps the other person. The
6 | other person slaps -- it's broken up and one
7 | person's gone.

8 | The police officer who's here this evening,
9 | who -- by the time he got there, everything was
10 | already taken care of in the sense that the
11 | person was let go out of the restaurant or
12 | whatever El Cuco (sic) is -- Cactus is.

13 | Excuse me.

14 | And that's about it.

15 | MAYOR STACK: Mr. Gonzalez?

16 | MR. GONZALEZ: Thank you.

17 | For the record, Ramon Gonzalez, firm
18 | Gonzalez and Caride, on behalf of the licensee.

19 | I -- I have to agree with Mr. Farmer. I
20 | did have an opportunity to speak to Detective
21 | Dunlay and he did confirm that the incident
22 | happened so spontaneously.

23 | And then he went one step further. I think
24 | this is what really changed his mind on -- on his
25 | position once he saw it. He saw the alleged

1 victim, which was a girl, which is the one who
2 started the fight, hit and then -- the individual
3 with a cell phone. She leaves. The parties
4 leave. Then she comes back later and calls the
5 Police claiming that she's the victim.

6 Luckily for my client they had videos of
7 which Officer Dunlay saw and saw that the victim
8 was not really being truthful.

9 Irrespective though, in speaking with Mr.
10 Farmer, my clients are here, they're right there,
11 they have no problem with this because they're
12 good owners of the establishment. They believe
13 that they will never have a problem within six
14 months and they don't really want to be here
15 short of -- maybe I wish they were here because
16 they would pay me but they -- they don't plan on
17 being here so they don't have a problem with that
18 six months period.

19 So I would respectfully request that the
20 Board accept the -- the situation.

21 And, lastly, Mayor, you did ask me about --
22 there's a homeless gentleman that is in that
23 area. They don't give them anymore food. He
24 seems to go into the apartment --

25 MAYOR STACK: Right. Right.

1 MR. GONZALEZ: -- a couple down at night
2 once it gets cold and he does sometimes urinate
3 over there. But they don't have anything to do.

4 What they did say is that if you have a
5 problem -- they have cameras that look both ways.
6 If there's an incident or something that involves
7 somebody that they will make it available to the
8 Police, Detectives or whatever.

9 But I did bring that up to them and they --
10 and they wanted me to address that to -- to you
11 because I knew it was a concern.

12 MAYOR STACK: Thank you very much. I
13 appreciate that.

14 Thank you.

15 MR. FARMER: So I would make that
16 recommendation.

17 Concerning who said what, who's not
18 credible, this, that or the -- that's totally
19 immaterial.

20 There was an incident at the bar. So it's
21 immaterial who started it or -- two people were
22 involved in an incident. Period. End of story.

23 But I think, because of the spontaneity of
24 the whole situation --

25 MAYOR STACK: Right. I'll --

1 MR. FARMER: -- that it's probably a better
2 resolution, rather than going through a long
3 trial that may or may not result --

4 MAYOR STACK: Absolutely.

5 MR. FARMER: -- in a better situation.

6 MAYOR STACK: I'll -- I'll make a motion;
7 Mr. Farmer's recommendation.

8 DEPUTY CITY CLERK: Motion.

9 Second?

10 COMMISSIONER FERNANDEZ: Second.

11 COMMISSIONER MARTINETTI: Second.

12 DEPUTY CITY CLERK: Second by Commissioner
13 Fernandez.

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
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 DEPUTY CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 MR. GONZALEZ: Thank you.

1 MAYOR STACK: Thank you, Mr. Gonzalez.

2 MR. FARMER: Okay.

3 Thank you, Ray.

4 MAYOR STACK: Thank you.

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1 | LEE ENTERTAINMENT, LLC

2 | T/A FANTASY NIGHT CLUB

3 | Location: 418 43rd Street

4 | License No. 0910-33-072-007;

5 | and

6 | MARVINA, INC.

7 | T/A EL COBRE RESTAURANT

8 | Location: 4413-4415 Bergenline Avenue

9 | License No. 0910-33-208-010

10 |

11 | MR. FARMER: One and 2 involve Detective
12 | Dunlay who is in the midst of the investigation
13 | with I guess whomever concerning the fire. And
14 | apparently it's turned into something of a
15 | homicide investigation and he's involved with it.
16 | And he was -- he's involved in these two cases.
17 | And needless to say that would -- the case that
18 | he's dealing with right now would take priority
19 | over these.

20 | So I'd ask that it just be carried to the
21 | next --

22 | MAYOR STACK: We'll -- we'll adjourn them
23 | until the next meeting.

24 | MR. FARMER: Yeah.

25 | MAYOR STACK: Thank you, Mr. Farmer.

1 MR. FARMER: Thank you, -- thank you.

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5 **ADJOURNMENT:**

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7

DEPUTY CITY CLERK: Okay.

8

May I have a --

9

At this time, Mayor, we have no other items

10 on the agenda.

11

May I have a motion to adjourn?

12

COMMISSIONER RIVAS: Motion.

13

COMMISSIONER MARTINETTI: Second.

14

DEPUTY CITY CLERK: Motion by Commissioner

15

Rivas.

16

Second by Commissioner Martinetti.

17

Commissioner Fernandez?

18

COMMISSIONER FERNANDEZ: Yeah. 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 7:32 p.m.)

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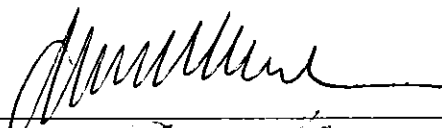
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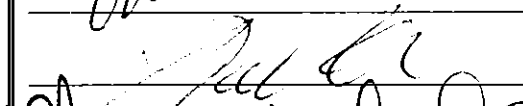
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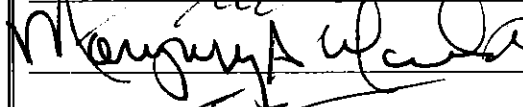
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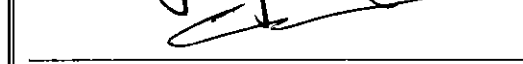
Brian P. Stack



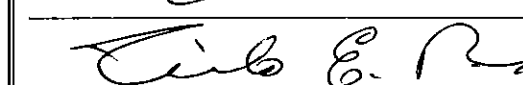
Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia



Tilo 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, March 7, 2017 and digitally
10 recorded.

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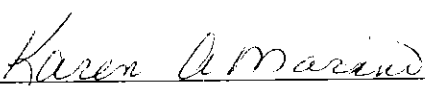
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