

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Early Childhood Education Center
2200 Kennedy Boulevard
Union City, New Jersey

Tuesday, May 14, 2019
Commencing at 7:07 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.
Alcohol Beverage Control Commission

SOL VILLON, Interpreter

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1 CITY CLERK: Ready?

2 MS. DILLON: On the record.

3 CITY CLERK: Okay.

4 If we can have everyone's attention? We're
5 going to start the meeting.

6 Thank you.

7 This is a Regular Public Meeting of the
8 Union City Board of Commissioners being held on
9 Tuesday, May 14th, 2019, at seven p.m., at the
10 Early Childhood Education Center, 2200 Kennedy
11 Boulevard, Union City, New Jersey.

12 Please stand for the Pledge of Allegiance.

13

14 (Whereupon the Pledge of Allegiance was
15 said by all.)

16

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

19 Adequate notice of the meeting has been
20 provided to The Jersey Journal, The Record, The
21 Hudson Reporter, and has been posted on the
22 bulletin board in City Hall, and made available
23 to the public in the Office of the Municipal
24 Clerk.

25

1 **ROLL CALL:**

2

3 CITY CLERK: Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Here.

5 CITY CLERK: Commissioner Grullon?

6 COMMISSIONER GRULLON: Here.

7 CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Here.

9 CITY CLERK: Commissioner Martinetti?

10 COMMISSIONER MARTINETTI: Here.

11 CITY CLERK: Mayor Stack?

12 MAYOR STACK: Here.

13 CITY CLERK: Thank you.

14

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

17 **APPROVAL OF PREVIOUS MEETING MINUTES FROM THE**
18 **MEETINGS OF MARCH 5, 2019, MARCH 19, 2019, MARCH**
19 **26, 2019, APRIL 16, 2019 and APRIL 30, 2019.)**

20

21 CITY CLERK: The first item for approval is
22 the meeting minutes from the meeting of March 5th,
23 2019, March 19, 2019, March 26, 2019, April 16,
24 2019, and April 30th, 2019.

25 May I have a motion?

1 COMMISSIONER VALDIVIA: Motion.

2 CITY CLERK: Motion by Commissioner
3 Valdivia.

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 Board discussed and took
20 action on the following items in total:

21 **CONSENT AGENDA:**

22 (1) Resolution Approving the Payment of Claims

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

25 (3) Resolution Approving the Escrow Refunds

- 1 (4) Resolution Approving the City Payroll for
2 the Period of April 27, 2019 through May 10, 2019
- 3 (5) Resolution Approving the Library Payroll
4 for the Period of April 27, 2019 through May 10,
5 2019
- 6 (6) Resolution Authorizing the City Clerk to
7 Advertise for Bids for Palisade Avenue Phase 1
- 8 (7) Resolution Ratifying the Execution of an
9 Agreement and Addendum to the Memorandum of
10 Understanding between the City of Union City and
11 NJ Department of Community Affairs, Division of
12 Local Government Services
- 13 (8) Resolution Appointing Carlos H. Acosta, Jr.
14 as a Municipal Court Judge
- 15 (9) Resolution Approving the Submission of the
16 FY2019 Best Practices Inventory to the NJ
17 Department of Community Affairs, Division of
18 Local Government Services
- 19 (10) Resolution Authorizing Refund of Redemption
20 Monies to Outside Lienholders
- 21 (11) Resolution Authorizing Refund of Premium
22 Monies Collected at the Tax Sale
- 23 (12) Resolution Authorizing an Extension of a
24 Contract with Intermedix for Ambulance Billing
25 Services

1 (13) Resolution Endorsing the Application with
2 the Hudson County Open Space Recreation and
3 Historic Trust for Improvements to Firefighters
4 Memorial Park

5 (14) Resolution Endorsing the Application with
6 the Hudson County Open Space Recreation and
7 Historic Trust for Improvements to Peru Park -
8 24th Street Playground

9 (15) Resolution Approving the Application to the
10 New Jersey Department of Community Affairs
11 Neighborhood Preservation Program for
12 Improvements to Bergenline Avenue.)

13

14 CITY CLERK: There are 15 items on the
15 Consent Agenda.

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

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

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

22 The fourth is a Resolution Approving the
23 City Payroll for the Period of April 27, 2019
24 through May 10, 2019.

25 The fifth is a -- fifth is a Resolution

1 Approving the Library Payroll for the Period of
2 April 27, 2019 through May 10, 2019.

3 The sixth is a Resolution Authorizing the
4 City Clerk to Advertise for Bids for Palisade
5 Avenue Phase 1.

6 The seventh is a Resolution Ratifying an
7 Execution of an Agreement and Addendum to the
8 Memorandum of Understanding between the City of
9 Union City and the New Jersey Department of
10 Community Affairs, Division of Local Government
11 Services.

12 The eighth is a Resolution Appointing
13 Carlos H. Acosta, Jr. as a Municipal Court Judge.

14 The ninth is a Resolution Approving the
15 Submission of the FY2019 Best Practices Inventory
16 to the New Jersey Department of Community
17 Affairs, Division of Local Government Services.

18 The tenth is a Resolution Authorizing
19 Refund of Redemption Monies to Outside
20 Lienholders.

21 The eleventh is a Resolution Authorizing
22 Refund of Premium Monies Collected at Tax Sale.

23 The twelfth is a Resolution Authorizing
24 Extension of a Contract with Intermedix for
25 Ambulance Billing Services.

1 The thirteenth is a Resolution Endorsing
2 the Application for the Hudson County Open Space
3 Recreation and Historic Trust for Improvements to
4 Firefighters Memorial Park.

5 The fourteenth is a Resolution Endorsing
6 the Application to the Hudson County Open Space
7 Recreation and Historic Trust for Improvements to
8 Peru Park, 24th Street Playground.

9 The fifteenth is a Resolution Approving the
10 Application to the New Jersey Department of
11 Community Affairs, Neighborhood Preservation
12 Program for Improvements to Bergenline Avenue.

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

15 MAYOR STACK: Sure.

16 Anyone wishing to comment on the Consent
17 Agenda, please step forward.

18 State your name and address for the record.

19 Seeing none.

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

22 COMMISSIONER FERNANDEZ: Motion.

23 COMMISSIONER GRULLON: Motion.

24 CITY CLERK: Motion by Commissioner
25 Fernandez.

1 Second by Commissioner Grullon.
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 CITY CLERK: May I have a motion to approve
13 all items on consent?
14 COMMISSIONER VALDIVIA: Motion.
15 CITY CLERK: Motion by Commissioner
16 Valdivia.
17 Second?
18 COMMISSIONER FERNANDEZ: Second.
19 Second by Commissioner 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: I'm recusing on
3 items pertaining to North Hudson Regional Fire
4 Rescue.

5 Aye on the rest.

6 CITY CLERK: Thank you.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9 CITY CLERK: Thank you.

10

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

13 **REGULAR AGENDA:**

14 1. RESOLUTION APPROVING A PAYMENT OF CLAIM TO
15 THE UNION CITY BOARD OF EDUCATION.)

16

17 CITY CLERK: There is one item on the
18 Regular Agenda.

19 It's a Resolution Approving -- a Resolution
20 Approving the Payment of Claim to the Union City
21 Board of Education.

22 MR. AUTERI: Normally, Commissioners
23 Valdivia and Commissioner Grullon would not vote
24 on Board of Ed matters.

25 However, tonight, we'll be invoking the

1 doctrine of necessity.

2 CITY CLERK: May I have a motion to approve
3 item 1?

4 COMMISSIONER GRULLON: Motion.

5 CITY CLERK: Motion by Commissioner
6 Grullon.

7 Second?

8 MAYOR STACK: Second.

9 CITY CLERK: Second by Mayor Stack.
10 Commissioner Fernandez is recusing.
11 Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti is
16 recusing.

17 Mayor Stack?

18 MAYOR STACK: Yes.

19 CITY CLERK: Thank you.
20

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

23 **ORDINANCES FOR HEARING AND ADOPTION CONSIDERATION**

24 1. ORDINANCE AMENDING CHAPTER 4

25 "ADMINISTRATION OF GOVERNMENT" ARTICLE XIII OF

1 THE CODE OF THE CITY OF UNION CITY ENTITLED
2 "POLICE DEPARTMENT" TO INCREASE FEES FOR OFF DUTY
3 POLICE DETAILS.)

4

5 CITY CLERK: There is one Ordinance on for
6 Public Hearing and Adoption.

7 It's an Ordinance Amending Chapter 4,
8 Administration of Government, Article XIII of the
9 Code of the City of Union City Entitled Police
10 Department, to Increase Fees for Off Duty Police
11 Details.

12 Mayor, at this time, would you like to take
13 public comment on this Ordinance?

14 MAYOR STACK: Yes.

15 This is an Ordinance that the Commissioners
16 and I felt was necessary.

17 Police details in the community have not
18 been increased in a number of years, and we felt
19 it was only fair to keep the detail rate similar
20 to the towns surrounding -- the cities
21 surrounding Union City.

22 Anyone wishing to comment on this Ordinance
23 at this time?

24 Please step forward. State your name and
25 address for the record.

1 Seeing none.

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

4 COMMISSIONER FERNANDEZ: Motion.

5 CITY CLERK: Motion by Commissioner
6 Fernandez.

7 Second?

8 COMMISSIONER GRULLON: Second.

9 CITY CLERK: Second by Commissioner
10 Grullon.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 CITY CLERK: Commissioner Grullon?

14 COMMISSIONER GRULLON: Yes.

15 CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 CITY CLERK: Commissioner Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

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

23 COMMISSIONER MARTINETTI: Motion.

24 CITY CLERK: Motion by Commissioner
25 Martinetti.

1 Second?

2 COMMISSIONER VALDIVIA: Second.

3 CITY CLERK: Second by Commissioner
4 Valdivia.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 CITY CLERK: Commissioner Grullon?

8 COMMISSIONER GRULLON: Yes.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16

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

18

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

22 MAYOR STACK: Sure.

23 Anyone wishing to address the Board at this
24 time on any matter concerning municipal
25 government in the City of Union City, please step

1 forward.

2 I'd like to thank the Commissioners for
3 moving a hundred percent of our meetings
4 throughout the community and always in the
5 evening hours.

6 Anyone wishing to comment at this time,
7 please step forward.

8 I would just like to thank Adriana Birne
9 for hosting the meeting here this evening.

10 Adriana, thank you very much and thanks for
11 always -- your hospitality.

12 Okay.

13 Seeing none.

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

16 COMMISSIONER MARTINETTI: Motion.

17 CITY CLERK: Motion by Commissioner --

18 COMMISSIONER VALDIVIA: Second.

19 CITY CLERK: -- Martinetti.

20 Second by Commissioner Valdivia.

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 CITY CLERK: Thank you.

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1 LIQUOR LICENSE MATTERS:

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3 (1) Resolution Retiring Liquor License Number
4 0910-43-046-003, Licensee Armando Diaz (T/A Diaz
5 Grocery) - 143-45th Street, Union City, New
6 Jersey.)

7

8 CITY CLERK: Mayor, at this time, we have a
9 retirement of a liquor license.

10 Mr. Farmer?

11 MR. FARMER: Yes.

12 Mr. Diaz, com on up.

13 (Whereupon, there was a pause in the
14 proceedings.)

15 MR. FARMER: This is a Resolution
16 concerning --

17 MS. VILLON: He's hard of hearing.
18 Interpreter has to raise her voice.

19 MR. FARMER: -- Armando Diaz, trading as
20 Diaz Grocery Store, located at 4536 Hudson
21 Avenue, Union City.

22 The record should be clear that Mr. Diaz,
23 Sr. is here, as well as his son, here.

24 Would you just state your name for the
25 record?

1 MR. DIAZ, JR: My name is Armando Diaz, Jr.

2 MR. FARMER: Okay.

3 And the interpreter here, Sol Villon, who
4 will be interpreting.

5 I have had opportunities to speak to Mr.
6 Diaz, through his son. He wishes to retire the
7 license for the sum of \$10,000.00.

8 I have before me the verified application
9 to retire this license and I'm going to ask him
10 some questions.

11 Mr. Diaz, you have a warm beer license.
12 This is a copy of the license.

13 Correct?

14 THE INTERPRETER FOR MR. DIAZ, SR: That is
15 my copy. Original. Copy of the original.

16 MR. FARMER: But you have not been able to
17 find the original.

18 Is that correct?

19 THE INTERPRETER FOR MR. DIAZ, SR.: Yes.
20 The establishment was sold and everything was
21 pulled apart.

22 MR. FARMER: Okay.

23 THE INTERPRETER FOR MR. DIAZ, SR.: It is
24 lost.

25 MR. FARMER: But this is a true copy of the

1 original application, license?

2 THE INTERPRETER FOR MR. DIAZ, SR.: Yes.

3 Copy of the original.

4 MR. DIAZ, SR.: (In English) Yeah.

5 MR. FARMER: Okay.

6 And you're asking the Board to retire the
7 license for the sum of \$10,000.00.

8 THE INTERPRETER FOR MR. DIAZ, SR.: Yes. I
9 would like to surrender it.

10 MR. FARMER: And there -- and there are no
11 existing violations against your license.

12 THE INTERPRETER FOR MR. DIAZ, SR.: No.
13 It's totally clean.

14 MR. FARMER: And you've paid all the taxes,
15 both federal and state.

16 THE INTERPRETER FOR MR. DIAZ, SR.:
17 Correct.

18 MR. FARMER: And there are no judgements
19 against it.

20 Correct?

21 THE INTERPRETER FOR MR. DIAZ, SR.:
22 Correct.

23 MR. FARMER: And there are no liens against
24 it.

25 And you know once you surrender it, the

1 license will never be reissued.

2 THE INTERPRETER FOR MR. DIAZ, SR.: No, no,
3 no.

4 MR. FARMER: Okay.

5 THE INTERPRETER FOR MR. DIAZ, SR.: No, no.

6 MR. FARMER: Now, your son has been a part
7 of the negotiations here, has he not?

8 MR. DIAZ, JR.: I have.

9 THE INTERPRETER FOR MR. DIAZ, SR.: That is
10 correct.

11 MR. FARMER: And any questions you had, you
12 told your son and I answered them for you.

13 THE INTERPRETER FOR MR. DIAZ, SR.: True.

14 MR. FARMER: And do you have any questions
15 of me?

16 THE INTERPRETER FOR MR. DIAZ, SR.: No,
17 everything is fine. Everything's good.

18 MR. FARMER: Basically, you're retiring the
19 license. The license is finished. Never been
20 issued.

21 THE INTERPRETER FOR MR. DIAZ, SR.: True.

22 MR. FARMER: For the sum of \$10,000.00.

23 THE INTERPRETER FOR MR. DIAZ, SR.:
24 Finished.

25 MR. DIAZ, SR.: (In English) All right.

1 Okay.

2 THE INTERPRETER FOR MR. DIAZ, SR.: All
3 right. Okay.

4 MR. FARMER: All right.

5 THE INTERPRETER FOR MR. DIAZ, SR.: True.

6 MR. FARMER: That's it.

7 MAYOR STACK: Okay.

8 I just wanted to -- I just want to thank
9 Mr. Diaz. He's always run -- him and his family
10 have always run a very good business in Union
11 City.

12 And he's always been a fine gentleman.

13 Thank you very much.

14 Thank you, Mr. Diaz.

15 CITY CLERK: Mr. Farmer --

16 THE INTERPRETER FOR MR. DIAZ, SR.: Thank
17 you very much.

18 CITY CLERK: -- if I may?

19 MR. FARMER: I'm going to give this to you.

20 CITY CLERK: Yes, please.

21 And for the record, can you just repeat the
22 address?

23 MR. FARMER: The address is 4536 Hudson
24 Avenue, Union City.

25 The license number is 0910-43-046-003.

1 CITY CLERK: Thank you.

2 MR. FARMER: And I'm offering up to the
3 Clerk both the verified application, the
4 affidavit in support of that application
5 verifying it, as well as a copy of the license,
6 along with the testimony that the original has
7 been lost.

8 CITY CLERK: Thank you.

9 Thank you, Mr. Farmer.

10 So, at this time, Commissioners and Mayor,
11 we have a Resolution to approve the retiring of
12 the license -- Liquor License Number 0910-43-046-
13 003, owned by the licensee Armando Diaz, trading
14 as Diaz Grocery, 4536 Hudson Avenue, Union City,
15 New Jersey.

16 May I have a motion to approve?

17 MAYOR STACK: Motion.

18 CITY CLERK: Motion by --

19 COMMISSIONER MARTINETTI: Second.

20 CITY CLERK: -- Mayor Stack.

21 Second by Commissioner Martinetti.

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.
7 CITY CLERK: Thank you.

8

9 **ADJOURNMENT:**

10

11 CITY CLERK: At this time, there are no
12 other items on the agenda.

13 May I have a motion to adjourn?

14 COMMISSIONER MARTINETTI: Motion.

15 CITY CLERK: Motion by Commissioner
16 Martinetti.

17 Second?

18 COMMISSIONER FERNANDEZ: Second.

19 COMMISSIONER VALDIVIA: Second.

20 CITY CLERK: Second by Commissioner
21 Fernandez.

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.

7 CITY CLERK: Thank you.

8 And then, we'll just take a few minutes and
9 then we'll set up for the award ceremony.

10 MAYOR STACK: Okay.

11 Good.

12

13 (Whereupon, the proceedings were concluded
14 at 7:19 p.m.)

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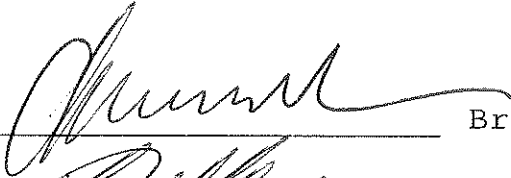
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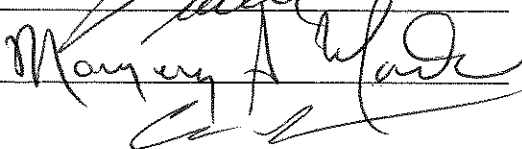
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Brian P. Stack

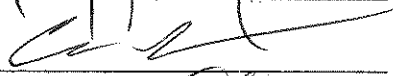
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Lucio P. Fernandez

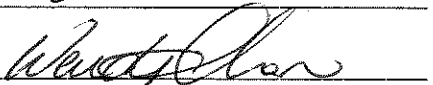
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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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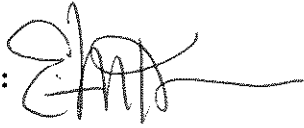
Board of Commissioners

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Attest:

9


Erin M. Knoedler,

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City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, May 14, 2019 and digitally
10 recorded.

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Debra A. Kaszniak
Certification No. 324

Monitored and proofread by: Deborah Dillon