

ORIGINAL

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

REGULAR MEETING

:
:
:
:
TRANSCRIPT OF RECORDED
PROCEEDINGS

Bella Vista Apartments
522 22nd Street
Union City, New Jersey

Tuesday, May 22, 2018
Commencing at 7:00 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
WENDY A. GRULLON, 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 M. KNOEDLER, 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 CITY CLERK: This is a Regular Public
2 Meeting of the Union City Board of Commissioners
3 being held on Tuesday, May 22nd, 2018, at seven
4 p.m., at Bella Vista Apartments, 522 22nd, Union
5 City, New Jersey.

6 Please stand for the Pledge of Allegiance.

7

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

10

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

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

18

19 **ROLL CALL:**

20

21 CITY CLERK: Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Here.

23 CITY CLERK: Commissioner Grullon?

24 COMMISSIONER GRULLON: Here.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Here.

2 CITY CLERK: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Here.

4 CITY CLERK: Mayor Stack?

5 MAYOR STACK: Here.

6

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

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

10 1. ORDINANCE CREATING A PERMIT REQUIREMENT TO
11 OPERATE A CRANE.)

12

13 CITY CLERK: We have one Ordinance on for
14 Introduction.

15 Adoption on first reading will -- will
16 prompt an advertisement with a notice of the
17 public hearing and consideration.

18 This will be further considered on
19 Wednesday, June 6th, 2018, at Holy Rosary Senior
20 Residence, 1509 Bergenline Avenue, Union City,
21 New Jersey.

22 This Ordinance is an Ordinance Creating a
23 Permit Requirement to Operate a Crane.

24 May I have a motion to introduce?

25 COMMISSIONER FERNANDEZ: Motion.

1 MAYOR STACK: Motion.

2 CITY CLERK: Motion by Mayor Stack.

3 Second by Commissioner Fernandez.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 CITY CLERK: Commissioner Grullon?

7 COMMISSIONER GRULLON: Yes.

8 CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 CITY CLERK: Commissioner Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14 This will just make it safer for whenever a
15 crane is in operation in Union City. But we'll
16 discuss it more once it's -- the hearing comes.

17 CITY CLERK: Thank you.

18

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

21 **CONSENT AGENDA:**

22 (1) Resolution Approving the Payment of Claims

23 (2) Resolution Approving the Payment of
24 Concurring Claims

25 (3) Resolution Approving the City Payroll for

- 1 the Period of May 12, 2018 through May 25, 2018
- 2 (4) Resolution Approving the Library Payroll
- 3 for the Period of May 12, 2018 through May 25,
- 4 2018
- 5 (5) Resolution Requesting Approval from the
- 6 Division of Local Government Services for a
- 7 Chapter 159 Item of Revenue and Appropriation for
- 8 the 2018 Click It or Ticket
- 9 (6) Resolution Supporting the Click It or
- 10 Ticket Mobilization for FY2018
- 11 (7) Resolution Authorizing the Cancellation of
- 12 the Distracted Driving Grant
- 13 (8) Resolution Authorizing the Execution of the
- 14 Settlement Agreement with Alan Peyrouton, Esq.
- 15 (9) Resolution Authorizing the Execution of the
- 16 Settlement Agreement with Walter and Esther
- 17 Zurkovsky
- 18 (10) Resolution Approving the Community
- 19 Development Block Grant FY2018 Budget
- 20 (11) Resolution Authorizing Refund of Redemption
- 21 Monies to Outside Lienholders
- 22 (12) Resolution Authorizing the Refund of
- 23 Premium Monies Collected at the Tax Sale.)
- 24

25 CITY CLERK: We have 12 items on Consent

1 Agenda.

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

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

6 The third is a Resolution Approving the
7 City Payroll for the Period of May 12th, 2018
8 through May 25th, 2018.

9 The fourth is a Resolution Approving the
10 Library Payroll for the Period of May 12th, 2018
11 through May 25th, 2018.

12 The fifth is a Resolution Requesting
13 Approval from the Division of Local Government
14 Services for a Chapter 159 Item of Revenue and
15 Appropriation for the 2018 Click It or Ticket.

16 The sixth is a Resolution Supporting the
17 Click It or Ticket Mobilization for Fiscal Year
18 2018.

19 The seventh is a Resolution Authorizing the
20 Cancellation of the Distracted Driving Grant.

21 The eighth is a Resolution Authorizing
22 Execution of a Settlement Agreement with Alan
23 Peyrouton, Esquire.

24 The ninth is a Resolution Authorizing
25 Execution of a Settlement Agreement with Walter

1 and Esther Zurkovsky.

2 The tenth is a Resolution Approving the
3 Community Development Block Grant Fiscal Year
4 2018 Budget.

5 The eleventh is a Resolution Authorizing
6 Refund of Redemption Monies to Outside
7 Lienholders.

8 The twelfth is a Resolution Authorizing
9 Refund of Premium Monies Collected at Tax Sale.

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

12 MAYOR STACK: Anyone wishing to comment at
13 this time, please step forward, state your name
14 and address for the record.

15 Seeing none.

16 I'll make a motion to approve all items.

17 CITY CLERK: Motion by Mayor Stack to close
18 public comment.

19 Second?

20 COMMISSIONER FERNANDEZ: Second.

21 CITY CLERK: Second by Commissioner
22 Fernandez.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 CITY CLERK: Commissioner Grullon?

1 COMMISSIONER GRULLON: Yes.
2 CITY CLERK: Commissioner Valdivia?
3 COMMISSIONER VALDIVIA: Yes.
4 CITY CLERK: Commissioner Martinetti?
5 COMMISSIONER MARTINETTI: Yes.
6 CITY CLERK: Mayor Stack?
7 MAYOR STACK: Yes.
8 CITY CLERK: May I have a motion to
9 adopt all items on Consent?
10 COMMISSIONER VALDIVIA: Motion.
11 CITY CLERK: Motion by Commissioner
12 Valdivia.
13 Second?
14 COMMISSIONER MARTINETTI: Second.
15 CITY CLERK: Second by Commissioner
16 Martinetti.
17 Commissioner Fernandez?
18 COMMISSIONER FERNANDEZ: Yes with the
19 exception of number 10. Otherwise, yes.
20 CITY CLERK: Commissioner Grullon?
21 COMMISSIONER GRULLON: Yes.
22 CITY CLERK: Commissioner Valdivia?
23 COMMISSIONER VALDIVIA: Yes.
24 CITY CLERK: Commissioner Martinetti?
25 COMMISSIONER MARTINETTI: Yes.

1 CITY CLERK: 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 for the Payment of Claims to the
8 Grace Theatre Workshop, Inc.)

9

10 CITY CLERK: We have three items on the
11 Regular Agenda this evening.

12 The first is a Resolution for the Payment
13 of Claims to the Grace Theatre Workshop.

14 MAYOR STACK: I'll move it.

15 CITY CLERK: Moved by Mayor Stack.

16 COMMISSIONER MARTINETTI: Second.

17 CITY CLERK: Second by Commissioner
18 Martinetti.

19 Commissioner Fernandez is recusing.

20 Commissioner Grullon?

21 COMMISSIONER GRULLON: Yes.

22 CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 CITY CLERK: Commissioner Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3

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

6 **REGULAR AGENDA:**

7 2. Resolution for the Payment of Claims to the
8 Union City Board of Education.)

9

10 CITY CLERK: The second is a Resolution for
11 the Payment of Claims to the Union City Board of
12 Education.

13 MR. AUTERI: Ordinarily, Commissioner
14 Grullon and Commissioner Valdivia would not vote
15 on Board of Education matters. However, tonight
16 we will invoke the doctrine of necessity.

17 CITY CLERK: May I have a motion to move
18 the second --

19 MAYOR STACK: Motion.

20 CITY CLERK: Motion by Mayor Stack.

21 Second?

22 COMMISSIONER VALDIVIA: Second.

23 CITY CLERK: Second by Commissioner
24 Valdivia.

25 Commissioner Fernandez is recusing.

1 Commissioner Grullon?

2 COMMISSIONER GRULLON: Yes.

3 CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 CITY CLERK: Commissioner Martinetti is
6 recusing.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9

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

12 **REGULAR AGENDA:**

13 3. Resolution for the Payment of Claims to the
14 Hudson County Improvement Authority.)

15

16 CITY CLERK: The third item is a Resolution
17 for the Payment of Claims to the Hudson County
18 Improvement Authority.

19 May I have a motion to move the item?

20 MAYOR STACK: Motion.

21 COMMISSIONER VALDIVIA: Motion.

22 CITY CLERK: Motion by Mayor Stack.

23 Second by Commissioner Valdivia.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 CITY CLERK: Commissioner Grullon?

2 COMMISSIONER GRULLON: Yes.

3 CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 CITY CLERK: Commissioner Martinetti's
6 recusing.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9

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

12 **ORDINANCE(S) FOR HEARING AND ADOPTION**

13 **CONSIDERATION:**

14 1. ORDINANCE AMENDING CHAPTER IV
15 ADMINISTRATION OF GOVERNMENT, ARTICLE XIII,
16 SECTION 4-75 POLICE DEPARTMENT DRUG TESTING
17 POLICY.)

18

19 CITY CLERK: There is one Ordinance on for
20 Hearing and Adoption tonight.

21 The Ordinance is Amending Chapter IV,
22 Administration of Government, Article XIII,
23 Section 4-75, Police Department Drug Testing
24 Policy.

25 Mayor, would you like to take public

1 comment on this Ordinance?

2 MAYOR STACK: Sure.

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

6 Seeing none.

7 CITY CLERK: May I have a motion to close
8 public comment?

9 COMMISSIONER VALDIVIA: Motion.

10 CITY CLERK: Motion by Commissioner
11 Valdivia.

12 Second by Commissioner Fernandez.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 CITY CLERK: Commissioner Grullon?

16 COMMISSIONER GRULLON: Yes.

17 CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 CITY CLERK: Commissioner Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

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

24 MAYOR STACK: Motion.

25 COMMISSIONER VALDIVIA: Motion.

1 CITY CLERK: Motion by Mayor Stack.

2 Second by Commissioner Valdivia.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 CITY CLERK: Commissioner Grullon?

6 COMMISSIONER GRULLON: Yes.

7 CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 CITY CLERK: Commissioner Martinetti?

10 Excuse me.

11 COMMISSIONER MARTINETTI: Yes.

12 CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

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

16

17 CITY CLERK: Mayor, at this time would you
18 like to take public comment on any item
19 concerning government in Union City?

20 MAYOR STACK: Sure.

21 Anyone wishing to comment at this time,
22 please step forward, state your name and address
23 for the record.

24 Seeing none.

25 CITY CLERK: May I have a motion to close

1 Public Comment?

2 COMMISSIONER FERNANDEZ: Motion.

3 CITY CLERK: Motion by Commissioner

4 Fernandez.

5 Second?

6 COMMISSIONER VALDIVIA: Second.

7 CITY CLERK: Second by Commissioner

8 Valdivia.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 CITY CLERK: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19 CITY CLERK: Thank you.

20 * * *

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Ganesh Swami Inc.

4 t/a Union Discount Liquors

5 Location: 710 Summit Avenue

6 License No. 0910-44-132-009

7

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

10 MAYOR STACK: Just before we do, I'd just
11 like to congratulate the Commissioners on their
12 reelection.

13 A special congratulations to Commissioner
14 Wendy Grullon on her first meeting.

15 Congratulations.

16 COMMISSIONER GRULLON: Thank you.

17 COMMISSIONER VALDIVIA: Congratulations,
18 Commissioner.

19 COMMISSIONER FERNANDEZ: Yeah.

20 COMMISSIONER GRULLON: Thank you.

21 (Applause.)

22 CITY CLERK: Mr. Farmer?

23 MAYOR STACK: Hi, Greg.

24 MR. FARMER: We have just one matter on the
25 calendar; Union Discount Liquor.

1 Why don't you put your appearance on the
2 record?

3 MR. BIANCIELLA: Good evening, Mayor Stack,
4 Commissioners.

5 Anthony Bianciella, on behalf of Union
6 Liquors.

7 MR. DILLON: Could you spell your last
8 name, sir?

9 MR. BIANCIELLA: Sure. It's B like boy, I-
10 A-N-C-I-E-L-L-A.

11 MR. DILLON: Thank you.

12 MR. BIANCIELLA: You're welcome.

13 MR. FARMER: Basically, this is a paper
14 violation. We have some issues with respect to
15 whether they were compliant on the day the Police
16 came.

17 Detective Dunlay, who I had hoped to be
18 here this evening, is not here. So, I was
19 talking to Mr. Bianciella and we've agreed, if
20 it's okay with you, to put it off to the next
21 meeting and I will make sure that the necessary
22 Police Officers are here, as well as having a
23 conference with everybody to see if we can
24 understand what it is that we're talking about.

25 MAYOR STACK: That will be fine.

1 Just before we do, I just want to make a
2 statement though.

3 I personally have witnessed people going
4 into this establishment who are intoxicated and
5 purchasing liquor without a problem.

6 This establishment comes out -- it's right
7 next to the CVS -- the old -- the Rite Aid -- the
8 old Foodtown that used to be there. And the
9 parking lot, the entrance is closer to 7th Street,
10 which is a highly residential block. And you'll
11 have a number of individuals that may be homeless
12 or may be just have problems with alcohol that
13 continuously hang out on the corner, hang out in
14 the vicinity between 5th and 10th Street and go
15 into that liquor store.

16 I've walked in -- and I know we're not here
17 for this hearing today but I just want to make a
18 statement.

19 I went in and spoke to your client at one
20 time. I think it was a Saturday or it may have
21 been at night on a weeknight. And I told him he
22 should not be doing that. I personally saw the
23 people going in intoxicated, purchasing cans of
24 liquor or small bottles -- small bottles. And
25 there's got to be a judgment call there.

1 When you see that somebody -- when you see
2 that somebody has a major problem with alcohol
3 and you see that the person is homeless, you see
4 the person, more importantly, is intoxicated, we
5 should not be selling them liquor.

6 We shouldn't be exploiting people and
7 taking -- taking advantage of people like that.

8 I have personally witnessed it. Not that
9 somebody called me. I stood outside and watched
10 one after the other -- until the third one went
11 in, I said I'm going in and I'm going to talk to
12 him. And then I sent the Detectives there.

13 This is something that has to come to an
14 end. We can't be exploiting people with alcohol
15 problems, exploiting people who are homeless,
16 exploiting people who are intoxicated. It's just
17 not right.

18 I want to just put that on the record, so
19 when you come back at the next meeting we can
20 speak a little bit about that before I agree to
21 any settlement on this establishment.

22 Thank you, Mr. Farmer.

23 CITY CLERK: Can I have a motion to table?

24 COMMISSIONER FERNANDEZ: Motion.

25 CITY CLERK: Motion made by --

1 COMMISSIONER MARTINETTI: Second.

2 CITY CLERK: -- Commissioner Fernandez.

3 Second by Commissioner Martinetti.

4 All in favor?

5

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

7

8 CITY CLERK: Any opposed?

9 Thank you.

10

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1 **ADJOURNMENT:**

2

3 CITY CLERK: Mayor, at this time there are
4 no other items on the agenda.

5 May I have a motion to adjourn?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion made by --

8 COMMISSIONER MARTINETTI: Second.

9 CITY CLERK: -- Mayor Stack.

10 Second by Commissioner Martinetti.

11 All in favor?

12

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

14

15 CITY CLERK: Any opposition?

16 Thank you.

17

18 (Whereupon, the proceedings were concluded
19 at 7:09 p.m.)

20

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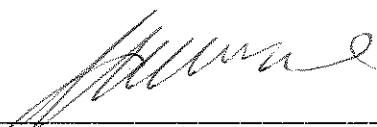
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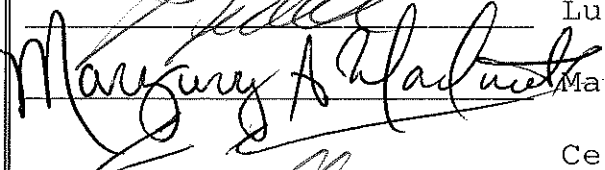
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Brian P. Stack

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Lucio P. Fernandez

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Maryury A. Martinetti

4


Celin J. Valdivia

5


Wendy A. Grullon

6

Board of Commissioners

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Attest: 

9

Erin M. Knoedler,

10

City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, May 22, 2018 and recorded on
10 tape.

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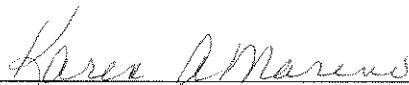
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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Sr.

25 Proofread by: Deborah Dillon