

ORIGINAL

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

REGULAR MEETING

:
:
:
:
:
TRANSCRIPT OF RECORDED
PROCEEDINGS

Union City Housing Authority
Hillside Pavilion
3911 Kennedy Boulevard
Union City, New Jersey

Tuesday, April 16, 2019
Commencing at 7:01 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
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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I N D E X

	<u>PAGE</u>
CALL TO ORDER	4
SALUTE TO FLAG	4
ROLL CALL	5
SPECIAL PRESENTATIONS	5
APPROVAL OF MINUTES	8
ORDINANCES FOR INTRODUCTION	9/11/12
CONSENT AGENDA	13
REGULAR AGENDA	20/22
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	23
 LIQUOR LICENSE DISCIPLINARY HEARINGS	 25
R&J Supermarket t/a La Roca Supermarket	27
Ganesh Swami, Inc. t/a Union Liquors	30
Fuerte Liquors, Inc. t/a Fuerte Liquors	35
Pranam USA LLC t/a Cattani Wines & Liquors	40
 ADJOURNMENT	 53

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

ANTHONY J. BIANCIELLA, ESQ.

Attorney for Ganesh Swami, Inc. t/a Union Liquors

MARK R. DiMARIA, ESQ.

Attorney for Pranam USA LLC t/a Cattani Wines &
Liquor

1 MS. DILLON: Okay.

2 CITY CLERK: Okay.

3 This is a Regular Public Meeting of the
4 Union City Board of Commissioners --

5 MAYOR STACK: If we could have everyone's
6 attention please?

7 Thank you, everyone.

8 CITY CLERK: This is a Regular Public
9 Meeting of the Union City Board of Commissioners
10 being held on Tuesday, April 16th, 2019, at seven
11 p.m., at the Union City Housing Authority
12 Hillside Pavilion, 3911 Kennedy Boulevard, Union
13 City, New Jersey.

14 Please stand for the Pledge of Allegiance.

15

16 (Whereupon the Pledge of Allegiance was
17 said by all.)

18

19 CITY CLERK: This meeting has been held in
20 -- called in accordance with the Open Public
21 Meetings Act.

22 Adequate notice of the meeting has been
23 provided to The Jersey Journal, The Record, The
24 Hudson Reporter, and has been posted in the -- on
25 the bulletin board at City Hall and made

1 available to the public in the Office of the
2 Municipal Clerk.

3

4 **ROLL CALL:**

5

6 CITY CLERK: Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Here.

8 CITY CLERK: Commissioner Grullon?

9 COMMISSIONER GRULLON: Here.

10 CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Here.

12 CITY CLERK: Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Here.

14 CITY CLERK: Mayor Stack?

15 MAYOR STACK: Here.

16 CITY CLERK: Thank you.

17

18 **SPECIAL PRESENTATION:**

19 1. Presentation of a Proclamation to Mr. Pablo
20 Cabrera, Board member, Union City Board of
21 Education

22

23 CITY CLERK: Mayor, we have a Special
24 Presentation for Mr. Pablo Cabrera, Union City
25 Board of Education member.

1 MAYOR STACK: Yes.

2 First I would just like to start off by
3 thanking Mr. Pablo Cabrera for his years of
4 service to the Union City Board of Education.

5 Pablo has served on the Board of Education
6 for many, many years. I've known him over the
7 years, since I'm a kid, growing up in Union City;
8 he lived on 8th Street. And him and his family
9 are wonderful people.

10 He served in the position that's basically
11 a volunteer position being a Union City Board of
12 Education member. He served with distinction.
13 He served with honor. And always an advocate for
14 the children and the parents in our school
15 system.

16 I'd just like to thank him for his years of
17 service.

18 (Whereupon, Justin Mercado addressed Mr.
19 Cabrera in Spanish.)

20 MAYOR STACK: And I'd just like to say,
21 Pablo is always a person that's advocated for
22 others, never for himself, and we're going to
23 miss him at the Board of Education.

24 He still looks as young as ever. He's
25 never gotten older since all the years I know

1 him. And I hope I look that good -- I hope I
2 make that age; I hope I look that good at that
3 age to come as he has, as he does today.

4 And I'd just like to thank him and his
5 family for the sacrifice and for the friendship
6 that they not only have given me but given the
7 City of Union City. We need more people like
8 him.

9 (Whereupon, Justin Mercado addressed Mr.
10 Cabrera in Spanish.)

11 MAYOR STACK: Thank you.

12 Any other Commissioner would like to say
13 anything, please feel free to do so.

14 Celin?

15 COMMISSIONER VALDIVIA: I want to thank
16 Pablo for his service.

17 He's someone -- he's a perfect example of
18 someone who's a good friend to all of us, to --
19 to the Mayor, and someone who's very loyal --

20 MAYOR STACK: Absolutely.

21 COMMISSIONER VALDIVIA: -- with his
22 friendship.

23 MAYOR STACK: Thank you, Pablo.

24 MR. CABRERA: Thank you.

25 MAYOR STACK: Thank you, Pablo.

1 Thank you very much.

2 Thank you, Pablo.

3 Thank you.

4 (Applause.)

5 (Whereupon, there was a pause in the
6 proceedings while photographs were taken.)

7 MAYOR STACK: Thank you very much.

8 CITY CLERK: Thank you.

9 MAYOR STACK: Thank you.

10 Thank you very much.

11 Thank you, Pablo.

12 Thank you, Justin.

13 MR. MERCADO: You're welcome.

14

15 (Whereupon, the Board discussed and took
16 action on the following item:

17 **APPROVAL OF PREVIOUS MEETING MINUTES FROM**
18 **APRIL 2, 2019.)**

19

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

22 CITY CLERK: The next item on the agenda is
23 Approval of the Meeting Minutes from the meeting
24 of April 2nd, 2019.

25 May I have a motion to approve?

1 COMMISSIONER MARTINETTI: Motion.

2 COMMISSIONER VALDIVIA: Motion.

3 CITY CLERK: Motion by Commissioner

4 Martinetti.

5 Second by Commissioner Valdivia.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 CITY CLERK: Commissioner Grullon?

9 COMMISSIONER GRULLON: Yes.

10 CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 CITY CLERK: Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 CITY CLERK: Thank you.

17

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

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

21 1. ORDINANCE REQUIRING SURVEILLANCE CAMERAS
22 FOR ALL LIQUOR LICENSE ESTABLISHMENTS.)

23

24 CITY CLERK: We have three Ordinances on
25 for Introduction.

1 Adoption on first reading prompts and
2 advertisement and sets the public hearing and
3 adoption for Tuesday, April 30th, 2019, at the
4 Holy Cross Armenian Church, 2610 Bergenline
5 Avenue, Union City, New Jersey.

6 The first Ordinance is an Ordinance
7 Requiring Surveillance Cameras for All Liquor
8 License Establishments.

9 May I have a motion to introduce?

10 COMMISSIONER MARTINETTI: Motion.

11 COMMISSIONER VALDIVIA: Motion.

12 CITY CLERK: Motion by Commissioner
13 Martinetti.

14 Second by Commissioner Valdivia.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 CITY CLERK: 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

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

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

5 2. ORDINANCE AMENDING CHAPTER 366 SETTING
6 FORTH DEPOSIT AND PERMIT REQUIREMENTS FOR
7 SIDEWALK OPENINGS.)

8

9 CITY CLERK: The next Ordinance is an
10 Ordinance Amending Chapter 366 Setting Forth
11 Deposit and Permit Requirements for Sidewalk
12 Openings.

13 May I have a motion to introduce?

14 MAYOR STACK: Motion.

15 CITY CLERK: Motion by Mayor Stack.

16 Second?

17 COMMISSIONER FERNANDEZ: Second.

18 CITY CLERK: Second by Commissioner
19 Fernandez.

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

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

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

9 3. ORDINANCE AMENDING SECTION 397-23 "RATES"
10 TO UPDATE THE SERVICE AND STORAGE CHARGES TO BE
11 USED BY TOWING OPERATORS WITHIN THE CITY.)

12

13 CITY CLERK: The next Ordinance is an
14 Ordinance Amending Section 397-23, Rates, to
15 Update the Service and Storage Charges to be Used
16 by Towing Operators within the City.

17 May I have a motion to introduce?

18 MAYOR STACK: Motion.

19 CITY CLERK: Motion by Mayor Stack.

20 Second?

21 COMMISSIONER VALDIVIA: Second.

22 CITY CLERK: Second by Commissioner
23 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?

6 COMMISSIONER MARTINETTI: Yes.

7 CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9 CITY CLERK: Thank you.

10

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

13 **CONSENT AGENDA:**

14 (1) Resolution Approving the Payment of Claims

15 (2) Resolution Approving the Payment of

16 Concurring Claims

17 (3) Resolution Approving the Escrow Refunds

18 (4) Resolution Approving the City Payroll for

19 the Period of March 30, 2019 through April 12,

20 2019

21 (5) Resolution Approving the Library Payroll

22 for the Period of March 30, 2019 through April

23 12, 2019

24 (6) Resolution Requesting a Chapter 159 Special

25 Item of Revenue for the 2018 Drunk Driving

1 Enforcement Fund

2 (7) Resolution Requesting a Chapter 159 State

3 Fiscal Year 2017 Bulletproof Vest Partnership

4 Grant

5 (8) Resolution Requesting a Chapter 159 State

6 Fiscal Year 2018 Bulletproof Vest Partnership

7 Grant

8 (9) Resolution Authorizing the Refund of

9 Premium Monies Collected at the Tax Sale

10 (10) Resolution Authorizing Tax Refund in Tax

11 Appeal Decisions by the Tax Court of New Jersey

12 (11) Resolution Authorizing Refund of Redemption

13 Monies to Outside Lienholders

14 (12) Resolution Cancelling First Quarter Taxes

15 (13) Resolution Authorizing the Adjustment of

16 Estimated Taxes for the First Quarter

17 (14) Resolution Authorizing the Disbursement of

18 Affordable Housing Trust Funds to the Union City

19 Housing Authority

20 (15) Resolution Approving Contracts for 2019

21 Street Striping for 30th and 31st Streets to Dan

22 Swayze & Sons, Inc.

23 (16) Resolution Authorizing an Application to

24 the Hudson County Open Space Trust Fund for

25 Firefighters Memorial Park.)

1
2 CITY CLERK: There are 16 items on Consent.

3 The first is Resolution Approving the
4 Payment of Claims.

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

7 The third is a Resolution Approving Escrow
8 Refunds.

9 The fourth is a Resolution Approving the
10 City Payroll for the Period of March 30th, 2019
11 through April 12th, 2019.

12 The fifth is a Resolution Approving the
13 Library Payroll for the Period of March 30th, 2019
14 through April 12th, 2019.

15 The sixth is a Resolution Requesting a
16 Chapter 159 Special Item of Revenue for the 2018
17 Drunk Driving Enforcement Fund.

18 The seventh is a Resolution Requesting a
19 Chapter 159 State Fiscal Year 2017 Bulletproof
20 Vest Partnership Grant.

21 The eighth is a Resolution Requesting a
22 Chapter 159 State Fiscal Year 2018 Bulletproof
23 Vest Partnership Grant.

24 The eighth is a Resolution --

25 I'm sorry.

1 The ninth is a Resolution Authorizing the
2 Refund of Premium Monies Collected at the Tax
3 Sale.

4 The tenth is a Resolution Authorizing a Tax
5 Refund in a Tax -- in Tax Appeal Decisions by the
6 Tax Court of New Jersey.

7 The eleventh is a Resolution Authorizing
8 Refund of Redemption Monies to Outside
9 Lienholders.

10 The twelfth is a Resolution Cancelling
11 First Quarter Taxes for certain properties.

12 The thirteenth is a Resolution Authorizing
13 the Adjustment of Estimated Taxes for the First
14 Quarter on certain properties.

15 The fourteenth is a Resolution Authorizing
16 Disbursement of Affordable Housing Trust Fund --
17 Trust Funds to the Union City Housing Authority.

18 The fifteenth is a Resolution Approving
19 Contracts for 2019 Street Striping for 30th and
20 31st Streets to Dan Swayze and Sons, Incorporated.

21 The sixteenth is a Resolution Authorizing
22 the Application to Hudson County Open Space Trust
23 Fund for Firefighter Memorial Park.

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

1 MAYOR STACK: Sure.

2 Just before we do, just behalf of the
3 Commissioners and myself, we're very proud to
4 work on -- to work with the Housing Authority in
5 the City of Union City on assisting them.

6 We're providing some of our COAH funds --
7 Affordable Housing Trust Funds, to help them do
8 repairs in the Veterans Housing and to do
9 renovations at Veterans Housing.

10 We believe it's money well spent for
11 families to keep the Veterans Housing affordable.

12 In addition to that, I'd like to thank Mr.
13 Sanger for all the time and the work that he put
14 in and making that possible and having the
15 Housing Authority work with the City to make it
16 as seamless as possible.

17 Thank you, Mr. Sanger, who's here tonight.

18 MR. SANGER: Thank you.

19 MAYOR STACK: Also, I just wanted to -- on
20 the striping on 30 and 31st Street, that will be
21 striping from Pleasant Avenue over to Kennedy
22 Boulevard. Don't block the box.

23 That's critical, those intersections, right
24 now especially considering the traffic with the
25 495 and also with -- in the future you'll have

1 the Helix, the work that's going on with all the
2 construction that's taking place.

3 So, people, don't block those
4 intersections. We also try to keep them clear
5 with police officers.

6 In addition to the Hudson County Open Space
7 Trust Funds for Firefighter's Memorial Park, that
8 will be used for various aspects of the park.
9 The park is only ten years old. It was built in
10 2009.

11 We're going to be doing some work to the
12 deck to keep the deck in excellent condition, to
13 make sure we don't have any rust on the steel
14 that's below the Firefighter's Park.

15 We probably should have did some work over
16 the last two or three years. We waited until
17 now. We have funding that we've been able to
18 secure and we're also applying for some trust
19 fund money to just keep the park as beautiful it
20 is.

21 You can build new parks but keeping them
22 beautiful is what's most important. And we take
23 a lot of pride in doing that in Union City.

24 Having said that are there any questions
25 from any member of the public on the Consent

1 Agenda?

2 Seeing none.

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

5 COMMISSIONER FERNANDEZ: Motion.

6 CITY CLERK: Motion by Commissioner
7 Fernandez.

8 Second?

9 COMMISSIONER GRULLON: Second.

10 CITY CLERK: Second by Commissioner
11 Grullon.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 CITY CLERK: Commissioner Grullon?

15 COMMISSIONER GRULLON: Yes.

16 CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 CITY CLERK: Commissioner Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 CITY CLERK: May I have a motion to approve
23 all items on Consent Agenda?

24 COMMISSIONER VALDIVIA: Motion.

25 CITY CLERK: Motion by Commissioner

1 Valdivia.

2 Second?

3 COMMISSIONER GRULLON: Second.

4 CITY CLERK: Second by Commissioner

5 Grullon.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 CITY CLERK: Commissioner Grullon?

9 COMMISSIONER GRULLON: Yes.

10 CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 CITY CLERK: Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 CITY CLERK: Thank you.

17

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

20 **REGULAR AGENDA:**

21 1. RESOLUTION APPROVING A PAYMENT OF CLAIM TO
22 THE HUDSON COUNTY IMPROVEMENT AUTHORITY.)

23

24 CITY CLERK: There are two items on the

25 Regular Agenda this evening.

1 The first is a Resolution Approving a
2 Payment of Claim to the Hudson County Improvement
3 Authority.

4 May I have a motion on -- to approve the
5 item?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion by Mayor Stack.

8 Second?

9 COMMISSIONER VALDIVIA: Second.

10 CITY CLERK: Second by Commissioner
11 Valdivia.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 CITY CLERK: Commissioner Grullon?

15 COMMISSIONER GRULLON: Yes.

16 CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 CITY CLERK: Commissioner Martinetti is
19 recusing.

20 Mayor Stack?

21 MAYOR STACK: Yes.

22 CITY CLERK: Thank you.

23

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

1 **REGULAR AGENDA:**

2 2. RESOLUTION APPROVING A PAYMENT OF CLAIM TO
3 THE GRACE THEATRE WORKSHOP, INC.)

4

5 CITY CLERK: The second is a Resolution
6 Approving a Payment of Claim to the Grace Theatre
7 Workshop, Incorporated.

8 May I have a motion to approve the item?

9 COMMISSIONER MARTINETTI: Motion.

10 COMMISSIONER GRULLON: Motion.

11 CITY CLERK: Motion by Commissioner
12 Martinetti.

13 Second?

14 COMMISSIONER GRULLON: Second.

15 CITY CLERK: Second by Commissioner
16 Grullon.

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?

23 COMMISSIONER MARTINETTI: Yes.

24 CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 CITY CLERK: Thank you.

2

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

4

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

8 MAYOR STACK: Sure.

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

12 Seeing none.

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

15 COMMISSIONER MARTINETTI: Motion.

16 CITY CLERK: Motion by Commissioner
17 Martinetti.

18 Second?

19 COMMISSIONER VALDIVIA: Second.

20 CITY CLERK: Second by Commissioner
21 Valdivia.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 CITY CLERK: Commissioner Grullon?

25 COMMISSIONER GRULLON: Yes.

1 CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 CITY CLERK: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

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1 LIQUOR LICENSE DISCIPLINARY HEARINGS:

2

3 1. R&J Supermarket

4 t/a La Roca Supermarket

5 Location: 4416 Bergenline Avenue

6 Liquor License No. 0910-43-005-003

7 2. Ganesh Swami, Inc.

8 t/a Union Liquors

9 Location: 710 Summit Avenue

10 Liquor License No. 0910-44-132-009

11 3. Fuerte Liquors, Inc.

12 t/a Fuerte Liquors

13 Location: 518 32nd Street

14 Liquor License No. 0910-44-169-007

15 4. Pranam USA LLC

16 t/a Cattani Wines & Liquors

17 Location: 601 Central Avenue

18 Liquor License No. 0910-44-032-006

19

20 CITY CLERK: Thank you.

21 Mayor, at this time we have Liquor License

22 Disciplinary Hearings.

23 MR. FARMER: Good evening, Mr. Mayor and

24 members of the Board.

25 There are four matters on your calendar

1 this evening.

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1 R&J Supermarket
2 t/a La Roca Supermarket
3 Location: 4416 Bergenline Avenue
4 Liquor License No. 0910-43-005-003
5

6 MR. FARMER: The first one I'd ask to be
7 carried. It's La Roca Supermarket.

8 This is a situation where the sting
9 operation by the Union City Police Department --
10 this was a sale of an underage police officer.

11 I've already spoken to the attorney. I've
12 worked it out. It's going to be the same kind of
13 plea as all the others.

14 It's just that I would ask that it be
15 adjourned in order -- because of the
16 unavailability of counsel.

17 So, if you could carry this by -- until
18 April 30th, we'll be entering a plea consistent
19 with all the other pleas we've done.

20 MAYOR STACK: Okay.

21 MR. FARMER: Okay?

22 MAYOR STACK: You got it, Mr. Farmer.

23 CITY CLERK: Go ahead.

24 MR. FARMER: Okay.

25 CITY CLERK: If you want to make a formal

1 motion --

2 MR. FARMER: The -- the next one is Union
3 Liquor. This --

4 MAYOR STACK: You want to vote on that?

5 CITY CLERK: Yes.

6 MAYOR STACK: Okay, let's vote on it to
7 adjourn it.

8 CITY CLERK: Can I have a motion to carry?

9 MAYOR STACK: Sure.

10 COMMISSIONER MARTINETTI: Motion.

11 MAYOR STACK: Motion.

12 CITY CLERK: Motion by Mayor Stack.

13 Second by Commissioner Martinetti.

14 MAYOR STACK: And that will be carried to
15 the next meeting?

16 CITY CLERK: Correct.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 CITY CLERK: 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.

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1 Ganesh Swami, Inc.

2 t/a Union Liquors

3 Location: 710 Summit Avenue

4 Liquor License No. 0910-44-132-009

5

6 MR. FARMER: This is -- the next one is
7 Union Liquor. This is a --

8 Counsel is here and he can put his
9 appearance in right now.

10 MR. BIANCIELLA: Good evening, Mayor Stack,
11 Commissioners.

12 MS. DILLON: Can you just go in front of
13 the microphone please.

14 MR. BIANCIELLA: Anthony Bianciella on
15 behalf of the licensee.

16 MR. FARMER: This is a situation where, in
17 addition to the underage drinking -- or the
18 underage sale, which we've agreed to be a ten day
19 suspension, there is also the fact that there was
20 some other violations with respect to paper
21 violations and a number of other paper
22 violations.

23 And we've agreed that there'd be another
24 five days. So it will be a total of 15 days.
25 And the suspension will be from May 13th through

1 May 27th, inclusive, namely the licensee can
2 reopen his business on May 28th.

3 MAYOR STACK: The problem that I have with
4 this establishment is that now we have this
5 incident --

6 It was an underage?

7 MR. BIANCIELLA: Yes.

8 MAYOR STACK: Which is a big deal.

9 I spoke to the owner. Not -- not to the
10 woman who's in front of me but I spoke to
11 somebody at the establishment. I actually went
12 into the establishment and spoke to them a year
13 or two ago about serving to people who are
14 intoxicated. Because I stood outside and watched
15 them get served and that's why I went into the
16 establishment.

17 And now we have an underage sale. We need
18 to clean up our act at this location.

19 MR. BIANCIELLA: Yes. Mayor, -- Mayor,
20 they've done everything when we were here last
21 time. Intoxicated people are absolutely not in
22 the premises; they're escorted out. No sales.

23 You also asked us to do a better job with
24 maintaining the exterior of the premises, which
25 we share with CVS. We now have routine cleaning

1 services, where as soon as we get to the premises
2 in the morning, twice during the operation of the
3 day, and at night before we leave, we make sure
4 that the lot is clean even though a lot of the
5 garbage is coming from our neighbor.

6 This sale happened. Unfortunately, the
7 licensee was out of the country at a wedding.
8 The gentleman that was employed at the store has
9 worked there for 30 years and as many times as we
10 told him, please proof every single person that
11 comes in, this was just a terrible oversight on
12 -- on his part.

13 I met with him. He told me the store was
14 crowded and -- and I was kind of panicking. And
15 I told him it's got to be the policy you ask
16 everybody for I.D.

17 MAYOR STACK: How old was the person that
18 got served?

19 MR. BIANCIELLA: So it was an undercover
20 police officer from -- from Jersey City. I've
21 seen --

22 MAYOR STACK: Oh, I remember. I remember
23 the situation. I remember.

24 MR. BIANCIELLA: I've seen a photograph of
25 him. It -- it was questionable. I think he

1 | should have definitely been asked for I.D. Does
2 | present himself to be older.

3 | MAYOR STACK: Yeah, just to play it safe.
4 | If you're not sure, play it safe.

5 | MR. BIANCIELLA: Absolutely, Mayor.

6 | MAYOR STACK: Okay.

7 | MR. BIANCIELLA: It's a message that
8 | they've conveyed --

9 | MAYOR STACK: And I know that it's not easy
10 | with the pharmacy next door because they're not a
11 | good neighbor in keeping the property clean.

12 | Many times when I pass there they get them
13 | to clean the property, sweep -- the puddles of
14 | water in the lot it's been very difficult.

15 | But whatever they can do to keep the
16 | property clean. But, more importantly, not to
17 | serve a minor; not to serve intoxicated.

18 | MR. BIANCIELLA: Absolutely, Mayor.

19 | MAYOR STACK: Great.

20 | Thank you very much.

21 | MR. BIANCIELLA: Thank you.

22 | MAYOR STACK: I'll make a motion to
23 | approve.

24 | CITY CLERK: Motion by Mayor Stack.

25 | Second?

1 COMMISSIONER MARTINETTI: Second.

2 CITY CLERK: Second by Commissioner
3 Martinetti.

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 CITY CLERK: Thank you.

15 MR. BIANCIELLA: Thank you.

16 MAYOR STACK: Thank you very much.

17 Thank you, sir.

18 Thank you.

19 Thank you, ma'am.

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1 **Fuerte Liquors, Inc.**
2 **t/a Fuerte Liquors**
3 **Location: 518 32nd Street**
4 **Liquor License No. 0910-44-169-007**
5

6 MR. FARMER: Fuerte Liquor.

7 The next one is, again, a result of the
8 sting operation of the undercover, underage
9 police officer who went into the liquor store,
10 was able to buy liquor.

11 And we have talked about this case on two
12 occasions.

13 The last time it was here when the licensee
14 came in indicating that the municipal court
15 summonses were dismissed against him and thought
16 that that would result in some kind of dismissal
17 of these charges. It was pointed out to him that
18 that was not going to occur.

19 I also had a conference with the licensee
20 and Lieutenant Loaces and as a result of all of
21 that we have come to an agreement of a ten day
22 suspension, from April 21st to -- to April 30th.

23 I've also spoken to the licensee over the
24 fact that he certainly can get a lawyer. We will
25 accommodate him in that regard. He should not

1 | feel any kind of pressure to plead guilty.

2 | He said he understood everything and he
3 | wishes to enter a plea of guilty of ten days from
4 | April 21st to April 30th on the condition that
5 | they won't take an appeal from this plea or they
6 | won't -- and they will note make an application
7 | to the State to convert it into a fine.

8 | A VOICE: Okay.

9 | MAYOR STACK: Sir, do you agree what Mr.
10 | Farmer stated?

11 | MS. DILLON: Name for the record please?

12 | THE INTERPRETER: Yes.

13 | MS. DILLON: Name for the record.

14 | MR. JUAREGUI: Oh, my name is Phil
15 | Juaregui, --

16 | MS. DILLON: Spell?

17 | MR. JUAREGUI: -- Interpreter.

18 | MS. DILLON: I'm sorry?

19 | MR. FERMIN: Rafael Fermin.

20 | THE INTERPRETER: Rafael Fermin. Rafael
21 | Fermin.

22 | MAYOR STACK: And does he --

23 | THE INTERPRETER: I represent Fuerte
24 | Liquors.

25 | MAYOR STACK: Does he wish to have an

1 attorney present with him?

2 THE INTERPRETER: No, it's fine. We'll
3 take the deal.

4 MAYOR STACK: And he understands everything
5 that Mr. Farmer --

6 THE INTERPRETER: Yes.

7 MAYOR STACK: Great.

8 And he knows that it will be --

9 Mr. Farmer, you said a ten day suspension?

10 MR. FARMER: Ten day suspension.

11 THE INTERPRETER: Yes.

12 MR. FARMER: April -- April 21st to April
13 30th.

14 Parenthetically, those are the dates that
15 he suggested.

16 MAYOR STACK: Right.

17 Okay.

18 THE INTERPRETER: Okay, April 10th through
19 the 31st?

20 MR. FARMER: Twenty-first. Twenty-first to
21 the 30th.

22 THE INTERPRETER: Twenty-first to the 30th.
23 Okay.

24 MR. FARMER: Any questions?

25 MAYOR STACK: Okay?

1 THE INTERPRETER: No, it's fine.

2 MR. FARMER: Okay.

3 MAYOR STACK: And he knows he'll have to be
4 closed during that duration of time?

5 MR. FERMIN: (In English) Okay.

6 THE INTERPRETER: Okay.

7 MAYOR STACK: Okay.

8 I'll make a motion to approve.

9 CITY CLERK: Motion made by Mayor Stack.
10 Second?

11 COMMISSIONER GRULLON: Second.

12 CITY CLERK: Second by Commissioner
13 Grullon.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 CITY CLERK: Commissioner Grullon?

17 COMMISSIONER GRULLON: Yes.

18 CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 CITY CLERK: Commissioner Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 MR. FARMER: Debbie, what were you going to
25 say?

1 MS. DILLON: Sir? Can you please spell his
2 name for the record?

3 MR. FERMIN: Rafael Fermin.

4 THE INTERPRETER: Rafael Fermin.

5 R-A-F -- F-A-E-L. Fermin, F-E-R-M-I-N.

6 MS. DILLON: Thank you.

7 THE INTERPRETER: Okay.

8 MR. FARMER: Okay.

9 Thank you.

10 MR. FERMIN: (In English) Thank you.

11 Okay.

12 MR. JUAREGUI: He says could he leave?

13 He's asking.

14 MR. FARMER: Yes, he can leave.

15

16

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1 Pranam USA LLC
2 t/a Cattani Wines & Liquors
3 Location: 601 Central Avenue
4 Liquor License No. 0910-44-032-006
5

6 MAYOR STACK: How you doing?

7 MR. DiMARIA: Good evening, folks.

8 MR. FARMER: The last one on your calendar
9 is Cattani Wine and Liquor, 601 Central Avenue.

10 Mr. DiMaria, he'll put his appearance on
11 the record.

12 He and I have had a couple conversations
13 about this and the charge, again, is stemming
14 from the sting operation that was run over a
15 number of liquor stores where an underage,
16 undercover police officer went in and was able to
17 purchase liquor.

18 We've agreed to a ten day suspension.

19 However, they also have a carryover of an
20 offense that we had suspended back in June --

21 Not June.

22 -- back -- I think back in August or
23 something, which the deal was the three days were
24 suspended on the condition that there would not
25 be a further violation. And if there was a

1 further violation, whatever penalty was assessed
2 on the new violation, we would add 13 days --
3 three days.

4 So, consequently, it's a total of 13 days
5 that he's going to be closed.

6 MAYOR STACK: And -- and that -- that prior
7 violation was for serving an intoxicated person,
8 right, if I remember?

9 MR. DiMARIA: That -- that was what the
10 charging document was.

11 Just to make -- just so it's on the
12 record, --

13 MR. FARMER: Put your --

14 MR. DiMARIA: First of all, Mark DiMaria,
15 DiMaria and DiMaria, Paramus, New Jersey, on
16 behalf of my client.

17 That particular case -- they're very
18 conscientious. They know that this area is a
19 hangout to day-workers and for homeless people.
20 And I guess they had a conversation -- not this
21 gentlemen but his partner, with the Police Chief
22 and with, I think --

23 MAYOR STACK: I went into the --

24 MR. DiMARIA: -- yourself, Mr. Mayor, --

25 MAYOR STACK: -- establishment one day, --

1 MR. DiMARIA: -- prior to that.

2 MAYOR STACK: -- right. When --

3 MR. DiMARIA: And -- and they --

4 MAYOR STACK: -- there was a man laying on
5 the --

6 MR. DiMARIA: Right.

7 MAYOR STACK: -- on the sidewalk --

8 MR. DiMARIA: And -- and, --

9 MAYOR STACK: -- near the side.

10 MR. DiMARIA: -- you know, obviously you
11 can't control everything that goes on but they --
12 they were instructed to call the Police when they
13 see people starting to congregate in front of
14 their store.

15 So on that particular occasion that was
16 happening. Okay? The gentleman who was
17 ultimately served that day was not one of the
18 people that was in that group.

19 My client called the Police. The only
20 reason the Police were there was because my
21 client called the Police. So the Police
22 responded so that he was trying to do what you
23 guys suggested that he do when they congregate in
24 front of his liquor store.

25 When they got there, there was a gentleman

1 | who bought one can of beer. He hadn't bought any
2 | other liquor in the store that day at all. He
3 | wasn't hanging out with those folks. He came in
4 | -- I -- I guess he goes there regularly, so they
5 | -- I guess they knew the guy. Did not appear
6 | intoxicated and there was no reason -- way for
7 | them to really tell.

8 | But, just to put it in context, the Police
9 | were only there because they called the Police
10 | because they want to try to make this a good
11 | neighborhood.

12 | MAYOR STACK: This was on this offense?

13 | MR. DiMARIA: No, no, on the prior offense.

14 | MR. SHAH: Prior.

15 | MAYOR STACK: I called the Police.

16 | MR. DiMARIA: Well, they --

17 | MAYOR STACK: I called the Police. That
18 | was me there.

19 | MR. DiMARIA: They called the Police.

20 | MR. SHAH: No, we called -- I called --

21 | MAYOR STACK: Okay, I'm not sure. The day
22 | I was there, the day I came in to your
23 | establishment, I called the Police because the
24 | man was laying on the ground.

25 | MR. DiMARIA: Well, he --

1 MAYOR STACK: He was laying on the ground
2 and he was -- I couldn't wake him up.

3 MS. DILLON: Wait, wait. He -- he needs
4 to --

5 MR. FARMER: Wait.

6 MS. DILLON: -- step in front of the
7 microphone and --

8 MR. FARMER: And we have to have the --

9 MS. DILLON: -- identify himself for the
10 record.

11 MR. FARMER: -- identity of the people.

12 MR. DiMARIA: Yeah.

13 These are the two people.

14 MR. SHAH: That -- that was the --

15 MR. FARMER: Please, give your name.

16 MR. SHAH: Oh, I'm sorry.

17 MS. DILLON: What is your name?

18 MR. SHAH: My-- myself is Dhermesh Shah.
19 I'm the member of the Pranam USA LLC.

20 MS. DILLON: Okay. And spell your name for
21 the record.

22 MR. SHAH: And that was the --

23 MR. DiMARIA: Spell your name.

24 MR. SHAH: D -- D-H-E-R-M-E-S-H. S-H-A-H,
25 last name.

1 MAYOR STACK: On -- on -- on the first
2 offense, where the man was laying on the sidewalk
3 in front of the -- the house on the corner, right
4 on the side there, that day when I walked into
5 the liquor store and I asked you guys not to
6 serve intoxicated persons, I had called the
7 Police prior and the Police were outside at that
8 point.

9 MR. SHAH: Yeah, that -- that --

10 MAYOR STACK: There was two Police cars and
11 an ambulance with me.

12 MR. SHAH: -- that time was -- I -- you
13 -- you are right. At that time you guys called
14 the Police.

15 But after that I called the Police. After
16 four or five days. That -- then --

17 MAYOR STACK: Oh, okay. Okay. All right.

18 MR. DiMARIA: That wasn't the day --

19 MAYOR STACK: I thought you meant the same
20 day I --

21 (Whereupon, there were multiple speakers.)

22 MR. SHAH: No.

23 A VOICE: No, no.

24 MR. SHAH: No.

25 MAYOR STACK: I mean you may have called

1 the Police also, --

2 MR. SHAH: No, no.

3 MAYOR STACK: -- I'm not sure but --

4 MR. DiMARIA: But that wasn't the day of
5 the violation.

6 MAYOR STACK: The only -- the only thing I
7 ask you -- the only thing I ask you is that we're
8 not going to penalize you if you call the Police.
9 We encourage you to call. Even installing
10 cameras, just to protect yourself.

11 And we have an ordinance in tonight that
12 we're asking all liquor establishments to
13 install. It's going to benefit you.

14 In situations like you're saying, if you're
15 calling the Police and being proactive, it's
16 going to benefit you. It's going to really
17 benefit you.

18 MR. SHAH: That's --

19 MAYOR STACK: There's never been a
20 problem --

21 I got to tell you something. Cattani
22 Liquors, I've known, has been down there for
23 many, many years with --

24 I'm not sure how many different owners
25 there were but the gentleman who owned it before

1 | you, I don't think we ever really had a problem.
2 | And I know historically, in the years that I've
3 | been the Mayor, there hasn't been a lot of
4 | problems at Cattani.

5 | We just want to try to keep it that way
6 | down there if we can.

7 | MR. SHAH: Yeah.

8 | MR. DiMARIA: And -- and these guys
9 | understand that, --

10 | MAYOR STACK: Good.

11 | MR. DiMARIA: -- Mr. Mayor, --

12 | MAYOR STACK: Good.

13 | MR. DiMARIA: -- and they really want --

14 | MAYOR STACK: No, they seem like they're
15 | very nice gentleman.

16 | MR. DiMARIA: Absolutely.

17 | MAYOR STACK: They cooperated. The day I
18 | walked in, they were very cooperative. They
19 | cooperated with the Police on the first offense,
20 | so.

21 | MR. DiMARIA: And they want -- they want to
22 | be good members of the community and so --

23 | MAYOR STACK: Right.

24 | MR. DiMARIA: -- they're doing their best.

25 | This particular -- the -- the reason why

1 we're here today, it wasn't either of the two
2 principals, Your Honor, --

3 MAYOR STACK: Sure.

4 MR. DiMARIA: -- Mr. Mayor, it was a -- a
5 worker who had been working 12 hours or something
6 like that.

7 MAYOR STACK: Right.

8 MR. DiMARIA: And it was 9:52; they close
9 at ten o'clock. And he was tired and he forgot
10 to ask for the ID --

11 MAYOR STACK: Sure.

12 MR. DiMARIA: -- and it happened to be the
13 undercover cop.

14 MAYOR STACK: All right. Just proof
15 everybody if you can.

16 MR. DiMARIA: But they -- they're --

17 MAYOR STACK: Absolutely.

18 MR. DiMARIA: -- they've made it clear to
19 all their employees what the rules are --

20 MAYOR STACK: Right.

21 MR. DiMARIA: -- and what they need to do
22 no matter how -- whether they look as old as we
23 do.

24 MAYOR STACK: Right.

25 MR. DiMARIA: And so they're going to --

1 they're going to --

2 MR. SHAH: Actually, I'm trying to -- in
3 the morning time, I don't want to sell any beer.
4 They come on the other side from the other mall.

5 MAYOR STACK: Right.

6 MR. SHAH: You know, the -- another -- the
7 supermarket. Sometimes they hang out over there.

8 MAYOR STACK: No, it's a --

9 MR. DiMARIA: Yeah.

10 MAYOR STACK: -- challenge for you, too.

11 MR. DiMARIA: Yeah, the day-workers come
12 over and they --

13 MAYOR STACK: Because they could purchase
14 at another location, --

15 Right. Right.

16 MR. DiMARIA: -- and they buy and drink --

17 MAYOR STACK: Right.

18 MR. SHAH: I don't --

19 MR. DiMARIA: -- before they go to work.

20 MR. SHAH: I --

21 MAYOR STACK: Right.

22 MR. DiMARIA: So they -- they're not
23 selling --

24 MS. DILLON: Please, one at a time. One at
25 a time, please.

1 MR. DiMARIA: Sorry.

2 MAYOR STACK: And -- and I've been aware of
3 that. Even the day I came in, I think I may have
4 mentioned to you guys, I said I understand that
5 they could be going to other places. Even --
6 you're close to Jersey City, they could buy at a
7 Jersey City location and come here.

8 Just if you see it and you see people
9 congregating outside and they have a single beer,
10 they have a bottle, call the Police immediately
11 and we're -- Mr. Farmer will be the first to tell
12 you, we'll take that in consideration right away.

13 I mean you guys have been very cooperative.
14 I seen it the day I walked in. You worked
15 together with us right away to try to resolve it.

16 MR. DiMARIA: Yeah.

17 MAYOR STACK: That's all we ask and I
18 appreciate that.

19 MR. DiMARIA: And -- and I could tell you
20 I've represented them for a very long time on
21 this and -- and other business ventures that
22 they're involved in and I can vouch for their
23 credibility and their honesty and their willing
24 to cooperate.

25 This is not just a one hit wonder for me to

1 | be here for them.

2 | MAYOR STACK: Yes.

3 | MR. DiMARIA: So I can personally say that
4 | they're -- they're going to do their best.

5 | MAYOR STACK: Great.

6 | Thank you very much.

7 | Thank you.

8 | Thank you very much, gentlemen.

9 | MR. FARMER: Just --

10 | MAYOR STACK: I'll make the motion.

11 | MR. FARMER: Just before you do that.

12 | MAYOR STACK: I'm sorry, Mr. --

13 | MR. FARMER: It's -- the -- if the Board
14 | accepts the application for the ten day
15 | suspension -- or I should say 13 day suspension,
16 | which will be April 19th --

17 | I'll get the Resolution in.

18 | -- to May 1st, that you're waiving your
19 | right to appeal and you're waiving your right to
20 | make an application to the State to convert the
21 | suspension into a fine.

22 | MR. DiMARIA: That is correct.

23 | MR. FARMER: Okay.

24 | MR. DiMARIA: Right, gentlemen?

25 | MR. SHAH: Yup. We're okay.

1 CITY CLERK: Thank you.

2 Motion made by Mayor Stack.

3 Second?

4 COMMISSIONER FERNANDEZ: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

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 **ADJOURNMENT:**

20

21 CITY CLERK: There are no other items on
22 the agenda this evening.

23 May I have a motion to adjourn?

24 COMMISSIONER MARTINETTI: Motion.

25 COMMISSIONER FERNANDEZ: Motion.

1 CITY CLERK: Motion by Commissioner
2 Martinetti.

3 Second?

4 COMMISSIONER FERNANDEZ: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

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 proceedings were concluded
20 at 7:27 p.m.)

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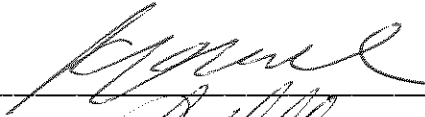
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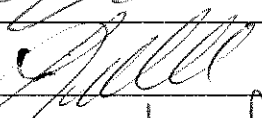
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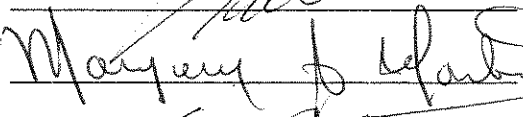
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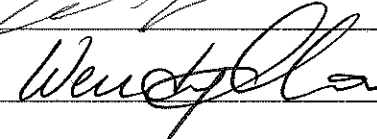
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Brian P. Stack


Lucio P. Fernandez


Maryury A. Martinetti


Celin J. Valdivia


Wendy A. Grullon

Board of Commissioners

Attest: 

Erin M. Knoedler,

City Clerk

1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, April 16, 2019 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon