

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Bruce D. Walter
Recreation Center
507 West Street
Union City, New Jersey

Tuesday, July 10, 2018
Commencing at 7:01 p.m.

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

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:

LUCIO P. FERNANDEZ, COMMISSIONER

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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A P P E A R A N C E S:

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t/a Plaza Hispana Bar & Restaurant

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1 MS. DILLON: Okay.

2 CITY CLERK: This is a Regular Public
3 Meeting of the Union City Board of Commissioners
4 being held on Tuesday, July 10th, 2018, at seven
5 p.m., at the Bruce D. Walter Recreation Center,
6 507 West Street, Union 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 CITY CLERK: This meeting has been called
13 in accordance with the Open Public Meetings Act.

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

19

20 **ROLL CALL:**

21

22 CITY CLERK: Commissioner Fernandez is
23 absent.

24 Commissioner Grullon?

25 COMMISSIONER GRULLON: Here.

1 CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Here.

3 CITY CLERK: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Here.

5 CITY CLERK: Mayor Stack?

6 MAYOR STACK: Here.

7 Commissioner Fernandez is away.

8 CITY CLERK: Thank you, Mayor.

9

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

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

13 1. AN ORDINANCE AMENDING AND SUPPLEMENTING THE
14 REVISED GENERAL ORDINANCES OF THE CITY OF UNION
15 CITY, PROVIDING FOR A FEE SHARING WITH THE UNION
16 CITY PARKING AUTHORITY.)

17

18 CITY CLERK: There are four Ordinances on
19 for tonight's Introduction adoption on first
20 reading. We'll -- we'll authorize advertisement
21 with the date and time of the public hearing to
22 be held on Tuesday, July 24th, 2018, at the Sara
23 M. Gilmore Academy, 1600 Kerrigan Avenue, Union
24 City, New Jersey.

25 The first is an Ordinance Amending and

1 Supplementing the Revised General Ordinances of
2 the City of Union City, Providing for Fee Sharing
3 with the Union City Parking Authority.

4 May I have a motion to introduce?

5 MAYOR STACK: Motion.

6 CITY CLERK: Motion by Mayor Stack.

7 Second?

8 COMMISSIONER VALDIVIA: Second.

9 CITY CLERK: Second by Commissioner
10 Valdivia.

11 Commissioner Grullon?

12 COMMISSIONER GRULLON: Here. 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

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

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

23 2. AN ORDINANCE OF THE CITY OF UNION CITY,
24 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
25 SUM OF \$202,376.69 IN FUNDING FROM THE CAPITAL

1 IMPROVEMENT FUND FOR THE ACQUISITION AND
2 INSTALLATION OF AN OUTDOOR SECURITY SYSTEM.)
3

4 CITY CLERK: The next is an Ordinance of
5 the City of Union City, County of Hudson, New
6 Jersey, Appropriating the Sum of \$202,367.69
7 (sic) in Funding from the Capital Improvement
8 Fund for the Acquisition and Installation of an
9 Outdoor Security System.

10 May I have a motion to introduce?

11 COMMISSIONER VALDIVIA: Motion.

12 CITY CLERK: Motion by Commissioner
13 Valdivia.

14 COMMISSIONER MARTINETTI: Second.

15 CITY CLERK: Second by Commissioner
16 Martinetti.

17 Commissioner Gullon?

18 COMMISSIONER GRULLON: Yes.

19 CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 CITY CLERK: Commissioner Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.
25

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

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

4 3. AN ORDINANCE AMENDING AND REPLACING CHAPTER
5 40, "AFFORDABLE HOUSING" OF THE CODE OF THE CITY
6 OF UNION CITY, COUNTY OF HUDSON.)

7
8 CITY CLERK: The third is an Ordinance
9 Amending and Replacing Chapter 40 of Affordable
10 Housing of the Code of the City of Union City,
11 County of Hudson.

12 May I have a motion to introduce?

13 COMMISSIONER GRULLON: Motion.

14 CITY CLERK: Motion by --

15 MAYOR STACK: Second.

16 CITY CLERK: -- Commissioner Grullon.

17 Second by Mayor Stack.

18 Commissioner Grullon?

19 COMMISSIONER GRULLON: Yes.

20 CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 CITY CLERK: Commissioner Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1
2 (Whereupon, the Board discussed and took
3 action on the following item:

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

5 4. ORDINANCE OF THE CITY OF UNION CITY, COUNTY
6 OF HUDSON, APPROVING A FINANCIAL AGREEMENT WITH
7 RPM DEVELOPMENT URBAN RENEWAL, LLC.)

8
9 CITY CLERK: The fourth is an Ordinance of
10 the City of Union City, County of Hudson,
11 Approving the Financial Agreement with RPM
12 Development Urban Renewal, LLC.

13 May I have a motion to introduce?

14 COMMISSIONER VALDIVIA: Motion.

15 CITY CLERK: Motion by Commissioner
16 Valdivia.

17 MAYOR STACK: Second.

18 CITY CLERK: Second by Mayor Stack.

19 Commissioner -- Commissioner Grullon?

20 COMMISSIONER GRULLON: Yes.

21 CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 CITY CLERK: Commissioner Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

3

4 (Whereupon, the Board discussed and tabled
5 the following item:

6 **CONSENT AGENDA:**

7 (16) Resolution Approving the Liquor License
8 Renewal for 2018-2019 for 92 Bowers Street (T/A
9 Full Moon Saloon), Located at 1915 New York
10 Avenue, Liquor License Number 0910-33-148-007);
11 and

12

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

15 **CONSENT AGENDA:**

16 (1) Resolution Approving the Payment of Claims
17 (2) Resolution Approving the Payment of
18 Concurring Claims
19 (3) Resolution Approving the Payment of Escrow
20 Refunds
21 (4) Resolution Approving the City Payroll for
22 the Period of June 22, 2018 through July 6, 2018
23 (5) Resolution Approving the Library Payroll
24 for the Period of June 22, 2018 through July 6,
25 2018

- 1 (6) Resolution for Premium Monies Collected at
2 the Tax Sale
- 3 (7) Resolution for Premium Monies to be
4 Refunded
- 5 (8) Resolution Authorizing the Refund of an
6 Overpayment
- 7 (9) Resolution Authorizing Refund of Redemption
8 Monies to Outside Lienholders
- 9 (10) Resolution Renaming Bergenline Avenue from
10 43rd Street to Lincoln Street as Frances Salon Way
- 11 (11) Resolution Authorizing the City Clerk to
12 Solicit Bids for the 2018 CDA Road Program
- 13 (12) Resolution Approving the Liquor License
14 Renewal for 2018-2019 for Om Sai Ram Liquor Store
15 (T/A Fiji Wine and Liquor), Located at 2909
16 Bergenline Avenue, Liquor License Number
17 0910-32-082-012
- 18 (13) Resolution Approving the Liquor License
19 Renewal for 2018-2019 for JRV Restaurant (T/A El
20 Papaturro), Located at 1018 Summit Avenue, Liquor
21 License Number 0910-33-137-005
- 22 (14) Resolution Approving the Liquor License
23 Renewal for 2018-2019 for Jimenez De Hey Berta
24 LLC (T/A Valparaiso Restaurant), Located at 201
25 34th Street, Liquor License Number 0910-33-034-004

1 (15) Resolution Approving the Liquor License
2 Renewal for 2018-2019 for Jor Per Corp., T/A
3 Cucalambre Clue (sic), Located at 4418 Bergenline
4 Avenue, Liquor License Number 0910-33-110-010
5 (16) (Tabled)
6 (17) Resolution Approving the Liquor License
7 Renewal for 2018-2019 for Mayen Corp. (T/A El
8 Trebol Restaurant), Located at 3204 Bergenline
9 Avenue, Liquor License Number 0910-33-190-008
10 (18) Resolution Approving the Liquor License
11 Renewal for 2018-2019 for Los Tejares L.L.C. (T/A
12 Los Tejares), Located at 3901 Bergenline Avenue,
13 Liquor License Number 0910-33-038-005
14 (19) Resolution Approving the Liquor License
15 Renewal for 2018-2019 for El Chapin Corp. (T/A El
16 Rincon Chapin), Located at 2118 Bergenline
17 Avenue, Liquor License Number 0910-33-075-010
18 (20) Resolution Approving the Liquor License
19 Renewal for 2018-2019 for Kiedo Inc. (T/A Latin
20 American Restaurant), Located at 4317 Bergenline
21 Avenue, Liquor License Number 0910-33-052-006
22 (21) Resolution Approving the Liquor License
23 Renewal for 2018-2019 for Labcl L.L.C. (T/A Las
24 Brisas Café), Located at 4900 Hudson Avenue,
25 Liquor License Number 0910-33-115-009

1 (22) Resolution Approving the Liquor License
2 Renewal for 2018-2019 for Pollos Dan Mario Corp.
3 (T/A Pollos Ala Brasa Mario), Located at 4215
4 Bergenline Avenue, Liquor License Number
5 0910-33-163-009

6 (23) Resolution Approving the Liquor License
7 Renewal for 2018-2019 for Luna Inc. (T/A Las
8 Estellás De Mexico III), Located at 2421 West
9 Street, Liquor License Number 0910-33-164-005

10 (24) Resolution Authorizing the City Clerk to
11 Solicit Bids for the 2018 CDA Roadway
12 Improvements Program (34th Street - Hudson to
13 Palisade Avenues & 39th Street - Hudson to
14 Palisade Avenues)

15 (25) Resolution Opposing the Construction of the
16 North Bergen Liberty Generating Gas-Fired Power
17 Plant.)

18

19 CITY CLERK: There are 25 items on the
20 Consent Agenda.

21 The first is a Resolution Approving the
22 Payment of Claims.

23 Second is a Resolution Approving the
24 Payment of Concurring Claims.

25 The third is a Resolution Approving the

1 Payment of Escrow Refunds.

2 The fourth is a Resolution Approving the
3 City Payroll for the Period of June 22nd, 2018
4 through July 6th, 2018.

5 The fifth is a Resolution Approving the
6 Library Payroll for the Period of June 22nd, 2018
7 through July 6th, 2018.

8 The sixth is a Resolution for the Premium
9 Monies Collected at Tax Sale.

10 The seventh is a Resolution for Premium
11 Monies to be Refunded.

12 The eighth is a Resolution Authorizing
13 Refund of an Overpayment.

14 The ninth is a Resolution Authorizing
15 Refund of Redemption Monies to Outside
16 Lienholders.

17 The tenth is a Resolution Renaming
18 Bergenline Avenue from 43rd Street to Lincoln
19 Street as Frances Salon Way.

20 The eleventh is a Resolution Authorizing
21 the City Clerk to Solicit for Bids for the 2018
22 CDA Road Program.

23 The twelfth is a Resolution Approving
24 Liquor License Renewal for 2018-2019 for Om Sai
25 Ram Liquor Store, trading as Fiji Wine and

1 Liquor, Located at 2909 Bergenline Avenue, Liquor
2 License Number 0910-32-082-012.

3 The thirteenth is a Resolution Approving
4 the Liquor License Renewal for 2018-2019 for JRV
5 Restaurant, trading as El Papaturro, Located at
6 1018 Summit Avenue, Liquor License Number
7 0910-33-137-005.

8 The fourteenth is a Resolution Approving
9 the Liquor License Renewal for 2018-2019 for
10 Jimenez De Hey Berta LLC, trading as Valparaiso
11 Restaurant, Located at 201 34th Street, Liquor
12 License Number 0910-33-034-004.

13 The fifteenth is a Resolution Approving the
14 Liquor License Renewal for 2018-2019 for Jor Per
15 Corp., trading as Cucalambre Clue (sic), Located
16 at 4418 Bergenline Avenue, Liquor License Number
17 0910-33-110-010.

18 The sixteenth is a Resolution Approving the
19 Liquor License Renewal for 2018-2019 for 92
20 Bowers Street, trading as Full Moon Saloon,
21 Located at 1915 New York Avenue, Liquor License
22 Number 0910-33-148-007.

23 The seventeenth is a Resolution Approving a
24 Liquor License Renewal for 2018-2019 for Mayen
25 Corp., trading as El Trebol Restaurant, Located

1 at 3204 Bergenline Avenue, Liquor License Number
2 0910-33-190-008.

3 The eighteenth is a Resolution Approving
4 the Liquor License Renewal for 2018-2019, Los
5 Tejares L.L.C., trading as Los Tejares, Located
6 at 3901 Bergenline Avenue, Liquor License Number
7 0910-33-038-005.

8 The nineteenth is a Resolution Approving a
9 Liquor License Renewal for 2018-2019 for El
10 Chapin Corp., trading as El Rincon Chapin,
11 Located at 2118 Bergenline Avenue, Liquor License
12 Number 0910-33-075-010.

13 The twentieth is a Resolution Approving the
14 Liquor License Renewal for 2018-2019 for Kiedo
15 Incorporated, trading as Latin American
16 Restaurant, Located at 4317 Bergenline Avenue,
17 Liquor License Number 0910-33-052-006.

18 The twenty-first is a Resolution Approving
19 the Liquor License Renewal for 2018-2019 for
20 Labcl L.L.C., trading as Las Brisas Café, Located
21 at 4900 Hudson Avenue, Liquor License Number
22 0910-33-115-009.

23 The twenty-second is a Resolution Approving
24 Liquor License Renewal for 2018-2019 for Pollos
25 Dan Mario Corp., trading as Pollos Ala Brasa

1 Mario, Located at 4215 Bergenline Avenue, Liquor
2 License Number 0910-33-163-009.

3 The twenty-third is a Resolution Approving
4 Liquor License Renewal of 2018-2019 for Luna
5 Incorporated, trading as Las Estrellas De Mexico
6 III, Located at 2421 West Street, Liquor License
7 Number 0910-33-164-005.

8 The twenty-fourth is a Resolution
9 Authorizing the City Clerk to Solicit --

10 That's a repeat.

11 -- Solicit for Bids for the 2018 CDA
12 Roadway Program.

13 We mentioned that earlier.

14 The twenty-fifth is a Resolution Opposing
15 the Construction of the North Bergen Liberty
16 Generating Gas-Fired Power Plant.

17 Mayor, at this time would you like to take
18 public comment on the Consent?

19 MAYOR STACK: Yes.

20 Anyone wishing to comment on the Consent
21 Agenda, please step forward, state your name and
22 address for the record.

23 Right over here.

24 MR. PRICE: Larry Price, 1006 Palisade
25 Avenue.

1 A question on number 16.

2 I look at the address, 1915 New York
3 Avenue. This must be the old Teachers?

4 MAYOR STACK: It is.

5 MR. PRICE: That place hasn't been open in
6 years.

7 MAYOR STACK: They've tried to reopen.
8 We've been fighting it in the court system for a
9 number of years.

10 MR. PRICE: But they still want to reopen?

11 And so they have to keep their liquor
12 license current?

13 MAYOR STACK: They still want to reopen,
14 yes, they do.

15 Mr. Farmer, who is here, Mr. Price, --

16 MR. FARMER: Yes.

17 MAYOR STACK: Greg, if you could just step
18 forward for a minute?

19 Greg and I have been heavily involved in
20 this. It's been going on for quite some time.

21 MS. DILLON: Just right here, Mr. Farmer.

22 Right here.

23 MAYOR STACK: Mr. Price's question was on
24 -- on the old Teachers Tavern at 1915 New York
25 Avenue.

1 MR. FARMER: Okay.

2 MAYOR STACK: And why -- why we're renewing
3 this one. It's been closed for a number of
4 years.

5 I started to get to it but I figured you
6 could give more of a recap --

7 MR. FARMER: Okay.

8 MAYOR STACK: -- than I could.

9 MR. FARMER: They -- they have complied and
10 dotted the i's and crossed the t's with respect
11 to their renewal application.

12 I had an opportunity to meet the licensee
13 at one of the hearing -- not hearings but one of
14 the educational programs that we had for the
15 licensees and I offered him -- I said, basically,
16 we'll buy the license at \$30,000.00 and what are
17 you going to do. And he was noncommittal with it
18 and he renewed the license. And he --

19 MAYOR STACK: So every -- every year though
20 they come in to renew their license?

21 MR. FARMER: Yes.

22 MAYOR STACK: Every year?

23 MR. FARMER: Yes.

24 MAYOR STACK: But by renewing it doesn't
25 mean that they can reopen. No, --

1 MR. FARMER: Doesn't --

2 MAYOR STACK: -- we're still under -- we
3 still have litigation going on.

4 Correct?

5 MR. FARMER: I don't think you got any
6 litigation going on.

7 You had the -- you had the litigation going
8 on a while ago with respect --

9 MAYOR STACK: But they haven't come --

10 MR. FARMER: -- to the C.O.

11 MAYOR STACK: -- back in to --

12 They haven't come back in to reopen though
13 I don't believe.

14 MR. FARMER: No they have not.

15 MAYOR STACK: And they would need to?

16 MR. FARMER: I think they would.

17 MAYOR STACK: Okay.

18 MR. FARMER: I think they would because --

19 MAYOR STACK: Well, Greg, I want to be a
20 hundred percent sure, before I renew this
21 license, that they're not just going to open
22 their door tomorrow night. And that's my
23 concern.

24 I don't want to renew their license if
25 there's nothing pending right now stopping them

1 from that.

2 I think it would only be fair that they
3 would have to come back for a brand new hearing
4 before the Board.

5 I don't want to send the wrong message,
6 which I know the Commissioners and myself and I
7 know you wouldn't want to do, --

8 MR. FARMER: No.

9 MAYOR STACK: -- that tomorrow night they
10 could reopen that business.

11 MR. FARMER: All right.

12 You want to table that and --

13 MAYOR STACK: Yes. Absolutely.

14 MR. FARMER: You know what I'll do? Why
15 don't we do this.

16 Table that. I'll send them a letter,
17 certified, this, that or the other thing, and
18 asking him -- telling him that we're not renewing
19 the license and see what --

20 MAYOR STACK: No.

21 MR. FARMER: -- reaction that gets.

22 MAYOR STACK: And they would have to in for
23 a brand new hearing to come before this Board.
24 And if their attorney doesn't like that and it's
25 on the record, they can go and appeal that

1 decision, too.

2 MR. FARMER: Okay. Okay.

3 MAYOR STACK: Okay?

4 MR. FARMER: All Right. Okay.

5 MAYOR STACK: Thank you very much.

6 MR. PRICE: Thank you.

7 Thank you.

8 MAYOR STACK: So, we're removing number 16

9 from the agenda. We're going to table that.

10 Mr. Farmer's going to follow up on
11 protocol.

12 The Commissioners and myself were under the
13 impression that this establishment, regardless of
14 the license being renewed every year, cannot just
15 reopen on their own; that they would have to come
16 before the Board.

17 So I'll make a motion to table.

18 CITY CLERK: Okay.

19 COMMISSIONER MARTINETTI: Second.

20 CITY CLERK: Second by Commissioner
21 Martinetti.

22 Commissioner Grullon?

23 COMMISSIONER GRULLON: Yes.

24 CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 CITY CLERK: Commissioner Martinetti?
2 COMMISSIONER MARTINETTI: Yes.
3 CITY CLERK: Mayor Stack?
4 MAYOR STACK: Yes.
5 CITY CLERK: Okay.
6 Item 15 (sic) is tabled.
7 MR. AUTERI: Sixteen.
8 CITY CLERK: Sixteen.
9 No, -- yup. Okay.
10 Any other public comment on the Consent?
11 MAYOR STACK: Anyone else wishing to
12 comment at this time on any matter?
13 Seeing none.
14 I'll make a motion to approve all items.
15 CITY CLERK: Motion to close public comment
16 by Mayor Stack.
17 Second?
18 COMMISSIONER VALDIVIA: Second.
19 CITY CLERK: Second by Commissioner
20 Valdivia.
21 Commissioner Grullon?
22 COMMISSIONER GRULLON: Yes.
23 CITY CLERK: Commissioner Valdivia?
24 COMMISSIONER VALDIVIA: Yes.
25 CITY CLERK: Commissioner Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 CITY CLERK: Mayor Stack made a motion to
5 approve all items on Consent Agenda.

6 May I have a second?

7 COMMISSIONER MARTINETTI: Second.

8 CITY CLERK: Second by Commissioner
9 Martinetti.

10 Commissioner Grullon?

11 COMMISSIONER GRULLON: Yes.

12 CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 CITY CLERK: Commissioner Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18 CITY CLERK: Thank you.

19

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

22 **REGULAR AGENDA:**

23 1. Resolution Approving the SFY2019 Temporary
24 Budget.)

25

1 CITY CLERK: There's one item on the
2 Regular Agenda this evening.

3 It's a Resolution Approving the State
4 Fiscal Year 2019 Temporary Budget.

5 May I have a motion?

6 MAYOR STACK: I'll make a motion.

7 CITY CLERK: Motion by Mayor Stack.

8 Second?

9 COMMISSIONER MARTINETTI: Second.

10 CITY CLERK: Second by Commissioner
11 Martinetti.

12 CITY CLERK: Commissioner Grullon?

13 COMMISSIONER GRULLON: Yes.

14 CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 CITY CLERK: Commissioner Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 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 1. ORDINANCE AMENDING CHAPTER 366, ARTICLE VII

1 TO INCLUDE SECTION 38 WHICH ESTABLISHES
2 SPECIFICATIONS FOR THE REMOVAL OF UNDERGROUND
3 FUEL TANKS.)

4

5 CITY CLERK: There's one Ordinance on for
6 Hearing and Adoption.

7 It's an Ordinance Amending Chapter 366,
8 Article VII to Include Section 38, which
9 Establishes the Specifications for the Removal of
10 Underground Fuel Tanks.

11 Mayor, would you like to take public
12 comment on --

13 MAYOR STACK: Sure.

14 CITY CLERK: -- this --

15 MAYOR STACK: What -- what this Ordinance
16 would do, if somebody removes an oil tank on
17 their property, this would make them immediately
18 put a sidewalk back in.

19 Many times you'll see, if you walk on 4th
20 Street -- just now on my way here tonight,
21 there's not many in the City but on 4th Street,
22 the 600 block, you saw that they dumped gravel
23 and stone in the hole, which is not the right way
24 to do it.

25 The sidewalk is not property saw cut and

1 someone could easily fall. Especially, in -- in
2 -- you know, it could -- they could fall at any
3 point but especially in bad weather, rain, snow,
4 they could easily fall.

5 We're requiring them to go back in.

6 Our sidewalks that we put in -- the City
7 puts in, the six inches thick, we're requiring
8 them to go in at least with two inches if they
9 need to go back and reopen it.

10 But if they reopen it on Monday, we're
11 expecting Monday evening that the sidewalk is
12 back in again.

13 Too many times they leave these sidewalks
14 wide open and the City is being sued when someone
15 falls. And it's not fair to the taxpayers of the
16 City.

17 And with the work that we're doing in the
18 community, it's not fair to -- to everyone. It's
19 not fair to people who live on the block to have
20 to live with that and stones coming out of it or
21 the asphalt dumped in there. That will no longer
22 be permitted.

23 That's what this Ordinance will do.

24 Anyone wishing to comment on this Ordinance
25 at this time, please step forward, state your

1 name and address for the record.

2 Seeing none.

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

5 COMMISSIONER VALDIVIA: Motion.

6 CITY CLERK: Motion by Commissioner
7 Valdivia.

8 Second?

9 COMMISSIONER GRULLON: Second.

10 CITY CLERK: Second by Commissioner
11 Grullon.

12 Commissioner Grullon?

13 COMMISSIONER GRULLON: Yes.

14 CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 CITY CLERK: Commissioner Martinetti?

17 COMMISSIONER MARTINETTI: I'm abstaining.

18 CITY CLERK: Okay.

19 And Mayor Stack?

20 MAYOR STACK: Yes.

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

22 MAYOR STACK: Motion.

23 COMMISSIONER VALDIVIA: Motion.

24 CITY CLERK: Motion by Mayor Stack.
25 Second by Commissioner Valdivia.

1 CITY CLERK: Commissioner Grullon?

2 COMMISSIONER GRULLON: Yes.

3 CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 CITY CLERK: Commissioner Martinetti is --

6 COMMISSIONER MARTINETTI: Abstaining.

7 CITY CLERK: -- abstaining.

8 And Mayor Stack?

9 MAYOR STACK: Yes.

10 What we should do on this Ordinance though,
11 is it should be mailed to every licensed
12 contractor in Hudson County. Not just Union
13 City; in Hudson County.

14 It should also be mailed to all -- all --
15 anyone who professes themselves to be an oil tank
16 removal specialist in the State of New Jersey.

17 CITY CLERK: Okay.

18 MAYOR STACK: This way we're not dealing
19 with this over and over again; it's done in one
20 shot. Just by regular mail.

21 CITY CLERK: Okay.

22 MAYOR STACK: We should get that out there.
23 And put it up on the City's website also.

24 CITY CLERK: No problem, Mayor.

25 MAYOR STACK: And the Building Department

1 gets it; that they disseminate it to every
2 inspector in the Building Department. And all
3 City departments; the Police Department also
4 should know.

5 This way if the Police Department see it
6 also, the Police Department could report that.

7 CITY CLERK: Absolutely.

8 MAYOR STACK: Okay?

9 CITY CLERK: Thank you.

10

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

12

13 CITY CLERK: Mayor, at this time would you
14 like to take public comment on any item
15 concerning government in the City of Union City?

16 MAYOR STACK: Sure.

17 Just before we do, I would just like to
18 thank everyone who's here this evening. Thank
19 you for coming out to the meeting.

20 The Commissioners and I move a hundred
21 percent of our meetings throughout the community.
22 We move them to different locations; 99 percent
23 of them are in the evening hours such as this.
24 And I appreciate those residents that have come
25 out tonight.

1 Anyone wishing to comment on any matter
2 concerning municipal government in the City of
3 Union City, please step forward.

4 Seeing none.

5 CITY CLERK: May I have a motion to close
6 Public Comment?

7 MAYOR STACK: Motion.

8 CITY CLERK: Motion by --

9 COMMISSIONER MARTINETTI: Second.

10 CITY CLERK: -- Mayor Stack.

11 Second by Commissioner Martinetti.

12 Commissioner Grullon?

13 COMMISSIONER GRULLON: Yes.

14 CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 CITY CLERK: Commissioner Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20 * * *

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. Pupusa No. 2, Inc.

4 t/a La Pupusa Loca

5 Location: 4709 Bergenline Avenue

6 License No. 0910-33-174-007

7 2. El Idolo LLC

8 t/a Angelo's Café

9 Location: 4215 Park Avenue

10 License No. 0910-33-111-008

11 3. Salvadorian Bar & Restaurant, Inc.

12 T/A El Centro Americano Bar

13 Location: 4212 New York Avenue

14 License No. 0910-33-051-006

15 4. Plaza Espana, Inc.

16 T/A Plaza Hispana Bar & Restaurant

17 Location: 2506 Bergenline Avenue

18 License No. 0910-33-136-020

19

20 CITY CLERK: Mayor, at this time we have

21 Liquor License Disciplinary Hearings.

22 MAYOR STACK: Once again I would just like

23 to thank all those residents that are here

24 tonight.

25 The portion of the meeting that we'll be

1 going into now may take a little bit longer.

2 It's Liquor License Hearings.

3 So thank you, again.

4 Anyone who would like to stay, you're
5 welcome to stay.

6 Thank you very much, everyone.

7 Mr. Farmer?

8 MR. FARMER: Yes.

9 Tony?

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

12 MR. FARMER: Okay.

13 Ready to go?

14 Okay.

15 Good evening, members of the Board.

16 You -- you have four cases on this evening
17 and I would like to take --

18 And, basically, all these cases are paper
19 violations.

20 * * *

21

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1 PLAZA ESPANA, INC.
2 t/a PLAZA HISPANA BAR & RESTAURANT
3 Location: 2506 Bergenline Avenue
4 License No. 0910-33-136-020
5

6 MR. FARMER: I'm -- I would like to take
7 number 4, Plaza Espana.

8 Licenses -- licensee is here, along with
9 his attorney.

10 It's a paper violation. We negotiated a
11 three day suspension, which is customary for
12 that. And we have three days, which would be
13 July 16, 17th, and 18th.

14 And I'll get the Resolution up quickly to
15 the Clerk.

16 MAYOR STACK: And just now, with the warmer
17 weather, make sure that we're keeping the crowds
18 quiet when they're leaving --

19 MR. SARSANO: Okay.

20 MAYOR STACK: -- the restaurant in the
21 evening hours. We request that because we
22 received quite a few complaints in the past.

23 MR. SARSANO: Yes.

24 MAYOR STACK: So, please, just make sure
25 it's kept quiet at all times.

1 Thank you very much.

2 MS. DILLON: Your appearance, Mr. Sarsano.

3 MAYOR STACK: Mr. Sarsano?

4 MR. SARSANO: For the record, my name is
5 Anthony Sarsano. I represent the licensee.

6 The representations made by Mr. Farmer are,
7 in fact, accurate.

8 MAYOR STACK: Great.

9 Thank you.

10 I'll make a motion to approve the
11 recommendation of Mr. Farmer.

12 CITY CLERK: Motion by Mayor Stack.
13 Second?

14 COMMISSIONER VALDIVIA: Second.

15 CITY CLERK: Second by Commissioner
16 Valdivia.

17 Commissioner Grullon?

18 COMMISSIONER GRULLON: Yes.

19 CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 CITY CLERK: Commissioner Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 CITY CLERK: Thank you.

1 MR. FARMER: Okay.

2 Take care.

3 MR. SARSANO: Thank you.

4 MAYOR STACK: Thank you very much, Mr.

5 Sarsano.

6 A VOICE: Thank you, sir.

7 MAYOR STACK: Thank you, my friend.

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1 SALVADORIAN BAR & RESTAURANT, INC.

2 t/a EL CENTRO AMERICANO BAR

3 Location: 4212 New York Avenue

4 License No. 0910-33-051-006

5

6 MR. FARMER: Salvadorian Restaurant.

7 The record should reflect that the licensee
8 here -- is here with her daughter and that we've
9 had a couple of conferences about this case
10 with --

11 MAYOR STACK: Mr. Farmer, just if you could
12 keep --

13 MR. FARMER: -- with Lieutenant Loaces.

14 MAYOR STACK: -- your voice up.

15 MR. FARMER: Yes.

16 With Lieutenant Loaces.

17 And, basically, this is again a paper
18 violation.

19 And we've negotiated a plea of three days,
20 which would be August 7th, 8th and 9th.

21 MAYOR STACK: And which one is this, Mr.
22 Farmer?

23 MR. FARMER: This is Salvadorian --

24 COMMISSIONER MARTINETTI: Three.

25 MR. FARMER: -- Restaurant, --

1 COMMISSIONER MARTINETTI: Number 3.

2 COMMISSIONER VALDIVIA: Number 3.

3 MAYOR STACK: Okay.

4 MR. FARMER: -- 4212 --

5 MAYOR STACK: And you negotiated a three
6 day?

7 MR. FARMER: Yes.

8 MAYOR STACK: Okay.

9 Ma'am, -- ma'am do you agree with what's
10 been represented?

11 MS. M. RIVERA: (In Spanish) Si.

12 MAYOR STACK: And your name and address for
13 the record? And your -- your role in the --

14 MS. DILLON: Can you --

15 MAYOR STACK: -- establishment?

16 MS. DILLON: -- state your name and address
17 in English please?

18 MAYOR STACK: Sure.

19 MS. A. RIVERA: Maria V. Rivera.

20 MS. DILLON: Maria, V as in Victor, Rivera?

21 MS. A. RIVERA: Yes.

22 MS. DILLON: R-I-V-E-R-A.

23 MS. A. RIVERA: Yes. Correct.

24 MS. DILLON: And your name?

25 MS. A. RIVERA: My name is Amberlyn Rivera.

1 MS. DILLON: Spell that for me.

2 MS. A. RIVERA: A-M-B-E-R-L-Y-N.

3 MS. DILLON: Thank you so much.

4 MAYOR STACK: And what is your relationship
5 to the establishment?

6 MS. A. RIVERA: No, I'm just the
7 daughter --

8 MAYOR STACK: Okay.

9 And your mom's relationship? Is she the
10 owner?

11 MS. A. RIVERA: Yeah, she is the owner.

12 MAYOR STACK: She's the owner.

13 And does she -- do you understand what Mr.
14 Farmer has represented that you guys are pleading
15 guilty to a three day suspension?

16 MS. A. RIVERA: Yes I do.

17 MAYOR STACK: And you agree with that?

18 MS. A. RIVERA: Yes.

19 MAYOR STACK: You don't want to be
20 represented by a lawyer?

21 You could have a lawyer. We could adjourn
22 the meeting and you could go back and get a
23 lawyer and come back with an attorney.

24 MS. A. RIVERA: No, it's all right, we
25 already got the opportunity.

1 MAYOR STACK: Okay.

2 Okay, I'll make a motion to approve.

3 CITY CLERK: Motion by Mayor Stack.

4 Second?

5 COMMISSIONER GRULLON: Second.

6 COMMISSIONER VALDIVIA: Second.

7 CITY CLERK: Second by Commissioner

8 Grullon.

9 Commissioner Grullon?

10 COMMISSIONER GRULLON: Yes.

11 CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 CITY CLERK: Commissioner Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 CITY CLERK: And Mayor Stack?

16 MAYOR STACK: Yes.

17 CITY CLERK: Thank you.

18 MR. FARMER: Okay.

19 Thanks a lot.

20 MS. M. RIVERA: Okay.

21 MS. A. RIVERA: All right.

22 Thank you.

23 MR. FARMER: Good luck to you.

24 MAYOR STACK: Thank you very much.

25 MR. FARMER: Bye-bye.

1 MAYOR STACK: Thank you.

2 Have a good evening.

3 MS. A. RIVERA: Thank you.

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

6 MR. FARMER: The next one is Angelo's. And
7 where is -- (indiscernible)?

8 All right. Okay.

9 This again is a paper violation. And I've
10 spoken with the licensee, not only today but on
11 two prior occasions and on two of those occasions
12 in the company of Lieutenant Loaces.

13 And we've agreed --

14 This is a paper violation. We've agreed
15 that it would be three day suspension, August
16 7th, -- not August 7th.

17 MR. BRAVO: July --

18 MR. FARMER: July 23rd, 24th and 25th.

19 MAYOR STACK: And, sir, do you agree?

20 What -- what is your name, sir, for the
21 record?

22 MR. BRAVO: My name is Hector. My last
23 name is Bravo.

24 MS. DILLON: I'm sorry; spell that for me,
25 Hector.

1 MR. BRAVO: Hector.

2 MS. DILLON: Last name?

3 MR. BRAVO: Bravo. B-R-- B-R-A-V-O.

4 MS. DILLON: B-R-A-V-O?

5 MR. BRAVO: Yes.

6 MAYOR STACK: V-O. Bravo.

7 MS. DILLON: Thank you.

8 MAYOR STACK: And what is your relationship
9 with Angelo's Café?

10 MR. BRAVO: I'm the husband. My wife --

11 MAYOR STACK: Okay.

12 MR. BRAVO: Husband and wife.

13 MAYOR STACK: Okay.

14 MR. BRAVO: It's -- the license --

15 MAYOR STACK: Would you like to have an
16 attorney?

17 MR. BRAVO: -- in my wife's name.

18 MAYOR STACK: Would you like to have an
19 attorney present tonight with you?

20 MR. BRAVO: I can't afford much. I think
21 -- I plead guilty.

22 MAYOR STACK: Okay.

23 You don't want to go back and consult with
24 an attorney? You have that right?

25 MR. BRAVO: No.

1 MAYOR STACK: If you'd like to have an
2 attorney, you can go back and get an attorney.

3 MR. BRAVO: I talked to Mr. Farmer on the
4 -- (indiscernible) --

5 MAYOR STACK: Okay.

6 MR. BRAVO: -- I am --

7 MAYOR STACK: And you're in agreement with
8 what's been stated?

9 MR. BRAVO: Yes.

10 MAYOR STACK: And it's going to be a three
11 day suspension, Greg?

12 MR. FARMER: Yes.

13 MR. BRAVO: Yes.

14 MAYOR STACK: Three day suspension.

15 MR. BRAVO: Yes.

16 MAYOR STACK: Okay.

17 I'll make a motion to approve.

18 CITY CLERK: Motion by Mayor Stack.

19 Second?

20 COMMISSIONER VALDIVIA: Second.

21 CITY CLERK: Second by Commissioner
22 Valdivia.

23 Commissioner Grullon?

24 COMMISSIONER GRULLON: Yes.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 CITY CLERK: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6 CITY CLERK: Thank you.

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1 PUPUSA NO. 2, INC.

2 t/a LA PUPUSA LOCA

3 Location: 4709 Bergenline Avenue

4 License No. 0910-33-174-007

5

6 MR. FARMER: The last one is the --

7 MAYOR STACK: Thank you --

8 MR. FARMER: -- the first one, --

9 MAYOR STACK: -- very much, sir.

10 Thank you.

11 MR. BRAVO: Thank you very much.

12 MAYOR STACK: Thank you.

13 MR. FARMER: -- is Pupusa.

14 I had hoped that they would have arrived
15 earlier so we --

16 LIEUTENANT LOACES: They're here.

17 MR. FARMER: -- could talk.

18 MAYOR STACK: They're in the back.

19 MR. FARMER: I know they're here.

20 MAYOR STACK: You want to take --

21 MR. FARMER: We can do one of two things.

22 You could take a five, ten minute talk -- recess;

23 --

24 MAYOR STACK: Yeah, go right ahead.

25 MR. FARMER: -- I'll talk to them and we'll

1 see where we go.

2 MAYOR STACK: Sure.

3 Go right ahead.

4 MR. FARMER: Thanks.

5 COMMISSIONER MARTINETTI: Need a motion?

6 CITY CLERK: Motion to go off the record?

7 COMMISSIONER MARTINETTI: Motion.

8 CITY CLERK: Motion by Commissioner
9 Martinetti.

10 COMMISSIONER VALDIVIA: Second.

11 CITY CLERK: Second by Commissioner
12 Valdivia.

13 All in favor?

14

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

16

17 (Off the record at 7:22 p.m.)

18 (On the record at 7:26 p.m.)

19

20 MS. DILLON: On the record.

21 CITY CLERK: Okay, we're going to go back
22 on the record.

23 May I have a motion?

24 COMMISSIONER MARTINETTI: Motion.

25 CITY CLERK: Motion by Commissioner

1 Martinetti.

2 COMMISSIONER VALDIVIA: Second.

3 CITY CLERK: Second by Commissioner
4 Valdivia.

5 All in favor?

6

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

8

9 CITY CLERK: Okay, at 7:26, we're back on
10 the record.

11 Mr. Farmer?

12 MR. FARMER: Yes.

13 Getting back to number 1.

14 Pupusa Number 2, the licensee is here and
15 so is Lieutenant Loaces.

16 And we've had a couple conversations,
17 including tonight, with the licensees. There's a
18 little -- again, this is a paper violation but
19 there's a little wrinkle in it with respect to
20 what we can accomplish here.

21 So, we're going to continue our discussion.
22 Okay?

23 And if you could carry it on to the next
24 meeting I'm sure we'll have clarification of the
25 whole thing and we'll be able to resolve it.

1 | Because, like I said, it's a paper violation.

2 | Okay, could you carry it to the next
3 | meeting?

4 | MAYOR STACK: Absolutely.

5 | MR. FARMER: All right.

6 | CITY CLERK: Sure.

7 | We'll table it.

8 | May I have a motion to table?

9 | COMMISSIONER MARTINETTI: Motion.

10 | CITY CLERK: Motion by Commissioner
11 | Martinetti.

12 | Second?

13 | COMMISSIONER GRULLON: Second.

14 | CITY CLERK: Second by Commissioner --

15 | MAYOR STACK: You got it.

16 | CITY CLERK: -- Grullon.

17 | All in favor?

18 | MAYOR STACK: Thank you, Mr. Farmer.

19 | MR. FARMER: Okay.

20 | Good night, ladies and gentlemen.

21 | CITY CLERK: Okay.

22 | MAYOR STACK: Thank you very much.

23 | COMMISSIONER MARTINETTI: Thank you.

24 | MAYOR STACK: You, too.

25 | Thank you.

1 MR. FARMER: All right.

2 Take care.

3

4 **ADJOURNMENT:**

5

6 CITY CLERK: Mayor, at this time there are
7 no other items on the meeting.

8 May I have a motion to adjourn?

9 MAYOR STACK: Motion.

10 CITY CLERK: Motion by Mayor Stack.

11 Second?

12 COMMISSIONER VALDIVIA: Second.

13 CITY CLERK: Second by Commissioner
14 Valdivia.

15 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: Thank you.

24 MAYOR STACK: Erin, thank you.

25 CITY CLERK: No problem.

1 MAYOR STACK: Thank you, Angelo.

2 MR. AUTERI: Thank you, Mayor.

3

4 (Whereupon, the proceedings were concluded
5 at 7:27 p.m.)

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Brian P. Stack

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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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Board of Commissioners

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Attest:

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Erin M. Knoedler,

9

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, July 10, 2018 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon