

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Early Childhood
Education Center
2200 Kennedy Boulevard
Union City, New Jersey

Tuesday, April 4, 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,
(Recused, left at 7:28 p.m.)
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

SUSAN COLDITZ, Chief Financial Officer

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1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of --
3 Board of Commissioners being held --

4 MAYOR STACK: Just everyone's attention
5 please.

6 Thank you, everyone.

7 Okay, Erin.

8 DEPUTY CITY CLERK: This is a Regular
9 Meeting of the Union City Board of Commissioners
10 being held on Tuesday, April 4th, 2017, at seven
11 p.m. at the Early Childhood Education Center,
12 2200 Kennedy Boulevard, Union City.

13 Please stand for the Pledge of Allegiance.

14
15 (Whereupon the Pledge of Allegiance was
16 said by all.)

17

18 DEPUTY CITY CLERK: This meeting has been
19 called in accordance with the Open Public
20 Meetings Act.

21 Adequate notice of the meeting has been
22 provided to The Jersey Journal, The Record, The
23 Hudson Reporter, and has been published and
24 posted in the bulletin board at City Hall and
25 made available at the Office of the Municipal

1 Clerk.

2

3 **ROLL CALL:**

4

5 DEPUTY CITY CLERK: Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Here.

7 DEPUTY CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Here.

9 DEPUTY CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Here.

11 DEPUTY CITY CLERK: Commissioner

12 Martinetti?

13 COMMISSIONER MARTINETTI: Here.

14 DEPUTY CITY CLERK: Mayor Stack?

15 MAYOR STACK: Here.

16

17 **SPECIAL PRESENTATION**

18 **UNION CITY HIGH SCHOOL GIRLS SWIM TEAM HUDSON**

19 **COUNTY CHAMPIONSHIP:**

20

21 DEPUTY CITY CLERK: Mayor, at this time we
22 have a Special Presentation to the Union City
23 High School Girls Swim Team for winning the
24 Hudson County Championships for the second
25 consecutive year.

1 COMMISSIONER MARTINETTI: All right.

2 MAYOR STACK: Yes, I would just like to
3 first congratulate all of you as the Mayor.

4 You make us very proud in Union City.
5 Thank you for the great job yous did. Most
6 importantly doing great in school is the most
7 important. But we'd like to congratulate you on
8 winning the Championship on behalf of myself and
9 the Commissioners.

10 I know Commissioner Valdivia, that's in
11 charge of Parks and Recreation, would also like
12 to say a few words.

13 COMMISSIONER VALDIVIA: First of all, I
14 would like to thank Coach -- the Coaches, Anthony
15 and Peter and the other Coach. I don't -- I
16 apologize, I don't know your name. And the girls
17 for -- it's very hard to win one championship, so
18 it's amazing that you've won back-to-back
19 championships.

20 So congratulations.

21 Let's give the girls a hand.

22 (Applause.)

23 COMMISSIONER VALDIVIA: Stand up, girls.
24 Please, stand up.

25 (Applause.)

1 COMMISSIONER VALDIVIA: I mean to win one
2 is unbelievable. To win two, it's -- it's
3 amazing.

4 And I'd also like to congratulate all the
5 parents that are here. And as a parent and as a
6 grandfather, I know you're very proud of your
7 girls and Union City's very proud of your girls.

8 And I also want to thank the leadership of
9 our Mayor and State Senator Brian Stack who's
10 been part of this for 17 years --

11 MAYOR STACK: Thank you.

12 COMMISSIONER VALDIVIA: -- by building our
13 Recreation programs that leads them to success in
14 the high school.

15 Thank you, Mayor.

16 MAYOR STACK: Thank you very much.

17 COMMISSIONER VALDIVIA: Thank you, fellow
18 Commissioners.

19 MAYOR STACK: Thank you.

20 (Applause.)

21 MAYOR STACK: I would -- I would also like
22 to thank the coaches for the great job you do day
23 in and day out. Thank you for your dedication to
24 our students.

25 And thank you again to all the parents, the

1 | parents that couldn't be here tonight and the
2 | parents that are here.

3 | Thank you very much. You make Union City
4 | very proud.

5 | Thank you.

6 | (Applause.)

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

9 | COMMISSIONER VALDIVIA: Okay, Head Coach,
10 | Peter?

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

13 | MR. SINAGRA: All right, ladies, when I
14 | call you up, just come up and grab your
15 | certificate.

16 | Cindy Ramirez.

17 | COMMISSIONER VALDIVIA: This is Cindy's.
18 | This is Cindy's.

19 | MR. SINAGRA: Oh, Cindy.

20 | Sorry. Wrong one. My fault.

21 | COMMISSIONER FERNANDEZ: He gave you mine.

22 | MR. SINAGRA: Rushali Shah.

23 | Katherine Perez.

24 | Jenny Hernandez.

25 | Adriana Coronel.

1	Juliette Reyes.
2	Natasha Lopez.
3	Estefanya Lopez.
4	Jaylynn Correa.
5	Dayanara Sanchez.
6	Amada Ponce.
7	Vanessa Cerna.
8	Emily Vasquez.
9	Amarisa Torres.
10	Bianca Alvarez.
11	Maya Hernandez.
12	Susy Coronel.
13	Captain Vivian Andrade.
14	Valerie Valverde.
15	Renata Torres.
16	Tabatha Orellana.
17	Erika Morocho.
18	Jaylin Matos.
19	Gabriella Prescilla.
20	Angela Torrez.
21	Giri Caicedo.
22	Joceline Morales.
23	Kora De Leon.
24	Karen Osario.
25	Karynne Perez.

1 Jocelyn Reinoso.
2 Jennifer Crespo.
3 Victoria Herrera.
4 Lily Fung.
5 Emily Fung.
6 Christina Maldonado.
7 Emily Salto.
8 Joshimie Alonso.
9 Chelsea Suarez.
10 Abrieliz Javier.
11 Diana Robles.
12 Jayma Reyes.
13 Assistant Coach, Stephen Petric.
14 (Applause.)
15 (Whereupon, a Certificate was awarded to
16 Eliana De La Cruz; not announced.)
17 COMMISSIONER VALDIVIA: Congratulations,
18 Stephen.
19 MR. PETRIC: Thank you.
20 MR. SINAGRA: Congrats, Coach.
21 All right, ladies, congratulations.
22 This is the 2017 All County Championship
23 Swim Team.
24 (Applause.)
25 MR. SINAGRA: Great job.

1 I will give these to the girls that are
2 left over.

3 DEPUTY CITY CLERK: Thank you.

4 MR. SINAGRA: Thank you.

5 MAYOR STACK: Thank you very much,
6 everyone. Thanks for making us proud.

7 Thank you, everyone.

8 DEPUTY CITY CLERK: You want to tell them
9 about the refreshments?

10 MAYOR STACK: We also have some
11 refreshments in the rear for everyone.

12 Thank you very much.

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

15

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

18 **APPROVAL OF PREVIOUS MEETING MINUTES FROM**
19 **MARCH 7, 2017.)**

20

21 DEPUTY CITY CLERK: Okay. All right.

22 Mayor, at this time we have Approval of the
23 Meeting Minutes for the Board of Commissioners
24 Meeting from March 7th, 2017.

25 COMMISSIONER VALDIVIA: Motion.

1 DEPUTY CITY CLERK: Motion made by
2 Commissioner Valdivia.

3 COMMISSIONER FERNANDEZ: Second.

4 DEPUTY CITY CLERK: Second by Commissioner
5 Fernandez.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 DEPUTY CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 DEPUTY CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 DEPUTY CITY CLERK: Commissioner
13 Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 DEPUTY CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 (Whereupon, there was a pause in the
18 proceedings.)

19 COMMISSIONER FERNANDEZ: Can we go off the
20 record for two minutes?

21 MS. NOVA: Yeah.

22 DEPUTY CITY CLERK: Sure.

23 Can we go off the record?

24 Thank you.

25

1 (Off the record at 7:13 p.m.)

2 (On the record at 7:17 p.m.)

3

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

6 DEPUTY CITY CLERK: We're back on the
7 record.

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

10 COMMISSIONER FERNANDEZ: Quiet, ladies and
11 gentlemen, please.

12 DEPUTY CITY CLERK: We're going to finish
13 with the meeting.

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

16 COMMISSIONER RIVAS: Motion.

17 DEPUTY CITY CLERK: So a motion to go back
18 on the record.

19 COMMISSIONER FERNANDEZ: Second.

20 Motion made by Commissioner Rivas.

21 Second by Commissioner --

22 COMMISSIONER MARTINETTI: Second.

23 DEPUTY CITY CLERK: -- Fernandez.

24 All in favor?

25

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

2

3 DEPUTY CITY CLERK: Okay.

4

5 (Whereupon, the Board discussed and took
6 action on the following item:

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

8 1. AN ORDINANCE AMENDING CHAPTER II,
9 ADMINISTRATION SECTION 2-21, POLICE DEPARTMENT,
10 SUBSECTION 2-21.1 OF THE REVISED ORDINANCES OF
11 THE CITY OF UNION CITY.)

12

13 DEPUTY CITY CLERK: We have two Ordinances
14 for Introduction tonight of -- adoption on first
15 reading authorize the advertisement and the
16 notice that they will be considered for final
17 passage on April 18th, 2017, at the William V.
18 Musto Center -- Cultural Center, 420 15th Street,
19 Union City, New Jersey.

20 The first is an Ordinance Amending Chapter
21 II, Administrative Section 2-21, Police
22 Department, Subsection 2-21.1 of the Revised
23 Ordinances of the City of Union City.

24 May I have a motion to introduce?

25 MAYOR STACK: Motion.

1 DEPUTY CITY CLERK: Motion by Mayor Stack.
2 COMMISSIONER FERNANDEZ: Second.
3 DEPUTY CITY CLERK: Second by Commissioner
4 Fernandez.
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 item:
19 **ORDINANCE(S) FOR INTRODUCTION:**
20 2. AN ORDINANCE AMENDING CHAPTER 155 ENTITLED
21 "FEES" OF THE CODE OF UNION CITY, CREATING
22 SECTION 19 ENTITLED "WAIVER OF CERTAIN FEES".)
23
24 DEPUTY CITY CLERK: The second Ordinance is
25 an Ordinance Amending Chapter 155 Entitled Fees

1 of the Code of Union City, Creating Section 19
2 Entitled Waiver of Certain Fees.

3 May I have a motion to introduce?

4 MAYOR STACK: Motion.

5 COMMISSIONER MARTINETTI: Motion.

6 DEPUTY CITY CLERK: Motion by Mayor Stack.

7 Second?

8 COMMISSIONER RIVAS: Second.

9 DEPUTY CITY CLERK: Second by Commissioner
10 Rivas.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

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: I'm recusing.

20 DEPUTY CITY CLERK: Commissioner

21 Martinetti?

22 COMMISSIONER MARTINETTI: Recusing.

23 DEPUTY CITY CLERK: Recusing.

24 Mayor Stack?

25 MAYOR STACK: Yes.

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

CONSENT AGENDA:

- (1) Resolution Approving the Payment of Claims
- (2) Resolution Approving the Payment of
Concurring Claims
- (3) Resolution Approving the Payment of Escrow
Refunds
- (4) Resolution Approving the City Payroll for
the Period of March 18, 2017 through March 31,
2017
- (5) Resolution Approving the Library Payroll
for the Period of March 18, 2017 through March
31, 2017
- (6) Resolution Requesting Permission for the
Dedication by Rider for Donation for Cultural
Center (N.J.S.A. 40A:5-29)
- (7) Resolution Requesting Permission for the
Dedication by Rider for Recycling Program (PL
1981 Ch 278 Amended by PL 1987 Ch 102)
- (8) Resolution Requesting Permission for the
Dedication by Rider for Donation for Tree
Planting (N.J.S.A. 40A:5-29)
- (9) Resolution Requesting Permission for the

1 Dedication by Rider for Affordable Housing Trust
2 Fund (N.J.S.A. 40A:12a-3 Et Seq.)
3 (10) Resolution Requesting Permission for the
4 Dedication by Rider for Recreation Trust
5 (N.J.S.A. 40:48-2.56)
6 (11) Resolution Requesting Permission for the
7 Dedication by Rider for Developers Escrow Fund
8 (N.J.S.A. 40:55d-53.1)
9 (12) Resolution of the City of Union City
10 Authorizing Cancellation of Grant Reserve
11 (13) Resolution Authorizing Refund of Redemption
12 Monies to Outside Lienholders
13 (14) Resolution Authorizing the Refund of
14 Premium Monies Collected at the Tax Sale
15
16 DEPUTY CITY CLERK: We have 14 items on the
17 Consent Agenda.
18 The first is a Resolution Approving the
19 Payment of Claims.
20 The second is a Resolution Approving the
21 Payment of Concurring Claims.
22 The third is a Resolution Approving the
23 Payment of Escrow Refunds.
24 The fourth is a Resolution Approving the
25 City Payroll for the Period of March 18th, 2017

1 through March 31st, 2017.

2 The fifth is a Resolution Approving the
3 Library Payroll for the Period of March 18th, 2017
4 through March 31st, 2017.

5 The sixth is a Resolution Requesting
6 Permission for the Dedication by Rider for
7 Donation for Cultural Center.

8 The seventh is a Resolution Requesting
9 Permission for the Dedication by Rider for
10 Recycling Program.

11 The eighth is a Resolution Requesting
12 Permission for Dedication by Rider for Donation
13 for Tree Planting.

14 The ninth is a Resolution Requesting
15 Permission for the Dedication by Rider for
16 Affordable Housing Trust Fund.

17 The tenth is a Resolution Requesting
18 Permission for the Dedication by Rider for
19 Recreation Trust.

20 The eleventh is a Resolution Requesting
21 Permission for the Dedication by Rider for
22 Developers Escrow Fund.

23 The twelfth is a Resolution of the City of
24 Union City Authorizing the Cancellation of Grant
25 Reserve.

1 The Resolu-- the thirteenth is a Resolution
2 Authorizing Refund of Redemption Monies to
3 Outside Lienholders.

4 The fourteenth is a Resolution Authorizing
5 the Refund of Premium Monies Collected at Tax
6 Sale.

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

10 MAYOR STACK: Sure.

11 Does anyone have a question on the Consent
12 Agenda?

13 Please step forward, state your name and
14 address for the record.

15 Mr. Price?

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

18 Item number 9.

19 Dedication by -- the Affordable Housing
20 Trust Fund.

21 I mean I don't understand what's being done
22 here. The fund exists. Moneys go into it. What
23 are we dedicating here?

24 MAYOR STACK: Krystle?

25 MS. NOVA: My understanding is that this is

1 -- was something that the State wanted us to do
2 as a housecleaning item to make sure that the
3 appropriate -- the funds that were already being
4 moved would have a place -- a specific place in
5 the budget.

6 Susan, do you have --

7 MAYOR STACK: Guaranty the --

8 MS. NOVA: -- anything else to add?

9 MAYOR STACK: Guaranty the dedication of
10 money.

11 It's just, --

12 MS. NOVA: We have --

13 MAYOR STACK: -- more or less, just to
14 clean it up and make sure it's --

15 MS. NOVA: We have --

16 MAYOR STACK: -- the wording is correct.

17 MR. PRICE: Okay.

18 MS. NOVA: -- Susan Colditz here, too, if
19 you have any other questions.

20 MAYOR STACK: Anyone else on the Consent
21 Agenda?

22 Just please step forward, state your name
23 and address for the record.

24 MS. NOVA: One item.

25 On number 2, Commissioner Valdivia will be

1 voting based on the doctrine of necessity, even
2 though he would normally recuse on Union City
3 Board of Ed matters.

4 MAYOR STACK: I'll make a motion.

5 DEPUTY CITY CLERK: Motion by Mayor Stack.

6 COMMISSIONER VALDIVIA: Second.

7 DEPUTY CITY CLERK: Second by Commissioner
8 Valdivia.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes with the
11 exception on number 1, I recuse on any payments
12 to Public Affairs; and on number 2, I recuse to
13 any payments to the Board of Education.

14 Otherwise, 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 --

23 COMMISSIONER MARTINETTI: -- with the
24 exception of number 1, any payment pertaining to
25 the Construction Code Official or any payments

1 | pertaining to North Hudson Regional Fire; and on
2 | number 2, any payments pertaining to the Board of
3 | Education.

4 | Aye on the rest.

5 | DEPUTY CITY CLERK: Okay.

6 | Mayor, at this time we have an Ordinance on
7 | for adoption.

8 | MS. NOVA: I'm sorry, did we do Mayor?

9 | MS. DILLON: I don't think the Mayor voted.

10 | DEPUTY CITY CLERK: I'm sorry.

11 | MAYOR STACK: Yeah, I don't think I was
12 | called.

13 | DEPUTY CITY CLERK: Mayor Stack?

14 | I apologize.

15 | MAYOR STACK: Yes.

16 |

17 | **ORDINANCES FOR HEARING AND ADOPTION**

18 | **CONSIDERATION:**

19 | 1. AN ORDINANCE OF THE CITY OF UNION CITY,
20 | COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
21 | SUM OF \$120,000 IN FUNDING FROM THE CAPITAL
22 | IMPROVEMENT FUND FOR VARIOUS IMPROVEMENTS TO THE
23 | 47TH STREET FIRE HOUSE

24 |

25 | DEPUTY CITY CLERK: Mayor, at this time we

1 have one Ordinance on for adoption.

2 It's the Ordinance of the City of Union
3 City, County of Hudson, New Jersey, Appropriating
4 the Sum of \$120,000.00 in Funding from the
5 Capital Improvement Fund for Various Improvements
6 to the 47th Street Fire House.

7 May I have a motion to --

8 I'm sorry.

9 At this time, Mayor, would you like to open
10 for public comment?

11 MAYOR STACK: Sure.

12 This is on the 47th Street Fire House. The
13 fire house itself we're taking it and we're
14 making it into an emergency shelter. That in the
15 event, God forbid there's a fire in the
16 community, the families will stay at individual
17 rooms that we're -- we're actually constructing
18 right now at the old 47th Street Fire House.

19 We're just moving money into this Ordinance
20 at this time.

21 Anyone wishing to comment at this time?

22 Please step forward, state your name and
23 address for the record.

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

1 COMMISSIONER FERNANDEZ: Motion.
2 DEPUTY CITY CLERK: Motion by --
3 COMMISSIONER MARTINETTI: Second.
4 DEPUTY CITY CLERK: -- Commissioner
5 Fernandez.
6 Seconded by Commissioner Martinetti.
7 May I have a motion to adopt?
8 COMMISSIONER VALDIVIA: Motion.
9 DEPUTY CITY CLERK: Motion --
10 COMMISSIONER MARTINETTI: Second.
11 DEPUTY CITY CLERK: Motion by Commissioner
12 Valdivia.
13 Second by Commissioner Martinetti.
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

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

3 **REGULAR AGENDA:**

4 1. Resolution for a Payment of Claim to the
5 Hudson County Improvement Authority.)

6

7 DEPUTY CITY CLERK: Mayor, there are four
8 items on the Regular Agenda tonight.

9 The first is a Resolution for Payment of
10 Claim to the Hudson County Improvement Authority.

11 May I have a motion to approve?

12 MAYOR STACK: Motion.

13 DEPUTY CITY CLERK: Motion made by Mayor
14 Stack.

15 COMMISSIONER RIVAS: Second.

16 DEPUTY CITY CLERK: Second by --

17 MS. NOVA: No, --

18 DEPUTY CITY CLERK: -- Commissioner Rivas.

19 MS. NOVA: -- you have to --

20 COMMISSIONER RIVAS: Oh, I'm sorry.

21 MS. NOVA: I'm sorry.

22 COMMISSIONER RIVAS: I --

23 MS. NOVA: Commissioner Rivas needs to
24 recuse.

25 COMMISSIONER VALDIVIA: Second.

1 Second.

2 DEPUTY CITY CLERK: Second by Commissioner
3 Valdivia.

4 Commissioner Rivas is recusing.

5 COMMISSIONER RIVAS: I'm sorry.

6 DEPUTY CITY CLERK: Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 DEPUTY CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 DEPUTY CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Recusing.

13 DEPUTY CITY CLERK: Also recusing.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

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

19 **REGULAR AGENDA:**

20 2. Hearing on Amendment to the Municipal
21 Budget State Fiscal Year 2017.)

22

23 DEPUTY CITY CLERK: Mayor, the second is a
24 Hearing on the Amendment to the Municipal Budget
25 State Fiscal Year 2017.

1 At this time would you like to take public
2 comment on the amendment?

3 MAYOR STACK: Yes.

4 Just also note that Susan Colditz is here
5 from the Finance Department, our Chief Financial
6 Officer.

7 Anyone wishing to comment on the Amendment
8 to the Municipal Budget?

9 Please step forward, state your name
10 address for the record.

11 Seeing none.

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

14 COMMISSIONER FERNANDEZ: Motion.

15 DEPUTY CITY CLERK: Motion by Commissioner
16 Fernandez.

17 COMMISSIONER VALDIVIA: Second.

18 DEPUTY CITY CLERK: Second by Commissioner
19 Valdivia.

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: Yes.

4 DEPUTY CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6

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

9 **REGULAR AGENDA:**

10 3. Adoption of Amendment to the Municipal
11 Budget State Fiscal Year 2017.)

12

13 DEPUTY CITY CLERK: Mayor, we have -- the
14 third item is Adoption of Amendment to the
15 Municipal Budget State Fiscal Year 2017.

16 May I have a motion to adopt?

17 MAYOR STACK: Motion.

18 COMMISSIONER MARTINETTI: Motion.

19 DEPUTY CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER MARTINETTI: Second.

21 DEPUTY CITY CLERK: Second by Commissioner
22 Martinetti.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 DEPUTY CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 DEPUTY CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 DEPUTY CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Yes.

7 DEPUTY CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9

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

12 **REGULAR AGENDA:**

13 4. Adoption of the Municipal Budget State
14 Fiscal Year 2017.)

15

16 DEPUTY CITY CLERK: Mayor, the fourth is an
17 Adoption of the Municipal Budget for State Fiscal
18 Year 2017.

19 May I have a motion to adopt?

20 COMMISSIONER MARTINETTI: Motion.

21 DEPUTY CITY CLERK: Motion by Commissioner
22 Martinetti.

23 Second?

24 COMMISSIONER VALDIVIA: Second.

25 DEPUTY CITY CLERK: Second by Commissioner

1 Valdivia.

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 I would just like to note that I'd like to
14 thank Susan Colditz who's here this evening but
15 not just thank Susan for being here, thank Susan
16 for the great job that she does on the Municipal
17 Budget and also Tammy Zucca, also thank her.

18 Thank you for all your work, Sue.

19

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

21

22 DEPUTY CITY CLERK: Mayor, at this time,
23 would you like to take public comment on any item
24 involving government in Union City?

25 MAYOR STACK: Sure.

1 Anyone wishing to comment at this time on
2 any matter concerning the City of Union City,
3 please step forward, state your name and address
4 for the record.

5 I'd also once again like to thank the
6 Commissioners for moving a hundred percent of our
7 meetings throughout the community in the evening
8 hours.

9 Anyone wishing to comment at this time?

10 Seeing none.

11 DEPUTY CITY CLERK: May I have a motion to
12 close public comment?

13 MAYOR STACK: Motion.

14 COMMISSIONER RIVAS: Motion.

15 DEPUTY CITY CLERK: Motion made by Mayor
16 Stack.

17 Second by Commissioner Rivas.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 DEPUTY CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner
25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

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3 1. Jor Per Corp.

4 t/a Cucalambe

5 (Hearing for Continuation of Special
6 Conditions)

7 Location: 4418 Bergenline Avenue

8 License No. 0910-33-110-009

9 2. Marvina, Inc.

10 t/a El Cobre Restaurant

11 Location: 4413-4415 Bergenline Avenue

12 License No. 0910-33-208-010

13 3. Partners Associates, LLC

14 t/a Los Reyes

15 Location: 3329 Hudson Avenue

16 License No. 0910-33-011-008

17 4. Mi Otra Casita Bar & Liquor

18 t/a Mi Otra Casita Bar

19 Location: 401 30th Street

20 License No. 0910-33-080-009

21 5. Juanita's II LLC

22 t/a Juanita's Restaurant

23 Location: 2904 Bergenline Avenue

24 License No. 0910-33-155-010

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1 DEPUTY CITY CLERK: Mayor, at this time we
2 have Liquor License Disciplinary Hearings.

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1 NIEL AKSHAR

2 T/A REUBEN LIQUORS

3 Location: 2117 Summit Avenue

4 License No. 0910-32-178-005

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6 MAYOR STACK: Just we also have to render a
7 decision in one matter.

8 Is Mr. -- is Mr. Farmer --

9 MR. FARMER: Yes.

10 MAYOR STACK: Okay, I didn't see you, Greg.
11 I'm sorry.

12 MR. FARMER: Yes, from the case that you
13 heard the last time, which is Reuben Liquor.

14 And you took all the evidence and heard all
15 the testimony, looked at the video, heard the
16 testimony of the police officers and reserved
17 decision to tonight.

18 MAYOR STACK: And your recommendation, Mr.
19 Farmer?

20 MR. FARMER: Well, the offense carries with
21 it a 15 day penalty.

22 I would recommend somewhere between seven
23 to ten days.

24 MAYOR STACK: Okay.

25 MR. FARMER: And I might point out that Mr.

1 Espinosa is not here but he should be here
2 because it was very clear when we last left that
3 you were carrying it to the next meeting with --
4 going to render your decision.

5 MAYOR STACK: Okay. Right.

6 And you say it's recommended a seven to ten
7 day suspension?

8 MR. FARMER: Well, I'm -- I'm saying that
9 the -- under the regulations or I should say
10 under the directions of the ABC, the recommended
11 penalty is 15 days.

12 MAYOR STACK: Right.

13 What -- what concerned me the most about
14 this case is that there was a challenging of the
15 time. And I remember Lieutenant Loaces did a
16 radio check -- a time check when -- when we were
17 having the hearing. And the time is set similar
18 to what all our cell phones are set.

19 It just concerned me that that challenge
20 was done and then, secondly, -- they weren't
21 charged with it but I noticed that they were
22 selling outside of the licensed premise on the
23 sidewalk, which wasn't one of the charges.

24 It was also a lot of confusion there, they
25 believed that the closing time was three o'clock

1 in the morning, when it's been two o'clock in the
2 morning for --

3 How many years now?

4 MR. FARMER: Forever.

5 MAYOR STACK: Yeah, 12 years, 13 years, I
6 think we changed it --

7 COMMISSIONER FERNANDEZ: Yeah.

8 MAYOR STACK: -- from three to two.

9 MR. FARMER: Right.

10 SERGEANT DUNLAY: 2001.

11 MAYOR STACK: So, --

12 I'm sorry?

13 SERGEANT DUNLAY: 2001, I believe.

14 MAYOR STACK: Yeah, early on. Early on.

15 All right, I'll make a motion for a ten day
16 suspension.

17 DEPUTY CITY CLERK: Motion by Mayor Stack.

18 COMMISSIONER FERNANDEZ: Second.

19 DEPUTY CITY CLERK: Second by Commissioner
20 Fernandez.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 DEPUTY CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 DEPUTY CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 DEPUTY CITY CLERK: Commissioner

3 Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 DEPUTY CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7 MS. DILLON: Mayor, did you vote?

8 DEPUTY CITY CLERK: Yes.

9 MAYOR STACK: Yes I did. Yes.

10 MS. DILLON: I'm sorry, I didn't hear you.

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1 JOR PER CORP.

2 T/A CUCALAMBE

3 (Hearing for Continuation of Special Conditions)

4 Location: 4418 Bergenline Avenue

5 License No. 0910-33-110-009

6

7 (Whereupon, Commissioner Maryury Martinetti
8 was recused and left the meeting at 7:28 p.m.)

9

10 MR. FARMER: Going to the calendar, Mr.
11 Diaz seems to have everything on the calendar.

12 The first one is Cucalambe.

13 Excuse me.

14 This is a situation where we have a special
15 condition on the license with respect to video.
16 And Mr. Diaz indicated that he wanted to
17 challenge that as being, I don't know,
18 unreasonable I guess.

19 I've had a talk with Mr. Diaz that the
20 language in the special condition on his license
21 premises is no different from about the other six
22 or seven licensees in town who have similar --
23 similar special conditions with respect to
24 cameras.

25 After talking to Mr. Diaz about that, Mr.

1 Diaz has agreed to withdraw the application.

2 So that's going to be just dismissed.

3 MR. DIAZ: That's correct.

4 I do not wish to try the case at this time
5 obviously but we are dismissing the -- the
6 application.

7 The establishment has had a good record in
8 the last year or so and we're going to proceed at
9 some later time, hopefully the conduct will be
10 the same, there will be no -- no problems with
11 the -- with the establishment and then at that
12 time we will present the -- the argument.

13 MR. FARMER: Okay.

14 DEPUTY CITY CLERK: Motion --

15 MR. FARMER: The next one --

16 MAYOR STACK: Want to do a motion.

17 Right?

18 MR. FARMER: -- is, again, represented by
19 El Cobre --

20 MAYOR STACK: Motion?

21 DEPUTY CITY CLERK: Motion to dismiss.

22 MAYOR STACK: We have to do a -- we'll do a
23 motion to dismiss.

24 MR. FARMER: Oh, I'm sorry.

25 Excuse me.

1 DEPUTY CITY CLERK: Motion to dismiss?
2 Motion by --
3 COMMISSIONER VALDIVIA: Second.
4 DEPUTY CITY CLERK: Motion made by Mayor
5 Stack.
6 Second by Commissioner 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: I'm sorry.
14 Commissioner Martinetti has left.
15 Mayor Stack?
16 MAYOR STACK: Yes.
17 DEPUTY CITY CLERK: Yes.
18 Okay, sorry.

20 * * *

1 MARVINA, INC.

2 T/A EL COBRE RESTAURANT

3 Location: 4413-4415 Bergenline Avenue

4 License No. 0910-33-208-010

5

6 MR. FARMER: The next one is El Cobre. Mr.
7 Diaz represents El Cobre.

8 We -- basically it's a situation where
9 there are two charges; one is a noise complaint
10 and the other is the situation where seen on
11 video two people drinking at the bar. The guy
12 who is now known as Tars (phonetic) and strikes
13 the other person and leaves immediately. So it
14 was kind of spontaneous and broken up
15 immediately.

16 We had a conference with Mr. Diaz, his
17 client, as well as Detective Dunlay. And after
18 back and forth it's our recommendation that the
19 licensee be suspended for ten days, which are
20 April 10th to April 20th.

21 MR. DIAZ: That's correct.

22 I'd like to add that the tavern has
23 cooperated in this event as it has in other
24 events.

25 They voluntarily supplied the video, which

1 is the -- the gist of this prosecution.

2 Accepting the incident that took place, they
3 accept the suspension for the ten days that have
4 been mentioned.

5 MAYOR STACK: Mr. Farmer, you said the
6 recommendation was for how many days?

7 MR. FARMER: Ten days.

8 MAYOR STACK: Ten days.

9 And that will be from when to when?

10 MR. FARMER: I think it was April --

11 I have it over --

12 MR. DIAZ: Eleventh --

13 MR. FARMER: Eleventh to the 20th.

14 MR. DIAZ: -- to the 20th, correct.

15 MAYOR STACK: You got it. Okay.

16 Motion.

17 DEPUTY CITY CLERK: Motion by Mayor Stack.

18 COMMISSIONER FERNANDEZ: Second.

19 DEPUTY CITY CLERK: Second by Commissioner
20 Fernandez.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 DEPUTY CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 DEPUTY CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

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1 PARTNERS ASSOCIATES, LLC
2 T/A LOS REYES
3 Location: 3329 Hudson Avenue
4 License No. 0910-33-011-008;
5 and

6 MI OTRA CASITA BAR & LIQUOR
7 T/A MI OTRA CASITA BAR
8 Location: 401 30th Street
9 License No. 0910-33-080-0009
10

11 MR. FARMER: The next one again is
12 represented by Mr. Diaz.

13 And, quite frankly, he's representing 3 and
14 4 and he's' just came into the cases and let --
15 and let me know about that yesterday and would
16 ask that it be carried, both of them.

17 MAYOR STACK: Which one?

18 MR. FARMER: Three and 4, Partners/Los
19 Reyes.

20 MAYOR STACK: Three and 4. Okay.
21 They'll be carried to the next meeting?

22 MR. FARMER: Yes.

23 MAYOR STACK: Okay.

24 MR. FARMER: Mi Otra.

25 MAYOR STACK: Very good.

1 JUANITA'S II LLC

2 T/A JUANITA'S RESTAURANT

3 Location: 2904 Bergenline Avenue

4 License No. 0910-33-155-010

5

6 MR. FARMER: The last one Juanita's.

7 This is kind of like the second time I've
8 had this on and we've notified them and they
9 haven't shown up. I'd like to try it one more
10 time and -- because I don't see any reason why
11 they wouldn't show up.

12 MAYOR STACK: All right, let -- let's put
13 it on for the next meeting. Let's get them
14 served by the --

15 MR. FARMER: Yes.

16 MAYOR STACK: -- Police Department, --

17 MR. FARMER: Yes.

18 MAYOR STACK: -- by certified mail. If
19 they don't show up, we'll have it without them.

20 MR. FARMER: Okay.

21 MAYOR STACK: We'll have the hearing
22 without them.

23 MR. FARMER: Okay.

24 All right. That's it.

25 COMMISSIONER VALDIVIA: That's been on for

1 a while.

2 MAYOR STACK: Yeah.

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6 **ADJOURNMENT:**

7

8 DEPUTY CITY CLERK: Mayor, at this time I
9 have no other items on the agenda.

10 May I have a motion to adjourn?

11 MAYOR STACK: Motion.

12 DEPUTY CITY CLERK: Motion made by Mayor
13 Stack.

14 COMMISSIONER FERNANDEZ: Second.

15 DEPUTY CITY CLERK: Second by Commissioner
16 Fernandez.

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: Mayor Stack?

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

1 DEPUTY CITY CLERK: Mayor?

2 Mayor?

3 Yes?

4 MAYOR STACK: Yes.

5 Yes.

6 DEPUTY CITY CLERK: Thank you.

7

8 (Whereupon, the proceedings were concluded
9 at 7:32 p.m.)

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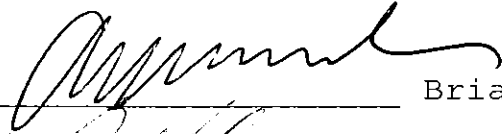
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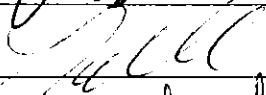
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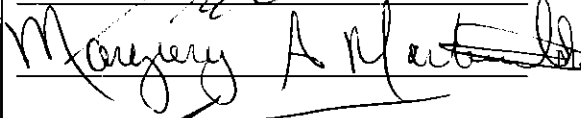
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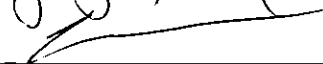
Brian P. Stack



Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia



Fido 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, April 4, 2017 and digitally
10 recorded.

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Karen A. Marino
Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon