

ORIGINAL

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

REGULAR MEETING

:  
:  
:  
:  
TRANSCRIPT OF RECORDED  
PROCEEDINGS

Saint Anthony's School  
700 Central Avenue  
Union City, New Jersey

Tuesday, October 16, 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

SUSAN COLDITZ, Director of Finance

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LUIS E. DIAZ, ESQ.

Attorney for Vanessa Café Corp., t/a Vanessa Café

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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, October 16<sup>th</sup>, 2018, at  
4 seven p.m., at Saint Anthony's School, 700  
5 Central Avenue, Union City, New Jersey.

6 Please stand for the Pledge of Allegiance.

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

10  
11 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 in 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 **APPROVAL OF PREVIOUS MEETING MINUTES FROM**  
10 **SEPTEMBER 4, 2018; SEPTEMBER 18, 2018; AND**  
11 **OCTOBER 2, 2018.)**

12

13 CITY CLERK: The first item for Approval is  
14 the -- are the Meeting Minutes of September 4,  
15 2018, September 18<sup>th</sup>, 2018, and October 2<sup>nd</sup>, 2018.

16 May I have a motion?

17 MAYOR STACK: Motion.

18 CITY CLERK: Motion by Mayor Stack.

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

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

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

12 1. ORDINANCE AMENDING CHAPTER 4, ARTICLE XIII,  
13 SECTION 65, TO UPDATE THE TABLE OF ORGANIZATION  
14 FOR THE POLICE DEPARTMENT.)

15

16 CITY CLERK: We have four Ordinances on for  
17 Introduction.

18 Adoption on first reading will prompt the  
19 advertisement and public hearing, which will be  
20 held on Tuesday, October 30<sup>th</sup>, 2018, at Colin  
21 Powell Elementary School, 1509 New York Avenue,  
22 Union City, New Jersey.

23 The first Ordinance is an Ordinance  
24 Amending Chapter 4, Article XIII, Section 65, to  
25 Update the Table of Organization for the Police

1 Department.

2 May I have a motion to introduce?

3 MAYOR STACK: Motion.

4 CITY CLERK: Motion by Mayor Stack.

5 COMMISSIONER MARTINETTI: Second.

6 CITY CLERK: Second?

7 Second by Commissioner Martinetti.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 CITY CLERK: 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

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

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

22 2. ORDINANCE AMENDING CHAPTER 223, SECTION 12  
23 TO PROHIBIT THE USE OF STUCCO IN BUILDING FAÇADE  
24 REPAIRS.)

25

1 CITY CLERK: The second Ordinance is an  
2 Ordinance Amending Chapter 223, Section 12 to  
3 Prohibit the Use of Stucco in Building Façade  
4 Repairs.

5 May I have a motion to introduce?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion by Mayor Stack.

8 COMMISSIONER VALDIVIA: Second.

9 CITY CLERK: Second?

10 COMMISSIONER VALDIVIA: Second.

11 CITY CLERK: Second?

12 I'm sorry, second by Commissioner Valdivia.

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

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

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

2       3.    AN ORDINANCE OF THE CITY OF UNION CITY,  
3   COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE  
4   SUM OF \$175,580 IN FUNDING FROM THE CAPITAL  
5   IMPROVEMENT FUND FOR VARIOUS REPAIRS TO CITY  
6   ROADS AND BRIDGES.)

7  
8           CITY CLERK:   The third Ordinance is an  
9   Ordinance of the City of Union City, County of  
10   Hudson, New Jersey, Appropriating the Sum of  
11   175,580 in Funding from the Capital Improvement  
12   Fund for Various Repairs to City Roads and  
13   Bridges.

14           May I have a motion to introduce?

15           COMMISSIONER VALDIVIA:   Motion.

16           CITY CLERK:   Motion by Commissioner  
17   Valdivia.

18           Second?

19           MAYOR STACK:   Second.

20           CITY CLERK:   Second by Mayor Stack.

21           Commissioner Fernandez?

22           COMMISSIONER FERNANDEZ:   Yes.

23           CITY CLERK:   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

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

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

10 4. AN ORDINANCE AMENDING CHAPTER 334 (RENT  
11 CONTROL) TO SET FORTH REQUIREMENTS FOR LANDLORDS  
12 SEEKING A RENT CONTROL EXEMPTION FOR NEW  
13 CONSTRUCTION.)

14

15 CITY CLERK: The fourth Ordinance is an  
16 Ordinance Amending Chapter 334, Rent Control, to  
17 Set Forth Requirements for Landlords Seeking a  
18 Rent Control Exemption for New Construction.

19 May I have a motion to introduce?

20 MAYOR STACK: Motion.

21 CITY CLERK: Motion by Mayor Stack.

22 Second?

23 COMMISSIONER GRULLON: Second.

24 CITY CLERK: Second by Commissioner

25 Grullon.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 CITY CLERK: Commissioner Grullon?

4 COMMISSIONER GRULLON: Yes.

5 CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 CITY CLERK: Commissioner Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11

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

14 **CONSENT AGENDA:**

15 ( 1) Resolution Approving the Payment of Claims

16 ( 2) Resolution Approving the Payment of  
17 Concurring Claims

18 ( 3) Resolution Approving the Payment of Escrow  
19 Refunds

20 ( 4) Resolution Approving the City Payroll for  
21 the Period of September 29, 2018 through October  
22 12, 2018

23 ( 5) Resolution Approving the Library Payroll  
24 for the Period of September 29, 2018 through  
25 October 12, 2018

- 1 ( 6) Resolution Adopting a Change to an Existing
- 2 Deferred Compensation Plan
- 3 ( 7) Resolution Awarding a Contract to American
- 4 Asphalt & Milling Services, LLC
- 5 ( 8) Resolution Authorizing the Placement of a
- 6 Lien on the Property Known as 1402 Central
- 7 Avenue, Union City, New Jersey, Block 71, Lot 15,
- 8 for Emergency Repair Costs
- 9 ( 9) Resolution Authorizing the Placement of a
- 10 Lien on the Property Known as 1215 Morris Street,
- 11 Union City, New Jersey, Block 59, Lot 33, for
- 12 Emergency Repair Costs
- 13 (10) Resolution Authorizing the City Clerk to
- 14 Advertise for Bids for 2018-2019 Snow Removal and
- 15 Post Storm Services
- 16 (11) Resolution Authorizing Refund of Premium
- 17 Monies Collected at the Tax Sale
- 18 (12) Resolution Authorizing Refund of Redemption
- 19 Monies to Outside Lienholders
- 20 (13) Resolution Authorizing the Refund of a Tax
- 21 Appeal Issued by the Hudson County Board of
- 22 Taxation
- 23 (14) Resolution Appointing Mr. Jay Geldziler to
- 24 the Union City Housing Authority
- 25 (15) Resolution Authorizing the Destruction of a

1 2002 Mobile Concept Scotty Firehouse.)

2

3 CITY CLERK: We have 15 items on the

4 Consent Agenda.

5 The first is a Resolution Approving the

6 Payment of Claims.

7 The second is a Resolution Approving the

8 Payment of Concurring Claims.

9 The third is a Resolution Approving the

10 Payment of Escrow Refunds.

11 The fourth is a Resolution Approving the

12 City Payroll for the Period of September 29<sup>th</sup>,

13 2018 through October 12<sup>th</sup>, 2018.

14 The fifth is a Resolution Approving the

15 Library Payroll for the Period of September 29<sup>th</sup>,

16 2018 through October 12<sup>th</sup>, 2018.

17 The sixth is a Resolution Adopting a Change

18 to an Existing Deferred Compensation Plan.

19 The seventh is a Resolution Awarding a

20 Contract to American Asphalt and Milling

21 Services, LLC.

22 The eighth is a Resolution Authorizing the

23 Placement of a Lien on a Property Known as 1402

24 Central Avenue, Union City, New Jersey, Block 71,

25 Lot 15, for Emergency Repair Costs.

1           The ninth is a Resolution Authorizing the  
2   Placement of a Lien on the Property Known as 1215  
3   Morris Street, Union City, New Jersey, Block 59,  
4   Lot 33, for Emergency Repair Costs.

5           The tenth is a Resolution Authorizing the  
6   City Clerk to Advertise for Bids for the 2018-  
7   2019 Snow Removal and Post -- Post Storm  
8   Services.

9           The eleventh is a Resolution Authorizing  
10   Refund of Premium Monies Collected at the Tax  
11   Sale.

12           The twelfth is a Resolution Authorizing  
13   Refund of Redemption Monies to Outside  
14   Lienholders.

15           The thirteenth is a Resolution Authorizing  
16   the Refund of a Tax Appeal Issued by the Hudson  
17   County Board of Taxation.

18           The fourteenth is a Resolution Approving  
19   Mr. Jay Geldziler -- Geldziler --

20           Sorry.

21           -- to the Union City Housing Authority.

22           The fifteenth is a Resolution Authorizing  
23   the Destruction of a 2002 Mobile Concept Scotty  
24   Firehouse.

25           Mayor, at this time would you like to take

1 public comment on the Consent Agenda?

2 MAYOR STACK: Anyone wishing to comment on  
3 the Consent Agenda, please step forward, state  
4 your name and address for the record.

5 Seeing none.

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

8 COMMISSIONER FERNANDEZ: Motion.

9 COMMISSIONER VALDIVIA: Motion.

10 CITY CLERK: Motion by Commissioner  
11 Fernandez.

12 Second by Commissioner Valdivia.

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 approve  
24 all items on the Consent Agenda?

25 COMMISSIONER VALDIVIA: Motion.

1 CITY CLERK: Motion by Commissioner  
2 Valdivia.

3 Second?

4 COMMISSIONER GRULLON: Second.

5 CITY CLERK: Second by Commissioner  
6 Grullon.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 CITY CLERK: 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: Mayor Stack?

16 MAYOR STACK: Yes.

17 CITY CLERK: Thank you.

18

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

21 **REGULAR AGENDA:**

22 1. Resolution Approving a Payment of Claim to  
23 the Union City Board of Education.)

24

25 CITY CLERK: There are three items on the

1 Regular Agenda.

2 The first item is a Resolution Approving a  
3 Payment of Claim to the Union City Board of  
4 Education.

5 MR. AUTERI: Ordinarily Commissioners  
6 Grullon and Valdivia wouldn't vote on Board of Ed  
7 matters. However, tonight we will invoke the  
8 doctrine of necessity.

9 CITY CLERK: May I have a motion to approve  
10 item 1?

11 MAYOR STACK: Motion.

12 CITY CLERK: Motion by Mayor Stack.

13 Second?

14 COMMISSIONER VALDIVIA: Second.

15 CITY CLERK: Second by Commissioner  
16 Valdivia.

17 Commissioner Fernandez is recusing.

18 Commissioner Grullon?

19 COMMISSIONER GRULLON: Yes.

20 CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 CITY CLERK: Commissioner Martinetti is  
23 recusing.

24 Mayor Stack?

25 MAYOR STACK: Yes.

1 CITY CLERK: Thank you.

2

3 (Whereupon, the Board discussed and took

4 action on the following item:

5 **REGULAR AGENDA:**

6 2. Resolution to Introduce and Approve the  
7 SFY2019 Budget.)

8

9 CITY CLERK: The second is a Resolution to  
10 Introduce and Approve the SFY2019 Budget.

11 May I have a motion to approve?

12 MAYOR STACK: Motion.

13 COMMISSIONER MARTINETTI: Motion.

14 CITY CLERK: Motion by Mayor Stack.

15 Second by Commissioner Martinetti.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 CITY CLERK: 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 **REGULAR AGENDA:**

5 3. Resolution Approving the Payment of Claims  
6 for the Hudson County Improvement Authority.)

7

8 CITY CLERK: The third item is a Resolution  
9 Approving the Payment of Claims for the Hudson  
10 County Improvement Authority.

11 May I have a motion on item 3?

12 MAYOR STACK: Motion.

13 CITY CLERK: Motion by Mayor Stack.

14 Second?

15 COMMISSIONER VALDIVIA: Second.

16 CITY CLERK: Second by Commissioner  
17 Valdivia.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 CITY CLERK: Commissioner Grullon?

21 COMMISSIONER GRULLON: Yes.

22 CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 CITY CLERK: Commissioner Martinetti is  
25 recusing.

1 Mayor Stack?

2 MAYOR STACK: Yes.

3

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

6 **ORDINANCES FOR HEARING AND ADOPTION**

7 **CONSIDERATION:**

8 1. ORDINANCE OF THE CITY OF UNION CITY TO  
9 EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
10 AND TO ESTABLISH A CAP BANK.)

11

12 CITY CLERK: We have one Ordinance on  
13 tonight for Public Hearing and Adoption.

14 It's the Ordinance of the City of Union  
15 City to Exceed the Municipal Budget Appropriation  
16 Limits and to Establish a Cap Bank.

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

19 MAYOR STACK: Yes.

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

23 Seeing none.

24 CITY CLERK: May I have a motion to close  
25 public comment?

1 COMMISSIONER FERNANDEZ: Motion.

2 CITY CLERK: Motion by Commissioner  
3 Fernandez.

4 Second?

5 COMMISSIONER VALDIVIA: Second.

6 CITY CLERK: Second by Commissioner  
7 Valdivia.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 CITY CLERK: 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: May I have a motion to adopt  
19 the Ordinance?

20 COMMISSIONER MARTINETTI: Motion.

21 CITY CLERK: Motion by Commissioner  
22 Martinetti.

23 Second?

24 COMMISSIONER VALDIVIA: Second.

25 CITY CLERK: Second by Commissioner

1 Valdivia.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 CITY CLERK: Commissioner Grullon?

5 COMMISSIONER GRULLON: Yes.

6 CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 CITY CLERK: Commissioner Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12

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

14

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

18 MAYOR STACK: Sure.

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

22 Seeing none.

23 CITY CLERK: May I have a motion to close  
24 public comment?

25 COMMISSIONER FERNANDEZ: Motion.

1 CITY CLERK: Motion by Commissioner  
2 Fernandez.  
3 Second?  
4 COMMISSIONER VALDIVIA: Second.  
5 CITY CLERK: Second by Commissioner  
6 Valdivia.  
7 Commissioner Fernandez?  
8 COMMISSIONER FERNANDEZ: Yes.  
9 CITY CLERK: Commissioner Grullon?  
10 COMMISSIONER GRULLON: Yes.  
11 CITY CLERK: Commissioner Valdivia?  
12 COMMISSIONER VALDIVIA: Yes.  
13 MAYOR STACK: Just we have -- we have one  
14 -- we have one comment.  
15 CITY CLERK: Commiss--  
16 MAYOR STACK: Just -- we can --  
17 CITY CLERK: I'm sorry.  
18 MAYOR STACK: -- we can hold it.  
19 MR. PRICE: Yeah. I'm sorry. I didn't --  
20 MS. DILLON: Right over here, Mr. Price.  
21 MR. PRICE: Okay. Sure.  
22 Larry Price, 1006 Palisade Avenue.  
23 Two items; both in my neighborhood.  
24 First, 1301 Palisade Avenue.  
25 There was a recent application to the

1 Zoning Board, which was approved for a three  
2 family house.

3 There was also a second three family house  
4 at 1303 next door.

5 Okay. The application for 1301 was kind of  
6 unique and I thought kind of interesting because  
7 instead of having, you know, under the whatever  
8 --

9 It's -- it's at the corner --  
10 Sorry.

11 MS. DILLON: That's all right. That's all  
12 right.

13 MR. PRICE: On 13<sup>th</sup> Street, instead of  
14 having the cars come in on Palisade Avenue and do  
15 the usual, they instead had on 13<sup>th</sup> Street, you  
16 know, over the sidewalk and directly into the  
17 drive -- I thought a much better solution.

18 The problem is, since that was approved two  
19 months ago, they now put in a new sidewalk and  
20 eight trees. And the guy with that application  
21 either has to come back an amendment and do a  
22 regular one or he's going to tear up that  
23 sidewalk, which is a terrible waste.

24 We're going to have to take seven trees out  
25 and, of course, --

1           And, I don't know, it's -- I know there are  
2 a lot of different people that work here and it's  
3 hard to coordinate that but one City agency, the  
4 Zoning Board, is approving this while another  
5 City agency is, you know, providing for a  
6 sidewalk, which is going to be a total waste if  
7 -- if it goes ahead.

8           Second, whatever, 1410 Palisade.

9           This is where they're digging the world  
10 biggest hole in the ground. And the site is  
11 surrounded by the usual fence. And there's  
12 webbing on the fence.

13           There was one before and it was recently  
14 replaced. And the replacement I kind of question  
15 because the one that was -- the old one had holes  
16 in it, which meant --

17           You know, that site stands at the top of  
18 the hill with a tremendous wind. And I have seen  
19 those fences knocked over.

20           You have a fence that's ten feet high, a  
21 hundred feet wide -- long. It's a huge sail.  
22 And it -- as soon as you get a high wind that --  
23 that fence is going to go over. It's happened  
24 before at least on two occasions.

25           I can see replacing it. The old webbing

1 was getting a little old but they've got to have,  
2 you know, air valves in that fence or otherwise  
3 the fence -- the fence will topple in the first  
4 high wind.

5 So, --

6 MAYOR STACK: I'll take care of it.

7 MR. PRICE: Thank you.

8 MAYOR STACK: Thank you.

9 CITY CLERK: Any other public comment?

10 MAYOR STACK: Anyone else wishing to  
11 comment at this time, please step forward.

12 Seeing no other.

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

15 COMMISSIONER FERNANDEZ: Motion.

16 COMMISSIONER VALDIVIA: Motion.

17 CITY CLERK: Motion by Commissioner  
18 Fernandez.

19 Second by Commissioner Valdivia.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 CITY CLERK: 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: Thank you.

6

7

\* \* \*

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1 LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2

3 1. LAR Corp.

4 t/a La Roca Bar

5 Location: 2115 West Street

6 License No. 0910-33-182-005

7 2. Vanessa Café Corp.

8 t/a Vanessa Café

9 Location: 4709-11 Bergenline Avenue (sic)

10 Liquor License No. 0910-33-029-008

11 3. El Chapin Corp.

12 t/a El Cuscatleco Bar

13 Location: 2118 Bergenline Avenue

14 Liquor License No. 0910-33-075-010

15

16 CITY CLERK: Mayor, at this time we have

17 Liquor License Disciplinary Proceedings.

18 MR. FARMER: Louie?

19 MAYOR STACK: Mr. Farmer, are you ready?

20 MR. FARMER: Yes.

21 MAYOR STACK: Okay.

22 You need a few minutes?

23 (Whereupon, there was a pause in the  
24 proceedings.)

25 MR. FARMER: Okay.

1 MS. DILLON: Right here Mr. Farmer.

2 MR. FARMER: Do we have La Roca here?

3 Lou, we have La Roca here?

4 MR. DIAZ: Yes.

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

7 MR. FARMER: There are three matters on  
8 your calendar.

9 The first two licensees are represented by  
10 Mr. Diaz.

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1 LAR CORP.  
2 t/a LA ROCA BAR  
3 Location: 2115 West Street  
4 License No. 0910-33-182-005  
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6 MR. FARMER: The first one -- and -- it  
7 should -- the record should reflect that Mr. Diaz  
8 is here with his client of La Roca Bar at 2115  
9 West -- West Street.

10 Alongside of me is Lieutenant Loaces.

11 We're here, after a conference last  
12 Thursday between the three of us concerning both  
13 La Roca and Vanessa Café.

14 La Roca deals with a situation where the  
15 Police went in on a routine check and found that  
16 there were three people missing on the E-141.

17 The Police and everybody --

18 There are paper violations and there are  
19 paper violations.

20 Okay?

21 With respect to the E-141's the Police want  
22 to take a strong stand on it because of the fact  
23 that they want to know who's working in these  
24 places.

25 All right. We've come up with a ten day

1 suspension; five days served with five days held  
2 in abeyance until the end of the licensing  
3 period.

4 MAYOR STACK: Mr. Diaz?

5 MR. DIAZ: Yes.

6 Luis Diaz for the license holder, La Roca,  
7 2115 West Street.

8 They accept the responsibility. It's  
9 something that has been corrected. And, again,  
10 the five days that are being held in abeyance is  
11 going to ensure that compliance is -- is met.

12 So they accept responsibility and accept  
13 the -- the plea.

14 MR. FARMER: What are the days?

15 MR. DIAZ: The 22<sup>nd</sup> -- 10/22 to 10/26.

16 MR. FARMER: October or November?

17 MR. DIAZ: Is that too short of a --  
18 October.

19 MR. FARMER: No, let's do it November.

20 MR. DIAZ: Then the 29<sup>th</sup> to the -- whatever  
21 day it is.

22 MR. PRICE: Third of December.

23 MR. DIAZ: Third?

24 MR. PRICE: Third of December.

25 MR. DIAZ: Third of December.

1 MR. FARMER: Of November.

2 A VOICE: No, no.

3 MR. DIAZ: Of Nov--

4 MR. PRICE: Twenty-ninth --

5 MR. DIAZ: Of November.

6 MR. PRICE: Twenty-nine November you said  
7 to start.

8 MR. DIAZ: Right. Right.

9 MR. FARMER: No, 29 October.

10 MR. DIAZ: Twenty-nine October, --

11 MR. PRICE: Oh. Oh.

12 MR. DIAZ: -- 30<sup>th</sup>, 1, 2, 3.

13 MAYOR STACK: Wait.

14 What are we doing?

15 We're doing this in October or November?

16 MR. DIAZ: We're doing this on --

17 MAYOR STACK: So we're doing this the end  
18 of October?

19 MR. FARMER: Yes.

20 MR. DIAZ: Correct.

21 MAYOR STACK: Okay.

22 MR. FARMER: October 29<sup>th</sup>, --

23 MR. DIAZ: Twenty-nine, 30, --

24 MR. FARMER: -- 30, 31<sup>st</sup>, 1<sup>st</sup> and 2<sup>nd</sup>.

25 MR. DIAZ: Correct.

1 MAYOR STACK: Okay, I got it.  
2 Reopening on the 3<sup>rd</sup>?  
3 MR. FARMER: Yes.  
4 MAYOR STACK: Okay, I got it.  
5 MR. FARMER: And five days held in  
6 abeyance.  
7 MAYOR STACK: I got it.  
8 Okay.  
9 MR. FARMER: Okay, you -- you want to vote  
10 on that?  
11 MAYOR STACK: Yes.  
12 I'll make a motion to approve.  
13 CITY CLERK: Motion by Mayor Stack.  
14 Second?  
15 COMMISSIONER FERNANDEZ: Second.  
16 CITY CLERK: Second by Commissioner  
17 Fernandez.  
18 Commissioner Fernandez?  
19 COMMISSIONER FERNANDEZ: 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 CITY CLERK: Thank you.

4 MR. FARMER: Okay.

5 MR. DIAZ: Thank you.

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1 VANESSA CAFÉ CORP.

2 t/a VANESSA CAFÉ

3 Location: 4709-11 Bergenline Avenue (sic)

4 License No. 0910-33-029-008

5

6 MR. FARMER: The next one is Vanessa Café.

7 This -- this is two charges. And, again,  
8 this is a product of the meeting Lieutenant  
9 Loaces, myself, Mr. Diaz and the licensee had  
10 last Thursday.

11 This is a bottle ordinance case.

12 Okay?

13 Police went in. Saw that there was a  
14 bottle on the bar. It was after ten o'clock and,  
15 consequently, they wrote up a charge.

16 In addition, they found some paper  
17 violations with respect to the -- what the  
18 licensees are required to have on -- on file.

19 Spoke to Mr. Diaz. With respect to the  
20 bottle ordinance a ten day suspension. We're  
21 going to try to stick hard -- very hard with that  
22 -- with the bottle ordinance because, two  
23 reasons.

24 First of all, it's important.

25 And, secondly, we went through a lot of

1 | trouble getting this completed.

2 |       And with respect to the paper violation,  
3 | three days. You know, it's a second violation.

4 |       For a total of 13 days.

5 |       MR. DIAZ: Again, good evening, Board  
6 | members.

7 |       Luis Diaz for the licensee.

8 |       They accept responsibility. They have to  
9 | understand the seriousness of the bottle issue.

10 |       With regard to the paper violations, the  
11 | person that was that night did not have access to  
12 | the paperwork. They brought it in the next day.  
13 | It's here in my possession.

14 |       But nevertheless, they take responsibility  
15 | for the -- for the event and they accept the --  
16 | the plea of the 13 days.

17 |       MAYOR STACK: Okay, I make a motion to  
18 | approve --

19 |       CITY CLERK: Motion by Mayor Stack.

20 |       MR. FARMER: What days?

21 |       CITY CLERK: Second?

22 |       MAYOR STACK: -- for the 13 day suspension.

23 |       CITY CLERK: Second by --

24 |       Motion by Mayor Stack.

25 |       Second by Commissioner Fernandez.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 CITY CLERK: Commissioner Grullon?

4 COMMISSIONER GRULLON: Yes.

5 CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 CITY CLERK: Commissioner Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11 MR. FARMER: And that will be from the --

12 November 6 to November --

13 MR. DIAZ: Eighteen.

14 MR. FARMER: -- 18<sup>th</sup>.

15 MAYOR STACK: Thank you very much.

16 MR. DIAZ: Thank you.

17 MAYOR STACK: Thank you very much.

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1 EL CHAPIN CORP.

2 t/a EL CUSCATLECO BAR

3 Location: 2118 Bergenline Avenue

4 License No. 0910-33-075-010

5

6 MR. FARMER: The last one, they did not  
7 appear.

8 They appeared earlier today. They did not  
9 appear at the plea meeting last Thursday. I told  
10 them to come back on the 30<sup>th</sup>.

11 The situation is he had a video. This is a  
12 bottle ordinance. He had a video that was hard  
13 to see but I said no matter what the video says  
14 Lieutenant Loaces has to see it to give us his  
15 thoughts on it and give us some direction.

16 So I'd ask to just carry that to the 30<sup>th</sup>.

17 MAYOR STACK: Who's involved representing  
18 this one, Greg?

19 MR. FARMER: No one.

20 MAYOR STACK: Oh, no one. Okay.

21 So we'll hold it at the next meeting?

22 MR. FARMER: Yeah.

23 MAYOR STACK: Great.

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## 1 DISCUSSION:

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3 MR. FARMER: Now -- now you should be  
4 forewarned that a guy by the name of Bob Williams  
5 who represents a lot of licensees throughout the  
6 State, he's going to be representing Pupusa.

7 And that's a bottle ordinance case.

8 MAYOR STACK: Okay.

9 MR. FARMER: So I'm sure he's going to try  
10 to attack the ordinance itself.

11 MAYOR STACK: Okay.

12 MR. FARMER: And with respect to that we  
13 got a letter from the State Director saying it  
14 was -- the ordinance was okay.

15 MAYOR STACK: Good.

16 Very good.

17 MR. FARMER: All right?

18 MAYOR STACK: Okay.

19 Good.

20 Great.

21 MR. FARMER: So that's that.

22 MAYOR STACK: Anything further?

23 That's it?

24 MR. FARMER: Nope.

25 That's it.

1 MAYOR STACK: Okay.

2

3 **ADJOURNMENT:**

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5

6 CITY CLERK: There are no other items on  
7 the agenda this evening.

8 May I have a motion to adjourn?

9 MAYOR STACK: Motion.

10 COMMISSIONER FERNANDEZ: Motion.

11 CITY CLERK: Motion by Mayor Stack.

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?

19 COMMISSIONER VALDIVIA: Yes.

20 I'm sorry.

21 CITY CLERK: Commissioner Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 CITY CLERK: Mayor Stack?

24 COMMISSIONER MARTINETTI: Mayor Stack?

25 MAYOR STACK: Yes.

1 Yes.

2 CITY CLERK: Thank you.

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4 (Whereupon, the proceedings were concluded

5 at 7:18 p.m.)

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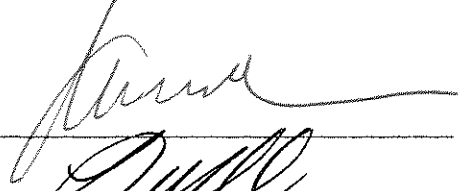
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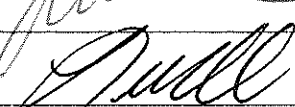
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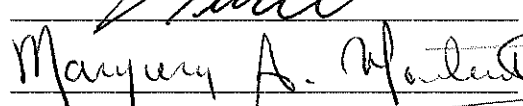
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Brian P. Stack

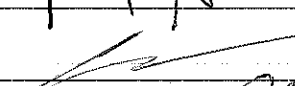
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Lucio P. Fernandez

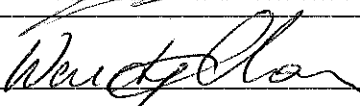
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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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Board of Commissioners

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Attest: 

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Erin M. Knoedler,

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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, October 16, 2018 and digitally  
10 recorded.

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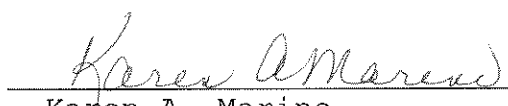
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Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon