

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED
PROCEEDINGS

Jefferson Elementary School
3400 Palisade Avenue
Union City, New Jersey

Tuesday, May 2, 2017
Commencing at 7:00 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.
ANGELO AUTERI, ESQ.
Corporation Counsel

CHARLES D. SAPIENZA, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

Audio-Digital
Transcription Service, L.L.C.
audiots@aol.com

ADIS
AUDIO DIGITAL
Transcription Service

29 Oak Avenue
West Orange, N.J. 07052
(973) 669-1222
Fax: (973) 669-0855

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1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioners being held on Tuesday, May 2nd at
4 seven p.m. at Jefferson Elementary School, 3400
5 Palisade Avenue, Union City, New Jersey.

6 Please stand for the Pledge of Allegiance.

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

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

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

21 **ROLL CALL:**
22

23 DEPUTY CITY CLERK: Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Here.

25 DEPUTY CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Here.

2 DEPUTY CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Here.

4 DEPUTY CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Here.

7 DEPUTY CITY CLERK: Mayor Stack?

8 MAYOR STACK: Here.

9

10 **SPECIAL PRESENTATION**

11 1. Presentation by the Mayor and Board of
12 Commissioners to the 2017 Hudson County STEM
13 Showcase Winners from Union City

14

15 DEPUTY CITY CLERK: Mayor, at this time we
16 have a Special Presentation by the Mayor and
17 Board of Commissioners to the 2017 Hudson County
18 STEM Showcase Winners from Union City.

19 Commissioner, would you like to --

20 MAYOR STACK: First I would just like to
21 thank everyone for being here and congratulations
22 to all our winners. Congratulations to all of
23 you, all of the parents that are here, and the
24 teachers and the dedication you have to our
25 school system. We're most proud of our students.

1 Job well done.

2 Thank you very much, everyone.

3 (Applause.)

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

6 COMMISSIONER MARTINETTI: I would just like
7 to say that as a mom and Commissioner of Union
8 City, I'm so proud. There's a lot of familiar
9 faces here that I've seen pretty much grow up and
10 I'm so proud that you are a recipient of this
11 prestigious award.

12 And I just want to thank you and want to
13 thank your parents because the parents have a lot
14 to do with this. Your dedication and all of the
15 hard work that you do for your children, today is
16 rewarded.

17 So I'm so proud to say congratulations to
18 the parents and to all the recipients for this
19 wonderful award.

20 (Applause.)

21 COMMISSIONER MARTINETTI: I would like to
22 call:

23 Jennifer Hernandez from the Union City High
24 School.

25 Jennifer?

1 (Applause.)

2 COMMISSIONER MARTINETTI: The gold medal
3 and Jersey City Medical Center -- (indiscernible)
4 -- Health President's STEM Excellence Award.

5 Congratulations.

6 (Applause.)

7 COMMISSIONER MARTINETTI: Isaiah Moreta.

8 (Applause.)

9 COMMISSIONER MARTINETTI: Won a gold medal.
10 Congratulations.

11 COMMISSIONER MARTINETTI: Emily Tumbaco.

12 (Applause.)

13 COMMISSIONER MARTINETTI: Gold medal
14 recipient.

15 And my dear Savannah -- full of emotion.

16 Come on, Savannah.

17 (Applause.)

18 (Whereupon, Savannah Rivera received a
19 Certificate of Achievement.)

20 COMMISSIONER MARTINETTI: She's a gold -- a
21 gold medal recipient of the Broadcom Masters
22 Award.

23 Congratulations.

24 (Applause.)

25 COMMISSIONER MARTINETTI: And from Union

1 City High School, Chantal Chacho.

2 (Applause.)

3 COMMISSIONER MARTINETTI: From Union City
4 High School and the AEA, Giselle Pena.

5 (Applause.)

6 COMMISSIONER MARTINETTI: From Union City
7 High School, Henry Velasquez.

8 (Applause.)

9 COMMISSIONER MARTINETTI: From Veterans'
10 School, Dalia Elmahdy.

11 (Applause.)

12 COMMISSIONER MARTINETTI: From Colin
13 Powell, Cesar Toledo.

14 (Applause.)

15 COMMISSIONER MARTINETTI: Union City High
16 School and the AEA, Jorge Bardales.

17 Jorge?

18 (Applause.)

19 COMMISSIONER MARTINETTI: And from Union
20 City High School and the AEA, Ashley Gordillo.

21 (Applause.)

22 COMMISSIONER MARTINETTI: From Union City
23 High School and the AEA, Aldair Medrano.

24 (Applause.)

25 COMMISSIONER MARTINETTI: From the Union

1 City High School and the AEA, Melanie Moncayo.

2 (Applause.)

3 COMMISSIONER MARTINETTI: And from the same
4 school, Ingrid Quintanilla.

5 (Applause.)

6 COMMISSIONER MARTINETTI: Bianca Sanchez.

7 (Applause.)

8 COMMISSIONER MARTINETTI: From the Emerson
9 Middle School, Galena Gomez.

10 (Applause.)

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

13 COMMISSIONER MARTINETTI: From the Union
14 City High School and the AEA, Thairy Garcia.

15 (Applause.)

16 COMMISSIONER MARTINETTI: From the Union
17 City High School --

18 Union City High School and the AEA, Camila
19 Sierra-Gutierrez.

20 (Applause.)

21 COMMISSIONER MARTINETTI: And from the
22 Union City High School and the AEA, Samantha
23 Perez.

24 (Applause.)

25 (Whereupon, there was a pause in the

1 | proceedings while photographs were taken.)

2 | MAYOR STACK: Thank you very much,
3 | everyone.

4 | Thank you.

5 | (Applause.)

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

8 |

9 | MAYOR STACK: Okay, everyone, let's go back
10 | to the meeting.

11 | Okay, Erin, it's all yours.

12 | DEPUTY CITY CLERK: All right.

13 |

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

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

17 | 1. AN ORDINANCE AMENDING CHAPTER 18, OF THE
18 | CODE OF THE CITY OF UNION CITY ENTITLED "KEY LOCK
19 | BOX EMERGENCY ACCESS SYSTEM".)

20 |

21 | DEPUTY CITY CLERK: We have one Ordinance
22 | on for Introduction.

23 | If adopted, on first reading, the Ordinance
24 | will be considered at the next Board of
25 | Commissioner's meeting on May 16th at the Union

1 City Police Department Motorcycle Squad Building,
2 419 43rd Street, Union City, New Jersey.

3 The Ordinance is amending Chapter 18 of the
4 Code of the City of Union City Entitled Key Lock
5 Box Emergency Access System.

6 May I have a motion to introduce?

7 COMMISSIONER VALDIVIA: Motion.

8 MAYOR STACK: Motion.

9 DEPUTY CITY CLERK: Motion by Commissioner
10 Valdivia.

11 Second by Mayor Stack.

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 MS. DILLON: Did you say yes?

24 COMMISSIONER MARTINETTI: Yes.

25 MS. DILLON: Could you say it louder?

1 COMMISSIONER MARTINETTI: Yes.

2 MS. DILLON: Thank you.

3

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

6 **CONSENT AGENDA:**

7 (1) Resolution Approving the Payment of Claims

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

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

12 (4) Resolution Approving the City Payroll for
13 the Period of April 15, 2017 through April 28,
14 2017

15 (5) Resolution Approving the Library Payroll
16 for the Period of April 15, 2017 through April
17 28, 2017

18 (6) Resolution Re-Appointing Member to the
19 Zoning Board of Adjustment

20 (7) Resolution Designating 43rd Street from
21 Bergenline Avenue to New York Avenue as "PO
22 Ricardo Fernandez Way"

23 (8) Resolution Designating the Union City
24 Police Department Motorcycle Squad Building
25 located at 419 43rd Street as "PO Ricardo

- 1 Fernandez Motorcycle Squad Building"
- 2 (9) Resolution Designating Palisade Avenue from
- 3 7th Street to 8th Street as "Ed Waleck Way"
- 4 (10) Resolution Authorizing an Emergency
- 5 Appropriation for Duarte Park Playground
- 6 Equipment
- 7 (11) Resolution to Authorize Contract for the
- 8 Lease/Purchase of Two 2017 Type 111 Ambulances
- 9 Through The Houston Galveston Area Council
- 10 Cooperative
- 11 (12) Resolution Correcting Erroneous Tax Bill
- 12 for 500 Central Avenue
- 13 (13) Resolution Authorizing the Refund of
- 14 Premium Monies Collected at the Tax Sale
- 15 (14) Resolution Authorizing Refund of Redemption
- 16 Monies to Outside Lienholders
- 17 (15) Resolution Appointing Members to the Zoning
- 18 Board of Adjustment
- 19 (16) Resolution Authorizing Execution of a
- 20 Settlement Agreement with the Fair Share Housing
- 21 Center ("FSHC") for the City's 1999-2025
- 22 Affordable Housing Obligations and Endorsing the
- 23 City's Proposed Third Round Housing Element &
- 24 Fair Share Plan and Proposed Third Round
- 25 Affordable Housing Development Fee Spending Plan

1
2 DEPUTY CITY CLERK: We have 15 items on the
3 Consent Agenda.

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

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

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

10 The fourth is a Resolution Approving the
11 City Payroll for the Period of April 15th, 2017
12 through April 28th, 2017.

13 MAYOR STACK: If we could just have --

14 A VOICE: Can we have some quiet?

15 MAYOR STACK: Wally (phonetic)?

16 A VOICE: Quiet.

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

19 DEPUTY CITY CLERK: The fifth is a
20 Resolution Approving the Library Payroll for the
21 Period of April 15th, 2017 through April 28th,
22 2017.

23 The sixth is a Resolution Re-Appointing a
24 Member to the Zoning Board of Adjustment.

25 The seventh is a Resolution Designating

1 43rd Street from Bergenline Avenue to New York
2 Avenue as PO Ricardo Fernandez Way.

3 The eighth is a Resolution Designating the
4 Union City Police Department Motorcycle Squad
5 Building Located at 419 43rd Street as PO Ricardo
6 Fernandez Motorcycle Squad Building.

7 The ninth is a Resolution Designating
8 Palisade Avenue from 7th Street to 8th Street as
9 Ed Waleck Way.

10 The tenth is a Resolution Authorizing an
11 Emergency Appropriation for Duarte Park
12 Playground Equipment.

13 The eleventh s a Resolution to Authorize
14 Contract for the Lease/Purchase of Two 2017 Type
15 Three (sic) Ambulances Through The Houston
16 Galveston Area Council Cooperative.

17 The twelfth is a Resolution Correcting
18 Erroneous Tax Bill for 500 Central Avenue.

19 The thirteenth is a Resolution Authorizing
20 the Refund of Premium Monies Collected at the Tax
21 Sale.

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

25 The fifteenth is a Resolution Appointing

1 Members of the -- to the Zoning Board of
2 Adjustment.

3 The sixteenth is a Resolution Authorizing
4 the Execution of a Settlement Agreement with the
5 Fair Share Housing Center for the City's 1999
6 through 2025 Affordable Housing Obligations and
7 Endorsing the City's Proposed Third Round Housing
8 Element and Fair Share Housing Plan, Proposed
9 Third Round Affordable Housing Development Fee
10 Spending Plan.

11 Mayor, at this time, --

12 MAYOR STACK: Just -- just before we do,
13 Erin, if you could read, on number 6, the member
14 that we're reappointing to the Zoning Board of
15 Adjustment.

16 And if we could also read the -- the names
17 of the members that we're appointing to the
18 Zoning Board of Adjustment.

19 DEPUTY CITY CLERK: Sure. Of course.

20 The reappointment is for a term that
21 expired and that is for John Medina --

22 MS. NOVA: No, Bonaccio (sic). Joseph
23 Bonaccio (sic).

24 DEPUTY CITY CLERK: I apologize.

25 Joseph Bonaccio (sic).

1 And then the --

2 MS. NOVA: And that's --

3 DEPUTY CITY CLERK: -- appointing --

4 MS. NOVA: And -- and that's -- just to be
5 clear, that's reappointing him for the alternate
6 position.

7 And then the next Resolution is making him
8 a regular member now.

9 MAYOR STACK: Right.

10 DEPUTY CITY CLERK: Yes.

11 So the regular members would be Joseph
12 Bonaccio (sic) and John Medina --

13 MS. NOVA: Right.

14 DEPUTY CITY CLERK: -- would be appointed
15 to regular members in the following Resolution.

16 MAYOR STACK: Both are City residents.

17 DEPUTY CITY CLERK: Correct.

18 Both are City residents and longtime
19 Planning Board -- or Zoning Board members.

20 Mayor, at this time, would you like to open
21 for public comment on items concerning the
22 Consent Agenda?

23 MAYOR STACK: Sure.

24 Anyone wishing to comment on the Consent
25 Agenda at this time, --

1 MS. DILLON: Mr. Price?

2 MAYOR STACK: -- please step forward, state
3 your name and address on the record.

4 MS. DILLON: Mr. Price?

5 Mr. Price?

6 Mr. Price?

7 MR. PRICE: Oh, here?

8 MAYOR STACK: Come right over here.

9 MR. PRICE: Can they hear me there?

10 MS. DILLON: Well, --

11 MR. PRICE: Basically, a question on item
12 16.

13 There are a lot of different elements in
14 there. One is to resolve --

15 Well, can I ask Miss Nova maybe to say
16 exactly what this Resolution is going to entail
17 and what it won't entail?

18 MAYOR STACK: Absolutely.

19 We'll have the counsel answer the question.

20 MS. NOVA: Yes.

21 So this is authorizing the execution of a
22 settlement agreement with Fair Share Housing
23 Center. They were the only party that came in to
24 the case.

25 And, basically, the settlement agreement,

1 amongst other things, allows for a mandatory
2 sliding scale, set aside requirement created
3 through -- for any development project for
4 planning board or zoning board at densities at or
5 above six units per acre as follows.

6 So there would be a five percent set-aside
7 for multi-family units of 20 or more.

8 Ten percent set-aside for 50 or more units.

9 And 15 percent set-aside for 200 or more
10 units.

11 And a payment in lieu of the affordable
12 housing will be allowed for the sum of
13 \$175,000.00 per unit. But that's only for
14 projects --

15 Sorry.

16 If there's a project of 50 or more units,
17 they cannot do payment in lieu.

18 So that's the settlement agreement.

19 Secondary is that the Fair Share Housing --

20 Sorry.

21 -- Housing Center will be -- is endorsing
22 our Fair Share Housing Plan, as well as our
23 spending plan.

24 So the court has to give us the okay but
25 they are endorsing it. And because they're the

1 ones that came into the case as objectors, this
2 is important for them to endorse our Fair Share
3 Housing Plan and Spending Plan.

4 MR. PRICE: Okay.

5 Basically, the problem is there happens to
6 be a --

7 Can you hear me?

8 MS. DILLON: Just use that microphone.

9 Thank you.

10 MR. PRICE: Is -- there's this affordable
11 housing fee arrangement.

12 MS. NOVA: Right.

13 MR. PRICE: But it also makes reference to
14 the housing element of our Master Plan and it
15 makes reference to our Zoning Ordinance.

16 And the problem I'm having is a court
17 dictating what's in our --

18 Okay. If it's just going to be the money,
19 that's really not -- except very tangentially
20 involved with zoning.

21 But if it's going to be more than that,
22 then --

23 MS. NOVA: No, it won't have anything to do
24 with the zoning. The zoning is separate and
25 apart. It has to do --

1 The zoning will -- has to do with
2 ordinances that will be here before the Board and
3 before the Planning Board. It has to go through
4 all of the normal processes of a zoning
5 ordinance.

6 MR. PRICE: Okay.

7 MS. NOVA: Yeah.

8 MR. PRICE: So, -- but all this is, is
9 basically for the Fair Share Housing Corporation
10 --

11 MS. NOVA: That's it.

12 MR. PRICE: -- to endorse?

13 MS. NOVA: Correct.

14 MR. PRICE: And we --

15 MAYOR STACK: This is something --

16 MR. PRICE: It's just an endorsement.

17 MAYOR STACK: This is something, Mr. Price,
18 that we believe in. Not only because of the Fair
19 Share Housing coming into this but affordable
20 housing is something we truly believe in.

21 We feel strongly about that.

22 MR. PRICE: But -- you know, the problem I
23 have with this is -- is basically affordable
24 housing --

25 COAH went out the window because the court

1 | said --

2 | MAYOR STACK: Right.

3 | MR. PRICE: So it's back in the courts.

4 | If it's back in the courts what we have to
5 | worry about are builder remedies. You know that
6 | they come in and say you're not doing your fair
7 | share.

8 | Well, as far as Union City is concerned,
9 | that's a joke. I mean the people have to worry
10 | about that are Basking Ridge with the five acre
11 | minimum lot size with one house on it.

12 | We have -- and, you, know we're paid up
13 | through 2025 in terms of affordable --

14 | We've got lots affordable housing.

15 | And even some of the things that --

16 | I attended the court session.

17 | They -- even some of the things that they
18 | didn't go into, like we have Section 8 -- private
19 | housing. It's not strictly speaking affordable
20 | housing within Section 8 is a program that makes
21 | private housing affordable.

22 | So, we -- we do our fair share.

23 | The chances of someone comes into Union
24 | City with a builder's remedy suit, it's -- you
25 | know, I'll be president before that suit is

1 successful. So, --

2 MAYOR STACK: You never know.

3 MR. PRICE: The Republicans -- the
4 Republicans are doing better now, you know.

5 But -- so, you know, it -- it -- we don't
6 -- it's frankly something I don't think we have
7 to worry about.

8 MAYOR STACK: I -- I don't --

9 MR. PRICE: And they shouldn't be doing
10 strange things to settle some suit. The --

11 whatever. If it's going to be these payments --

12 MAYOR STACK: I just believe though anybody
13 who builds any type of housing in Union City
14 that's not affordable should be compelled to
15 provide affordable housing to residents in the
16 City. Because you don't want to force out the
17 people that are living here; you want to keep
18 that there.

19 MR. PRICE: By the way, one of the
20 questions that will come up down the road was we
21 already have subdivisions. You know, everybody
22 pays one percent of construction costs into the
23 affordable housing fund. And if they need a D-1
24 use variance it's five percent -- six - five
25 percent --

1 So we're already --

2 But one of the questions that came up that
3 wasn't fully answered was are these fees or the
4 set-asides, are the lieu fee of \$175,000.00 per
5 unit, are they going to be in addition to the one
6 percent and the six percent?

7 MS. NOVA: It would be in addition.

8 MAYOR STACK: It would be.

9 Right?

10 MS. NOVA: Correct.

11 MAYOR STACK: It would be.

12 MS. NOVA: Yes.

13 MR. PRICE: I'm surprised there aren't a
14 few builders here. I need to speak with
15 builders.

16 MS. NOVA: We want to incentivize them to
17 build the affordable housing units.

18 We don't want -- we don't want the
19 payments. We want them to build the affordable
20 housing units.

21 MAYOR STACK: They want to send all the
22 affordable housing here, we'll take it.

23 COMMISSIONER VALDIVIA: They could still do
24 that.

25 Right?

1 MAYOR STACK: No.

2 COMMISSIONER VALDIVIA: No?

3 MAYOR STACK: Anyone else who has any --
4 any questions on the Consent Agenda, please step
5 forward, state your name and address for the
6 record.

7 Mike Cirone, you have anything?

8 MR. CIRONE: Sure.

9 MAYOR STACK: On the Consent Agenda?

10 MR. CIRONE: Yes.

11 MAYOR STACK: Okay, very good.

12 MR. CIRONE: Mike Cirone, 1112 Washington
13 Street, Hoboken.

14 I'd just like to --

15 MS. DILLON: Spell your last name please.

16 MR. CIRONE: C-I-R-O-N-E.

17 MS. DILLON: Thank you.

18 MR. CIRONE: As the principal of Emerson
19 Middle School, I'd just like to say that we see
20 parents every day that are getting priced out of
21 Union City.

22 We have one that's now moving to Paterson;
23 her kids are afraid to go to school in Paterson
24 because it's a very ghetto area. The father had
25 a health problem; he lost his job because of the

1 health problem.

2 And I can give you, you know, 12 anecdotal
3 stories like that from the past month.

4 So anything you guys can do to incentivize
5 the affordable housing, I know the community
6 really appreciates it and the parents appreciate
7 it, too.

8 MAYOR STACK: Thank you very much.

9 MR. CIRONE: Thank you.

10 MAYOR STACK: Thank you, Mr. Cirone.

11 Anyone else wishing to comment on the
12 Consent Agenda?

13 Mario?

14 A VOICE: Oh, no.

15 MAYOR STACK: No?

16 Seeing no others.

17 DEPUTY CITY CLERK: May I have a motion to
18 close public comment?

19 COMMISSIONER FERNANDEZ: Motion.

20 DEPUTY CITY CLERK: Motion by --

21 COMMISSIONER RIVAS: Second.

22 DEPUTY CITY CLERK: -- Commissioner
23 Fernandez..

24 Second by Commissioner Rivas.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 DEPUTY CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 DEPUTY CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 DEPUTY CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: I'm recusing --

9 DEPUTY CITY CLERK: No, no, just to close
10 comments.

11 COMMISSIONER MARTINETTI: Oh, I'm sorry.

12 Yes.

13 Sorry.

14 DEPUTY CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 DEPUTY CITY CLERK: Mayor, may I have a
17 motion --

18 COMMISSIONER VALDIVIA: Motion.

19 DEPUTY CITY CLERK: -- to adopt all items
20 on Consent?

21 Motion being made by Commissioner Valdivia.

22 Second?

23 COMMISSIONER FERNANDEZ: Second.

24 DEPUTY CITY CLERK: By Commissioner
25 Fernandez.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 DEPUTY CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: I recuse on number 2.

5 Aye on the rest.

6 DEPUTY CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 DEPUTY CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: I'm recusing from

11 number -- on number 1, payments to the North

12 Hudson Regional Fire; and also to Adolfo Lopez

13 and Luis Diaz.

14 Aye on the rest.

15 DEPUTY CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17

18 (Whereupon, the Board discussed and took

19 action on the following item:

20 **REGULAR AGENDA:**

21 1. Resolution for a Payment of Claim to the
22 Grace Theater Workshop.)

23

24 DEPUTY CITY CLERK: We have two items on
25 the Regular Agenda this evening.

1 The first is a Resolution for the Payment
2 of Claim to the Grace Theater Workshop.

3 May I have a motion to approve item 1 of
4 the agenda?

5 COMMISSIONER MARTINETTI: Motion.

6 DEPUTY CITY CLERK: Motion by --

7 COMMISSIONER VALDIVIA: Second.

8 DEPUTY CITY CLERK: -- Commissioner
9 Martinetti.

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

24 **REGULAR AGENDA:**

25 2. Resolution for the Public Donor Agreement

1 for Union City Daycare Program, Inc.)

2

3 DEPUTY CITY CLERK: The second item is a
4 Resolution for Public Donor Agreement for the
5 Union City Daycare Program, Incorporated.

6 May I have a motion to approve item 2?

7 COMMISSIONER MARTINETTI: Motion.

8 COMMISSIONER VALDIVIA: Motion.

9 DEPUTY CITY CLERK: Motion by
10 Commissioner --

11 COMMISSIONER VALDIVIA: Second.

12 DEPUTY CITY CLERK: -- Martinetti.

13 Second by Commissioner Valdivia.

14 Commissioner Fernandez is recusing.

15 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: Recusing.

24 DEPUTY CITY CLERK: Is recusing.

25

1
2 **OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:**

3
4 DEPUTY CITY CLERK: Mayor, at this time,
5 would you like to open for public comment on any
6 matter involving government in Union City?

7 MAYOR STACK: Sure.

8 Anyone wishing to comment on any matter
9 concerning the City of Union City, please step
10 forward, state your name and address for the
11 record.

12 Seeing none.

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

15 COMMISSIONER FERNANDEZ: Motion.

16 DEPUTY CITY CLERK: Motion by --

17 COMMISSIONER MARTINETTI: Second.

18 DEPUTY CITY CLERK: -- Commissioner
19 Fernandez.

20 Second by Commissioner Martinetti.

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.

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Rafael A. Fernandez

4 t/a Club Monty

5 Location: 514 Bergenline Avenue

6 License No. 0910-33-093-005

7

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

10 MAYOR STACK: Sure.

11 Mr. Sapienza?

12 MR. SAPIENZA: Yes.

13 Charles Sapienza appearing in place of
14 Gregory T. Farmer who would -- could not be here
15 this evening.

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1 RAFAEL A. FERNANDEZ

2 t/a CLUB MONTY

3 Location: 514 Bergenline Avenue

4 License No. 0910-33-093-005

5

6 MR. SAPIENZA: There's one case on for the
7 Disciplinary Proceedings.

8 That's a case involving the Club Monty
9 Corporation, License number 0910-33-093-005.

10 The principal in that license is Mr.
11 Fernandez.

12 I'll ask him to come forward.

13 MS. DILLON: Please state your name for the
14 record.

15 MR. FERNANDEZ: My name is Rafael
16 Fernandez.

17 MS. DILLON: Spell Rafael.

18 MR. FERNANDEZ: R-A-F-A-E-L.

19 MS. DILLON: Thank you.

20 MR. FERNANDEZ: Thank you.

21 Owner/operator of Club Monty, located at
22 6th and Bergenline, Union City.

23 Mayor, members of the Board, I confused the
24 summons with the ABC charges. I don't have my
25 lawyer present today to defend myself with the

1 ABC charges.

2 If it's at all possible I can have it
3 adjourned to a later date.

4 MAYOR STACK: Sure.

5 Who is your attorney, Mr. Fernandez?

6 MR. FERNANDEZ: Rene Vladimir.

7 MAYOR STACK: Okay.

8 We'll -- we'll postpone it; we'll adjourn
9 it until the next Commission Meeting.

10 MR. FERNANDEZ: Okay.

11 MAYOR STACK: The next meeting is on May
12 16th, correct?

13 Correct?

14 DEPUTY CITY CLERK: Yes.

15 MAYOR STACK: May 16th is the next
16 Commission Meeting.

17 MR. SAPIENZA: Mr. --

18 MAYOR STACK: Mr. Sapienza, did you have
19 any objections?

20 MR. SAPIENZA: I have no objection.

21 Mr. Fernandez, simply advise the Board the
22 status of your license right now.

23 Is it open? Operating? Is it closed?

24 What's --

25 MR. FERNANDEZ: Right now it's -- it's

1 closed. It's not operating. It's not permitted
2 for any sale.

3 MAYOR STACK: Do you have any type of
4 activity going on there at all?

5 MR. FERNANDEZ: I have a -- a couple -- a
6 few banquets that have been booked. This is
7 after the license was not in -- in operation as
8 far as sales.

9 MAYOR STACK: Is liquor served at those
10 banquets?

11 MR. FERNANDEZ: Yes. Not served by the
12 house but they -- they -- they bring their --
13 it's a BO-- BYOB. They bring their own and they
14 bring their receipt.

15 MAYOR STACK: Okay.

16 Mr. Sapienza, did you have anything else?

17 MR. SAPIENZA: No, that's the -- that's all
18 I wanted. I just wanted to have a clear record
19 of what the license would be doing between now and
20 the next time if this case is moved.

21 And since the licensee is closed, it seems
22 reasonable to adjourn it so he and his attorney
23 can appear and present it.

24 MAYOR STACK: Absolutely.

25 Now will you send out official notification

1 to his attorney?

2 I think that would be a --

3 Even though he's here, it would be a good
4 idea also.

5 MR. SAPIENZA: It would be a great idea and
6 I will do that.

7 MAYOR STACK: Great.

8 Thank you very much.

9 MR. FERNANDEZ: I appre--

10 MAYOR STACK: It's adjourned until May
11 16th.

12 MR. FERNANDEZ: I appreciate it.

13 MAYOR STACK: Thank you very much, --

14 MR. FERNANDEZ: Thank you.

15 MAYOR STACK: -- Mr. Fernandez.

16 MR. FERNANDEZ: Thank you, Charlie.

17 Thank you so much.

18 Have a good day, everyone.

19 COMMISSIONER RIVAS: Thank you.

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1 **ADJOURNMENT:**

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3 DEPUTY CITY CLERK: Okay.

4 Mayor, at this time we have no other items
5 on the agenda.

6 May I have a motion to adjourn?

7 MAYOR STACK: Motion.

8 COMMISSIONER MARTINETTI: Second.

9 COMMISSIONER RIVAS: Second.

10 DEPUTY CITY CLERK: Motion made by Mayor
11 Stack.

12 Second by Commissioner Martinetti.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Yes.

20 Commissioner Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 DEPUTY CITY CLERK: Thank you.

25 Thank you.

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(Off the record at 7:30 p.m.)

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(On the record at 7:32 p.m.)

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1 **RAFAEL A. FERNANDEZ**

2 **t/a CLUB MONTY**

3 **Location: 514 Bergenline Avenue**

4 **License No. 0910-33-093-005**

5

6 MS. DILLON: On the record.

7 MR. SAPIENZA: Thank you, Mayor.

8 This has to do again and continues to have
9 to do with the license held with the Club Monty
10 Corp. at 514 Bergenline Avenue.

11 Standing on my left is Mr. Fernandez, who's
12 the proprietor of the Club.

13 And -- and for the reasons expressed in Mr.
14 Fernandez -- by the Chief of Police, I request
15 that this matter, this disciplinary matter be
16 adjourned until June 7th, which is the meeting
17 after the next one.

18 MAYOR STACK: Okay.

19 Mr. Fernandez, do you -- do you agree to
20 that?

21 That we won't hold it on the 16th; we'll go
22 to June 7th?

23 MR. FERNANDEZ: Yes, I do agree and I
24 appreciate it.

25 MAYOR STACK: Thank you.

1 No problem.

2 Okay, we'll make a motion that this matter
3 will be carried until Wednesday, -- that's a
4 Wednesday, June 7th, and that's at Colin Powell
5 School.

6 Is that correct, Erin?

7 DEPUTY CITY CLERK: Yes it is.

8 MAYOR STACK: Okay.

9 DEPUTY CITY CLERK: Motion made --

10 MR. FERNANDEZ: Thank you.

11 DEPUTY CITY CLERK: -- by Mayor Stack.

12 COMMISSIONER MARTINETTI: Second.

13 COMMISSIONER FERNANDEZ: Second.

14 DEPUTY CITY CLERK: Second by Commissioner
15 Martinetti.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 DEPUTY CITY CLERK: Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 DEPUTY CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 DEPUTY CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 DEPUTY CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

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5 **ADJOURNMENT:**

6

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

9

May I have a motion to adjourn?

10

MAYOR STACK: Motion.

11

COMMISSIONER MARTINETTI: Motion.

12

DEPUTY CITY CLERK: Motion made by Mayor

13

Stack.

14

Second by Commissioner Martinetti.

15

Commissioner Fernandez?

16

COMMISSIONER FERNANDEZ: Yes.

17

DEPUTY CITY CLERK: Commissioner Rivas?

18

COMMISSIONER RIVAS: Yes.

19

DEPUTY CITY CLERK: Commissioner Valdivia?

20

COMMISSIONER VALDIVIA: Yes.

21

DEPUTY CITY CLERK: Commissioner

22

Martinetti?

23

COMMISSIONER MARTINETTI: Yes.

24

DEPUTY CITY CLERK: Mayor Stack?

25

MAYOR STACK: Yes.

1 DEPUTY CITY CLERK: Okay, we're adjourned.

2 Thank you.

3 MAYOR STACK: Thank you.

4 Thank you.

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6 (Whereupon, the proceedings were concluded
7 at 7:33 p.m.)

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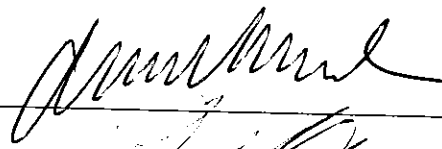
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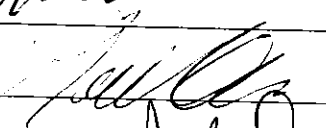
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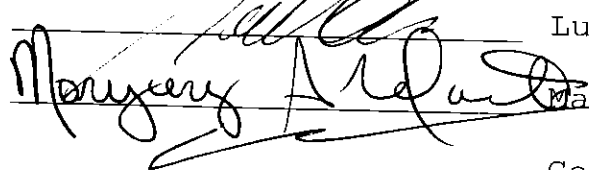
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Brian P. Stack

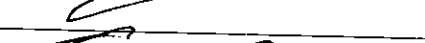
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Lucio P. Fernandez

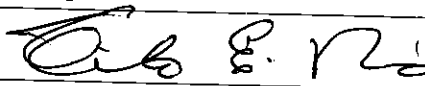
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Maryury A. Martinetti

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Celin J. Valdivia

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Tilo E. Rivas

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Board of Commissioners

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Attest:

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Dominick Cantatore,

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Acting City Clerk

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Attest:

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Erin Knoedler,

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Deputy City Clerk

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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, May 2, 2017 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon