

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

William V. Musto
Cultural Center
420 15th Street
Union City, New Jersey

Tuesday, April 18, 2017
Commencing at 7:02 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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A P P E A R A N C E S:

MESSRS. LEDESMA, DIAZ, LOPEZ & NORIS
BY: LUIS E. DIAZ, ESQ.
Attorney for Partners Associates, LLC
t/a Los Reyes

MESSRS. LEDESMA, DIAZ, LOPEZ & NORIS
BY: LUIS E. DIAZ, ESQ.
Attorney for Mi Otra Casita Bar & Liquor
t/a Mi Otra Casita Bar

MESSRS. EISENBERG & GONZALEZ
BY: OSUALDO GONZALEZ, ESQ.
Attorney for St. Rose of Lima Columbian Club, Inc.
t/a St. Rose of Lima Columbian Club

1 MS. DILLON: On the record.

2 DEPUTY CITY CLERK: All right.

3 This is a Regular Public Meeting of the
4 Union City Board of Commissioners being held on
5 Tuesday, April 18th, 2017, at seven p.m. at the
6 William V. Musto Cultural Center, 420 15th Street,
7 Union City, New Jersey.

8 Please stand for the Pledge of Allegiance.

9
10 (Whereupon the Pledge of Allegiance was
11 said.)

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

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

21

22 **ROLL CALL:**

23

24 DEPUTY CITY CLERK: Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Here.

1 DEPUTY CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Here.

3 DEPUTY CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Here.

5 DEPUTY CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Here.

8 DEPUTY CITY CLERK: Mayor Stack?

9 MAYOR STACK: Here.

10

11 **SPECIAL PRESENTATION:**

12 1. Presentation by the Mayor and Board of
13 Commissioners to the Members of the Union City
14 Karate Team for their Participation and
15 Achievements at the New Jersey State AAU Karate
16 Championship

17

18 DEPUTY CITY CLERK: Mayor, we have two
19 Presentations on the agenda tonight.

20 The first is a Presentation made by the
21 Mayor and Board of Commissioners to the Union
22 City Karate Team for their Participation and
23 Achievements at the New Jersey State AAU Karate
24 Championship.

25 MAYOR STACK: Sure.

1 First before we begin I'd just like to
2 thank all the parents and children that are here
3 from the great karate program that we have.

4 I'd like to give a special thank you to
5 Sergio Dato who put the program together.

6 Sergio, thank you for all your great work
7 and all the great work you do. And all the
8 others that are part of the karate program.

9 But a special thank you to all the children
10 and all the parents for your participation; you
11 make Union City very, very proud. Thank you
12 again. And I'm very happy to have you here this
13 evening, on behalf of the Commissioners and
14 myself.

15 At this time I'm going to turn it over to
16 our Parks and Recreation Commissioner who has
17 done so much for the children, Commissioner Celin
18 Valdivia.

19 COMMISSIONER VALDIVIA: Yes, good evening,
20 everyone. Thank you for being here. Especially
21 thank you for the parents and congratulations to
22 the students and, Sergio, for your program, and
23 for those that earn a certificate, award --
24 competition on April 2nd.

25 Sergio, would you come forward please?

1 (Whereupon, there was a pause in the
2 proceedings.)

3 MR. DATO: I would like to thank the -- the
4 Recreation Department, the Mayor Brian P. Stack.
5 Believe it or not it's our ten years -- doing our
6 Union City Karate Recreation Program. And it's a
7 thriving program.

8 And I'd like to see -- if you let me say,
9 Mr. Mayor, is the diversity we have you know.
10 Backgrounds -- Edgar is from El Salvador; Mariam
11 is from Africa; Damaris from Dominican Republic;
12 got a guy from Mexico; we have guys from Ecuador.
13 So, that's all -- to American continent. Africa
14 -- you know, everybody come to this country for
15 an opportunity. Union City give you that.

16 At this moment if you want to do martial
17 arts, it's very expensive. You came middle
18 class, high class. And we have free classes.
19 Some of you are with the program for the last 6,
20 7, 10 years and became assistant --
21 (indiscernible). So you're the future.

22 I really -- I don't see other city like
23 Union City who have a program that extent. We --
24 every weekend close to 150, 160 children practice
25 free martial arts. And make it happen because

1 the vision of the Mayor Brian P. Stack to form
2 this program. And the surprise of me of the need
3 when he request -- the idea of the program was
4 ten years ago, I thought it's going to be maybe
5 four or five kids to teach some self-defense; I
6 said kids, stay off drugs or something like that.

7 The first registration was at the Bruce
8 Walter Center.

9 MAYOR STACK: Yup, I remember.

10 MR. DATO: Close to 300 people sign in on
11 the first group. That was an amazing challenge.
12 But ten years later, you know, we're still
13 around.

14 So I want to thank all the parents for
15 their support, to be there every Saturday, in and
16 out, all the volunteers, and the City who support
17 the program like that. You know, so -- and
18 partnership.

19 So, give a hand please for the Mayor Brian
20 P. Stack.

21 (Applause.)

22 COMMISSIONER VALDIVIA: Yeah, for those of
23 -- for those of you that are not familiar with
24 the karate program, it's an amazing program.

25 Sergio's volunteers are kids that went to

1 the program and are now black belts and they give
2 their -- they volunteer their time in Union City
3 to help Sergio run this program.

4 So, Sergio, congratulations.

5 Congratulations, Mayor, for this positive
6 vision you had for our City. This is an
7 excellent program and it illustrates of bringing
8 the community together.

9 So thank you, Sergio.

10 Congratulations to the kids.

11 Congratulations to all the parents that are
12 here.

13 Thank you.

14 MAYOR STACK: Thank you, Commissioner.

15 (Applause.)

16 MAYOR STACK: Why don't you read out the
17 names; Celin will hand them.

18 All right?

19 MR. DATO: Sure, sir, no problem.

20 MAYOR STACK: You got it. You got it.

21 MR. DATO: First one is David Garcia.

22 Please.

23 (Applause.)

24 MAYOR STACK: Congratulations, David.

25 MR. DATO: Sharon Duran.

1 (Applause.)
2 MAYOR STACK: Congratulations.
3 MR. DATO: Horsan Osorio.
4 (Applause.)
5 MAYOR STACK: Congratulations.
6 MR. DATO: Jorge Notario.
7 (Applause.)
8 MAYOR STACK: Congratulations.
9 MR. DATO: Mariam Kenema.
10 (Applause.)
11 MAYOR STACK: Congratulations.
12 MR. DATO: Damaris Rivera.
13 (Applause.)
14 MR. DATO: And Edgar Fuentes.
15 (Applause.)
16 MAYOR STACK: Congratulations.
17 MR. DATO: And --
18 Yeah, you can say hi to the Commissioners.
19 And she grow up with the program.
20 COMMISSIONER VALDIVIA: She's --
21 MR. DATO: She's a coach now -- show my
22 face in the championships.
23 Okay.
24 Thank you very much.
25 Can a take a picture?

1 Parents, you want to take a picture right
2 now?

3 (Whereupon, there was a pause in the
4 proceedings while photographs were taken.)

5 MAYOR STACK: Once again I'd like to give a
6 special thank you to Sergio.

7 Thank you to all the parents and all the
8 students who participate. You truly make Union
9 City very, very special.

10 When you see all the good things that are
11 happening here in the community with the
12 children, with our schools, with the Recreation
13 Program, with our Parks -- and you look here
14 today, all the police officers that are here
15 today, the good things that are happening in the
16 Police Department, we thank all of you for making
17 that happen as a community.

18 Thank you very much, everyone.

19 (Applause.)

20 MAYOR STACK: Thank you very much,
21 everyone.

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

24

25 **SPECIAL PRESENTATION:**

1 2. Presentation by Harry Delgado,
2 Accreditation Manager for the New Jersey State
3 Association of Chiefs of Police to the Mayor and
4 Board of Commissioners and the Union City Police
5 Department

6
7 MAYOR STACK: We're ready to go.

8 DEPUTY CITY CLERK: All right.

9 Mayor, at this time we have a second
10 Presentation by Harry Delgado, Accreditation
11 Manager for the New Jersey State Association of
12 Chiefs of Police to the Mayor and Board of
13 Commissioners and the Union City Police
14 Department.

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

17 MR. DELGADO: First I think I should say
18 congratulations, Mayor, for that wonderful
19 program.

20 MAYOR STACK: Thank you very much.

21 MR. DELGADO: Certainly.

22 MAYOR STACK: Thank you.

23 MR. DELGADO: I'm also here tonight -- I
24 have the privilege to represent the New Jersey
25 State Association of Chiefs of Police -- to come

1 here and recognize tonight another important
2 facet of your City and that's the Police
3 Department.

4 And I'm here to recognize them as one of
5 the best Police Departments in the State of New
6 Jersey, and arguably in the nation, and I'll
7 explain why.

8 To add some context to what we're about to
9 recognize your Police Department for, I have to
10 tell you that there's over 470 agencies in the
11 State of New Jersey that would be eligible to
12 apply for accreditation. However, only to date a
13 hundred and eighty have been accredited and that
14 is because the process is very rigorous. So that
15 puts them in a very elite group of about 34
16 percent of all the law enforcement agencies in
17 the State of New Jersey that would -- that could
18 seek accreditation, actually have become
19 accredited.

20 So if you'll indulge me for a couple of
21 minutes I'd like to share with you the
22 significance of the recognition tonight.

23 Accreditation is a process. The foundation
24 of accreditation lies in the adoption of
25 standards containing a clear statement of

1 professional objectives. Accreditation is a
2 progressive and time-proven way of helping law
3 enforcement agencies calculate and improve their
4 overall performances.

5 It is a certification by an independent
6 authority, in this case the New Jersey State
7 Association of Chiefs of Police, that the
8 accredited agency was carefully measured against
9 an established set of State and national
10 standards. And in the case of the Union City
11 Police Department, I'm proud to say, in many
12 instances exceeded those standards. Which is why
13 I suggest to you the Department can not only be
14 measured within the context of the State but
15 adhering to national best practices within the
16 context of national agencies.

17 The research shows that accredited agencies
18 have 11 percent fewer professional liability
19 claims; 18 percent fewer worker compensation
20 claims; and 31 fewer auto liability claims. So
21 there's some real tangible financial advantages
22 to a Police Department that's accredited versus
23 one that it isn't. Those that belong to AMAL
24 (phonetic) certainly encounter -- are entitled to
25 some premium discounts.

1 But besides the financial advantages of
2 accredited agencies, there are many other
3 important benefits of accreditation.

4 Accreditation -- accredited agencies are
5 better able to defend against law suits and
6 citizen complaints. Accreditation provides
7 objective evidence of an agency's commitment to
8 excellence in leadership, resource management,
9 and service delivery.

10 Government officials can be more confident
11 in the agency's ability to operate efficiently
12 and meet community needs.

13 An accreditation embodies something that
14 I've experienced here tonight as you share and
15 celebrate the achievements of your youth. It
16 embodies the precepts of community oriented
17 policing. It creates a form in which police and
18 citizens work together to prevent and control
19 challenges confronted to law enforcement and
20 provide clear direction about community
21 expectations.

22 Accreditation standards keep the Chief, a
23 proven management system or written directives,
24 sound training, clearly defined lines of
25 authority and routine reports as to poor

1 decision-making and resource allocation.

2 And as I see many here tonight, officers in
3 accredited agencies are able to take pride as
4 they have been objectively recognized for their
5 professionalism in adhering to the high standards
6 in law enforcement today.

7 Now this process is very rigorous. It may
8 take up to 24 months to complete the process.
9 And at the end of that process we come in
10 literally -- we call it a final onsite visit. We
11 come in, we want to make sure that the
12 Department, in fact, can show and provide
13 tangible proof for a hundred and five standards
14 in the State of New Jersey, many of which require
15 more than one standard to show and demonstrate
16 compliance.

17 So, at the end of that onsite, which only
18 raises the level of stress amongst those that are
19 being examined, it also makes observations about
20 what is exemplary a police department. I should
21 note that in the report --

22 And I'll paraphrase some of what the
23 training assessors share with us.

24 -- that Union City Police Department worked
25 every day to be an asset to the Union City

1 community and it strives to live up to their
2 professional responsibilities.

3 The Union City Police Department prides
4 itself on its relationship with the public --
5 something that we saw here tonight. In 2017 they
6 strived to enhance existing community
7 partnerships to additional open forum Public
8 Safety Meetings, door to door complaint
9 canvasses, and promotion of the See Something Say
10 Something initiative.

11 By State and national standards the Union
12 City Police Department is a large agency,
13 increasing the challenge to coordinate the
14 efforts and communication with a significant
15 number of individuals to guide the agency that
16 you need to -- to successfully achieve
17 accreditation.

18 During the final onsite, the high level of
19 competence, leadership, professionalism --
20 especially the command staff level -- was evident
21 within the agency. Officers are forward-
22 thinking, engaged in self-improvement, and the
23 pursuit of excellence.

24 It is our assessment that the Union City
25 Police Department firmly believes that one of the

1 components of the delivery of professional
2 services is achieving NJSACOP accreditation
3 status. The agency not only invested time
4 bringing the rules, policies and procedures up to
5 standards but also in facilities and equipment
6 upgrades to ensure their overall compliance
7 demonstrating their strong commitment to this
8 process.

9 We are confident that they will continue to
10 grow as a professional police agency while
11 maintaining the high standards set for an
12 accredited agency.

13 If that were not enough, when we come in
14 during those two days, we make sure -- and I'll
15 use a cliché but it's effective in describing
16 what I want to say -- we leave no stone -- no
17 stone unturned.

18 And so that means that we might find a
19 mixed -- (indiscernible) -- proof for instance in
20 a file or a typographical error. And for those
21 we'll actually note that there are issues found
22 with solutions resolved during the site.

23 I must say that as much as we try and as
24 hard as we try here with the Union City Police
25 Department, we didn't find anything. We just

1 | could not find anything. So that puts them
2 | actually in less than one percent of agencies
3 | that go through that final assessment without any
4 | blemish whatsoever. That is truly remarkable,
5 | ladies and gentlemen.

6 | So I wanted to share that with you, because
7 | that sets them apart.

8 | So it is the opinion of the Assessment Team
9 | that the Union City Police Department is a highly
10 | professional and committed agency, which
11 | exemplifies all the tenets of law enforcement
12 | accreditation at the State and national level.

13 | So it is my privilege, on behalf of the New
14 | Jersey State Association of Chiefs of Police and
15 | the New Jersey Law Enforcement Commission, to
16 | congratulate Chief Richard Molinari,
17 | Accreditation Manager Captain Nichelle Luster,
18 | the members of the Union City Police Department,
19 | the Mayor and the Commissioners, and those
20 | citizens that they so proudly serve for achieving
21 | State Accreditation, joining a very exclusive
22 | group of law enforcement agencies that have made
23 | this important commitment to excellence in
24 | policing.

25 | So to all, congratulations.

1 MAYOR STACK: Thank you very much.

2 (Applause.)

3 MR. DELGADO: Chief?

4 Finally, Chief, on behalf of the State
5 Association, Mayor, I'd like to present you with
6 the Accreditation Certificate, which reads in
7 part:

8 The Union City Police Department, having
9 fulfilled all the accreditation standards as
10 established by the New Jersey State Association
11 of Chiefs of Police, is hereby awarded the three
12 year certificate of accreditation.

13 So I'll be back in two years.

14 MAYOR STACK: Thank you very much.

15 MR. DELGADO: Congratulations.

16 MAYOR STACK: Thank you very much. Thank
17 you.

18 (Applause.)

19 CHIEF MOLINARI: Mayor, if I can, just a
20 couple of thanks.

21 And first it's got to start with the Mayor
22 and Board of Commissioners.

23 When I first brought this idea to the Mayor
24 approximately a year and a half ago, I kind of
25 explained the accreditation process. And the

1 Mayor said to me, Chief, do you think this is
2 something we should do. I said, Mayor, it's not
3 going to be easy, there's some financial hardship
4 that, you know, I'm going to come to you about.
5 And he said I'm a hundred percent onboard with
6 you, you have my full support, let's do it. That
7 was the first thing.

8 The second thing was to pick an
9 Accreditation Manager. Somebody that I knew was
10 going to be at the forefront to get this job
11 done, work every day at it. It was an easy
12 decision. I chose Captain Luster and I thank her
13 for all her hard work and commitment.

14 To every member of the Union City Police
15 Department, you truly had to buy-in to the theory
16 that this was the best thing for every resident
17 of Union City and for our agency. And I truly
18 got the cooperation from everyone in the Police
19 Department. We work collectively. We worked on
20 it on a daily basis. We worked hard on it. And
21 at the end this is truly an accomplishment that I
22 think everybody in Union City should be truly
23 proud of. It's something that I'm very proud of
24 and I know everybody here -- really, this is an
25 accomplishment that we could all take pride in.

1 So I thank you, Mayor and the
2 Commissioners, everybody here, Harry Delgado, New
3 Jersey State Chiefs Association, for all their
4 help and commitment. And, again, it's a fine day
5 for Union City and a great day for the Police
6 Department.

7 MAYOR STACK: Thank you, Chief.

8 CHIEF MOLINARI: Thank you again.

9 MAYOR STACK: Thank you.

10 (Applause.)

11 MAYOR STACK: I would just like to thank
12 Mr. Delgado. Thank you for your presentation.
13 Thank you for your work also.

14 Congratulations, Chief. I'm your biggest
15 supporter. You've done a great job with the
16 Police Department. You've worked hand in hand
17 with me on community outreach and you've always
18 kept that commitment.

19 Thank you to Captain Luster for your work
20 on this project.

21 And all in the Police Department, thank you
22 for the great job you do day in and day out for
23 the residents of Union City.

24 Thank you very much.

25 (Applause.)

1

2

3

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

4

APPROVAL OF PREVIOUS MEETING MINUTES FROM

5

MARCH 21, 2017 AND APRIL 4, 2017.)

6

7

8

9

10

DEPUTY CITY CLERK: The next item on the
agenda is the Approval of the Meeting Minutes
from the meetings of March 21st, 2017 and April
4th, 2017.

11

MAYOR STACK: I'll move it.

12

DEPUTY CITY CLERK: May I have a motion?

13

MAYOR STACK: Move it.

14

DEPUTY CITY CLERK: Motion by Mayor Stack.

15

COMMISSIONER MARTINETTI: Second.

16

17

DEPUTY CITY CLERK: Second by Commissioner
Martinetti.

18

Commissioner Fernandez?

19

COMMISSIONER FERNANDEZ: Yes.

20

DEPUTY CITY CLERK: Commissioner Rivas?

21

COMMISSIONER RIVAS: Yes.

22

DEPUTY CITY CLERK: Commissioner Valdivia?

23

COMMISSIONER VALDIVIA: Yes.

24

DEPUTY CITY CLERK: Commissioner

25

Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4

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

7 **CONSENT AGENDA:**

8 (1) Resolution Approving the Payment of Claims

9 (2) Resolution Approving the Payment of
10 Concurring Claims

11 (3) Resolution Approving the Payment of
12 Concurring Claims in Escrow

13 (4) Resolution Approving the City Payroll for
14 the Period of April 1, 2017 through April 14,
15 2017

16 (5) Resolution Approving the Library Payroll
17 for the Period of April 1, 2017 through April 14,
18 2017

19 (6) Resolution Approving the Contract for Pool
20 Maintenance Services to ABC Pool Service for 2017

21 (7) Resolution Approving the Contract for Dog
22 Waste Dispensers & Bags to Barbato Nursery Corp
23 for 2017

24 (8) Resolution Approving Contract for the
25 Purchase of Chlorine and Pool Chemicals to

- 1 | Miracle Chemical Company for 2017
- 2 | (9) Municipal Endorsement Resolution for the
- 3 | 17th Street Open Space Project Application
- 4 | (10) Resolution Approving Emergency Contract
- 5 | with Rain Drop Products to Install Children Slide
- 6 | Barrier Components for Children Slides at Duarte
- 7 | Park
- 8 | (11) Resolution Approving Emergency Contract
- 9 | with Rain Drop Products to Replace Certain
- 10 | Damaged Sections of Children Slides at Duarte
- 11 | Park
- 12 | (12) Resolution Approving a Contract for
- 13 | Painting Services to Painter Plus Corporation for
- 14 | Painting Services at Duarte Park
- 15 | (13) Resolution Requesting Permission for the
- 16 | Dedication by Rider for Donation for Donation for
- 17 | DARE Program (NJSA 40A:5-9)
- 18 | (14) Resolution Requesting Permission for the
- 19 | Dedication by Rider for Unemployment Compensation
- 20 | Insurance (NJSA 40A:4-39)
- 21 | (15) Resolution Requesting Permission for the
- 22 | Dedication by Rider for Donation for Ambulance
- 23 | (NJSA 40A:5-29)
- 24 | (16) Resolution Awarding Contract to GTBM Inc.
- 25 | for the Purchase of Ten Toughbooks for the Union

1 City Police Department

2 (17) Resolution Approving the 2015-2016 Renewal
3 of a Plenary Retail Consumption License Number
4 0910-33-115-008 to How About Life LLC

5 (18) Resolution Approving the 2016-2017 Renewal
6 of a Plenary Retail Consumption License Number
7 0910-33-115-008 to How About Life LLC

8 (19) Resolution Authorizing the Refund of
9 Premium Monies Collected at the Tax Sale

10 (20) Resolution Cancelling Cell Tower Bill

11 (21) Resolution Adjusting the Second Quarter Tax
12 Bills for 2017

13 (22) Resolution Authorizing the Refund of a
14 Duplicate Payment

15 (23) Resolution Cancelling Second Quarter Taxes
16 for Specified Block and Lots

17 (24) Resolution Authorizing the Tax Collector to
18 Hold an Accelerated Tax Sale

19 (25) Resolution Authorizing Refund of Redemption
20 Monies to Outside Lienholders

21 (26) Resolution Cancelling Second Quarter Taxes
22 for Merged Properties

23 (27) Resolution Designating April 2017 National
24 Donate Life Month in Union City.)

25

1 DEPUTY CITY CLERK: We have 27 items on the
2 Consent Agenda this evening.

3 The first is a Resolution Approving the
4 Payment of Claims.

5 The second is a Resolution Approving the
6 Payment of Concurring Claims.

7 The third is a Resolution Approving the
8 Payment of Concurring Claims in Escrow.

9 The fourth is a Resolution Approving the
10 City Payroll for the Period of April 1st, 2017
11 through April 14th, 2017.

12 The fifth is a Resolution Approving the
13 Library Payroll for the Period of April 1st, 2017
14 through April 14th, 2017.

15 The sixth is a Resolution Approving the
16 Contract for Pool Maintenance Services to ABC
17 Pool Service for 2017.

18 The seventh is a Resolution Approving the
19 Contract for Dog Waste Dispensers and Bags to
20 Barbato Nursery Corp. for 2017.

21 The eighth is a Resolution Approving the
22 Contract for Purchase of Chlorine and Pool
23 Chemicals to Miracle Chemical Company for 2017.

24 The ninth is a Municipal Endorsement
25 Resolution for the 17th Street Open Space Project

1 Application.

2 The tenth is a Resolution Approving
3 Emergency Contract for Rain Drop Products to
4 Install Children Slide Barrier Components for
5 Children Slides at Duarte Park.

6 The eleventh is a Resolution Approving the
7 Emergency Contract for Rain Drop Products to
8 Replace Certain Damaged Sections of Children
9 Slides at Duarte Park.

10 The twelfth is a Resolution Approving a
11 Contract for Painting Services to Painter Plus
12 Corporation for Painting Services at Duarte Park.

13 The thirteenth is a Resolution Requesting
14 Permission for the Dedication by Rider for
15 Donation to DARE Program.

16 The fourteenth is a Resolution Requesting
17 Permission for the Dedication by Rider for
18 Unemployment Compensation Insurance.

19 The fifteenth is a Resolution Requesting
20 Permission for Dedication by Rider for Donation
21 for Ambulance.

22 The sixteenth is a Resolution Awarding the
23 Contract to GTBM for the Purchase of Ten
24 Toughbooks for the Union City Police Department.

25 The seventeenth is a Resolution Approving

1 the 2015-2016 Renewal of a Plenary Retail
2 Consumption License Number 0910-33-115-008 to How
3 About Life LLC.

4 The eighteenth is a Resolution Approving
5 the 2016-2017 Renewal of a Plenary Retail
6 Consumption License Number 0910-33-115-008 to How
7 About Life LLC.

8 The Resolution --

9 MAYOR STACK: That's a -- that's a pocket
10 license?

11 DEPUTY CITY CLERK: That's a pocket
12 license.

13 MAYOR STACK: That's pocket.

14 DEPUTY CITY CLERK: Yes.

15 MAYOR STACK: Okay.

16 DEPUTY CITY CLERK: The nineteenth is a
17 Resolution Authorizing the Refund of Premium
18 Monies Collected at the Tax Sale.

19 The twentieth is a Resolution Cancelling
20 Cell Tower Bill.

21 The twenty-first is a Resolution Adjusting
22 the Second Quarter Tax Bills for 2017.

23 The twenty-second is a Resolution
24 Authorizing the Refund of a Duplicate Payment.

25 The twenty-third is a Resolution Cancelling

1 Second Quarter Taxes for Specified Block and
2 Lots.

3 The twenty-fourth is a Resolution
4 Authorizing the Tax Collector to Hold an
5 Accelerated Tax Sale.

6 The twenty-fifth is a Resolution
7 Authorizing Refund of Redemption Monies to
8 Outside Lienholders.

9 The twenty-sixth is a Resolution Cancelling
10 Second Quarter Taxes for Merged Properties.

11 The twenty-seventh is a Resolution
12 Designating April 2017 National Donate Life Month
13 in Union City.

14 Mayor, at this time, would you like to open
15 for public comment on the Consent Agenda?

16 MAYOR STACK: Sure.

17 Anyone wishing to comment on the Consent
18 Agenda, please step forward, just state your name
19 and address for the record.

20 Seeing none.

21 DEPUTY CITY CLERK: May I have a motion to
22 close public comment.

23 COMMISSIONER FERNANDEZ: Motion.

24 COMMISSIONER MARTINETTI: Second.

25 DEPUTY CITY CLERK: Motion by Commissioner

1 Fernandez.

2 Second by Commissioner Martinetti.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 DEPUTY CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Aye.

7 DEPUTY CITY CLERK: 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 DEPUTY CITY CLERK: Mayor, may I have a

15 motion on all items on Consent?

16 COMMISSIONER VALDIVIA: Motion.

17 DEPUTY CITY CLERK: Motion by Commissioner

18 Valdivia.

19 Second?

20 COMMISSIONER RIVAS: Second.

21 DEPUTY CITY CLERK: By Commissioner Rivas.

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 from
6 item number 1, approving the payment of claim to
7 Adolfo and Diaz -- Adolfo Lopez and Diaz. I'm
8 sorry. And any payment associated with the
9 Construction Code.

10 DEPUTY CITY CLERK: Mayor Stack?

11 COMMISSIONER MARTINETTI: Aye on the rest.

12 MAYOR STACK: Yes -- yes on all.

13 And just to comment on number 9, on the
14 Resolution on 17th Street, Open Space Project.

15 That's going to be a renovation of 17th
16 Street Park. We're very proud to put that
17 underway.

18 And also on the installation of different
19 equipment and slides and other -- other toys at
20 Duarte Park; that will be ready for Memorial Day
21 Weekend.

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

25 **ORDINANCES FOR HEARING AND ADOPTION**

1 **CONSIDERATION:**

2 1. BOND ORDINANCE AUTHORIZING THE COMPLETION
3 OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE
4 CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY;
5 APPROPRIATING THE SUM OF \$3,100,000 THEREFOR;
6 AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
7 BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF
8 UNION CITY, COUNTY OF HUDSON, NEW JERSEY IN THE
9 AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,023,500;
10 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND
11 AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION
12 WITH THE FOREGOING.)

13
14 DEPUTY CITY CLERK: We have four Ordinances
15 on for Public Hearing and Adoption.

16 The first is a Bond Ordinance Authorizing
17 the Completion of Various Capital Improvements in
18 and for the City of Union City, County of Hudson,
19 New Jersey; Appropriating the Sum of 3.1 Million
20 Therefor; Authorizing the Issuance of General
21 Obligation Bonds or Bond Anticipation Notes of
22 the City of Union City, County of Hudson, New
23 Jersey in the Aggregate Principal of up to
24 2,023,500; Making Certain Determinations and
25 Covenants; and Authorizing Certain Related

1 Actions in Connection with the Foregoing.

2 At this time, we can open for public
3 comment.

4 MAYOR STACK: Sure.

5 Anyone wishing to comment at this time on
6 the Bond Ordinance, please step forward, state
7 your name and address for the record.

8 This will be for some park improvements and
9 also roadway improvements.

10 Seeing none.

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

13 COMMISSIONER MARTINETTI: Motion.

14 DEPUTY CITY CLERK: Motion by --

15 COMMISSIONER VALDIVIA: Second.

16 DEPUTY CITY CLERK: -- Commissioner
17 Martinetti.

18 Second by Commissioner Valdivia.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 DEPUTY CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 DEPUTY CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 DEPUTY CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 DEPUTY CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5 DEPUTY CITY CLERK: May I have a motion to
6 adopt the Ordinance.

7 COMMISSIONER VALDIVIA: Motion.

8 COMMISSIONER MARTINETTI: Motion.

9 DEPUTY CITY CLERK: Motion by Commissioner
10 Valdivia.

11 Second by Commissioner Martinetti.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 DEPUTY CITY CLERK: Commissioner Rivas?

15 COMMISSIONER RIVAS: Yes.

16 DEPUTY CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 DEPUTY CITY CLERK: Commissioner

19 Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 DEPUTY CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

23

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

1 **ORDINANCES FOR HEARING AND ADOPTION**

2 **CONSIDERATION:**

3 2. GUARANTY ORDINANCE OF THE CITY OF UNION
4 CITY, IN THE COUNTY OF HUDSON, NEW JERSEY
5 REGARDING THE PAYMENT OF THE PRINCIPAL OF AND
6 INTEREST ON CERTAIN CITY GUARANTEED LEASE REVENUE
7 BONDS SERIES 2017 (CITY OF UNION CITY SCHOOL
8 DISTRICT PARKING PROJECT) OF THE HUDSON COUNTY
9 IMPROVEMENT AUTHORITY IN AN AGGREGATE PRINCIPAL
10 AMOUNT NOT EXCEEDING \$15,000,000 FOR THE PURPOSE
11 OF PROVIDING ADDITIONAL SECURITY IN CONNECTION
12 WITH THE BONDS.)

13
14 DEPUTY CITY CLERK: The second Ordinance is
15 a Guaranty Ordinance of the City of Union City,
16 in the County of Hudson, New Jersey Regarding the
17 Payment of the Principal of and Interest on
18 Certain City Guaranteed Lease Revenue Bonds,
19 Series 2017, City of Union City School District
20 Parking Project, of the Hudson County Improvement
21 Authority in the Aggregate Principal Amount Not
22 Exceed 15,000,000, for the Purpose of Providing
23 Additional Security in Connection with the Bonds.

24 May I have public comment?

25 MAYOR STACK: Anyone wishing to comment at

1 | this time, please step forward, state your name
2 | and address for the record.

3 | MS. NOVA: You have to abstain on this one.

4 | MAYOR STACK: Yes, you do, --

5 | DEPUTY CITY CLERK: Okay.

6 | MAYOR STACK: -- with the Improvement

7 | Authority.

8 | DEPUTY CITY CLERK: May I have a motion to
9 | close public comment?

10 | COMMISSIONER VALDIVIA: Motion.

11 | DEPUTY CITY CLERK: Motion by Commissioner
12 | Valdivia.

13 | Second?

14 | COMMISSIONER MARTINETTI: Second.

15 | DEPUTY CITY CLERK: Second by Commissioner
16 | Martinetti.

17 | Commissioner Fernandez?

18 | COMMISSIONER FERNANDEZ: I'm abstaining on
19 | this.

20 | Schools, right?

21 | MS. NOVA: No, you don't have to abstain.

22 | COMMISSIONER FERNANDEZ: I don't have to
23 | abstain?

24 | MS. NOVA: No. Only Commissioner Rivas.

25 | COMMISSIONER FERNANDEZ: Okay.

1 Yes then.

2 DEPUTY CITY CLERK: Okay.

3 Commissioner Rivas is abstaining.

4 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 **ORDINANCES FOR HEARING AND ADOPTION**

15 **CONSIDERATION:**

16 3. AN ORDINANCE AMENDING CHAPTER II,
17 ADMINISTRATION SECTION 2-21, POLICE DEPARTMENT,
18 SUBSECTION 2-21.1 OF THE REVISED ORDINANCES OF
19 THE CITY OF UNION CITY.)

20

21 DEPUTY CITY CLERK: The third Ordinance is
22 an Ordinance Amending Chapter II, Administration
23 Section 2-21, Police Department, Subsection
24 2-21.1 of the Revised Ordinances of the City of
25 Union City.

1 MAYOR STACK: Just if we could explain what
2 we're doing on that.

3 DEPUTY CITY CLERK: Sure.

4 MAYOR STACK: Just for the public's
5 knowledge to understand what we're doing.

6 DEPUTY CITY CLERK: Of course.

7 This Ordinance will allow -- in accordance
8 with State law will allow for the -- for Special
9 Law Enforcement Officers III, and they would be
10 strictly for educational facilities and provide
11 security for educational facilities. Much like a
12 Special II would but they're strictly for
13 educational facilities.

14 MAYOR STACK: This -- this would be -- this
15 would be retired -- any officer who retired in
16 the last five years.

17 Am I correct, Chief?

18 CHIEF MOLINARI: Yes, Mayor.

19 MAYOR STACK: Would be eligible to apply
20 for this position.

21 It would be a position in the public school
22 system in Union City where we would have retired
23 police officers in schools that would be able to
24 carry their weapon.

25 DEPUTY CITY CLERK: We can open for public

1 comment, Mayor?

2 MAYOR STACK: Sure.

3 Anyone wishing to comment at this time,
4 please step forward, state your name and address
5 for the record.

6 Mr. Price?

7 MR. PRICE: Larry -- Larry Price, 1006
8 Palisade.

9 Question.

10 There was a differential between a Class I
11 Special Officer and a Class II Special.

12 MAYOR STACK: Sure.

13 MR. PRICE: What's the difference?

14 MAYOR STACK: I -- I mean I can explain.
15 I'd rather have the Chief do it though.

16 Chief, if you could just run through that
17 real quick for me?

18 CHIEF MOLINARI: Sure.

19 The biggest difference --

20 MS. DILLON: If you can come to --

21 MAYOR STACK: Just go through Class I,
22 Class II, Class III, Chief.

23 CHIEF MOLINARI: Sure.

24 A Class I law enforcement officer has
25 minimal training, almost equivalent to a crossing

1 guard. It is employed by municipalities to
2 assist with special events, parades, things like
3 that, where they're out directing traffic and
4 assisting at facilities like that.

5 A Class II law enforcement officer goes
6 through a regular police academy, much like a
7 regular police officer. Is employed by
8 municipalities such as Union City. And he's
9 restricted to work a certain number of hours per
10 week. That's a Class II. Carries a firearm only
11 when they're employed in their duties for the
12 municipality.

13 A Class III municipal law enforcement
14 officer is a retired police officer -- retired
15 within five years; has to be hired by that
16 agency. And, basically, their only function is
17 to provide police services while they're employed
18 by a school district.

19 So in this case the Union City Board of
20 Education would reimburse the City for the
21 employment of these officers and they will be
22 employed at their time in the schools -- at
23 individual schools throughout Union City. That's
24 a Class III law enforcement officer.

25 MR. PRICE: Question.

1 Are Class III, he has to be retired no more
2 than five years. But once he's hired, can he go
3 beyond the five year and continue his employment
4 at a Class III officer?

5 CHIEF MOLINARI: He can. And he could
6 serve in that position up until the age of 65.

7 But he has to meet the same criteria as a
8 regular law enforcement officer. A regular
9 background check, psychological check, physical
10 fitness test.

11 And while they're employed they have to
12 meet all of the standards as regular law
13 enforcement officer in Union City, which includes
14 qualifications of their handgun, OC. The same
15 training that a regular officer continues to
16 maintain on an annual basis, a Special III, just
17 as a Special II, will also participate in.

18 So they're as highly trained as any other
19 police officer in the City of Union City.

20 MR. PRICE: Okay.

21 One question about the Class II officers.
22 What's the restriction on the number of hours
23 that they work?

24 CHIEF MOLINARI: Twenty hours per week.

25 MR. PRICE: Twenty hours per week. Okay.

1 Thank you, Chief.

2 MAYOR STACK: Thank you, Chief.

3 CHIEF MOLINARI: You're welcome.

4 Thank you.

5 MAYOR STACK: Thank you.

6 Anyone else wishing to comment on this at

7 this time?

8 Seeing no other?

9 DEPUTY CITY CLERK: May I have a motion to

10 close --

11 MAYOR STACK: Motion.

12 DEPUTY CITY CLERK: -- public comment?

13 Motion by Mayor Stack.

14 COMMISSIONER MARTINETTI: Second.

15 DEPUTY CITY CLERK: Second by Commissioner

16 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 May I have a motion to adopt the Ordinance?
3 MAYOR STACK: Motion.
4 DEPUTY CITY CLERK: Motion by --
5 COMMISSIONER MARTINETTI: Second.
6 DEPUTY CITY CLERK: -- Mayor Stack.
7 Second by Commissioner Martinetti.
8 Commissioner Fernandez?
9 COMMISSIONER FERNANDEZ: Yes.
10 DEPUTY CITY CLERK: Commissioner Rivas?
11 COMMISSIONER RIVAS: Yes.
12 DEPUTY CITY CLERK: Commissioner Valdivia?
13 COMMISSIONER VALDIVIA: Yes.
14 DEPUTY CITY CLERK: Commissioner
15 Martinetti?
16 COMMISSIONER MARTINETTI: Yes.
17 DEPUTY CITY CLERK: Mayor Stack?
18 MAYOR STACK: Yes.
19
20 (Whereupon, the Board discussed and took
21 action on the following item:
22 **ORDINANCES FOR HEARING AND ADOPTION**
23 **CONSIDERATION:**
24 4. AN ORDINANCE AMENDING CHAPTER 155 ENTITLED
25 "FEES" OF THE CODE OF UNION CITY, CREATING

1 SECTION 19 ENTITLED "WAIVER OF CERTAIN FEES".)

2

3 DEPUTY CITY CLERK: The fourth Ordinance is
4 an Ordinance Amending Chapter 155 Entitled Fees
5 of the Code of Union City, Creating Section 19
6 Entitled Waiver of Certain Fees.

7 At this --

8 MAYOR STACK: Do you want to just explain
9 that real quick, --

10 DEPUTY CITY CLERK: Sure.

11 MAYOR STACK: -- Erin?

12 DEPUTY CITY CLERK: This Ordinance would
13 allow for specific 501(c)(3) nonprofit agencies
14 to request a waiver of fee. There's an
15 application process that would take place and
16 filed with the Municipal Clerk. It would go to
17 the Construction Official and the Planning and
18 Zoning Board Secretary. They would have to be up
19 to date with their taxes and the Tax Collector
20 would have to certify to that.

21 But it would waive certain UCC fees for
22 nonprofit agencies that are under the 501(c)(3)
23 classification.

24 MAYOR STACK: Great.

25 Anyone wishing to comment on this Ordinance

1 at this time, please step forward, state your
2 name and address for the record.

3 Seeing none.

4 DEPUTY CITY CLERK: May I have a motion to
5 close public comment?

6 MAYOR STACK: Motion.

7 DEPUTY CITY CLERK: Motion by Mayor Stack.

8 COMMISSIONER VALDIVIA: Second.

9 DEPUTY CITY CLERK: Second by Commissioner
10 Valdivia.

11 May I have a motion to adopt?

12 MAYOR STACK: Motion.

13 DEPUTY CITY CLERK: Motion by --

14 COMMISSIONER VALDIVIA: Second.

15 DEPUTY CITY CLERK: -- Mayor Stack.

16 Second by Commissioner Valdivia.

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 Martinetti
24 is recusing.

25 Mayor Stack?

1 MAYOR STACK: Yes.

2

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

5 **REGULAR AGENDA:**

6 1. Resolution Approving Shared Services
7 Agreement with the Union City Board of Education
8 for Class III Special Law Enforcement Officers
9 for 2017-2018.)

10

11 DEPUTY CITY CLERK: There's one item on the
12 Regular Agenda tonight.

13 It's a Resolution Approving a Shared
14 Service Agreement with the Union City Board of
15 Education for Class III Special Law Enforcement
16 Officers for 2017 through 2018.

17 May I have a motion to approve?

18 MAYOR STACK: Motion.

19 DEPUTY CITY CLERK: Motion by Mayor Stack.

20 COMMISSIONER VALDIVIA: Second.

21 DEPUTY CITY CLERK: Second by Commissioner
22 Valdivia.

23 Commissioner Fernandez?

24 MS. NOVA: I'm sorry; you have to wait
25 until Commissioner Martinetti gets back.

1 DEPUTY CITY CLERK: Okay, sorry.

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

4 MS. NOVA: All right.

5 For this matter, based on the doctrine of
6 necessity, Commissioner Valdivia will be voting
7 and Commissioner Martinetti will be voting.

8 DEPUTY CITY CLERK: Okay.

9 A motion was made by Mayor Stack and it was
10 second by Commissioner Valdivia.

11 Commissioner Fernandez is recusing.

12 Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 DEPUTY CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 DEPUTY CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

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

23

24 DEPUTY CITY CLERK: Mayor, at this time,
25 would you like to open the meeting for public

1 comment on any item in government -- regarding
2 government in Union City?

3 MAYOR STACK: Sure.

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

8 MR. PRICE: Larry Price, 1006 Palisade.

9 Mayor, two months ago we discussed a
10 morator-- possible moratorium on construction in
11 Union City. At that point you indicated it had
12 been introduced but it had been pulled back for
13 further study.

14 Anything to report on it?

15 MAYOR STACK: We haven't. No, Mr. Price.
16 Maybe in the future but not right now.

17 MR. PRICE: Okay.

18 MAYOR STACK: Thank you.

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

22 Seeing none.

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

25 COMMISSIONER FERNANDEZ: Motion.

1 COMMISSIONER MARTINETTI: Second.

2 DEPUTY CITY CLERK: Motion by Commissioner

3 Fernandez.

4 Second by Commissioner Martinetti.

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

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Mi Otra Casita Bar & Liquor

4 t/a Mi Otra Casita Bar

5 Location: 401 30th Street

6 License No. 0910-33-080-009

7 2. St. Rose of Lima Columbian Club, Inc.

8 t/a St. Rose of Lima Columbian Club

9 Location: 2310-14 Summit Avenue

10 License No. 0910-33-198-003

11 3. Juanita's II LLC

12 t/a Juanita's Restaurant

13 Location: 2904 Bergenline Avenue

14 License No. 0910-33-155-010

15

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

18 MAYOR STACK: Mr. Farmer?

19 MR. FARMER: Yes.

20 MAYOR STACK: How are you, Mr. Farmer?

21 How you doing, Greg?

22 MR. FARMER: Fine thank you, Your Honor --
23 Mr. Mayor.

24 Good evening, Mayor and members of the
25 Board.

1 We have a few matters on today. And when
2 we conclude this, I just would like to address
3 some outstanding issues.

4

5

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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

6 MR. FARMER: The first one is a matter that
7 we -- that's not on your agenda but was on the
8 agenda the last time and we negotiated a plea and
9 they were going to get back to me on the days.
10 That was a bar by the name of Los Reyes;
11 represented by Mr. Diaz here.

12 And throughout all these proceedings
13 Detective Dunlay is an integral part in the
14 discussion, negotiation and final resolution in
15 these matters.

16 So, what we have come up with with the days
17 would be nine days, namely from May 19th to May
18 27th and it entitle -- and includes two weekends.

19 And, basically, the charges against Los
20 Reyes were paper charges but it's like the second
21 time or the third time they have insufficient
22 paper.

23 So we entered into that plea and like
24 always there would not be an appeal to the State
25 to convert it into a fine --

1 MR. DIAZ: That's correct.

2 MR. FARMER: -- nor would there be an
3 appeal at all from the proceeding.

4 Correct?

5 MR. DIAZ: That's correct.

6 MAYOR STACK: Mr. Diaz, if you could --

7 MR. DIAZ: No -- there will be no appeals.

8 MAYOR STACK: -- if you could just enter
9 your appearance and everything for the record.

10 MR. DIAZ: Luis Diaz for the licensee.

11 Correct, there will be an acceptance of the
12 -- of the plea and the penalty and there will be
13 no appeal.

14 Yes, this -- the -- the second time that
15 they have had a paper violation. Sometimes paper
16 skills are not a forte for this individual. I
17 have spoken with them; they have changed the
18 accountant who -- this new accountant has pledged
19 to work with them and to teach them the proper
20 manner go keep records and abide by the
21 regulations.

22 I know sometimes people don't think that
23 they are important; they are important and they
24 have to be kept. It's part of the requirements.

25 MAYOR STACK: Great.

1 Mr. Farmer, you said it was May 19th to May
2 27th?

3 MR. FARMER: May -- May 19th to May 27th,
4 inclusive.

5 MAYOR STACK: Great.

6 I'll make a motion to approve.

7 DEPUTY CITY CLERK: Motion by Mayor Stack.

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: Recusing.

20 DEPUTY CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 DEPUTY CITY CLERK: Okay.

23

24

* * *

25

1 MI OTRA CASITA BAR & LIQUOR

2 t/a MI OTRA CASITA BAR

3 Location: 401 30th Street

4 License No. 0910-33-080-0009

5

6 MR. FARMER: The -- number 1 on your agenda
7 is Mi Casita. And that is represented by Mr.
8 Diaz.

9 And this regard-- this entails a brawl,
10 disturbance, argument, all somewhat chaotic
11 between relatives who live above the bar and got
12 into it and it spilled into the bar.

13 So I've talked to Mr. Diaz and we've come
14 to an agreement and, again, with the consent and
15 approval of Detective Dunlay, of seven days, from
16 April 25th to May 1st.

17 MR. DIAZ: Again, Luis Diaz for the
18 licensee.

19 That's correct what Mr. Farmer has said.
20 We accept the -- the -- we'll take the plea and
21 accept the -- the seven day suspension.

22 It was a family feud. Two sisters-in-law,
23 which had strong opinionated opinions and it just
24 spilled into -- from the home into the
25 establishment.

1 MAYOR STACK: Okay.

2 Thank you very much.

3 MR. FARMER: Okay.

4 MAYOR STACK: I'll make a motion to
5 approve.

6 DEPUTY CITY CLERK: Motion by Mayor Stack.

7 COMMISSIONER FERNANDEZ: Second.

8 DEPUTY CITY CLERK: Second by Commissioner
9 Fernandez.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 DEPUTY CITY CLERK: Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 DEPUTY CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Recusing.

19 DEPUTY CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 * * *

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25

1 ST. ROSE OF LIMA COLUMBIAN CLUB, INC.

2 t/a ST. ROSE OF LIMA COLUMBIAN CLUB

3 Location: 2310-14 Summit Avenue

4 License No. 0910-33-198-003

5

6 MR. FARMER: The next one on your calendar
7 is Saint Rose of Lima.

8 Would you enter your appearance, Osualdo?

9 MR. GONZALEZ: Yes.

10 Osualdo Gonzalez appearing on behalf of the
11 licensee.

12 MR. FARMER: This -- this matter seems to
13 be a situation that the Police Department from
14 the investigation and the report really doesn't
15 feel that this is much of a situation.

16 Specifically the report is that somebody
17 came into the Police Station, reported that he
18 had been assaulted by four or five people and had
19 been -- and that happened about three hours
20 earlier.

21 When asked why they waited three hours to
22 come to the Police Station the answer was that he
23 and his girlfriend went barhopping in the hopes
24 that he would feel better. And when he didn't
25 wind up feeling better they came to the Police

1 Station.

2 We tried to subpoena the victim down there.
3 Detective Dunlay and I discussed this for a while
4 and Detective Dunlay feels that it should be
5 dismissed, as do I, and that really this
6 establishment has not been a problem to the Union
7 City Police Department.

8 Correct?

9 SERGEANT DUNLAY: That's correct.

10 MR. FARMER: State --

11 SERGEANT DUNLAY: I'm sorry.

12 Sergeant Dunlay, Union City Police, 383.

13 MAYOR STACK: So your recommendation, Mr.
14 Farmer?

15 MR. FARMER: Is to dismiss it.

16 MAYOR STACK: You got it. Okay.

17 Make a motion to dismiss.

18 DEPUTY CITY CLERK: Motion --

19 COMMISSIONER FERNANDEZ: Second.

20 DEPUTY CITY CLERK: -- by Mayor Stack.

21 Second by Commissioner Fernandez.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 DEPUTY CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 DEPUTY CITY CLERK: Commissioner Valdivia?
2 COMMISSIONER VALDIVIA: Yes.
3 DEPUTY CITY CLERK: Commissioner
4 Martinetti?
5 COMMISSIONER MARTINETTI: Yes.
6 DEPUTY CITY CLERK: Mayor Stack?
7 MAYOR STACK: Yes.
8 MR. GONZALEZ: And just for the record, my
9 client 38 years in the same location, exemplary
10 record as everyone should be aware.
11 Thank you -- thank you very much, --
12 MAYOR STACK: You got it.
13 MR. GONZALEZ: -- Commissioners.
14 MR. FARMER: Take care.
15 MAYOR STACK: Thank you very much. Thank
16 you.
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18 * * *
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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 on the agenda is
7 Juanita's.

8 The licensee is here. He's asked for it to
9 be postponed. I really don't have any problem
10 with it. Okay and --

11 MAYOR STACK: Put it on next meeting?

12 MR. FARMER: Yes.

13 MAYOR STACK: Okay.

14 MR. FARMER: Now, speaking of that, I just
15 want to talk to you about a couple of things.

16 MAYOR STACK: In reference to this
17 location?

18 MR. FARMER: No. No. No. No.

19 MAYOR STACK: We're good. We're postponed
20 until the next one.

21 MR. FARMER: We have --

22 MAYOR STACK: Thank you.

23 A VOICE: Thank you.

24

25

* * *

1 DISCUSSION:

2

3 MR. FARMER: We should be finished with
4 what's outstanding perhaps by the end of May. We
5 have three cases; two may be trials.

6 One is Club Monty, which has been going
7 through the municipal court in Union City for a
8 long, long time with one excuse after the other.
9 And it's also that the place is closed now
10 because they've received notice that they're
11 about a hundred and -- hundred and ten, twenty
12 thousand dollars in unpaid taxes.

13 MAYOR STACK: Are they allowed --

14 MR. FARMER: I hope --

15 MAYOR STACK: Are they -- are they allowed
16 to hold parties on the premise in the -- in the
17 room?

18 MR. FARMER: I'm checking that out. I'm
19 checking that out.

20 I suspect they can. You know I suspect
21 they can.

22 MAYOR STACK: With liquor?

23 MR. FARMER: With liquor; BYOB. But I -- I
24 will check that out. I will check that out.

25 And I'll communicate that to the Chief.

1 Okay?

2 So we have that. And I have that scheduled
3 because they have disciplinary proceedings; they
4 were open after hours and things like that. Same
5 charges as in the municipal court. So that's
6 going to be tried May 2nd.

7 All right?

8 Then we have El Cuco, which is on for May
9 18th. And they're represented by Rodriguez. And
10 I spoke to him. He's on vacation until -- in
11 Mexico until the first week in May. I'm pretty
12 confident we're going to work that out.

13 Okay?

14 And the last one we have is El Chapin,
15 which Detective Dunlay's working on, needing
16 further investigation to see what we do because
17 in one of the routine inspections the Police
18 discovered somewhat of a diary of the waitresses
19 that were working in the establishment, who were
20 licensed, but keeping track of the alcohol that
21 was served and indicating that they were going to
22 receive a commission out of that.

23 So we want to -- I expect we're going to
24 get resistance on that. So Detective Dunlay
25 wants to make sure that the i's are dotted and

1 the t's are crossed.

2 So consequently by May 18th, other than
3 what I suspect will be the two Reuben Liquor
4 appeals and the administrative court, that's it.

5 And finally I'll get right back to you on
6 whether or not they can have parties -- parties
7 in the --

8 MAYOR STACK: Yeah, I just don't understand
9 how you can have an establishment closed that's a
10 liquor establishment and be able to have people
11 bring -- during that period bring in their own
12 bottle and hold events there.

13 If that's the case and that's allowed, then
14 legislatively maybe we need to look at this.

15 MR. FARMER: Okay.

16 MAYOR STACK: Because -- I mean there's --
17 there's a thousand ways to skirt the law then. I
18 mean it would be -- it would be crazy to have
19 that.

20 If you're closed, you're closed, as a
21 liquor establishment.

22 I don't understand how you could say we'll
23 go down the block and buy from another place and
24 you can host -- still hold your event here.

25 What's to say I don't own another place in

1 another location, I'm selling them the liquor and
2 they're bringing it --

3 MR. FARMER: Um-hum.

4 MAYOR STACK: -- in that way.

5 MR. FARMER: Um-hum. Okay. All right.

6 MAYOR STACK: We should --

7 If you can, write me a note on that, Dave.

8 MR. FARMER: I --

9 MAYOR STACK: If that's the case --

10 SERGEANT DUNLAY: Absolutely.

11 MAYOR STACK: -- in that, we should change
12 that legislatively then.

13 SERGEANT DUNLAY: I'll -- I'll speak to you
14 after.

15 MAYOR STACK: Okay.

16 MR. FARMER: Okay.

17 And that's the --

18 The -- the last thing is -- and what was
19 your agenda I saw, What About Life or How About
20 Life or something like the --

21 MAYOR STACK: That was my next question.
22 Yeah.

23 MR. FARMER: Yeah.

24 Where -- where that seems to be is this.
25 It seems that the woman wishes to represent

1 herself. And despite pleas to get a lawyer she's
2 taking this through what normally would be a very
3 short proceeding into a very lengthy proceeding,
4 dropping out for probably the last three months
5 and resurfacing with a letter from the State
6 saying that she's complied with everything as far
7 as getting a special ruling to renew the license.

8 Okay?

9 At one time we had discussed that if this
10 license were removed --

11 MAYOR STACK: Right.

12 MR. FARMER: -- that we would attempt to
13 retire it.

14 MAYOR STACK: Exactly.

15 MR. FARMER: I now find out that -- and as
16 you indicated it was -- it's a pocket license. I
17 now understand we don't have the funds to do
18 that.

19 MAYOR STACK: But we -- we could -- we can
20 make the funds available by a transfer, no?

21 I mean we could do that.

22 MR. FARMER: Okay.

23 MAYOR STACK: Yeah.

24 MR. FARMER: So I guess that would be on
25 the next --

1 MAYOR STACK: Right.

2 MR. FARMER: -- the next time and we'll --

3 MAYOR STACK: Just -- just if you can, just
4 talk to Susan and Erin tomorrow and they'll work
5 it out with you.

6 MR. FARMER: Okay. Okay.

7 MAYOR STACK: All right, Erin?

8 MR. FARMER: Great.

9 MAYOR STACK: Tell Susan on it.

10 MR. FARMER: All right.

11 MAYOR STACK: You got it.

12 Thank you.

13 Greg, --

14 MR. FARMER: That's it.

15 MAYOR STACK: -- if you and Dave can wait
16 for me, I'd like to talk to you for a minute.

17 MR. FARMER: Okay.

18 MAYOR STACK: All right?

19 MR. FARMER: Absolutely.

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

22 * * *

23

24

25

1 ADJOURNMENT:

2

3 DEPUTY CITY CLERK: Mayor, at this -- at
4 this time we have no other items on the agenda.

5 May I have a motion to adjourn?

6 MAYOR STACK: Motion.

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

9 COMMISSIONER FERNANDEZ: Second.

10 COMMISSIONER MARTINETTI: Second.

11 DEPUTY CITY CLERK: Second by Commissioner
12 Fernandez.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

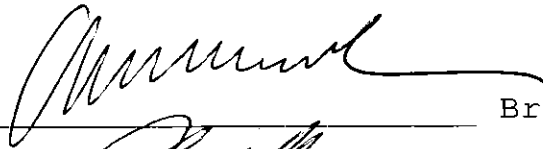
24 DEPUTY CITY CLERK: Thank you.

25 MAYOR STACK: Thank you.

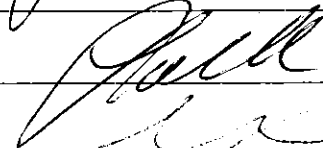
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(Whereupon, the proceedings were concluded
at 7:46 p.m.)

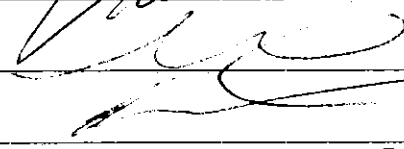
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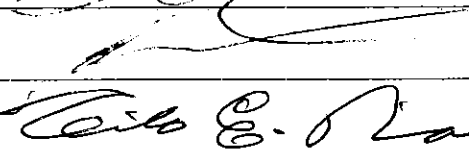
Brian P. Stack



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, April 18, 2017 and digitally
10 recorded.

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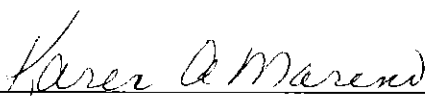
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Karen A. Marino

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25 Monitored and Proofread by: Deborah Dillon