

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Veterans' Memorial
Elementary School
1401 Central Avenue
Union City, New Jersey

Tuesday, September 12, 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,
(Left at 7:55 p.m.)
CELIN J. VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER, (Left at 7:30 p.m.)
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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I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	5
ORDINANCES FOR INTRODUCTION	6, 7
CONSENT AGENDA	9
REGULAR AGENDA	14, 23
ORDINANCES FOR HEARING AND ADOPTION	25, 27
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	51
LIQUOR LICENSE DISCIPLINARY PROCEEDINGS	53
HEARINGS ON SPECIAL CONDITIONS	
Manhattan Bar & Grill Restaurant, Inc.	
t/a Manhattan Bar & Grill Restaurant	53
Il Idolo, LLC t/a Angelo's Café	53, 80
DISCIPLINARY PROCEEDINGS	55
Nafpaktos Diner Inc. t/a 4-Star Diner	56
A&C 2004 Corp. t/a Adoro Café	76, 79
Dominick Pikunich t/a Topps	71
Manhattan Bar & Grill Restaurant, Inc.	
t/a Manhattan Bar & Grill Restaurant	73, 77
EXECUTIVE SESSION	93
ADJOURNMENT	98

I N D E XEl Idolo, LLC t/a Angelo's CafeWITNESSPAGE

SERGEANT DAVID DUNLAY
LIEUTENANT JUAN LOACES

81
84

1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioners being held on Tuesday, September
4 12th, 2017, at seven p.m. at Veterans' Memorial
5 Elementary School, 1401 Central 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 in 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 **ORDINANCE(S) FOR INTRODUCTION:**

13 1. AN ORDINANCE AMENDING CHAPTER 366, ARTICLE
14 IV OF THE CODE OF THE CITY OF UNION CITY ENTITLED
15 "STREETS AND SIDEWALKS-EXCAVATIONS AND
16 OPENINGS".)

17

18 DEPUTY CITY CLERK: We have two Ordinances
19 on for tonight for Introduction.

20 If adopted on first reading the Ordinances
21 will be advertised and further considered at the
22 meeting held on September 26, 2017, at the
23 Emerson Middle School, 318 18th Street, Union
24 City, New Jersey.

25 The first is an Ordinance Amending Chapter

1 366, Article IV of the Code of the City of Union
2 City Entitled Streets and Sidewalks, Excavations
3 and Openings.

4 May I have a motion to introduce?

5 COMMISSIONER VALDIVIA: Motion.

6 DEPUTY CITY CLERK: Motion by Commissioner
7 Valdivia.

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: Yes.

20 DEPUTY CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22

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

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

1 2. AN ORDINANCE AMENDING CHAPTER 334, RENT
2 STABILIZATION.)

3

4 DEPUTY CITY CLERK: The second is an
5 Ordinance Amending Chapter 334 titled Rent
6 Stabilization.

7 May I have a motion to introduce?

8 MAYOR STACK: Motion.

9 DEPUTY CITY CLERK: Motion by --

10 COMMISSIONER MARTINETTI: Second.

11 DEPUTY CITY CLERK: -- Mayor 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: Commissioner

20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following items in total:

2 **CONSENT AGENDA:**

3 (1) Resolution Approving the Payment of Claims

4 (2) Resolution Approving the Payment of

5 Concurring Claims

6 (3) Resolution Approving the Payment of Escrow

7 Refunds

8 (4) Resolution Approving the City Payroll for

9 the Period of September 2, 2017 through

10 September 15, 2017

11 (5) Resolution Approving the Library Payroll

12 for the Period of September 2, 2017 through

13 September 15, 2017

14 (6) Resolution of the Board of Commissioners of

15 the City of Union City, County of Hudson, New

16 Jersey, Confirming the Issuance, Sale and Award

17 of the \$18,805,000 General Obligation Refunding

18 Bonds, Series 2017, of the City of Union City;

19 Making Certain Covenants Required as a Condition

20 to Approval by the New Jersey Local Finance

21 Board; and Taking Certain Actions Related Thereto

22 (7) Resolution Authorizing the Deputy Clerk to

23 Advertise for Bids for the Replacement of Duarte

24 Park Pool and Columbia Park Spray Ground Surfaces

25 (8) Resolution Authorizing the Deputy Clerk to

1 Advertise for Bids for Park Maintenance,
2 Contract A
3 (9) Resolution Authorizing the Deputy Clerk to
4 Advertise for Bids for Park Maintenance,
5 Contract B
6 (10) Resolution Authorizing the Deputy Clerk to
7 Advertise for Bids for Ambulance Parking Area
8 Roof Structure
9 (11) Resolution Authorizing the Refund of
10 Premium Monies Collected at Tax Sale
11 (12) Resolution Authorizing the Refund of
12 Redemption Monies to Outside Lienholders.)

13

14 DEPUTY CITY CLERK: There are 12 items on
15 the Consent Agenda this evening.

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

18 The second is a Resolution Approving the
19 Payment of Concurring Claim.

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

22 The fourth is a Resolution Approving the
23 City Payroll for the Period of September 2nd,
24 2017 through September 15th, 2017.

25 The fifth is a Resolution Approving the

1 Library Payroll for the Period of September 2nd,
2 2017 through September 15th, 2017.

3 The sixth is a Resolution of the Board of
4 Commissioners, of the City of Union City, County
5 of Hudson, New Jersey, Confirming the Issuance,
6 Sale and Award of the 18,805,000 General
7 Obligation Refunding Bonds, Series 2017, of the
8 City of Union City; Making Certain Covenants
9 Required as a Condition to Approval by the New
10 Jersey Local Finance Board; and Taking Certain
11 Actions Related Thereto.

12 The seventh is a Resolution Authorizing the
13 Deputy Clerk to Advertise for Bids for the
14 Replacement of Duarte Park Pool and Columbia Park
15 Spray Ground Surfaces.

16 The eighth is a Resolution Approving (sic)
17 the Deputy Clerk to Advertise for Bids for Park
18 Maintenance, Contract A.

19 The ninth is a Resolution Approving (sic)
20 the Deputy Clerk to Advertise for Bids for Park
21 Maintenance, Contract B.

22 The tenth is a Resolution Authorizing the
23 Deputy Clerk to Advertise for Ambulance Parking
24 Area Roof Structure.

25 The eleventh is a Resolution Authorizing

1 the Refund of Premium Monies Collected at Tax
2 Sale.

3 The twelfth is a Resolution Authorizing the
4 Refund of Redemption Monies to Outside
5 Lienholders.

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

8 MAYOR STACK: Yes.

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

12 This is on the Consent Agenda.

13 Seeing none.

14 I'll make a motion.

15 DEPUTY CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER RIVAS: Second.

17 DEPUTY CITY CLERK: Second by Commissioner
18 Rivas.

19 May I have a motion to approve all the
20 items on Consent Agenda?

21 COMMISSIONER VALDIVIA: Motion.

22 DEPUTY CITY CLERK: Motion by Commissioner
23 Valdivia.

24 Second?

25 COMMISSIONER RIVAS: Second.

1 DEPUTY CITY CLERK: Second by Commissioner
2 Rivas.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Before doing so I
5 want to just say that over the summer we've
6 opened new parks and renovated some other parks.
7 And the comments from the families and the kids
8 have been astronomical.

9 Throughout the parks everybody talks about
10 Union City parks and the people cannot be more
11 grateful to this Administration and -- and,
12 especially the Mayor, for having all this done.

13 A lot of the comments that come about are
14 -- are this has never been seen in Union City
15 before and we're so happy for our kids.

16 So I just wanted to share that with the
17 Mayor, the Commissioners, and --

18 MAYOR STACK: Thank you, Lucio.

19 COMMISSIONER FERNANDEZ: -- the public how
20 happy our -- our citizens are.

21 MAYOR STACK: Thank you very much.

22 COMMISSIONER FERNANDEZ: Yes.

23 DEPUTY CITY CLERK: Commissioner Fernan--
24 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 on

6 item number 1, any payments related to Adolfo

7 Lopez.

8 Aye on the rest.

9 DEPUTY CITY CLERK: And Mayor Stack?

10 MAYOR STACK: Yes.

11

12 (Whereupon, the Board discussed and took

13 action on the following item:

14 **REGULAR AGENDA:**

15 1. Resolution of the Board of Commissioners of
16 the City of Union City Retiring License Number
17 0910-33-028-002, Owned by Blue Flame Pizza &
18 Restaurant Inc., Located at 601 New York Avenue,
19 Union City, New Jersey.)

20

21 DEPUTY CITY CLERK: We have two items on
22 the Regular Agenda.

23 The first is a Resolution of the Board of
24 Commissioners of the City of Union City Retiring
25 License Number 0910-33-028-002, Owned by Blue

1 Flame Pizza and Restaurant Incorporated, Located
2 at 601 New York Avenue, Union City, New Jersey.

3 Mayor, did you want to have Mr. Farmer make
4 a comment on this?

5 MAYOR STACK: Yes.

6 Mr. Farmer, if you could?

7 MR. FARMER: Yes.

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

10 MR. FARMER: Okay, could we swear the
11 witnesses in?

12 MR. DILLON: Please raise your right hand.

13 Do you swear the testimony you're about to
14 give this Board is the whole truth?

15 MRS. CAPORRINO: Yes.

16 MR. DILLON: I need one at a time for you
17 guys to state and spell your names for the
18 record.

19 MRS. CAPORRINO: Spell my name?

20 MR. CAPORRINO: Him?

21 MR. DILLON: Yeah.

22 MRS. CAPORRINO: Rosa --

23 MR. DILLON: What -- what's your name?

24 MRS. CAPORRINO: Rosa.

25 MR. DILLON: Rosa.

1 Last name?
2 MRS. CAPORRINO: Caporrino.
3 MR. CAPORRINO: Caporrino.
4 MRS. CAPORRINO: C-A-P-O-R-R-N-O (sic).
5 MR. DILLON: And your name?
6 MR. CAPORRINO: The same.
7 MRS. CAPORRINO: Michele --
8 MR. CAPORINNO: Mike.
9 MRS. CAPORRINO: Michele.
10 MR. DILLON: Mike.
11 MRS. CAPORRINO: Michele.
12 MR. DILLON: Miguel?
13 MRS. CAPORRINO: Like Michele.
14 MR. DILLON: Thank you.
15 Thank you.
16 MRS. CAPORRINO: You're welcome.
17 MR. FARMER: Now, I'm going to ask you some
18 questions, --
19 MRS. CAPORRINO: Sure.
20 MR. FARMER: -- Mrs. Caporrino. And keep
21 your voice up so everybody can hear your
22 response.
23 Did you in June send a letter to the City
24 of Union City saying that I sold my business at
25 601 New York Avenue --

1 MR. CAPORRINO: Yeah.

2 MR. FARMER: -- and it also had a liquor
3 license and I didn't sell the liquor license but
4 I'd like to retire the liquor license --

5 MR. CAPORRINO: Yeah.

6 MR. FARMER: -- to the City of Union City?

7 MR. CAPORRINO: Retire.

8 MRS. CAPORRINO: Yes I want to retire.

9 MR. FARMER: Okay.

10 And, accordingly, we drafted some documents
11 which indicate that the license is owned by Blue
12 Flame Pizza and Restaurant --

13 MR. CAPORRINO: Yeah.

14 MR. FARMER: It's owned by the corporation?

15 MR. CAPORRINO: Corporation.

16 MRS. CAPORRINO: Yes. Yes, corporation.

17 MR. FARMER: And you and your husband are
18 the sole owners of the corporation?

19 MRS. CAPORRINO: Yes.

20 MR. CAPORRINO: Yes.

21 MR. FARMER: And you executed what's known
22 as a Corporate Resolution authorizing you to sign
23 to retire this license?

24 MRS. CAPORRINO: Yes.

25 MR. CAPORRINO: Yes.

1 MR. FARMER: And in retirement of the
2 license the City has agreed to pay you
3 \$30,000.00?

4 MR. CAPORRINO: Yes.

5 MRS. CAPORRINO: Okay. Yes.

6 MR. FARMER: Okay.

7 All right. Do you have any questions of
8 me?

9 MRS. CAPORRINO: No.

10 MR. CAPORRINO: (Indiscernible) --
11 question.

12 MR. DILLON: Sir, --

13 MR. FARMER: So, you don't -- you don't
14 have any questions?

15 MRS. CAPORRINO: No.

16 MR. FARMER: No.

17 MRS. CAPORRINO: Everything go fine.

18 MR. FARMER: Okay.

19 And the situation is you're not here this
20 evening represented by an attorney, nor were you
21 represented by an attorney ever since you sent
22 that letter in June.

23 Correct?

24 MRS. CAPORRINO: Yes.

25 MR. FARMER: You don't want to be

1 represented by an attorney?

2 MR. CAPORRINO: No, no, no.

3 MRS. CAPORRINO: No.

4 MR. FARMER: Okay.

5 Any questions of me?

6 MR. CAPORRINO: Okay.

7 MR. FARMER: No, any questions of me?

8 MR. CAPORRINO: No.

9 MRS. CAPORRINO: No, no.

10 MR. FARMER: Any questions --

11 MRS. CAPORRINO: Just very --

12 MR. FARMER: -- of the Board?

13 MRS. CAPORRINO: No.

14 MR. FARMER: Okay.

15 MAYOR STACK: I -- I would just --

16 MRS. CAPORRINO: Everything's fine.

17 MAYOR STACK: -- like to make a statement.

18 Rosa and Mike have owned the pizzeria for

19 many, many years -- Blue Flame Pizza. Great

20 people. Great business people. I'm sorry to see

21 it -- when they sold the pizzeria I was

22 heartbroken.

23 MRS. CAPORRINO: Thank you.

24 MAYOR STACK: They're great people.

25 Wonderful people who actually moved back to Union

1 City now and live above the pizzeria.

2 So while we lost you operating the
3 pizzeria, we're glad that we gained you as a
4 Union City resident again.

5 MRS. CAPORRINO: Thank you very much.

6 MAYOR STACK: And I want to wish you both a
7 lot of luck.

8 MRS. CAPORRINO: Thank you.

9 MAYOR STACK: You're good people and
10 there --

11 MRS. CAPORRINO: We try the best.

12 MAYOR STACK: -- should be more people like
13 you. Good people.

14 MR. CAPORRINO: Thank you.

15 MRS. CAPORRINO: Thank you.

16 MAYOR STACK: Congratulations to the both
17 of you.

18 MRS. CAPORRINO: Thank you.

19 MR. CAPORRINO: Thank you.

20 MAYOR STACK: Thank you very much.

21 MRS. CAPORRINO: Thank you.

22 MR. CAPORRINO: Thirty-- thirty-six years
23 over there.

24 MAYOR STACK: Yeah.

25 COMMISSIONER FERNANDEZ: Wow.

1 MR. FARMER: Thirty-six --

2 COMMISSIONER MARTINETTI: Thirty-six years.

3 MAYOR STACK: Thirty-six years.

4 DEPUTY CITY CLERK: Wow.

5 MAYOR STACK: Thirty-six years. Good

6 people.

7 COMMISSIONER MARTINETTI: Great people.

8 MAYOR STACK: And the pizzeria is still

9 staying in operation.

10 COMMISSIONER MARTINETTI: Great people.

11 We're going to miss --

12 MAYOR STACK: Somebody else is operating

13 the pizzeria.

14 MRS. CAPORRINO: Um-hum.

15 MAYOR STACK: That's good news.

16 MRS. CAPORRINO: Just the liquor license

17 you got -- we want to give it to --

18 MAYOR STACK: Good. Good.

19 MRS. CAPORRINO: -- the City.

20 MAYOR STACK: Good.

21 Best of luck to you both.

22 I'll make a motion to approve.

23 DEPUTY CITY CLERK: Motion --

24 COMMISSIONER FERNANDEZ: Second.

25 DEPUTY CITY CLERK: -- by Mayor Stack.

1 Second by Commissioner Fernandez.
2 Commissioner Fernandez?
3 COMMISSIONER FERNANDEZ: Yes.
4 DEPUTY CITY CLERK: Commissioner Rivas?
5 COMMISSIONER RIVAS: Yes.
6 DEPUTY CITY CLERK: Commissioner Valdivia?
7 COMMISSIONER VALDIVIA: Yes.
8 DEPUTY CITY CLERK: Commissioner
9 Martinetti?
10 COMMISSIONER MARTINETTI: Yes.
11 DEPUTY CITY CLERK: Mayor Stack?
12 MAYOR STACK: Yes.
13 MR. FARMER: Okay.
14 DEPUTY CITY CLERK: The second on the
15 Regular Agenda --
16 MAYOR STACK: You guys are done.
17 MRS. CAPORRINO: Thank you.
18 MAYOR STACK: Best of luck to you both
19 again.
20 MR. CAPORRINO: Thank you.
21 MRS. CAPORRINO: Thank you.
22 MR. FARMER: Okay.
23 MAYOR STACK: Thank you very much.
24 Thank you, Mike.
25 MR. CAPORRINO: Thank you.

1 MAYOR STACK: Thank you, Rosa.

2 Have a good night.

3 MRS. CAPORRINO: I want to give --

4 DEPUTY CITY CLERK: Thank you.

5 MRS. CAPORRINO: -- all of you again.

6 MAYOR STACK: Thank you very much.

7 MRS. CAPORRINO: Thank you.

8 COMMISSIONER RIVAS: Thank you.

9 COMMISSIONER FERNANDEZ: Thank you. Thank
10 you.

11 MAYOR STACK: Thank you.

12 MRS. CAPORRINO: Thank you.

13 MAYOR STACK: Thank you very much for
14 everything.

15 MRS. CAPORRINO: Thank you.

16 MAYOR STACK: Thank you.

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

19

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

22 **REGULAR AGENDA:**

23 3. (sic) Resolution Approving the Payment of
24 Claim for the Hudson County Improvement Authority

25

1 DEPUTY CITY CLERK: The second item on the
2 Regular Agenda is a Resolution Approving the
3 Payment of Claim for the Hudson County
4 Improvement Authority.

5 MAYOR STACK: I'll move it.

6 DEPUTY CITY CLERK: Motion by Mayor Stack.

7 COMMISSIONER VALDIVIA: Second.

8 DEPUTY CITY CLERK: Second by Commissioner
9 Valdivia.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 DEPUTY CITY CLERK: Commissioner Rivas is
13 recusing.

14 Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 DEPUTY CITY CLERK: And Mayor Stack?

20 MAYOR STACK: Yes.

21 DEPUTY CITY CLERK: Thank you.

22

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

25 **ORDINANCES FOR HEARING AND ADOPTION**

1 **CONSIDERATION:**

2 1. AN ORDINANCE OF THE CITY OF UNION CITY,
3 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
4 SUM OF \$245,000 IN FUNDING FROM THE CAPITAL
5 IMPROVEMENT FUND FOR VARIOUS IMPROVEMENTS TO CITY
6 PARKS AND RECREATIONAL AREAS.)

7
8 DEPUTY CITY CLERK: We have two Ordinances
9 on for Hearing and Adoption this evening.

10 The first is an Ordinance of the City of
11 Union City, County of Hudson, New Jersey,
12 Appropriating the Sum of 245,000 in Funding from
13 the Capital Improvement Fund for Various
14 Improvements to the City Parks and Recreational
15 Areas.

16 Mayor, at this time would you like to take
17 public comment on this Ordinance?

18 MAYOR STACK: Sure.

19 Anyone wishing to comment on this Ordinance
20 at this time please step forward, state your name
21 and address for the record.

22 Seeing none.

23 DEPUTY CITY CLERK: May I have a motion to
24 adopt?

25 COMMISSIONER VALDIVIA: Motion.

1 DEPUTY CITY CLERK: Motion by

2 Commissioner --

3 I'm sorry.

4 May I have a motion to close public
5 comment?

6 COMMISSIONER VALDIVIA: Motion.

7 DEPUTY CITY CLERK: Motion by Commissioner
8 Valdivia.

9 COMMISSIONER FERNANDEZ: Second.

10 DEPUTY CITY CLERK: Second by Commissioner
11 Fernandez.

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: I'm sorry?

21 DEPUTY CITY CLERK: To close public
22 comment.

23 COMMISSIONER MARTINETTI: Yes.

24 DEPUTY CITY CLERK: And Mayor Stack?

25 MAYOR STACK: Yes.

1 DEPUTY CITY CLERK: May I have a motion to
2 adopt?

3 COMMISSIONER VALDIVIA: Motion.

4 DEPUTY CITY CLERK: Motion by Commissioner
5 Valdivia.

6 COMMISSIONER RIVAS: Second.

7 DEPUTY CITY CLERK: Second by Commissioner
8 Rivas.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 DEPUTY CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 DEPUTY CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 DEPUTY CITY CLERK: Commissioner
16 Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 DEPUTY CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20

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

23 **ORDINANCES FOR HEARING AND ADOPTION**

24 **CONSIDERATION:**

25 2. AN ORDINANCE AMENDING CHAPTER 155 OF THE

1 CODE OF THE CITY OF UNION CITY ENTITLED "FEES"
2 (EMS FEES).)
3

4 DEPUTY CITY CLERK: The next is an
5 Ordinance Amending Chapter 155 of the Code of the
6 City of Union City Entitled Fees, EMS Fees.

7 Mayor, at this time would you like to take
8 public comment on this Ordinance?

9 MAYOR STACK: Sure.

10 Anyone wishing to comment at this time
11 please step forward, state your name and address
12 for the record.

13 MR. PRICE: Larry Price, 1006 Palisade
14 Avenue.

15 It's more questions.

16 Okay.

17 If I may?

18 Twice when I've lived here I had to call an
19 ambu-- call 911. One -- first time was in 2001
20 when it was still a volunteer organization; there
21 was no charge.

22 The second time was roughly 15 years ago
23 when I called and the took me to the General --
24 over on River Road. They took my whatever and
25 six weeks later I get a check in the mail from

1 Medicare for a hundred and fifty bucks as I
2 remember.

3 So I went over the ambulance corps and I
4 said what is this and they said it's ours. And I
5 said what else do I owe you and they said that's
6 it, we'll take your hundred and fifty bucks, done
7 with it.

8 Well, 15 years ago.

9 Okay.

10 You're adopting an ordinance now; the basic
11 fee for ambulance service will be a base fee of
12 \$900.00, plus \$25.00 a mile. So that last trip
13 would have been 10 miles, \$250.00 for that, 900
14 for -- 1150 bucks.

15 If Medicare sends me the same check for a
16 hundred and fifty bucks, do I owe you a thousand
17 dollars?

18 MAYOR STACK: No. No. And if you don't
19 have insurance you don't pay anything. We would
20 never do that.

21 Knowing what you know about this
22 Administration, that should be a no brainer.

23 MR. PRICE: Okay.

24 Shouldn't we make the wording the lesser of
25 what the insurance company pays you --

1 MAYOR STACK: No.

2 MR. PRICE: -- or --

3 MAYOR STACK: This has been -- this has
4 been in practice for many, many years. If
5 somebody has insurance they take whatever the
6 insurance company gives them but it never comes
7 back to the resident of Union City, Larry, for
8 all the years that we've been doing this.

9 MR. PRICE: Okay.

10 MAYOR STACK: We wouldn't do that to the
11 residents.

12 MR. PRICE: Yeah, that -- that would be a
13 real surprise.

14 Okay.

15 Second que --

16 MAYOR STACK: And this is just tying in
17 with the other municipalities surrounding us --

18 MR. PRICE: Right.

19 MAYOR STACK: -- have the same thing.

20 MR. PRICE: Okay.

21 Second question.

22 And this goes to the fee for refusal of
23 medical attention -- when an ambulance is called
24 and then the person refuses medical attention,
25 shall be \$300.00 per call, which shall be billed

1 to the insurance company of the caller.

2 Okay. Probably happens every day. Someone
3 falls down, knocks himself unconscious, some good
4 Samaritan calls 911, ambulance comes. The guy is
5 revived and says I'll call my wife and I'll go
6 home and I'll go home in a taxi and they don't
7 need -- they refuse the ambulance service.

8 Okay. This says the good Samaritan is on
9 the hook for 300 bucks. Do we really want to do
10 that?

11 MAYOR STACK: It's -- it's not meant to be
12 the good Samaritan. It would be the person that
13 has the injury or who refuses if they have
14 insurance. If they don't, again, they don't pay.

15 DEPUTY CITY CLERK: Correct.

16 MAYOR STACK: When they say the caller they
17 mean the person that is the injured party.
18 That's what it means.

19 MR. PRICE: The injured party's unconscious
20 when the call is made.

21 MAYOR STACK: I know if that person --

22 MR. PRICE: It -- it says the caller.

23 MAYOR STACK: -- if that person has
24 insurance they'll get billed. If not they don't
25 pay anything.

1 MR. PRICE: Don't we want to change the
2 wording there to say the injured --

3 MAYOR STACK: Yeah, we'll look into it.
4 Angelo will look into it.

5 Just look into that Angelo. Make sure it's
6 clarified.

7 MR. AUTERI: Okay.

8 COMMISSIONER MARTINETTI: The person who
9 needs service?

10 MR. AUTERI: Okay.

11 DEPUTY CITY CLERK: Okay.

12 MR. PRICE: Okay.

13 Third question I have.

14 I was a little shocked the second time; I
15 wanted to be taken to Hackensack and they
16 informed me the amb-- 911 ambulance service would
17 only go to a hospital in Hudson County.

18 If we're paying the freight can we now
19 direct the ambulance to go where --

20 MAYOR STACK: You can't. Because you would
21 tie up an ambulance that could be used by
22 somebody else. Going to Hackensack is a lot
23 different than going -- going to Palisade General
24 or going to Hoboken or going to CarePoint in
25 Jersey City or the Medical Center. You would be

1 | tying up that ambulance.

2 | Although we have very good ambulance
3 | service in my opinion -- it's always been good in
4 | Union City but I think we've even improved it, we
5 | couldn't take them out --

6 | If you had special circumstances where
7 | somebody needs to be transported, we do it all
8 | the time -- not an emergency call -- if somebody
9 | needs to be set up and you say, listen, on
10 | Thursday I need to go to Hackensack, we'll take
11 | you there. There's no issue with that at all.

12 | But if it's an emergency call, we're going
13 | to get you to the nearest hospital.

14 | MR. PRICE: You realize --

15 | MAYOR STACK: Because there's also
16 | liabilities involved --

17 | COMMISSIONER MARTINETTI: Liability.

18 | MAYOR STACK: -- when you're going further
19 | out of the way.

20 | COMMISSIONER MARTINETTI: Liability.

21 | Right. Correct.

22 | MR. PRICE: Well, most of the hospitals in
23 | Hudson County are not very good. They'll kill
24 | you. They're death traps most of them.

25 | That's the problem. You know, I was

1 shocked when they said no Hackensack.

2 Umm --

3 MAYOR STACK: They're just taking them
4 further out. That's why. Yeah.

5 It's taking -- it's taking the ambulance --
6 knocking the ambulance out of service that much
7 longer.

8 MR. PRICE: Correct.

9 COMMISSIONER VALDIVIA: And don't go to
10 CarePoint either.

11 MR. PRICE: I'm sorry, Commissioner?

12 MAYOR STACK: Be careful what you say.

13 COMMISSIONER VALDIVIA: Personal.

14 MAYOR STACK: No.

15 MR. PRICE: That rule, I -- I know but that
16 rule --

17 MAYOR STACK: I mean if somebody calls,
18 Larry, and says, listen, -- like I just said,
19 today's Tuesday, tomorrow I need to go to
20 Hackensack at a certain time, we'll make
21 accommodations to bring that person. No charge;
22 nothing like that.

23 MR. PRICE: Well, I'm thinking in an
24 emergency.

25 I mean the golden standard for somebody

1 with a heart attack is, you know, put in a, you
2 know, angioplasty, put in a stent. That's --
3 that's the golden standard. Anything shy of that
4 is third grade medicine.

5 The problem with that is you need a trauma
6 center with interventional cardiologists. The
7 only hospital in Hudson County that can do that,
8 I think, is Jersey City Medical Center.

9 MAYOR STACK: I believe -- I believe you're
10 correct.

11 MR. PRICE: None of the others are
12 qualified.

13 So, if you take me to Christ Hospital I'm
14 dead. That's -- that's what it really comes
15 down --

16 MAYOR STACK: The only other one that might
17 be getting that status, I don't know if they have
18 it yet, that might be getting it --

19 COMMISSIONER MARTINETTI: Mayor?

20 MAYOR STACK: -- might be Palisade General
21 because they merged with -- the Hackensack.

22 COMMISSIONER MARTINETTI: Mayor?

23 MAYOR STACK: They might be.

24 COMMISSIONER MARTINETTI: George is there.

25 MAYOR STACK: Who?

1 COMMISSIONER MARTINETTI: George Fierro.

2 MAYOR STACK: Okay.

3 MR. PRICE: But if -- if the rule becomes
4 to the nearest hospital and I have a heart attack
5 at home, the nearest hospital is either Hoboken
6 or Christ Hospital and those can't do that.
7 They'll -- they'll -- they'll kill me. I want to
8 go to a hospital that will save my life. And you
9 -- as long as you have that rule, --

10 Yes, I realize it ties up the ambulance
11 longer. But it's the -- for me having a stroke
12 or a heart attack at home, it's the difference
13 between living and dying.

14 MAYOR STACK: I understand.

15 MR. PRICE: So if you stick with the
16 policy, I have to make arrangements for private
17 carry because I can't call 911.

18 MAYOR STACK: Right.

19 I mean going forward maybe we'll take --
20 we'll look at it. We'll see what else we can do.
21 I just don't know, being the distance between
22 here and Hackensack and here and a local
23 hospital, there's a big difference, Larry.

24 MR. PRICE: I can get to Hackensack Medical
25 faster than I can get to, you know, Palisade

1 General. Because you just got down the Turnpike.

2 MAYOR STACK: Turnpike.

3 MR. PRICE: Getting there is a snap. It's
4 faster. So, I -- and whatever. Okay.

5 I would -- as a follow-up item, I would --
6 because, you know, it's -- either the policy
7 changes or I have to make private arrangements.
8 And anybody who's put -- because --

9 MAYOR STACK: I think that this policy
10 though, Larry, is -- is by -- and I could be
11 wrong.

12 George Fierro is here from the -- the
13 ambulance --

14 George, can you come up one minute?

15 I believe you have to take the person to
16 the -- the nearest hospital in the same county.
17 But I could be wrong.

18 George, am I correct in that?

19 MR. FIERRO: Yes. The --

20 MAYOR STACK: Why don't you just introduce
21 yourself? Just -- and just introduce yourself
22 for the record, just so we have it.

23 MR. FIERRO: George Fierro, --

24 MR. DILLON: How do you spell your last
25 name?

1 MR. FIERRO: F-I-E-R-R-O.

2 MR. DILLON: Okay.

3 MR. FIERRO: Okay.

4 The State protocol mandates, because of
5 medical control, that BLS units have to stay
6 within the county. That is a State protocol.

7 If ALS is there, which is the advanced life
8 support, they will take you to the nearest
9 facility to stabilize you and then you can
10 transfer out.

11 As far as your question with the heart
12 condition, Hoboken, Palisade and Christ Hospital
13 are now stroke centers.

14 So they can stabilize you, the doctors are
15 on call, until they can transfer you out to a
16 specialty care.

17 MR. PRICE: Well, that -- I hear the
18 answer. The answer is not really a very good
19 one.

20 I had two parents that died of strokes. I
21 know all about strokes. I worry about strokes.
22 And I can tell you that the critical thing is --

23 There are two kinds of strokes. One is a
24 cerebral hemorrhage where you're just bleeding
25 and the other is a clot. Eight-five percent of

1 | them are clots. But if you -- you -- the
2 | treatment is entirely different.

3 | The doctor has to know immediately, before
4 | treating, what kind of stroke it is. And that's
5 | only in a hospital with a lab. A really good
6 | lab. And I doubt that Hoboken or Christ Hospital
7 | has that kind of lab.

8 | So, they'll stabilize you; they -- they
9 | can't even begin to treat. They can't give you
10 | TPA because they don't know for sure. So, --

11 | And you've got to get to a trauma center if
12 | you've got a stroke or a heart attack. That --
13 | that's the only --

14 | MAYOR STACK: What --

15 | MR. PRICE: -- and whatever.

16 | MAYOR STACK: What -- what --

17 | MR. PRICE: Okay. Now, -- but could I ask
18 | a question?

19 | You say it's a State mandate. Who mandated
20 | it? What's the consequences if you ignore it?

21 | MR. FIERRO: The State Department of Health
22 | is the ones that set the guidelines for BLS,
23 | which is EMS 911, or the ALS.

24 | However, the State of New Jersey Department
25 | of Health have certified, through their Board and

1 training, have certified Palisade General, Christ
2 Hospital and Hoboken as State-designated stroke
3 centers.

4 MAYOR STACK: And you said --

5 MR. FIERRO: This is --

6 MAYOR STACK: -- that was Palisade General,
7 Hoboken, and?

8 MR. FIERRO: And Christ Hospital.

9 MAYOR STACK: And what about Jersey City
10 Medical Center?

11 MR. FIERRO: Well, Jersey City Medical
12 Center, yes, because they're a trauma center.

13 MAYOR STACK: Okay.

14 MR. FIERRO: They had it prior.

15 But within the last year and a half, two
16 years, the last three hospitals have been
17 certified as stroke centers.

18 MAYOR STACK: And is it just -- like I just
19 want -- I'm curious because what Larry just
20 brought up, I mean I often think a lot, too.

21 Let -- let me ask you this though. How do
22 you get certified, George? I'm just curious.

23 If you don't know, you don't know. But how
24 do you get certified as a hospital?

25 MR. FIERRO: I'm not a hundred percent sure

1 but from the literature that the State sends to
2 all the 911 services is they have to have certain
3 specialized doctors on staff on the facility or
4 within a half-hour range that the doctor can get
5 there.

6 I'm pretty sure there -- there's a lot more
7 medical specialties but the State certified them
8 as stroke centers.

9 MAYOR STACK: So there's no doctor on call
10 -- there's no doctor in that hospital 24/7 who --
11 who's a stroke --

12 MR. FIERRO: Some of the hospitals may have
13 someone. Or they may have a staff that within a
14 certain amount of time --

15 MAYOR STACK: Right.

16 MR. FIERRO: -- they have to --

17 MAYOR STACK: That's all they deal with,
18 yeah.

19 MR. FIERRO: Yes.

20 But the -- the main one here is Jersey City
21 Medical Center.

22 MAYOR STACK: Okay.

23 MR. FIERRO: And the reason we don't go
24 outside the County is because, depending on the
25 time or the day or if we're caught in traffic or

1 15, 20 minutes into Hackensack something happens,
2 we're stuck in the middle of nowhere with no
3 advanced care.

4 MAYOR STACK: Right.

5 MR. PRICE: I'll stop there.

6 I'd -- I end up concerned as a result of
7 this. Because in --

8 Let me make a comment about strokes. Okay?

9 There are two kinds of strokes. One is a
10 cerebral hemorrhage where the brain is bleeding.
11 And the second is where you have a clot in the
12 brain, where blood supply to some part of the
13 brain is cut off.

14 Standard treatment for a clot, whatever, is
15 TPA, which basically dissolves the clot.

16 But if it's a cerebral hemorrhage and you
17 give somebody TPA you kill them right there on
18 the spot because the -- they're already bleeding
19 and you -- and they basically bleed to death in
20 the head.

21 So, it's not -- administering TPA is not a
22 big deal. Any probably G-- GP could do it.
23 Normally like -- like to have a neurologist.

24 The key is you've got to have a lab on
25 standby who can in 15 minutes tell you whether

1 it's a cerebral hemorrhage or clot stroke.

2 Because you can't administer that TPA until you
3 know. So it's not the doctor, it's the lab.

4 I don't know, do -- do they --

5 MAYOR STACK: Do they have -- do have they
6 have that? Do they have a lab and everything?

7 MR. FIERRO: As far as I know to be
8 certified, that is part of their protocol.

9 MAYOR STACK: Can we do -- can you find out
10 for me and get me the information so I can get it
11 to Larry?

12 I would like to know too.

13 MR. FIERRO: For the three stroke centers?

14 MAYOR STACK: Yeah.

15 And -- and --

16 MR. FIERRO: Sure.

17 MAYOR STACK: And what it takes?

18 Is it just an application to apply to
19 become part of this and they certify you? Yes,
20 you can join.

21 Or do they have labs?

22 MR. FIERRO: I'm pretty sure they have
23 to --

24 MAYOR STACK: I would like to know too.

25 MR. FIERRO: Just like we had -- well, the

1 City of Union City applied for the 911 license.

2 You have to meet the criteria --

3 MAYOR STACK: Right.

4 MR. FIERRO: -- with the equipment, the
5 training of the personnel.

6 I'm almost positive that the doctors have
7 to do the same thing.

8 MAYOR STACK: Right.

9 MR. FIERRO: Because there's different
10 levels.

11 MAYOR STACK: I mean I remember when my
12 mom, mercy on her soul -- she passed away now,
13 but when she had a heart attack back in the
14 nineties, they took her originally to Christ
15 Hospital. Thank God she took an aspirin right
16 before she had the heart attack because that
17 helped her. And then she transferred out. I
18 mean I'm not going to lie. She went to
19 Hackensack.

20 And then later on when she had -- you know,
21 she had other issues, she was --

22 I mean you guys got her there immediately.
23 Immediately you got her there. Not because I'm
24 the Mayor; I wasn't the Mayor at the time.
25 But --

1 And then the second time was to Englewood.

2 But --

3 I mean I would like to know this too. But
4 I'd like to see something in writing so I can
5 read it, I could share it with Larry, and then if
6 there is decisions to be made, --

7 I mean it's important thing that's been
8 brought up here.

9 MR. FIERRO: Well, one of the things also,
10 like Larry said, the 15 minute rule. There is no
11 way we can get you from Union City to Hackensack
12 in 15 minutes --

13 MAYOR STACK: Right.

14 MR. FIERRO: -- without advanced care.
15 There -- there's just no way.

16 So that's probably where the State also
17 sets that BLS versus ALS intervention can't go
18 out of --

19 MAYOR STACK: And there's like -- there's
20 like booklets and reports that come out --

21 MR. FIERRO: Yes.

22 MAYOR STACK: -- that show the success.

23 MR. FIERRO: Yes.

24 MAYOR STACK: If you can get that, George,

25 --

1 MR. FIERRO: Sure.

2 MAYOR STACK: -- just so I can share it.
3 I'd like to see the success rate of those
4 hospitals in Hudson with strokes and heart
5 attacks.

6 I know Hackensack has a tremendous rate on
7 survival.

8 MR. FIERRO: Well, since Hackensack took
9 over Palisade, I'm pretty sure the staff now
10 there also is pretty much the same staff.

11 MAYOR STACK: I don't know if you've seen,
12 Larry, they've built a building in the back of
13 Palisade General -- a new building that's just, I
14 believe -- I believe, a heart center.

15 Right?

16 MR. FIERRO: Yes.

17 MAYOR STACK: A heart center.

18 MR. FIERRO: That is correct.

19 MAYOR STACK: That's what I've heard.
20 I haven't seen it.

21 MR. FIERRO: Yes.

22 MAYOR STACK: I mean I've seen the building
23 but I haven't been inside. But I've seen it.

24 MR. FIERRO: State-of-the-art. Yes, sir.

25 MAYOR STACK: And Hackensack now is -- has

1 a presence in --

2 MR. FIERRO: Yes.

3 MAYOR STACK: -- Palisade General?

4 MR. FIERRO: It's actually Hackensack at
5 Palisade General.

6 MAYOR STACK: Right.

7 MR. FIERRO: That's the -- the new
8 facility.

9 MAYOR STACK: Okay.

10 If you can get that information to me and
11 I'll get it over to Larry; I'd like to see it
12 too.

13 MR. FIERRO: Absolutely.

14 MAYOR STACK: Thank you very much.

15 MR. FIERRO: Thank you.

16 MAYOR STACK: Thank you.

17 MR. PRICE: Very good.

18 Thank you.

19 MAYOR STACK: Okay. You got it.

20 Thank you, Justin.

21 Okay, any other questions or comments?

22 MR. DIAZ: Yes.

23 Good evening, Board members. Luis Diaz,
24 412 38th Street.

25 I object to the characterization that Mr.

1 Price made of Hudson County Hospitals.

2 I served on the Palisades General Hospital
3 for 20 years on the Board; five years in the
4 Executive Board. My father was at the Harborage
5 for a number of years before he passed away. I
6 have had surgery there. And it's an excellent
7 hospital.

8 So, characterizing Hudson County hospitals
9 as something less than other counties, I think is
10 -- is going a little bit too far.

11 Especially, Palisades.

12 MR. DILLON: Can you stand -- stand near
13 the mic?

14 MR. DIAZ: Palisade is no longer --

15 MR. DILLON: Mr. Diaz?

16 MAYOR STACK: Mr. Diaz, if you --

17 MR. DIAZ: -- and it has not been --

18 MAYOR STACK: -- could just --

19 MR. DIAZ: -- for many years North Hudson
20 over on Park Avenue.

21 COMMISSIONER VALDIVIA: Mr. Diaz?

22 MR. DILLON: Need you by the mic.

23 COMMISSIONER MARTINETTI: The mic.

24 MR. DIAZ: So I just wanted to bring that
25 up.

1 MAYOR STACK: Sure.

2 MR. DIAZ: Again, I served there --

3 MAYOR STACK: I agree with you on the
4 Harborage. My mom was in the Harborage and they
5 were the best care of all the nursing homes.

6 MR. DIAZ: Yes.

7 MAYOR STACK: That was the best one she was
8 in.

9 MR. DIAZ: Very clean.

10 MAYOR STACK: Yeah.

11 MR. DIAZ: Good people.

12 MAYOR STACK: On -- on the Harborage I
13 agree.

14 MR. DIAZ: Very good.

15 MAYOR STACK: I agree.

16 Thank you.

17 COMMISSIONER MARTINETTI: Thank you, Mr. --

18 MAYOR STACK: Anyone else on this matter?

19 DEPUTY CITY CLERK: May I have a motion to
20 close public comment?

21 MAYOR STACK: Motion.

22 DEPUTY CITY CLERK: Motion by Mayor Stack.

23 COMMISSIONER VALDIVIA: Second.

24 DEPUTY CITY CLERK: Second by Commissioner
25 Valdivia.

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?
14 COMMISSIONER VALDIVIA: Motion.
15 DEPUTY CITY CLERK: Motion by Commissioner
16 Valdivia.
17 COMMISSIONER RIVAS: Second.
18 DEPUTY CITY CLERK: Second by Commissioner
19 Rivas.
20 Commissioner Fernandez?
21 COMMISSIONER FERNANDEZ: Yes.
22 DEPUTY CITY CLERK: Commissioner Rivas?
23 COMMISSIONER RIVAS: Yes.
24 DEPUTY CITY CLERK: Commissioner Valdivia?
25 COMMISSIONER VALDIVIA: Yes.

1 DEPUTY CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: 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 At this time anyone wishing to speak on any
14 matter concerning municipal government in the
15 City of Union City, please step forward, state
16 your name and address for the record.

17 Seeing none.

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

20 COMMISSIONER RIVAS: Motion.

21 DEPUTY CITY CLERK: Motion by Commissioner
22 Rivas.

23 COMMISSIONER FERNANDEZ: Second.

24 DEPUTY CITY CLERK: Second by Commissioner
25 Fernandez.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 DEPUTY CITY CLERK: Commissioner Rivas?

4 Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 MAYOR STACK: I'm sorry.

7 DEPUTY CITY CLERK: That's okay.

8 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: Thank you, Tilo.

15 DEPUTY CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 DEPUTY CITY CLERK: Okay.

18

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS

2 Hearings on Special Conditions:

3
4 1. Manhattan Bar & Grill Restaurant, Inc.

5 t/a Manhattan Bar & Grill Restaurant

6 Location: 1711 Manhattan Avenue

7 License No. 0910-33-188 (sic)

8 2. El Idolo, LLC

9 t/a Angelo's Café

10 Location: 4215 Park Avenue

11 License No. 0910-33-111-008

12

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

15 The first will be Hearings on Special
16 Conditions.

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

19 (Whereupon, Commissioner Rivas left the
20 meeting at 7:30 p.m.)

21 MR. FARMER: Good evening, again.

22 If you look at the agenda you'll see that
23 there are two hearings listed with respect to the
24 modification, alteration, or removal of special
25 conditions.

1 One is Manhattan Bar and Grill Restaurant.
2 That application's being withdrawn. So that's no
3 longer before you.

4 The other one is Angelo's Café at 4215 Park
5 Avenue. That will require testimony and what I
6 would suggest is if we took care of the rest of
7 the calendar, which is -- we can go through very
8 fast.

9 MAYOR STACK: Okay.

10 MR. FARMER: And then return to Angelo's
11 Café. Because I have two -- two officers who
12 would be testifying and Mr. Diaz is here -- I
13 don't know if his client's here.

14

15

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS

2 Disciplinary Proceedings:

3

4 1. Nafpaktos Diner Inc.

5 t/a 4-Star Diner

6 Location: 543 32nd Street

7 License No. 0910-33-067-004

8 2. A&C 2004 Corp.

9 t/a Adoro Café

10 Location: 414 38th Street

11 License No. 0910-33-149-006

12 3. Dominick Pikunich

13 t/a Topps

14 Location: 1300 Summit Avenue

15 License No. 0910-32-194-004

16 4. Manhattan Bar & Grill Restaurant, Inc.

17 t/a Manhattan Bar & Grill Restaurant

18 Location: 1711 Manhattan Avenue

19 License No. 0910-33-188 (sic)

20

21

* * *

22

23

24

25

1 NAFFAKTOS DINER INC.

2 t/a 4-STAR DINER

3 Location: 543 32nd Street

4 License No. 0910-33-067-004

5

6 MR. FARMER: But if I might, the 4-Star
7 Diner.

8 MAYOR STACK: Hi, Bill. How are you?

9 MR. ANAGNOSTOS: Good, Mayor.

10 MAYOR STACK: Good.

11 MR. FARMER: Just -- and we'll get this
12 theory throughout this agenda on a couple of
13 cases.

14 When we renewed the licenses on June 30th,
15 anybody who did not have a tax clearance
16 certificate, their license was -- was not
17 renewed.

18 That list was given to the Police
19 Department and they went out and basically shut
20 down whatever bars were on the list that didn't
21 have a tax clearance certificate.

22 However, this was during a period of time
23 when the government was being shut down and there
24 was stuff going on there and there was an autom--
25 not automatic -- there was a order from the State

1 for two days extending the time to get a tax
2 clearance certificate. Instead of having them by
3 Friday, they gave you a grace period to get it by
4 Saturday -- by Monday.

5 The 4-Star Diner was one of those
6 establishments. However, when the Police went in
7 to advise them about not having a tax clearance
8 certificate, they also asked for some paperwork
9 and the paperwork was deficient.

10 So, the licensee is here. And what we have
11 done is and what the Police Department is trying
12 to do, is give everybody a chance with respect to
13 paper violations. Not giving amnesty but this is
14 the situation.

15 We've agreed to five days. He was already
16 shut down for two, reducing it to three. And
17 that three he'll plead guilty to; they'll be
18 suspended during this term and if there's a
19 reoccurrence of any offense then those three days
20 go back.

21 MAYOR STACK: Yeah, in my time here I've
22 never heard of him having any issue there at all.

23 MR. FARMER: Right.

24 Okay?

25 MR. ANAGNOSTOS: Okay. Yes.

1 MR. FARMER: Okay.

2 State your name and they're going to put
3 you under oath.

4 MR. ANAGNOSTOS: Okay.

5 Bill Anagnostos.

6 MR. DILLON: Can you spell your last name?

7 MR. ANAGNOSTOS: A-N-A-G-N-O-S-T-O-S.

8 MR. DILLON: I'm sorry. A-N-A-G-N--

9 MR. ANAGNOSTOS: --O-S-T-O-S.

10 MR. DILLON: Okay.

11 You want me to put him under oath?

12 MR. FARMER: Yes, please.

13 MR. DILLON: Please raise your right hand.

14 Do you swear the testimony you're about to
15 give this Board is the whole truth?

16 MR. ANAGNOSTOS: Yes.

17 MR. DILLON: You've already stated your
18 name for the record.

19 Thank you.

20 MR. FARMER: You're here by yourself; you
21 don't have an attorney?

22 MR. ANAGNOSTOS: No.

23 MR. FARMER: Does that -- it would be fair
24 to say that because you're here without an
25 attorney you don't need to feel that you have to

1 have an attorney?

2 MR. ANAGNOSTOS: I -- I don't think I need
3 one.

4 MR. FARMER: Okay. That's why I asked you.

5 Now, the situation is we've agreed to a
6 five day suspension, two of which you've already
7 served.

8 MR. ANAGNOSTOS: Right.

9 MR. FARMER: Leaving three days, which is
10 going to be suspended --

11 MR. ANAGNOSTOS: Right.

12 MR. FARMER: -- on -- on the provision that
13 there is no reoccurrence of any offense between
14 now and when your license get -- gets renewed in
15 2017.

16 MR. ANAGNOSTOS: Correct.

17 MR. FARMER: Okay.

18 That's it.

19 MR. ANAGNOSTOS: Can I make one statement
20 though?

21 MAYOR STACK: Sure.

22 MR. ANAGNOSTOS: The week before the
23 license was renewed I had called the office and I
24 was not aware of any problems. Okay?

25 The State -- when the State opened up

1 Wednesday, my accountant cleared it up over the
2 phone because there was a mistake on the State's
3 part.

4 They told my accountant why wasn't I
5 informed by the City that I needed tax clearance,
6 that there was a problem.

7 And --

8 MR. FARMER: Can I just --

9 MR. ANAGNOSTOS: -- that statement I just
10 wanted to make.

11 MAYOR STACK: Sure.

12 MR. FARMER: Okay. Can I just point
13 something out?

14 MAYOR STACK: I don't know the answer to
15 that, so let me just ask Greg.

16 MR. FARMER: Yeah.

17 MAYOR STACK: Greg?

18 MR. FARMER: The -- the license expires on
19 June 30th. And I was very surprised -- because
20 this is not the first time I heard him say that.
21 I'm very surprised that if you've owned this
22 liquor license all that time, not to know that
23 the tax clearance to get renewed every year has
24 to be gotten. Because if you don't have the tax
25 clearance -- that's when the license expires and

1 that's when we renew them. Right at that period
2 of time.

3 I don't know how long you've had this
4 liquor license --

5 MR. ANAGNOSTOS: Thirty-four years.

6 MR. FARMER: Well, then you must have had
7 34 --

8 MR. ANAGNOSTOS: I've never had a problem
9 with tax clearance.

10 MR. FARMER: Well, and if you didn't you --
11 you --

12 First of all, as I said, we cleared up the
13 tax clearance certificate because you fell into
14 the two days. But you had no paper.

15 Do you remember talking with Detective
16 Dunlay?

17 MR. ANAGNOSTOS: Correct. Correct.

18 MR. FARMER: Indicating that you had
19 nothing.

20 MR. ANAGNOSTOS: Okay.

21 MR. FARMER: And so consequently what the
22 City said we will give you five --

23 And if you don't want it, we can all come
24 back here.

25 MR. ANAGNOSTOS: That's --

1 MR. FARMER: -- five days, two days
2 suspended, three days left --

3 MR. ANAGNOSTOS: That's --

4 MR. FARMER: What?

5 MR. ANAGNOSTOS: That's not what I'm
6 asking.

7 I'm asking why wasn't -- why aren't the bar
8 owners informed? The licensees?

9 MR. FARMER: Well, I've never heard that
10 the Clerk -- the ABC Board has to send out a
11 notice to every licensee --

12 Which, by the way, there's a hundred and
13 fifty of them.

14 -- to say, oh by the way fellas, I'm just
15 reminding you that your license expires on June
16 30th.

17 I would think that if somebody has a
18 license they would know, just like your driver's
19 license, if you open up your wallet and you look
20 at it, it says expired on such and such.

21 MR. ANAGNOSTOS: Yeah, you get notified,
22 you go and you reapply. Same thing.

23 MAYOR STACK: I don't think though,
24 Bill, --

25 MR. ANAGNOSTOS: I paid --

1 MAYOR STACK: -- I don't think, Bill,
2 either -- under this Administration or prior,
3 that they've ever sent out letters saying,
4 listen, you have to come in and renew your liquor
5 license.

6 MR. ANAGNOSTOS: Sure they do. You pay the
7 -- I paid on June 1st, June 2nd, something like
8 that. The fee was paid to the City. So if the
9 fee's paid you have a whole month.

10 You wait for the last day to make -- to --
11 to have a hearing?

12 Something is wrong there.

13 MAYOR STACK: No, I -- I think --

14 MR. ANAGNOSTOS: The license is supposed to
15 be ready before. No licenses were -- were ready.

16 Right?

17 If -- if I understand it right, if you have
18 the meeting on the last day, how's anybody's
19 license ready?

20 MR. FARMER: Because what --

21 MR. ANAGNOSTOS: Was anybody's license
22 signed?

23 MR. FARMER: Absolutely.

24 MR. ANAGNOSTOS: And had them?

25 So why --

1 MR. FARMER: Absolutely. Every one --

2 MR. ANAGNOSTOS: So why wasn't mine?

3 MR. FARMER: Because the -- you didn't have
4 a tax clearance certificate.

5 MR. ANAGNOSTOS: And why wasn't it --

6 MAYOR STACK: Tax clearance comes from the
7 State.

8 MR. ANAGNOSTOS: Right.

9 MAYOR STACK: Not from the City.

10 MR. ANAGNOSTOS: But -- but why wouldn't
11 the City --

12 MR. FARMER: Notify you?

13 MR. ANAGNOSTOS: -- inform --

14 Yes.

15 MR. FARMER: Because there's a hundred --

16 MR. ANAGNOSTOS: -- that there's a problem.

17 MR. FARMER: -- and fifty --

18 First of all there's a hundred and fifty
19 licenses. We've been doing this for over a
20 quarter of century and we have never sent out a
21 notice to the Clerk tapping you on the shoulder
22 saying, oh by the way your license is expiring.
23 So that if you looked at the license that's
24 supposed to be hanging in your establishment, --

25 MR. ANAGNOSTOS: That's why I called --

1 MR. FARMER: -- it would say --

2 MR. ANAGNOSTOS: -- ahead of time.

3 That's why I called. To pick up my
4 license. Like I've done the last 34 years.

5 MR. FARMER: When --

6 MR. ANAGNOSTOS: Ahead of time.

7 MR. FARMER: And -- and --

8 MR. ANAGNOSTOS: Before it expires.

9 MR. FARMER: Fine. I don't want to really
10 keep arguing with you.

11 But let's say you did that. Okay?

12 MR. ANAGNOSTOS: I did do that. Yes.

13 MR. FARMER: Okay.

14 Then say --

15 MR. ANAGNOSTOS: I talked to Virginia
16 (phonetic). She said the meeting is Friday.

17 MR. FARMER: And do you have tax --

18 And did she say --

19 MR. ANAGNOSTOS: No, she didn't say that.

20 MR. FARMER: Did you ask her?

21 MR. ANAGNOSTOS: No, I didn't ask her that.

22 MR. FARMER: Okay.

23 Because you didn't know that you needed a
24 tax clearance certificate --

25 MR. ANAGNOSTOS: I didn't see that it would

1 be a problem after all these years.

2 MR. FARMER: Well, --

3 MR. ANAGNOSTOS: You know, I don't -- I
4 think it should be a City policy to -- to help
5 the licensees. Not to -- you know something is
6 wrong there.

7 MR. FARMER: There's nothing wrong with
8 that.

9 MR. ANAGNOSTOS: If -- if the --

10 MR. FARMER: Do you really think we're
11 going to send out a hundred and fifty notices --

12 MR. ANAGNOSTOS: Did you have a --

13 MR. FARMER: Are we going to send it -- are
14 we going to send it certified? We going to send
15 it regular? Who's going to list them all?

16 I mean, look, if you don't -- if you -- if
17 you think you have a problem with this plea,
18 then --

19 MR. ANAGNOSTOS: The only problem I have is
20 why would the State say to my accountant why
21 weren't you notified about this?

22 MR. FARMER: Perfect.

23 MR. ANAGNOSTOS: And the State made the
24 mistake.

25 I'm not saying you made --

1 MR. FARMER: No, --

2 MR. ANAGNOSTOS: -- the mistake.

3 MR. FARMER: -- no, no. Oh, no, no.

4 Perfect.

5 We're not going to rely on some statement
6 made by you say your accountant heard from this
7 person --

8 MR. ANAGNOSTOS: Yeah.

9 MR. FARMER: -- that said this as gospel
10 truth. Okay?

11 It simply comes down to this. You're a
12 licensee. It's the law that your license expires
13 on the 30th. It's written on your license. Okay?

14 You got -- you didn't have the license --
15 the tax clearance on the 30th. The State gave a
16 two day grace period because of some problem in
17 Trenton. Okay.

18 We had gone in on the 30th; you didn't have
19 your license -- you didn't have your tax
20 clearance certificate.

21 We went in on -- on Monday; you had it.
22 Okay.

23 MR. ANAGNOSTOS: I didn't have it on
24 Monday.

25 MR. FARMER: Okay.

1 MR. ANAGNOSTOS: The State was closed on
2 Monday.

3 MR. FARMER: Well, whenever -- the date it
4 was open, at least our position --

5 MR. ANAGNOSTOS: Wednesday. Yeah.
6 Wednesday --

7 MR. FARMER: -- that -- that you had it.

8 MR. ANAGNOSTOS: Yes.

9 MR. FARMER: Okay.

10 And you didn't have any of the other
11 paperwork. Like list of employees.

12 MR. ANAGNOSTOS: It was there.

13 MR. FARMER: Like --

14 MR. ANAGNOSTOS: He just didn't know where
15 it was.

16 MR. FARMER: But it was under lock and
17 key --

18 MR. ANAGNOSTOS: Yeah.

19 MR. FARMER: -- because you don't want it
20 exposed to your employees.

21 And the law is that you have to have those
22 available when the police officer comes in.

23 They were not available.

24 Correct?

25 MR. ANAGNOSTOS: Correct.

1 MR. FARMER: Okay.

2 MAYOR STACK: Okay.

3 So do you understand the -- the terms,

4 Bill?

5 MR. ANAGNOSTOS: Yes.

6 MAYOR STACK: Okay.

7 All right, I'll make a motion to approve.

8 DEPUTY CITY CLERK: Motion by Mayor Stack.

9 COMMISSIONER FERNANDEZ: Second.

10 DEPUTY CITY CLERK: Second by Commissioner

11 Fernandez.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 DEPUTY CITY CLERK: Commissioner Rivas has
15 left.

16 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 MR. FARMER: Okay, thank you, Bill.

24 MAYOR STACK: Thank you, Bill.

25 MR. ANAGNOSTOS: Okay, thank you.

1 MAYOR STACK: Thank you.

2 MR. ANAGNOSTOS: Thank you.

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1 DOMINICK PIKUNICH

2 t/a TOPPS

3 Location: 1300 Summit Avenue

4 License No. 0910-32-194-004

5

6 MR. FARMER: The next one is Topps. And
7 I'm going to seek a dismissal on that because
8 that fell right in with that extension that the
9 State gave licensees to get their tax clearance
10 certificate.

11 MAYOR STACK: Okay. So, you're
12 recommending a dismissal?

13 MR. FARMER: Yes.

14 MAYOR STACK: All right.

15 I'll make a motion on Mr. Farmer's
16 recommendation.

17 COMMISSIONER FERNANDEZ: Second.

18 DEPUTY CITY CLERK: Motion by Mayor Stack.

19 Second by Commissioner Fernandez.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

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1 MANHATTAN BAR & GRILL RESTAURANT, INC.

2 t/a MANHATTAN BAR & GRILL RESTAURANT

3 Location: 1711 Manhattan Avenue

4 License No. 0910-33-188 (sic)

5

6 MR. FARMER: The next one is Manhattan Bar
7 and Grill represented by Mr. Diaz.

8 The situation is I've spoke to Detective
9 Dunlay who's here today and we may have some
10 issues with respect to proof -- and we may not.
11 And as a result of that that caused a discussion
12 between myself and Mr. Diaz. And they're
13 entering a plea for five days that would be from
14 October 1st to October 5th.

15 And Detective Dunlay's in agreement with
16 that.

17 Correct?

18 SERGEANT DUNLAY: Yes, sir.

19 MAYOR STACK: Mr. Diaz?

20 MR. DIAZ: So are we.

21 Difficult situation that they faced. They
22 had an individual who -- who they believed was
23 under the influence of drugs. They have a zero
24 tolerance toward drugs. And they asked the --
25 the individual to leave. The individual wanted

1 to continue drinking. They did not want to serve
2 him and they had to escort him out.

3 He got a little bit rowdy and they had to
4 use a little bit of force and -- and bring him
5 out.

6 They understand that the right thing to do
7 is to call the Police. That they thought of but
8 the individual wanted to continue drinking and
9 they did not want to serve him and that's when
10 they decided to ask him to -- to leave.

11 They accept the -- that the incident took
12 place and the five days.

13 MAYOR STACK: Okay.

14 I'll make a motion to approve.

15 DEPUTY CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER FERNANDEZ: Second.

17 DEPUTY CITY CLERK: Second by Commissioner
18 Fernandez.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: 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.

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1 A&C 2004 CORP.

2 t/a ADORO CAFÉ

3 Location: 414 38th Street

4 License No. 0910-33-149-006

5

6 MR. FARMER: Yeah. I -- I inadvertently

7 skipped over number 2, which is Adoro Café.

8 They're represented by Mr. Diaz.

9 He's asked to see the discovery. This is
10 the first time it's on.

11 I'd ask that it be carried.

12 MR. DIAZ: I've just been retained and --

13 MR. DILLON: Erin?

14 MAYOR STACK: Absolutely.

15 I'll make a motion to approve.

16 MR. DIAZ: Thank you.

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1 MANHATTAN BAR & GRILL RESTAURANT, INC.

2 t/a MANHATTAN BAR & GRILL RESTAURANT

3 Location: 1711 Manhattan Avenue

4 License No. 0910-33-188 (sic)

5

6 MR. DILLON: Wait. I don't think we did
7 the --

8 DEPUTY CITY CLERK: Motion --

9 MR. DILLON: I don't think we did the vote.

10 MAYOR STACK: I don't think so either. No.
11 Did we do the vote?

12 MR. DILLON: No.

13 MAYOR STACK: I'm just thinking myself.

14 MR. DILLON: We only -- we did --

15 MAYOR STACK: No.

16 MR. DILLON: -- we did the motion and the
17 second.

18 MAYOR STACK: I just thought about it, too.

19 MR. DILLON: For Manhattan. We didn't have
20 an actual vote.

21 DEPUTY CITY CLERK: Okay. I apologize.

22 MAYOR STACK: No.

23 DEPUTY CITY CLERK: Commissioner Fernandez?

24 MAYOR STACK: Thank you.

25 COMMISSIONER FERNANDEZ: Yes.

1 DEPUTY CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 DEPUTY CITY CLERK: Commissioner Martinetti

4 is recusing.

5 Mayor Stack?

6 MAYOR STACK: Yes.

7 DEPUTY CITY CLERK: I think we did.

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1 A&C 2004 CORP.

2 t/a ADORO CAFÉ

3 Location: 414 38th Street

4 License No. 0910-33-149-006

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6 MR. FARMER: All right.

7 And I would also like to make a motion to
8 adjourn Adoro Café to the next meeting.

9 DEPUTY CITY CLERK: Motion was made by
10 Mayor Stack.

11 COMMISSIONER VALDIVIA: Second.

12 DEPUTY CITY CLERK: Second by Commissioner
13 Valdivia.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 DEPUTY CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 DEPUTY CITY CLERK: Commissioner Martinetti
19 is recusing.

20 Mayor Stack?

21 MAYOR STACK: Yes.

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS

2 Hearings on Special Conditions:

3

4 El Idolo, LLC

5 t/a Angelo's Café

6 Location: 4215 Park Avenue

7 License No. 0910-33-111-008

8

9 MR. FARMER: That then leaves the -- on
10 your agenda the lifting or modification,
11 changing, whatever adjective you want to use,
12 with respect to Angelo's Café at 4215 Park
13 Avenue.

14 Detective -- Sergeant Dunlay is here this
15 evening, as well as Lieutenant Loaces, both of
16 whom will testify with respect to the Police
17 position with respect to modifying the -- the
18 terms of the Resolution or special condition.
19 Which, in pertinent part is, the licensee will
20 close both the tavern and café/restaurant for all
21 business, including the sale and consumption of
22 food and liquor, every day from Monday through
23 Sunday at 12 a.m.

24 Detective?

25 Swear in the Detective.

1 MR. DILLON: Please raise your right hand.

2 Do you swear the testimony you're about to
3 give this Board is the whole truth?

4 SERGEANT DUNLAY: I do.

5 MR. DILLON: State your name for the
6 record.

7 SERGEANT DUNLAY: David Dunlay, D-U-N-L-A-
8 Y, Sergeant, Union City Police.

9 MR. DILLON: Thank you.

10 MR. FARMER: Detective, how --

11 Please keep your voice up --

12 SERGEANT DUNLAY: Yes, sir.

13 MR. FARMER: -- so everyone can hear your
14 response.

15 How long you been associated with the Union
16 City Police Department?

17 SERGEANT DUNLAY: I'm on my 12th year now,
18 sir.

19 MR. FARMER: How long you been a Sergeant?

20 SERGEANT DUNLAY: I'm going on four.

21 MR. FARMER: Okay.

22 Are you familiar with the taverns and
23 liquor licenses in the City of Union City?

24 SERGEANT DUNLAY: Yes, sir.

25 MR. FARMER: In what way are you familiar

1 with them?

2 SERGEANT DUNLAY: I handle generally, based
3 on my assignment working Detective Bureau nights,
4 I handle the enforcement regarding violations.

5 MR. FARMER: Okay.

6 And you're familiar with -- that some of
7 the licenses in Union City have what there's
8 called a special condition?

9 SERGEANT DUNLAY: That is correct.

10 MR. FARMER: And Adoro (sic) is one of the
11 -- is one such license.

12 Correct?

13 SERGEANT DUNLAY: Yes, sir.

14 MR. FARMER: And you heard me read -- and
15 are you familiar with the condition that's on the
16 license?

17 SERGEANT DUNLAY: Yes, they have to shut
18 down by midnight.

19 MR. FARMER: Okay. Now, the --

20 MR. DIAZ: Angelo's.

21 MR. FARMER: The -- oh, is Angelo's.

22 I'm sorry, did I misspeak?

23 SERGEANT DUNLAY: No, you're fine.

24 MR. FARMER: Okay.

25 MR. DIAZ: Angelo's.

1 MR. FARMER: So with respect to Angelo's,
2 are you aware of the Police position with respect
3 to the continued operation of the establishment
4 under the special conditions that I read before
5 and which are right in front of you?

6 SERGEANT DUNLAY: The Police Department is
7 for the special condition and would like to keep
8 it as such being that there hasn't been an
9 incident at Angelo's Café since the special
10 condition has been enforced, which means they've
11 had zero violations.

12 And from my -- my response at night is I
13 have not responded to any calls for service
14 whatsoever at Angelo's. So, I think it's --
15 they're working fine, the -- the community's
16 working fine, we should just leave it as such.

17 MR. FARMER: Okay.

18 I have no further questions.

19 MR. DIAZ: May I address the -- the Board?

20 MR. FARMER: No, I'm going to put the
21 Lieutenant on.

22 MR. DIAZ: Okay.

23 MR. FARMER: Do you want to ask him a
24 question?

25 MR. DIAZ: No, that's fine.

1 MR. FARMER: Okay.

2 MR. DIAZ: That's fine.

3 MR. FARMER: Thanks.

4 MR. DIAZ: Put your --

5 MR. FARMER: Lieutenant Loaces?

6 MR. DILLON: Please raise your right hand.

7 Do you swear the testimony you're about to
8 give this Board is the whole truth?

9 LIEUTENANT LOACES: I do.

10 MR. DILLON: State your name for the
11 record.

12 LIEUTENANT LOACES: Lieutenant Juan Loaces,
13 L-O-A-C-E-S.

14 MR. DILLON: Thank you.

15 MR. FARMER: Lieutenant Loaces, how long
16 you been associated with the Union City Police
17 Department?

18 LIEUTENANT LOACES: Approximately 28 years.

19 MR. FARMER: And are you familiar with
20 Angelo's Café?

21 LIEUTENANT LOACES: I am.

22 MR. FARMER: Are you familiar with the
23 conditions on Angelo's Café?

24 LIEUTENANT LOACES: I am.

25 MR. FARMER: Do you think that those

1 conditions are reasonable?

2 LIEUTENANT LOACES: I do.

3 MR. FARMER: And what makes you say that
4 they are reasonable?

5 LIEUTENANT LOACES: I have to echo Sergeant
6 Dunlay's sentiment. There have not been --

7 Well, let me backtrack a little bit.

8 Originally Angelo's Café, when they were
9 located on 38th Street and Kennedy Boulevard, they
10 had considerable issues that I won't go into
11 because they're not really pertinent at this
12 point.

13 Then they moved to 42nd and Park Avenue.
14 Totally different environment. Totally different
15 neighborhood if you will.

16 We have not had as many complaints.
17 Because I did see a few complaints in the system
18 when I checked the in-house computer earlier
19 today that spoke of noise complaints and things
20 of that nature. But there a few; there weren't
21 many.

22 And I think part of the reason that -- like
23 as Sergeant Dunlay mentioned, we really haven't
24 responded there on too many calls. I think it's
25 because of this condition. And I think to lift

1 | this condition I think would be an error. I
2 | think it would be -- it would negatively impact
3 | the community there who obviously has welcomed
4 | the Adoro (sic) -- the Ang-- I'm sorry Angelo's
5 | Café and have no issues with them because they're
6 | not calling the Police to complain about them as
7 | much as they were before.

8 | And I think also the -- the licensee should
9 | realize that he's not having the issues that he's
10 | having. And in my personal opinion -- this is my
11 | opinion, my experience has been that people
12 | consider noise complaints and consider
13 | disturbances after midnight.

14 | For some reason, this is just my
15 | experience, I think most people will tolerate
16 | certain noises, certain disturbances until 11,
17 | 11:30. But for whatever reason I think people
18 | have midnight as the magic number where I've had
19 | it, it's 12 o'clock, I'm calling the Police.

20 | I think if we go back to two o'clock
21 | closing, I think it's going to be a mistake and I
22 | think the licensee may actually regret it down
23 | the line because now he's going to start getting,
24 | I think, those complaints and those calls at
25 | 12:30, at one o'clock, at 1:15; where he's not

1 getting them now because I -- like I said I think
2 the neighborhood there is more tolerant and I
3 think they allow more.

4 But I think for whatever reason midnight is
5 the cutoff. And that's my opinion. And in my
6 own personal life living in Union City, I always
7 made 12 o'clock my time, my magic that's enough
8 I'm calling the Police time.

9 And I think changing it and removing the
10 condition, I think, would be a mistake.

11 MR. FARMER: Two questions.

12 LIEUTENANT LOACES: Sure.

13 MR. FARMER: That -- you have a personal
14 opinion --

15 LIEUTENANT LOACES: I do.

16 MR. FARMER: -- that you've just
17 articulated. And that personal opinion is based
18 on your over 20 years of experience, --

19 LIEUTENANT LOACES: It's based on --

20 MR. FARMER: -- and your --

21 LIEUTENANT LOACES: -- being an officer in
22 Union City for 28 years. It's based on dealing
23 with liquor license establishments. It's based
24 on dealing with the community on a regular basis
25 where they express their concerns about issues in

1 the neighborhood. And as well as being a
2 resident of Union City.

3 MR. FARMER: Okay.

4 And, consequently, that personal opinion is
5 that the condition should remain.

6 LIEUTENANT LOACES: Correct.

7 MR. FARMER: Correct?

8 Okay.

9 And would I be correct that in your
10 capacity as a Lieutenant you're aware of what the
11 Police position is with respect to this
12 establishment?

13 LIEUTENANT LOACES: Absolutely.

14 MR. FARMER: And is the official Police
15 opinion of this establishment same as your
16 personal opinion of the establishment?

17 LIEUTENANT LOACES: Yes, it is the opinion
18 of the Union City Police Department that the
19 conditions should not be lifted.

20 MR. FARMER: Okay.

21 All right. I have no further questions.
22 Louie?

23 MAYOR STACK: Mr. Diaz?

24 MR. DIAZ: Um-hum.

25 Again, good evening Board members. Luis

1 | Diaz for the Adoro (sic) -- Angelo's Café.

2 | What the licensee's asking is not to have
3 | the condition removed. What he's asking is just
4 | to lessen it.

5 | In trying to -- to make the business go,
6 | he's requesting that the closing hours be moved
7 | over to one o'clock on Friday and Saturday only.

8 | There is one vacant lot adjacent -- well,
9 | next to the empty place that is adjacent to this
10 | location. So you have nothing on the -- on the
11 | north side of Park Avenue.

12 | You have a couple of businesses on the
13 | south side of Park Avenue adjacent to this
14 | property.

15 | Trying to keep one storefront from closing.
16 | It's hard to -- especially when you have private
17 | parties, weddings, birthdays, that you have to
18 | tell your clients, listen, 11:30 we got to start
19 | closing up because we got -- everything's got to
20 | be closed by 12. Especially private parties,
21 | birthdays, that sort of thing.

22 | Again, nothing has happened in the last
23 | three years; no violations, no incidents. And
24 | what he's asking is just to have it on a trial
25 | basis; six months.

1 MAYOR STACK: Does he have cameras in -- in
2 the establishment?

3 MR. DIAZ: Excuse me?

4 MAYOR STACK: Does he have cameras, Mr.
5 Diaz, in the establishment?

6 MR. DIAZ: I do not know. He's here, I can
7 ask him.

8 MAYOR STACK: Yeah, that would be good.

9 (Whereupon, Mr. Diaz addressed his client
10 in Spanish.)

11 MR. DIAZ: Yes he does. He tells me yes.

12 MR. FARMER: Well, --

13 MR. DIAZ: Again, not to have them removed;
14 just to have them lessened on a trial basis. Six
15 months. See how it happens. If it's no good,
16 it's no good. You know, we understand.

17 But, again, nothing has taken place. No
18 violations. No problems -- six months. It's a
19 different neighborhood from 38th Street. Trying
20 to keep a storefront from closing.

21 That's what he's asking.

22 MR. FARMER: Is there anything you want to
23 say, Lieutenant?

24 LIEUTENANT LOACES: Yes. I'd just like to
25 respond to Mr. Diaz.

1 It is a different neighborhood. And the
2 lot directly next door to it is an empty lot,
3 granted. But literally across the street you
4 have an entire row of high-rise condominiums.

5 So the fact that there is an empty lot next
6 door, I don't want to give the impression that
7 they're in an isolated location in the middle of
8 nowhere. They're still in the most densely
9 populated City in the entire country.

10 You also have homes across the street. You
11 have businesses across the street.

12 MAYOR STACK: I think -- I think, too, not
13 to interrupt you, Lieutenant, --

14 LIEUTENANT LOACES: Um-hum.

15 MAYOR STACK: -- but I think -- not -- not
16 because of -- and I can't say it was them, it
17 wasn't Angelo's Café, the business that was there
18 prior, --

19 LIEUTENANT LOACES: Yes.

20 MAYOR STACK: -- we had a lot of issues
21 with the people who live from El Unico on the
22 corner over. That's where we were having a lot
23 of our problems. Because the people who live
24 upstairs -- there's apartments upstairs --

25 I forgot the address. It's like 420--

1 LIEUTENANT LOACES: Forty-- yeah, I -- I
2 know what you're talking about.

3 MAYOR STACK: --09 maybe or 07?

4 LIEUTENANT LOACES: Right on top El Unico
5 and next door.

6 MAYOR STACK: Exactly. Exactly. That's
7 where we got a lot of complaints from there when
8 the establishment --

9 And I'm not saying it was this
10 establishment. It wasn't. It was the one prior.

11 MR. DIAZ: But, Mayor, they have to --

12 MAYOR STACK: Because of the sound
13 resonating up I believe.

14 MR. DIAZ: As the Officer stated, hasn't
15 been any problems in three years.

16 Again, it's tough. It's tough for --
17 especially you have private parties, weddings,
18 that sort of thing, to have to tell your -- your
19 clients 11:15, 11:20, hey we got to start packing
20 up and -- and going.

21 If music is the problem maybe put a curfew
22 on the music, 12:30, so they can stay open until
23 one but they can have music only until 12:30 and
24 then they could start packing up. It gives them
25 a little bit of a -- of a -- of a lift,

1 especially on a Friday and a Saturday.

2 The rest of the week fine, --

3 MAYOR STACK: Okay.

4 MR. DIAZ: -- 12 o'clock, there's no --

5 MAYOR STACK: Right.

6 MR. DIAZ: -- no reason to be open.

7 MAYOR STACK: Can we take a couple minutes

8 so I can speak to -- and speak to the Lieutenant

9 and the Sergeant also with the Commissioners?

10 DEPUTY CITY CLERK: Yes.

11 We're going to go into Executive Session.

12 May I have a motion to do so?

13 COMMISSIONER FERNANDEZ: Motion.

14 COMMISSIONER VALDIVIA: Motion.

15 DEPUTY CITY CLERK: Motion by --

16 COMMISSIONER VALDIVIA: Second.

17 DEPUTY CITY CLERK: -- Commissioner

18 Fernandez.

19 Second by Commissioner Valdivia.

20 All in favor?

21

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

23

24 (Whereupon, the Board moved to Executive

25 Session at 7:55 p.m.)

1
2 (Whereupon, Commissioner Martinetti left
3 the meeting at 7:55 p.m.)
4

5 (Whereupon, the Board returned to Open
6 Session at 8:03 p.m.)
7

8 DEPUTY CITY CLERK: Okay, we're ready to go
9 back on the record.

10 MR. FARMER: Yes, members of the Board,
11 during our intermission Mr. Diaz, Lieutenant
12 Loaces, myself and Detective -- Sergeant Dunlay
13 have discussed this and have come to a
14 recommendation.

15 And the recommendation would be that the
16 special conditions would modified in that on
17 Friday and Saturday only that the hours would be
18 -- of being open would extend to one o'clock;
19 however, music would have to end at 12 o'clock.

20 MAYOR STACK: Okay.

21 Mr. Diaz, --

22 MR. DIAZ: Yes, I have spoken with the --

23 MAYOR STACK: -- in agreement with that?

24 MR. DIAZ: -- and conferred with the
25 license holder and he accepts the -- the

1 recommendation.

2 MAYOR STACK: Okay.

3 MR. FARMER: Okay.

4 One other thing. You mentioned he had
5 cameras.

6 MR. DIAZ: Yes.

7 MR. FARMER: Okay. Normally we've had
8 other establishment cameras and the procedure is
9 that the Police go in and identify where the
10 cameras are --

11 MR. DIAZ: Um-hum.

12 MR. FARMER: -- so that there's no
13 confusion that, you know, you put --

14 MR. DIAZ: Too far away or too --

15 MR. FARMER: Right.

16 So, --

17 MR. DIAZ: Understood.

18 MR. FARMER: -- they'll follow up on that.

19 MR. DIAZ: Um-hum.

20 MR. FARMER: Okay.

21 Thank you.

22 MR. DIAZ: Very good.

23 MAYOR STACK: John, you and Sergeant Dunlay
24 will take care of that and go there?

25 SERGEANT DUNLAY: Yes, sir.

1 MAYOR STACK: All right. All right, very
2 good.

3 MR. FARMER: All right.

4 MAYOR STACK: Okay.

5 MR. FARMER: That ends it.

6 MR. DIAZ: Yes.

7 The camera -- the camera inspection is --
8 is fine.

9 MAYOR STACK: Beautiful.

10 MR. DIAZ: Yeah.

11 MAYOR STACK: Thank you very much.

12 Thank you. Thank you.

13 A VOICE: Thanks.

14 MAYOR STACK: Thank you, Mr. Diaz.

15 A VOICE: Thank you to everybody --

16 (indiscernible).

17 MAYOR STACK: Thank you very much.

18 A VOICE: Thank you. (Indiscernible).

19 MAYOR STACK: Absolutely. Thank you.

20 Good luck.

21 Mr. Farmer?

22 MR. FARMER: Okay, that's it.

23 MAYOR STACK: Okay.

24 I'll make a motion --

25 DEPUTY CITY CLERK: Motion --

1 MAYOR STACK: -- to approve --

2 COMMISSIONER FERNANDEZ: Second.

3 MAYOR STACK: -- with the stipulations.

4 DEPUTY CITY CLERK: Motion by Mayor Stack.

5 Second by Commissioner Fernandez.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 DEPUTY CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 DEPUTY CITY CLERK: Commissioner Martinetti
11 has left.

12 Mayor Stack?

13 MAYOR STACK: Yes.

14 MR. DIAZ: Thank you.

15 MR. FARMER: Thank you.

16 MAYOR STACK: Thank you very much.

17 MR. DIAZ: It would --

18 MAYOR STACK: Have a good night.

19 MR. DIAZ: -- it would -- it would become
20 effective what day?

21 MR. FARMER: Well, we'll pass the
22 Resolution at the next meeting.

23 MAYOR STACK: Yeah, that would be fine.

24 MR. DIAZ: Okay.

25 MAYOR STACK: Okay?

1 MR. DIAZ: Very good.

2 Thank you.

3

4 **ADJOURNMENT:**

5

6 DEPUTY CITY CLERK: Mayor, at this time
7 there are no other items on the -- the agenda for
8 this evening.

9 May I have a motion to adjourn?

10 MAYOR STACK: Motion.

11 DEPUTY CITY CLERK: Motion by Mayor Stack.

12 COMMISSIONER VALDIVIA: Second.

13 DEPUTY CITY CLERK: Second by Commissioner
14 Valdivia.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21 DEPUTY CITY CLERK: Thank you.

22 MAYOR STACK: Thank you very much.

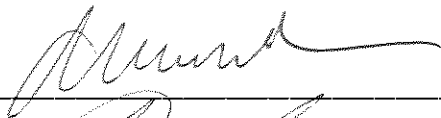
23 Thank you, everyone.

24 Have a good evening.

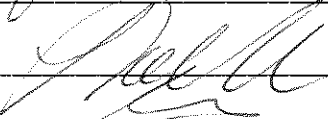
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1 (Whereupon, the proceedings were concluded
2 at 8:05 p.m.)
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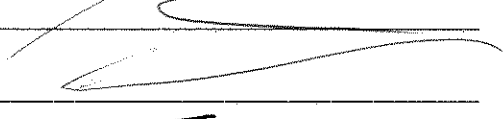
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Brian P. Stack



Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia

Tilo E. Rivas

Board of Commissioners**Attest:****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 REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, September 12, 2017 and
10 digitally recorded.

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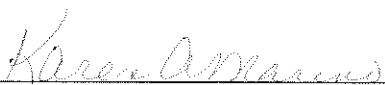
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Karen A. Marino

AOC 493

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24 Monitored and by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon