

ORIGINAL

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

REGULAR MEETING

:
:
: TRANSCRIPT OF RECORDED
:
: PROCEEDINGS

Academy for Enrichment
and Advancement
2210 Kerrigan Avenue
Union City, New Jersey

Tuesday, July 18, 2017
Commencing at 7:01 p.m.

M E M B E R S P R E S E N T:

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER,
(Left at 7:17 p.m.)
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: ANGELO AUTERI, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

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1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioners being held on Tuesday, July 18th,
4 2017, at seven p.m. at the Academy for Enrichment
5 and Advancement, 2210 Kerrigan Avenue, Union
6 City, New Jersey.

7 Please stand for the Pledge of Allegiance.

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

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

15 Adequate notice of the meeting has been
16 provided to The Jersey Journal, The Record, The
17 Hudson Reporter, and has been posted on the
18 bulletin board at City Hall and made available to
19 the public in the Office of the 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 (Whereupon, the Board discussed and took
11 action on the following item:

12 **APPROVAL OF PREVIOUS MEETING MINUTES FROM MAY 16,**
13 **2017; JUNE 7, 2017; JUNE 19, 2017; JUNE 20, 2017;**
14 **AND JUNE 30, 2017.)**

15

16 DEPUTY CITY CLERK: The first item is the
17 Approval of the Meeting Minutes from the meetings
18 of May 16th, 2017, June 7th, 2017, June 19th, 2017,
19 and June 20th, 2017, and June 30th, 2017.

20 May I have a motion to approve?

21 COMMISSIONER VALDIVIA: Motion.

22 DEPUTY CITY CLERK: Motion by Commissioner
23 Valdivia.

24 Second?

25 COMMISSIONER FERNANDEZ: Second.

1 DEPUTY CITY CLERK: Second by Commissioner
2 Fernandez.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 DEPUTY CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

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: We have 19 items on --

15 COMMISSIONER FERNANDEZ: Excuse me, Erin.

16 Before we go on we'd like to observe a
17 moment of silence for our Deputy Clerk who passed
18 away this past weekend, Dominick Cantatore.

19 If we can all please stand up, observe a
20 moment of silence.

21

22 (Whereupon, there was a moment of silence
23 in memory of Dominick Cantatore, Acting City
24 Clerk.)

25

1 COMMISSIONER FERNANDEZ: Thank you very
2 much.

3 Although he served the City of Union City
4 as a -- a City Clerk -- Acting City Clerk for a
5 very short time, he was a long time member of
6 this community and life-- lifetime resident of
7 the City of Union City. Loved by everyone who
8 knew him. He was a great, great person.

9 He leaves behind a beautiful family and
10 we're sorry to see him part.

11 Thank you very much, ladies and gentlemen.

12 MAYOR STACK: Thank you, Commissioner.

13

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

16 **CONSENT AGENDA:**

17 (1) Resolution Approving the Payment of Claims

18 (2) Resolution Approving the Payment of
19 Concurring Claims

20 (3) Resolution Approving the City Payroll for
21 the Period of July 8, 2017 through July 21, 2017

22 (4) Resolution Approving the Library Payroll
23 for the Period of July 8, 2017 through July 21,
24 2017

25 (5) Resolution Designating RPM Development

1 Group as Redeveloper for Block 42, Lot 9, more
2 commonly known as the 8th Street Parking Lot
3 Redevelopment Site
4 (6) Resolution of the Board of Commissioners of
5 the City of Union City, County of Hudson, New
6 Jersey, Authorizing the Preparation and
7 Distribution of Offering Documents In Connection
8 with the Sale of the City's General Obligation
9 Refunding Bonds, Series 2017; Authorizing the
10 Issuance, Sale and Award of Said Bonds; Making
11 Certain Determinations and Covenants in
12 Connection Therewith; and Authorizing Certain
13 Actions Related Thereto
14 (7) Resolution Approving a Contract with
15 Signature Sites for Playground Equipment for
16 Veterans Memorial Park
17 (8) Resolution Approving the Award of a
18 Contract with General Recreation for Playground
19 Equipment for Veterans Memorial Park
20 (9) Resolution Approving the Award of a
21 Contract with GTBM for Toughbooks for the Police
22 Department
23 (10) Resolution Approving the Award of a
24 Contract with Day for six (6) Chevrolet Tahoes
25 with Equipment for the Police Department

- 1 (11) Resolution Authorizing the Refund of
- 2 Redemption Monies to Outside Lienholders
- 3 (12) Resolution Authorizing the Refund of
- 4 Premium Monies Collected at Tax Sale
- 5 (13) Resolution Approving the Award of a
- 6 Contract to Stan's Sport Center for Baseball,
- 7 Basketball and Volleyball Equipment for 2017
- 8 (14) Resolution Approving the 2017-2018 Renewal
- 9 of California Café (T/A California Café) Located
- 10 at 2002 Bergenline Avenue, Liquor License No.
- 11 0910-33-021-008
- 12 (15) Resolution Approving the 2017-2018 Renewal
- 13 of Diaz, Armando (T/A Diaz Grocery No. 2) Located
- 14 at 132 45th Street, Liquor License No.
- 15 0910-43-046-003
- 16 (16) Resolution Approving the 2017-2018 Renewal
- 17 of El Chapin Corp (T/A El Rincon Chapin) Located
- 18 at 2118 Bergenline Avenue, Liquor License No.
- 19 0910-33-075-010
- 20 (17) Resolution Approving the 2017-2018 Renewal
- 21 of Tropical Bar & Restaurant (T/A Wendy C. Diaz)
- 22 4100 Bergenline Avenue, Liquor License No.
- 23 0910-33-060-003
- 24 (18) Resolution Approving the 2017-2018 Renewal
- 25 of Wine Warehouse LLC (T/A Wine Warehouse)

1 Located at 2013-15 Bergenline Avenue, Liquor
2 License No. 0910-44-019-004
3 (19) Resolution Approving the 2017-2018 Renewal
4 of R.G. Miranda Corp. (T/A Located at El Cuco
5 Restaurant) 514 Kennedy Blvd., Liquor License No.
6 0910-33-041-005 (With Special Conditions)

7

8 DEPUTY CITY CLERK: We have 19 items on the
9 Consent Agenda.

10 The first is a Resolution Approving the
11 Payment of Claims.

12 The second is a Resolution Approving the
13 Payment of Concurring Claims.

14 The third is a Resolution Approving the
15 City Payroll for the Period of July 8th, 2017
16 through July 21st, 2017.

17 The fourth is a Resolution Approving the
18 Library Payroll for the Period of July 8th, 2017
19 through July 21st, 2017.

20 The fifth is a Resolution Designating RPM
21 Development Group as the Redeveloper for Block
22 42, Lot 9, more commonly known as the 8th Street
23 Parking Lot Redevelopment Site.

24 MAYOR STACK: Just for the public's
25 knowledge, this would be for a senior citizen

1 building. We're looking at possibly a hundred
2 units -- one bedroom units for senior citizens.

3 DEPUTY CITY CLERK: The sixth is a
4 Resolution of the Board of Commissioners of the
5 City of Union City, County of Hudson, New Jersey,
6 Authorizing the Preparation and Distribution of
7 Offering Documents in Connection with the Sale of
8 the City's General Obligation Refund Bonds,
9 Series 2017; Authorizing the Issuance, Sale and
10 Award of Said Bonds; Making Certain
11 Determinations and Covenants in Connection
12 Therewith; and Authorizing Certain Actions
13 Related Thereto.

14 The seventh is a Resolution Approving a
15 Contract with Signature Sites for Playground
16 Equipment for Veterans Memorial Park.

17 The eighth is a Resolution Approving the
18 Award of a Contract with General Recreation for
19 Playground Equipment for Veterans Memorial Park.

20 The ninth is a Resolution Approving the
21 Award of a Contract to GTBM for Toughbooks for
22 the Police Department.

23 The tenth is a Resolution Approving the
24 Award of a Contract with Day for six Chevrolet
25 Tahoes with Equipment for Police Department.

1 The eleventh is a Resolution Authorizing
2 Refund of Redemption Monies to Outside
3 Lienholders.

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

6 The thirteenth is a Resolution Approving
7 the Award of a Contract to Stan's Sport Center
8 for Baseball, Basketball and Volleyball Equipment
9 for 2017.

10 The fourteenth is a Resolution Approving
11 the 2017-2018 Renewal of California Café, trading
12 as California Café, Located at 2002 Bergenline
13 Avenue, Liquor License Number 0910-33-021-008.

14 The fifteenth is a Resolution Approving the
15 2017-2018 Renewal of Diaz, Armando, trading as
16 Diaz Grocery Number 2, Located at 132 45th Street,
17 Liquor License Number 0910-43-046-003.

18 The sixteenth is a Resolution Approving the
19 2017-2018 Renewal of El Chapin Corp, trading as
20 El Rincon Chapin, Located at 2118 Bergenline
21 Avenue, Liquor License Number 0910-33-075-010.

22 The seventeenth is a Resolution Approving
23 the 2017-2018 Renewal of Tropical Bar and
24 Restaurant, trading as Wendy C. Diaz, 4100
25 Bergenline Avenue, Liquor License Number

1 0910-33-060-003.

2 The eighteenth is a Resolution Approving
3 the 2017-2018 Renewal of Wine Warehouse LLC,
4 trading as Wine Warehouse, Located at 2013-15
5 Bergenline Avenue, Liquor License Number
6 0910-44-019-004.

7 The nineteenth is a Resolution Approving
8 the 2017-2018 Renewal of R.G. Miranda Corp.,
9 trading as El Cuco Restaurant, 514 Kennedy
10 Boulevard, Liquor License Number 0910-33-041-005,
11 with Special Conditions.

12 Mayor, at this time, would you like to take
13 public comment on the Consent Agenda?

14 MAYOR STACK: Sure.

15 Just before we do, just on number 5, what I
16 mentioned about the 8th Street Parking Lot
17 Redevelopment Site for a senior building. This
18 would also provide some parking for the building.

19 It's very early yet. We'll be having many
20 public hearings on this. But it will also
21 maintain the parking for the residents in that
22 area currently.

23 Also, on number 7, the playground equipment
24 for Veterans Memorial Park, that will be a
25 renovation that the Commissioners and myself are

1 doing to 17th Street Park. It will be themed with
2 military-type equipment for -- to represent all
3 the different armed forces. There will be some
4 spray equipment that will be provided.

5 Having said that, anyone wishing to comment
6 on the Consent Agenda, please step forward, state
7 your name and address for the record.

8 You could stand right over --

9 MR. PRICE: Back to number 5 for a second.

10 I assume the parking lot that you referred
11 to is the municipal parking lot that goes from 8th
12 Street to 10th Street?

13 MAYOR STACK: Yes.

14 MR. PRICE: Okay.

15 This is the first I've heard of it. Where
16 can I get a write-up or --

17 MAYOR STACK: Sure.

18 MR. PRICE: -- any --

19 MAYOR STACK: I -- I think there's a
20 proposal that's been on file that was, I think
21 three proposals that were given?

22 DEPUTY CITY CLERK: Right.

23 MAYOR STACK: That was --

24 DEPUTY CITY CLERK: Right, Mayor.

25 And what this does, it just -- this

1 Resolution will just allow us to talk to RPM
2 about a potential redevelopment agreement.

3 You -- I can give you a copy of the
4 Resolution. But in there you'll see that the
5 City has the option to not go forward with a
6 redevelopment agreement if they so choose. They
7 have a certain timeframe to do so.

8 And also, as the Mayor said, we'll be
9 holding plenty of public meetings for the public
10 to -- to discuss what the proposal is. At this
11 point it's still a proposal. The City hasn't
12 agreed to anything. So, you know, we're -- we
13 would look forward to public input on -- on any
14 project.

15 MR. PRICE: Okay.

16 Can I send you an OPRA request tomorrow
17 and --

18 DEPUTY CITY CLERK: Sure.

19 Just send me an email; I'll take care of it
20 first thing.

21 MR. PRICE: Okay.

22 DEPUTY CITY CLERK: Thank you.

23 MAYOR STACK: And this would be strictly
24 for senior housing. Strictly. The whole
25 building would be senior --

1 MR. PRICE: Well, that's an important --
2 important thing for me nowadays.

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

5 MAYOR STACK: Anyone else wishing to
6 comment at this time on any matter on the Consent
7 Agenda?

8 Seeing none.

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

11 COMMISSIONER FERNANDEZ: Motion.

12 COMMISSIONER RIVAS: Motion.

13 DEPUTY CITY CLERK: Motion by Commissioner
14 Fernandez.

15 COMMISSIONER VALDIVIA: Second.

16 DEPUTY CITY CLERK: Second by Commissioner
17 Valdivia.

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 Martinetti
25 recuses on North Hudson Regional Fire and Rescue.

1 COMMISSIONER MARTINETTI: And --

2 DEPUTY CITY CLERK: And aye on the rest?

3 COMMISSIONER MARTINETTI: And aye on the
4 rest.

5 DEPUTY CITY CLERK: And Mayor Stack?

6 MAYOR STACK: Yes.

7 DEPUTY CITY CLERK: May I have a motion to
8 approve all items on Consent?

9 COMMISSIONER VALDIVIA: Motion.

10 DEPUTY CITY CLERK: Motion by Commissioner
11 Valdivia.

12 COMMISSIONER FERNANDEZ: Second.

13 DEPUTY CITY CLERK: Second by Commissioner
14 Fernandez.

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 and recusals
24 noted.

25 DEPUTY CITY CLERK: Yes with the refusal.

1 And Mayor Stack?

2 MAYOR STACK: Yes.

3

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

6 **REGULAR AGENDA:**

7 1. Resolution Authorizing a Payment of Claim
8 to the Hudson County Improvement Authority.)

9

10 DEPUTY CITY CLERK: We have one item on the
11 Regular Agenda this evening.

12 It's a Resolution Authorizing a Payment of
13 Claim to Hudson County Improvement Authority.

14 MAYOR STACK: I'll move it.

15 DEPUTY CITY CLERK: Motion by Mayor Stack.

16 Second?

17 COMMISSIONER VALDIVIA: Second.

18 DEPUTY CITY CLERK: Second by Commissioner
19 Valdivia.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 DEPUTY CITY CLERK: Commissioner Rivas is
23 recusing.

24 Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 DEPUTY CITY CLERK: Commissioner Martinetti
2 is recusing.

3 Mayor Stack?

4 MAYOR STACK: Yes.

5

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

8 **ORDINANCES FOR HEARING AND ADOPTION**

9 **CONSIDERATION:**

10 1. REFUNDING BOND ORDINANCE PROVIDING FOR THE
11 REFUNDING OF THE CITY'S OUTSTANDING CALLABLE
12 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2007A,
13 DATED FEBRUARY 7, 2007; AUTHORIZING THE ISSUANCE
14 OF UP TO \$21,500,000 OF GENERAL OBLIGATION
15 REFUNDING BONDS OF THE CITY OF UNION CITY, COUNTY
16 OF HUDSON, NEW JERSEY, TO FINANCE THE COSTS
17 THEREOF; MAKING CERTAIN DETERMINATIONS AND
18 COVENANTS IN CONNECTION THEREWITH; AND
19 AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION
20 WITH THE FOREGOING.)

21

22 DEPUTY CITY CLERK: We have an Ordinance
23 for Hearing and Adoption this evening.

24 It's a Refunding Bond Ordinance Providing
25 for the Refunding of the City's Outstanding

1 Callable General Obligation Refund Bonds, Series
2 2007A, Dated February 7th, 2007; Authorizing the
3 Issuance of Up to 21,500,000 of General
4 Obligation Refunding Bonds for the City of Union
5 City, County of Hudson, New Jersey, to Finance
6 the Costs Thereof; Making Certain Determinations
7 and Covenants in the Connection Therewith; and
8 Authorizing Certain Related Actions in Connection
9 to the Foregoing.

10 May I have a --

11 Mayor, at this time would you like to take
12 public comment on this Ordinance?

13 MAYOR STACK: Sure.

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

17 Seeing none.

18 DEPUTY CITY CLERK: May I have a motion to
19 close public hearing?

20 COMMISSIONER RIVAS: Motion.

21 COMMISSIONER FERNANDEZ: Motion.

22 COMMISSIONER MARTINETTI: Motion.

23 DEPUTY CITY CLERK: Motion by Commissioner
24 Rivas.

25 Second by Commissioner Martinetti.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 DEPUTY CITY CLERK: Commissioner Rivas?

4 COMMISSIONER RIVAS: Yes.

5 DEPUTY CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 DEPUTY CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 DEPUTY CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12 DEPUTY CITY CLERK: May I have a motion to
13 adopt this Ordinance.

14 COMMISSIONER RIVAS: Motion.

15 MAYOR STACK: Motion.

16 DEPUTY CITY CLERK: Motion by Mayor Stack.

17 COMMISSIONER MARTINETTI: Second.

18 DEPUTY CITY CLERK: Second by Commissioner
19 Martinetti.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 DEPUTY CITY CLERK: Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 DEPUTY CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 DEPUTY CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 DEPUTY CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6

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

8

9 DEPUTY CITY CLERK: Mayor, at this time,
10 would you like to take public comment on any item
11 concerning government in Union City?

12 MAYOR STACK: Sure.

13 Anyone wishing to comment at this time
14 concerning municipal government in the City of
15 Union City, please step forward, state your name
16 and address for the record.

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

19 There was an application before the
20 Planning Board last week that I think would be of
21 interest to the Board of Commissioners; 3401
22 Bergenline Avenue, which is a fairly large site,
23 over 10,000 square feet.

24 The application was to build a five-story
25 building, two -- two stores on the bottom, four

1 floors of residential, 28 apartments.

2 The Planning Board had a lot of difficulty
3 with this application, largely because of the
4 parking. They were providing only eight parking
5 spots; the parking requirement for the site was
6 57. The Planning Board denied the -- the
7 application.

8 The reason I raise this is not so much that
9 application --

10 It was frankly an overreaching application.
11 It deserved the fate it got.

12 But it kind of raises a point; really, two
13 points.

14 One is this is the CC Zone; the City Center
15 Zone. When we put the master plan together, now
16 eight years ago, the idea was that you would have
17 a high density, you know, sort of 24/7 kind of
18 district where there would be a lot of activity,
19 a lot of people live there, a lot of things going
20 on there. It'd be pedestrian friendly.

21 The problem is it sort of -- that -- that
22 idea conflicts with the -- with the parking
23 requirement.

24 Let's say the -- the parking -- this
25 application had been more reasonable; instead of

1 four floors, they would have had three, which was
2 what they're permitted. Instead of having seven
3 units per floor, they would have had six. Or
4 they would have 18 apartments instead of 28.

5 Okay, the parking requirement would now be
6 37 instead of 57. They could re-jiggle the
7 parking. Instead of having eight parking spots
8 they could have 15.

9 But that's about all they can do and --
10 whatever. So that means they have a parking
11 requirement for 37 and they're only providing 15
12 parking spaces. And in a city where parking is
13 so critical, that's -- that's a significant
14 shortfall.

15 We didn't care about that eight years ago.
16 What I -- what I'm suggesting is that it may well
17 be that the concept we had eight years ago has
18 been made obsolete by a increased traffic in that
19 area.

20 What we basically want to have is a -- you
21 know, an active kind of neighborhood in the
22 middle of a traffic jam because that's what --
23 that's the worst traffic part of the City.

24 And the second thing is that starting two,
25 three years --

1 Parking's always been a problem. Starting
2 two or three years ago it got really critical.

3 And so maybe that idea that we had eight
4 years ago has been obsoleted for the fact that
5 traffic and parking have changed.

6 One of the reasons I raise this now is it
7 seems like yesterday but, in fact, we adopted the
8 master plan -- or the Planning Board adopted the
9 master plan eight years ago.

10 There's a requirement that there be a re-
11 examination no -- no later or -- than ten years.
12 Which means we have to do a re-examination within
13 two years. And this might be a good time to re-
14 examine exactly what we want to do with the City
15 zoning.

16 I don't -- you know, I -- frankly, I don't
17 know what the solution is. Because it's one of
18 those things where all of the alternatives are
19 bad.

20 You can -- you can build but with not
21 enough parking. Or you cannot build, in which
22 case, A, you're stuck with not too attractive
23 buildings that are there now, which have no
24 parking by the way. And which means you give up
25 the concept of a city center.

1 So, this -- this is one of the items that I
2 think should go on the to-do list for the re-
3 examination board to think about.

4 Because, as I said, I -- I don't know what
5 the solution is. There's a -- there is no
6 perfect solution for this. This is one area I
7 think we should think about.

8 MAYOR STACK: I -- I agree with you. And I
9 agree with what you've said. I'd rather keep it
10 the way it is right now than add to the parking
11 problems in the City and --

12 I mean I -- I know that may not be the
13 happy medium that we have but right now I don't
14 think we could do anything else.

15 To approve something there with a
16 requirement of 57 parking spaces and they have
17 that type of a shortfall, I -- I do agree with
18 you, I think the Planning Board did the right
19 thing. I really do.

20 But definitely we should go back and re-
21 examine that commercial area and the City Center
22 we talked about and we will.

23 I'll try to put something together, maybe
24 sometime September or October and start the
25 review.

1 MR. PRICE: Yeah, the -- there are a lot of
2 other questions I think you might -- but this is
3 one of the more pressing --

4 MAYOR STACK: But at least get the
5 conversation going.

6 MR. PRICE: Yeah. Exactly.

7 MAYOR STACK: Absolutely.

8 MR. PRICE: Okay.

9 MAYOR STACK: In the fall sometime I will,
10 Larry. In the fall sometime we'll start it.

11 MR. PRICE: Yeah. We don't do anything in
12 Union City in the summer, so --

13 MAYOR STACK: Absolutely.

14 Thank you.

15 MR. PRICE: Okay.

16 Thank you.

17 MAYOR STACK: Anyone else wishing to
18 comment at this time on any matter concerning
19 government in the City of Union City?

20 Seeing none.

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

23 COMMISSIONER FERNANDEZ: Motion.

24 DEPUTY CITY CLERK: Motion by

25 Commissioner --

1 COMMISSIONER VALDIVIA: Second.
2 DEPUTY CITY CLERK: -- Fernandez.
3 Second by Commissioner Valdivia.
4 Commissioner Fernandez?
5 COMMISSIONER FERNANDEZ: Yes.
6 DEPUTY CITY CLERK: Commissioner Rivas?
7 COMMISSIONER RIVAS: Yes.
8 DEPUTY CITY CLERK: Commissioner Valdivia?
9 COMMISSIONER VALDIVIA: Yes.
10 DEPUTY CITY CLERK: Commissioner
11 Martinetti?
12 COMMISSIONER MARTINETTI: Yes.
13 DEPUTY CITY CLERK: Mayor Stack?
14 MAYOR STACK: Yes.
15
16 * * *
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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. How About Life, LLC

4 (Retirement of License)

5 License No. 0910-33-115-008

6 2. El Idolo, LLC

7 t/a Angelo's Café

8 Location: 4215 Park Avenue

9 License No. 0910-33-111-008

10 3. Armando Diaz

11 t/a Diaz Grocery Store

12 Location: 143 45th Street

13 License No. 0910-43-046-003

14 4. Luna, Inc.

15 t/a Estrella de Mexico

16 Location: 2421 West Street

17 License No. 0910-33-164-005

18 5. La Placita Supermarket

19 t/a La Placita Supermarket

20 Location: 148-152 48th Street

21 License No. 0910-43-131-003

22

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

25 I -- however, I don't see Mr. Farmer --

1 MAYOR STACK: Mr. Farmer called me and told
2 me that he's running late.

3 Maybe if we try him real quick?

4 DEPUTY CITY CLERK: Okay.

5 MAYOR STACK: You got his number?

6 DEPUTY CITY CLERK: Would you like to take
7 a short recess --

8 MAYOR STACK: Yes.

9 DEPUTY CITY CLERK: -- and go off the
10 record?

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

13

14 (Whereupon, Commissioner Valdivia left the
15 meeting at 7:17 p.m.)

16

17 (Off the record at 7:17 p.m.)

18 (On the record at 7:28 p.m.)

19

20 DEPUTY CITY CLERK: Okay, we are back on
21 the record.

22 Mr. Farmer at this time will do Liquor
23 License Disciplinary Hearings.

24 MR. FARMER: Yes.

25

* * *

1 **HOW ABOUT LIFE, LLC**

2 **(Retirement of License)**

3 **License No. 0910-33-115-008**

4

5 MR. FARMER: Good evening, members of the
6 Board.

7 If you look at the --

8 Excuse me.

9 If you look at the agenda, the first thing
10 is How About Life. Let me bring you up-to-date
11 on that.

12 The licensee isn't here and I don't ever
13 expect the licensee to be here.

14 This is a matter concerning -- they offered
15 to retire the license for \$30,000.00, but before
16 we kind of acted on it, they found a buyer for
17 \$50,000.00. And then it became a struggle as to
18 whether or not we were going to try to force them
19 to hold them to their promise of the petition
20 that they filed retiring the license.

21 However, it appears that the license isn't
22 going to stay on Park Avenue where it was but is
23 going to move to a place called Las Brisas on 47th
24 and Hudson. It's almost into West New York. And
25 it appears it's going to a restaurant where it's

1 | been a family restaurant in the neighborhood for
2 | like 20 years. They've never had a problem with
3 | the Police. The Police don't have any -- any
4 | problem with them.

5 | And I think that might be a -- a better
6 | resolution than getting into a test of wills and
7 | a lawsuit that may drag out and who knows what's
8 | going to happen.

9 | I don't think we have a real good chance of
10 | winning it but, you know, you never know.

11 | So I just wanted to report on that.

12 | MAYOR STACK: Okay.

13 | MR. FARMER: Okay?

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1 EL IDOLO, LLC
2 t/a ANGELO'S CAFÉ
3 Location: 4215 Park Avenue
4 License No. 0910-33-111-008
5

6 MR. FARMER: The second one is Angelo's
7 Café.

8 This is one of the two special condition
9 ones --

10 The other one is Manhattan.

11 -- that deals with hours and times of being
12 open.

13 Angelo's Café has, for about the last two
14 years, had a special condition on the hours.
15 Okay? And the music. The music tied into the
16 hours.

17 The Police kind of indicate -- and I'm
18 talking about Captain Molinari, Lieutenant Loaces
19 and Sergeant Dunlay -- that there really hasn't
20 been any issues with this place over that period
21 of time. So they're inclined to not resist a --
22 an application to remove the license -- remove
23 the restriction but they kind of want another six
24 months.

25 So I spoke to Marlene Caride about it

1 because she represents Angelo's Café and she said
2 kind of okay I'll send my guy over there, I won't
3 be coming over. But he hasn't shown.

4 So, I just think we just carry it to the
5 next meeting.

6 MAYOR STACK: Yeah. I'd -- I'd like to --

7 And I understand what Lieutenant Loaces and
8 Chief Molinari said but I would like to -- I
9 would like to continue that. Because we've
10 experienced so many problems in the past at this
11 location -- I'm not saying with -- with Angelo's
12 Café but with different places -- and the way the
13 block is designed, is you have so much
14 residential on that block that there's
15 complaints.

16 And there's front doors -- there's front
17 patio doors on the place that open up and the
18 sound emanates and comes out. And sound
19 obviously travels up. And there's a lot of
20 people -- I mean I -- I could name them -- who
21 contact me all the time about noise at this
22 location.

23 MR. FARMER: Okay, what I'll do is --

24 MAYOR STACK: So, --

25 MR. FARMER: -- I'll communicate that to --

1 MAYOR STACK: Yeah.

2 MR. FARMER: -- her --

3 MAYOR STACK: Yeah.

4 MR. FARMER: -- and if she has any problem
5 with it she can come in and try and --

6 MAYOR STACK: Exactly.

7 MR. FARMER: -- make her case.

8 MAYOR STACK: Exactly.

9 MR. FARMER: Okay?

10 All right.

11 MAYOR STACK: Otherwise so it just renews
12 then with the same -- with the same conditions.

13 All right?

14 MR. FARMER: We did. We did.

15 MAYOR STACK: We already did.

16 MR. FARMER: We did.

17 Just so you have an idea of what --

18 MAYOR STACK: Yeah.

19 MR. FARMER: -- what the time table --

20 MAYOR STACK: Tell him to come back and see
21 us next year.

22 MR. FARMER: All right.

23 All the people who get a special
24 condition, --

25 MAYOR STACK: Right.

1 MR. FARMER: -- be it cameras, noise or
2 hours, when it's renewed, it's renewed with that
3 special condition and I send them the letter
4 saying your license was renewed with the same
5 conditions that you had last year. If you have
6 an objection to the continuation of those
7 hearings, call me, I will set it down for a
8 hearing --

9 MAYOR STACK: Exactly.

10 MR. FARMER: -- and you can come and tell
11 your point to the Board.

12 So, that -- we did that with the -- we
13 don't get any kind of -- we never get any
14 response with cameras.

15 It's just Manhattan and Angelo's.

16 MAYOR STACK: Okay.

17 MR. FARMER: And we just had an episode
18 with Manhattan so I doubt --

19 MAYOR STACK: Yeah. Exactly.

20 MR. FARMER: -- they're going anywhere with
21 that.

22

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1 ARMANDO DIAZ

2 t/a DIAZ GROCERY STORE

3 Location: 143 45th Street

4 License No. 0910-43-046-003

5

6 MR. FARMER: The next one Diaz Grocery
7 Store.

8 You're the son --

9 MR. DIAZ: Yes, sir.

10 MR. FARMER: Okay. You got to put your
11 name on.

12 MR. DIAZ: Hi.

13 MAYOR STACK: How you doing, Javier
14 (phonetic)?

15 MR. DIAZ: Javier Diaz.

16 MAYOR STACK: Good.

17 MR. DIAZ: My father is Armando Diaz.

18 MAYOR STACK: I remember. Sure.

19 MR. FARMER: All right, if -- if we might.

20 I've had an opportunity on two occasions,
21 along with Sergeant Dunlay, to speak to Mr. Diaz
22 concerning his father's grocery store.

23 If truth be known he'd like to sell the
24 license because the license, and complying with
25 all the paperwork that one needs, even though

1 it's a warm beer license in a grocery store, is
2 somewhat difficult when you're an 85 year old
3 man. So it's beyond him now.

4 So, he had a couple paper violations and
5 one -- a recent one with respect to selling beer
6 before seven a.m.

7 Concerning all of that, we have agreed to a
8 ten day suspension that would cover two weekends.
9 So they're paper violations.

10 And I think we had agreed that the ten day
11 suspension would be from July 21st through the
12 30th covering two weekends.

13 MR. DIAZ: Correct.

14 MR. FARMER: Did I say that accurately?

15 MR. DIAZ: Yes, sir.

16 MR. FARMER: Do you need an attorney --
17 want an attorney?

18 MR. DIAZ: No.

19 MR. FARMER: Okay.

20 MR. DIAZ: Thank you.

21 Appreciate it.

22 MR. FARMER: Now, we -- if the Board
23 accepts this, this ends it.

24 MR. DIAZ: That's fine.

25 MR. FARMER: You can't appeal it. You

1 can't go to the State and say I want to pay a
2 fine.

3 MR. DIAZ: That's what you and I agree
4 upon.

5 MR. FARMER: Okay.

6 MAYOR STACK: Okay.

7 Okay.

8 I'll make a motion to approve.

9 DEPUTY CITY CLERK: Motion by Mayor Stack.

10 COMMISSIONER FERNANDEZ: 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 has left.

19 Commissioner Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 DEPUTY CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

23 MR. DIAZ: Thank you all.

24 MAYOR STACK: Thank you very much.

25 DEPUTY CITY CLERK: Thank you.

1 MAYOR STACK: Thank you.

2 MR. DIAZ: Good to see you.

3 MAYOR STACK: Thank you.

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1 LUNA, INC.

2 t/a ESTRELLA DE MEXICO

3 Location: 2421 West Street

4 License No. 0910-33-164-005

5

6 MR. FARMER: The next one is Luna, Inc.,
7 Estrella de Mexico.

8 This is a small little case that refuses to
9 die.

10 MAYOR STACK: He's over here.

11 MR. FARMER: I know he's over here. He's
12 waiting for his lawyer who isn't here; Mr.
13 Mulkay.

14 And the last one is the La Placita
15 Supermarket.

16 Yeah.

17 MR. LUNA: I don't see my lawyer, so --

18 MR. FARMER: Okay.

19 His lawyer isn't here.

20 MAYOR STACK: Let -- let's find out where
21 he is though. Because this happens a lot with
22 Mr. Mulkay. There's not even a courtesy of a
23 phone call.

24 I mean he's got to treat this, you know, as
25 a serious matter with a liquor violation. I

1 don't know what he operates in other towns but
2 Mr. Mulkey has no respect for the Board of
3 Commissioners -- I could tell you that -- in
4 Union City.

5 Never once does he reach out and just say,
6 hey listen, I'm going to be late or whatever.

7 I mean does he operate this way in Superior
8 Court and other -- in other towns?

9 MR. FARMER: I can't answer that.

10 Did you call him?

11 MR. LUNA: Yup.

12 MR. FARMER: And what -- what was the
13 answer?

14 MR. LUNA: No answer.

15 MR. FARMER: No answer.

16 Did you speak to him?

17 MR. LUNA: Yesterday.

18 MR. FARMER: And he told you --

19 MR. LUNA: He told me --

20 MR. FARMER: -- I will be here.

21 MR. LUNA: -- 5:30 here.

22 MR. FARMER: Five thirty.

23 MR. LUNA: Be here 5:30 but the door is
24 locked.

25 MR. DILLON: I'm sorry. Sir, what is your

1 name?

2 Your name?

3 DEPUTY CITY CLERK: For the record.

4 MR. LUNA: My name is Pedro Luna.

5 DEPUTY CITY CLERK: Pedro Luna.

6 MR. DILLON: Pedro Luna?

7 DEPUTY CITY CLERK: Pedro.

8 MR. DILLON: Okay.

9 DEPUTY CITY CLERK: And your position?

10 You're the owner?

11 MR. LUNA: Yes.

12 DEPUTY CITY CLERK: And he's the owner.

13 MR. DILLON: Thank you.

14 Do you want to go off the record?

15 MAYOR STACK: Yeah.

16 Just let the record reflect Mr. Farmer is

17 attempting to reach for Mr. Mulkay at this time,

18 which is now 7:35 p.m.

19 MR. DILLON: Okay.

20 (Off the record at 7:36 p.m.)

21 (On the record at 7:37 p.m.)

22 MR. DILLON: Okay, we're back.

23 DEPUTY CITY CLERK: Seven thirty-six.

24

25 * * *

1 LA PLACITA SUPERMARKET
2 t/a LA PLACITA SUPERMARKET
3 Location: 148-152 48th Street
4 License No. 0910-43-131-003
5

6 MR. FARMER: Just an aside, number 5,
7 they're represented by Luis Diaz.

8 And Mr. Diaz called me and told me he had
9 some problem.

10 But I'll work it out with Mr. Diaz; always
11 do.

12 So I'd ask that that be carried.

13 But that, again, is a paper violation. And
14 for the most part, we'll -- that's the types of
15 offenses we're getting, paper violations.

16 And that's it.

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1 LUNA, INC.

2 t/a ESTRELLA DE MEXICO

3 Location: 2421 West Street

4 License No. 0910-33-164-005

5

6 MAYOR STACK: On -- on Mr. Mulkay or Mr.

7 Luna, --

8 MR. FARMER: Well, --

9 MAYOR STACK: -- did any-- anybody answer
10 their phone?

11 MR. FARMER: No.

12 MAYOR STACK: We don't have a cell phone
13 number or anything?

14 MR. FARMER: What -- what number do you
15 have?

16 MR. LUNA: No, I have only the office.

17 MAYOR STACK: Let's see if we can come up
18 with a cell phone number.

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

21 MR. DILLON: Are we going back off the
22 record?

23 MR. FARMER: Yeah, I'm going to try him
24 again.

25 MR. DILLON: Mayor, do you want to go off

1 the record again?

2 MAYOR STACK: Yeah, we can go off the
3 record while Mr. Farmer is attempting to reach
4 Mr. Mulkay.

5

6 (Off the record at 7:38 p.m.)

7 (On the record at 7:39 p.m.)

8

9 MR. DILLON: Okay, back on.

10 MAYOR STACK: Let the record reflect Mr.
11 Farmer has attempted to reach Mr. Mulkay at his
12 office; there's no answer.

13 We're instructing the Corporation Counsel
14 to write Mr. Mulkay a letter that this conduct
15 will not be tolerated.

16 Mr. Farmer, set it up for the next meeting.

17 MR. FARMER: Yes I will.

18 MAYOR STACK: He's here or not here, we're
19 going to try the case without him.

20 MR. FARMER: Okay.

21 MAYOR STACK: And let him know that in the
22 letter, too.

23 MR. FARMER: I will note that in the
24 notice.

25 MAYOR STACK: Thank you very much.

1 MR. FARMER: Okay.

2 I think that's it.

3 MAYOR STACK: Any other matters, Mr.

4 Farmer?

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1 LA PLACITA SUPERMARKET

2 t/a LA PLACITA SUPERMARKET

3 Location: 148-152 48th Street

4 License No. 0910-43-131-003

5

6 MR. FARMER: No, the last one is La Placita
7 Supermarket. And Mr. Diaz represents them. And
8 he and I will work it out.

9 MAYOR STACK: That's fine. Thank you very
10 much.

11 Thank you.

12 MR. FARMER: Okay.

13 Thank you.

14 Again, my apologies for being late.

15 MAYOR STACK: Thank you.

16 DEPUTY CITY CLERK: Thank you, Mr. Farmer.

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1 **ADJOURNMENT:**

2

3 DEPUTY CITY CLERK: There are no other
4 items on the agenda.

5 MAYOR I have a motion to adjourn?

6 MAYOR STACK: Motion.

7 DEPUTY CITY CLERK: Motion made by Mayor
8 Stack.

9 COMMISSIONER RIVAS: Second.

10 DEPUTY CITY CLERK: Second by Commissioner
11 Rivas.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 DEPUTY CITY CLERK: Commissioner Rivas?

15 COMMISSIONER RIVAS: Yes.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 DEPUTY CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

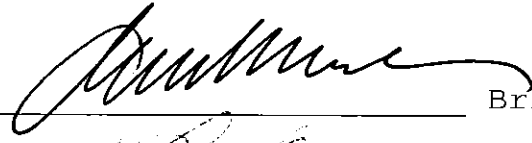
21 DEPUTY CITY CLERK: Thank you.

22 MAYOR STACK: Thank you very much.

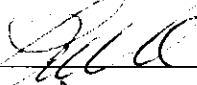
23 Thank you, Erin.

24 (Whereupon, the proceedings were concluded
25 at 7:40 p.m.)

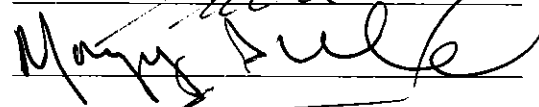
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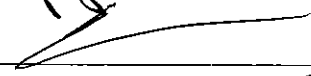
Brian P. Stack



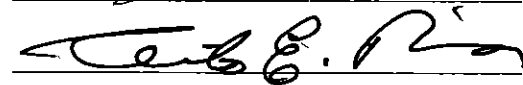
Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia



Tilo E. Rivas

Board of Commissioners

Attest:

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, July 18, 2017 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon