

ORIGINAL

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

REGULAR MEETING

:
:
:
:
TRANSCRIPT OF RECORDED
PROCEEDINGS

Washington School
3905 New York Avenue
Union City, New Jersey

Tuesday, September 10, 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,
(Left at 7:12 p.m.)
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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A L S O P R E S E N T: Continued....

ADOLFO L. LOPEZ, ESQ.

Attorney for A & C 2004 Corp. t/a Adoro Café
& Lounge

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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, September 10th, 2019, at
4 seven p.m., at Washington School, 3905 New York
5 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: Yes. Here.

6

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

9 **APPROVAL OF PREVIOUS MEETING MINUTES - AUGUST 7,**
10 **2019 AND AUGUST 20, 2019.)**

11

12 CITY CLERK: The first item is the Approval
13 of the Meeting Minutes from the meetings of
14 August 7th, 2019 and August 20th, 2019.

15 May I have a motion to approve?

16 COMMISSIONER VALDIVIA: Motion.

17 CITY CLERK: Motion by Commissioner
18 Valdivia.

19 Second?

20 COMMISSIONER GRULLON: Second.

21 CITY CLERK: Second by Commissioner
22 Grullon.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: I recuse on August
25 20th; otherwise, yes.

1 CITY CLERK: Thank you.

2 Commissioner Grullon?

3 COMMISSIONER GRULLON: Yes.

4 CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 CITY CLERK: Commissioner Martinetti?

7 COMMISSIONER MARTINETTI: I think I have to
8 recuse on one.

9 CITY CLERK: Recuse on August 20th.

10 COMMISSIONER MARTINETTI: I recuse on
11 August 20; aye on the rest.

12 CITY CLERK: Thank you.

13 And Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16

17 (Whereupon, the Board discussed and took
18 action on the following items in total:

19 **CONSENT AGENDA:**

20 (1) Resolution Approving the Payment of Claims

21 (2) Resolution Approving the Payment of
22 Concurring Claims

23 (3) Resolution Approving the Escrow Refunds

24 (4) Resolution Approving the City Payroll for
25 the Period of August 17, 2019 through August 30,

1 2019

2 (5) Resolution Approving the Library Payroll
3 for the Period of August 17, 2019 through August
4 30, 2019

5 (6) Resolution Authorizing the City Clerk to
6 Advertise for Bids for Intersection Improvements
7 for 24th Street and Kerrigan Avenue

8 (7) Resolution Authorizing the City Clerk to
9 Advertise for Bids for 38th Street Skate Park
10 Improvements

11 (8) Resolution Authorizing the City Clerk to
12 Advertise for Bids for 25th and 46th Street
13 Improvements

14 (9) Resolution Authorizing the City Clerk to
15 Advertise for Bids for 2018-2019 (sic) Snow
16 Removal and Post Storm Services

17 (10) Resolution Approving a Lease Purchase
18 Agreement with Leasing 2, Inc. for a Garbage
19 Truck

20 (11) Resolution Authorizing the City of Union
21 City through the Union City Police Department to
22 Participate in the Federal 1033 Program to Allow
23 for the Request and Acquisition of Excess
24 Department of Defense Equipment

25 (12) Resolution Authorizing the Refund of

1 Premium Monies Collected at the Tax Sale

2 (13) Resolution Authorizing the Refund of a
3 Duplicate Payment

4 (14) Resolution Authorizing the Refund of a
5 Payment (535 - 30th Street)

6 (15) Resolution Authorizing the Refund of a
7 Payment (3807 Park Avenue)

8 (16) Resolution Authorizing the Refund of
9 Redemption Monies to Outside Lienholders

10 (17) Resolution Cancelling Abatements Due to
11 Sale of Property

12 (18) Resolution Condemning the Conditions at
13 United States Customs and Border Protection
14 Detention Centers.)

15

16 CITY CLERK: There are 18 items on the
17 Consent Agenda.

18 The first is a Resolution Approving a
19 Payment of Claims.

20 Second is a Resolution Approving a Payment
21 of Concurring Claims.

22 Third is a Resolution Approving Escrow
23 Refunds.

24 Fourth is a Resolution Approving the City
25 Payroll for the Period of August 17th, 2019

1 through August 30th, 2019.

2 Fifth is a Resolution Approving the Library
3 Payroll for the Period of August 17th, 2019
4 through August 30th, 2019.

5 Sixth is a Resolution Authorizing the
6 Municipal Clerk to Advertise for Bids for
7 Intersection Improvements for 24th Street and
8 Kerrigan Avenue.

9 The seventh is a Resolution Authorizing the
10 City Clerk to Advertise for Bids for 38th Street
11 Skate Park Improvements.

12 The eighth is a Resolution Authorizing the
13 City Clerk to Advertise for Bids for 25th and 46th
14 Street Improvements.

15 The ninth is a Resolution Authorizing the
16 City Clerk to Advertise for Bids for 2019-2020
17 Snow Removal and Post Storm Services.

18 Tenth is a Resolution Approving a Lease
19 Purchase Agreement with Leasing 2, Incorporated
20 for a Garbage Truck.

21 The eleventh is a Resolution Authorizing
22 the City of Union City through the Union City
23 Police Department to Participate in a Federal
24 1033 Program, Allow for the Request and
25 Acquisition in Excess Department of Defense

1 Equipment.

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

5 Thirteenth is a Resolution Authorizing a
6 Refund of a Duplicate Payment.

7 The fourteenth is a Resolution Authorizing
8 the Refund of a Payment for 535 30th Street.

9 The fifteenth is a Resolution Authorizing
10 the Refund of a Payment for 3807 Park Avenue.

11 Sixteenth is a Resolution Authorizing the
12 Refund of Redemption Monies Collected --

13 I'm sorry.

14 -- to Outside Lienholders.

15 Seventeenth is a Resolution Cancelling
16 Abatements Due to Sale of Property.

17 And the eighteenth is a Resolution
18 Condemning the Conditions at the United States
19 Custom and Border Protection Detention Centers.

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

22 MAYOR STACK: Yes, just before we do, I
23 would just like to thank the Commissioners for
24 their work in -- in considering the improvements
25 for the intersection at 24th and Kerrigan. We'll

1 be installing a new traffic light.

2 Also, bids to advertise for Commissioner
3 Valdivia -- the job that he's been doing in our
4 parks.

5 The 38th Street Skate Park will be
6 renovated. This is also in addition to
7 renovating the park at 24th and Central Avenue.

8 In addition, the street -- that we'll be
9 doing over new streets and sidewalks on 25th
10 Street and 46th Street; the improvements we'll be
11 making.

12 In addition -- in addition to that, also,
13 thanking the Commissioners for considering
14 Resolution number 18, condemning the conditions
15 at the United States Customs and Border
16 Protection. The way we're treating immigrants in
17 this country is not the way we treat human
18 beings.

19 I'd like to thank them for considering
20 that.

21 Anyone wishing to comment at this time
22 please step forward, state your name and address
23 for the record, on any matter on the Consent
24 Agenda.

25 Seeing none.

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

3 COMMISSIONER MARTINETTI: Motion.

4 COMMISSIONER FERNANDEZ: Motion.

5 CITY CLERK: Motion by Commissioner
6 Martinetti.

7 COMMISSIONER FERNANDEZ: Second.

8 CITY CLERK: Second?

9 COMMISSIONER VALDIVIA: Second.

10 CITY CLERK: By Commissioner Valdivia.
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: And Mayor Stack?

20 MAYOR STACK: Yes.

21 CITY CLERK: Thank you.

22 May I have a motion to approve all items on
23 Consent?

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 AN INTERLOCAL
22 AGREEMENT WITH THE UNION CITY BOARD OF EDUCATION
23 FOR SOLID WASTE REMOVAL.)

24

25 CITY CLERK: There are three items on the

1 Regular Agenda.

2 The first is a Resolution Approving an
3 Interlocal Agreement with the Union City Board of
4 Education for Solid Waste Removal.

5 MR. AUTERI: Ordinarily, Commissioners
6 Grullon and Commissioner Valdivia wouldn't vote
7 on Board of Ed matters.

8 However, tonight we will invoke the
9 doctrine of necessity.

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

12 MAYOR STACK: Motion.

13 COMMISSIONER GRULLON: Motion.

14 CITY CLERK: Motion by Mayor Stack.

15 Second by Commissioner Grullon.

16 COMMISSIONER GRULLON: Second.

17 CITY CLERK: Commissioner Fernandez is
18 recusing.

19 Commissioner Grullon?

20 COMMISSIONER GRULLON: Yes.

21 CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 CITY CLERK: Commissioner Martinetti is
24 recusing.

25 Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

3

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

6 **REGULAR AGENDA:**

7 2. RESOLUTION APPROVING AN INTERLOCAL
8 AGREEMENT WITH THE UNION CITY BOARD OF EDUCATION
9 FOR SPECIAL LAW ENFORCEMENT OFFICERS III.)

10

11 CITY CLERK: The next is a Resolution
12 Approving an Interlocal Agreement with the Union
13 City Board of Education for Special Law
14 Enforcement Officers III.

15 MR. AUTERI: Number 2 is also a -- an
16 agreement with the Board of Education and we will
17 again invoke the doctrine of necessity.

18 CITY CLERK: May I have a motion to approve
19 item 2?

20 MAYOR STACK: Sure.

21 Just before we do, I would just like to
22 thank both the -- the Commissioners and the Board
23 of Education for having law enforcement officers
24 in our schools to provide better protection and
25 security for our children.

1 Motion.

2 CITY CLERK: Motion by Mayor Stack.

3 Second?

4 COMMISSIONER VALDIVIA: Second.

5 CITY CLERK: Second by Commissioner

6 Valdivia.

7 Commissioner Fernandez is recusing.

8 Commissioner Grullon?

9 COMMISSIONER GRULLON: Yes.

10 CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 CITY CLERK: Commissioner Martinetti is

13 recusing.

14 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 3. RESOLUTION IMPROVING AN INTERLOCAL

22 AGREEMENT WITH THE UNION CITY BOARD OF EDUCATION

23 FOR SNOW REMOVAL.)

24

25 CITY CLERK: The third is a Resolution

1 Approving an Interlocal Agreement with the Union
2 City Board of Education for Snow Removal.

3 May I have a --

4 I'm sorry, Angelo.

5 MR. AUTERI: We are again invoking the
6 doctrine of necessity for item number 3 on the
7 Regular Agenda.

8 CITY CLERK: Thank you.

9 May I have a motion to approve item 3?

10 COMMISSIONER VALDIVIA: Motion.

11 CITY CLERK: Motion by Commissioner
12 Valdivia.

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 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 **ORDINANCE FOR HEARING AND ADOPTION CONSIDERATION:**

6 1. ORDINANCE OF THE CITY OF UNION CITY, COUNTY
7 OF HUDSON APPROVING A FINANCIAL AGREEMENT WITH
8 RPM DEVELOPMENT URBAN RENEWAL, LLC (720 8TH STREET
9 UNION CITY URBAN RENEWAL ASSOCIATES, L.P.)

10

11 CITY CLERK: There are two ordinances on
12 for Public Hearing and Adoption this evening.

13 The first is an Ordinance of the City of
14 Union City, County of Hudson, Approving a
15 Financial Agreement with RPM Development Urban
16 Renewal, LLC, 720 8th Street Union City Urban
17 Renewal Associates, L.P.

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

20 MAYOR STACK: Just -- just before we do, if
21 I could just have the -- the City Attorney
22 explain to the public exactly what we're doing
23 with this Ordinance.

24 MR. AUTERI: All right.

25 So this Ordinance is approving and granting

1 authority to the City --

2 MAYOR STACK: Just if you could keep your
3 voice up.

4 MR. AUTERI: The City is -- the Board of
5 Commissioners is voting on the Ordinance tonight,
6 which will authorize the City to enter into a
7 financial agreement with the developer for this
8 property.

9 The developer is seeking tax credits from
10 the State. It's necessary for the developer to
11 receive these tax credits in order for them to
12 move forward with the development.

13 And again, of course, this is a -- an
14 affordable housing development for senior
15 citizens. The financial agreement is -- is
16 contingent on tax credits, which is made a part
17 thereof.

18 This Ordinance grants the authority for the
19 City to move forward. And this is also necessary
20 for the developer to -- to do this Ordinance and
21 have the Commissioners vote and adopt it within a
22 certain period of time before they make an
23 application for the State tax credit, which will
24 be satisfied by the vote here tonight.

25 MAYOR STACK: Great.

1 Anyone wishing to comment on this Ordinance
2 at this time, please step forward, state your
3 name and address for the record.

4 MR. PRICE: Larry Price, 1006 Palisade
5 Avenue.

6 This is a tax abatement. Permits a
7 financial agreement allowing tax --
8 (indiscernible).

9 During the construction they wouldn't be
10 taxed on improvements in any case. So when does
11 a financial agreement go into effect and when is
12 it signed?

13 MR. AUTERI: Right, so -- so the -- because
14 the developer needs the tax credit to finance
15 this project it's part of -- it's part of their
16 budgeting for the development itself.

17 It will be signed when they receive an
18 answer regarding whether or not they will get the
19 tax credits.

20 MR. PRICE: How -- when would that be?

21 MR. AUTERI: They need to -- they -- they
22 are making an application to the State and the
23 State will give them an answer. I don't have a
24 date for that but that will be necessary before
25 they fund -- sign the agreement because the

1 agreement -- again, the financing for the entire
2 development is contingent on that tax credit.

3 MR. PRICE: Okay, that's the New Jersey
4 Mortgage and --

5 CITY CLERK: New Jersey Home and Mortgage
6 Finance Agency.

7 MR. PRICE: -- and Mortgage Finance Agency.

8 CITY CLERK: Yeah.

9 MR. PRICE: Okay.

10 It -- okay.

11 That's it.

12 Thank you.

13 MR. AUTERI: Okay.

14 CITY CLERK: Thank you, Mr. Price.

15 Anyone else would like to make public
16 comment on this Ordinance?

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

19 That's on the Ordinance that we're speaking
20 on, Ordinance number 1.

21 This agreement basically is a tax abatement
22 for a senior citizen building that we're trying
23 to build on the 8th -- 8th to 10th Street municipal
24 parking lot.

25 Seeing no other.

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

3 COMMISSIONER FERNANDEZ: Motion.

4 CITY CLERK: Motion by Commissioner
5 Fernandez.

6 Second?

7 COMMISSIONER GRULLON: Second.

8 CITY CLERK: Second by Commissioner
9 Grullon.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 CITY CLERK: Commissioner Grullon?

13 COMMISSIONER GRULLON: Yes.

14 CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 CITY CLERK: Commissioner Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20 CITY CLERK: Thank you.

21 May I have a motion to adopt the Ordinance?

22 COMMISSIONER VALDIVIA: Motion.

23 CITY CLERK: Motion by Commissioner
24 Valdivia.

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

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

18 **ORDINANCE FOR HEARING AND ADOPTION CONSIDERATION:**

19 2. STATE FISCAL YEAR 2020 MODEL ORDINANCE TO
20 EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
21 AND TO ESTABLISH A CAP BANK (N.J.S.A.
22 40A:4-45.14).)

23

24 CITY CLERK: The next Ordinance is the
25 State Fiscal Year 2020 Model Ordinance to Exceed

1 the Municipal Budget Appropriation Limits and
2 Establish a Cap Bank.

3 Mayor, at this time would you like to take
4 public comment on this Ordinance?

5 MAYOR STACK: Anyone wishing to comment on
6 Ordinance number 2, please step forward, state
7 your name and address for the record.

8 Seeing none.

9 CITY CLERK: May I have a motion to close
10 public comment?

11 MAYOR STACK: Motion.

12 CITY CLERK: Motion by Mayor Stack.

13 Second?

14 COMMISSIONER FERNANDEZ: Second.

15 CITY CLERK: Second by Commissioner
16 Fernandez.

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.

3 May I have a motion to adopt the Ordinance?

4 COMMISSIONER MARTINETTI: Motion.

5 CITY CLERK: Motion by Commissioner

6 Martinetti.

7 Second?

8 COMMISSIONER VALDIVIA: Second.

9 CITY CLERK: Second by Commissioner

10 Valdivia.

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: Thank you.

22

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

24

25 CITY CLERK: Mayor, at this time would you

1 like to take public comment on any item
2 concerning government in the City of Union City?

3 MAYOR STACK: Sure.

4 I would just like to thank the -- the
5 members of the public that are here this evening.
6 The Commissioners and myself -- and I thank the
7 Commissioners for moving a hundred percent of our
8 meetings throughout the community.

9 Anyone wishing to comment on any matter
10 concerning municipal government in the City of
11 Union City, please step forward, state your name
12 and address for the record.

13 Seeing none.

14 CITY CLERK: May I have a motion to close
15 Public Comment?

16 COMMISSIONER MARTINETTI: Motion.

17 COMMISSIONER FERNANDEZ: Motion.

18 CITY CLERK: Motion by Commissioner
19 Martinetti.

20 Second?

21 COMMISSIONER FERNANDEZ: Second.

22 COMMISSIONER GRULLON: Second.

23 CITY CLERK: Second by Commissioner
24 Grullon.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.
2 MAYOR STACK: Thank you, Margie.
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 MAYOR STACK: Thanks, Margie.
10 CITY CLERK: Mayor Stack?
11 MAYOR STACK: Yes.
12 CITY CLERK: Thank you.

13

14

* * *

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1 LIQUOR LICENSE MATTERS:

2

3 1. A & C 2004 Corp.

4 t/a Adoro Café & Lounge

5 (Union City Social Eatery & Lounge)

6 Location: 414 38th Street

7 Liquor License No. 0910-33-149-005

8

9 2. Fuerte Liquors

10 t/a Fuerte Liquors

11 (Mi Bandera)

12 Location: 518 32nd Street

13 Liquor License No. 0910-33-169-007

14

15 3. Transfer Application: Hare Om, Inc. t/a

16 Yunaris Liquor to Union City Liquors, LLC

17 Location: 3196 Kennedy Boulevard

18 Liquor License No. 0910-32-171-008

19

20 CITY CLERK: Mayor, at this time we have
21 Liquor License Matters.

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

24 (Whereupon, Commissioner Maryury A.

25 Martinetti left the meeting at 7:12 p.m.)

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(Whereupon, Commissioner Celin J. Valdivia stepped out of the meeting at 7:12 p.m.)

MAYOR STACK: He might need -- he might need a couple minutes.

CITY CLERK: Okay.

MAYOR STACK: I -- I --

CITY CLERK: You want me to ask him?

MAYOR STACK: Yeah. I think he might.

MR. AUTERI: You want to take a break?

MAYOR STACK: Yeah, it might be a good idea.

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

MAYOR STACK: You ready?

MR. DILLON: Should I go off the record?

CITY CLERK: Okay. No, he's coming now.

MR. FARMER: Okay? Right, okay.

Good evening, Mayor and the Board. I'm here on three ABC issues. The last one will be more involved but the first two are pleas.

* * *

1 A & C 2004 Corp.
2 t/a Adoro Café & Lounge
3 (Union City Social Eatery & Lounge)
4 Location: 414 38th Street
5 Liquor License No. 0910-33-149-005
6

7 MR. FARMER: And the first one we're going
8 to take care of is Mr. Lopez. He represents
9 Adoro Café.

10 Situation with Adoro Café, the Police came
11 over and saw two people fighting in the street.
12 And then they ran away. One guy ran into the
13 bar; it turned out he was the deejay.

14 But investigation really never showed there
15 was any nexus the bar to the fight. But they had
16 a lot of incomplete and missing documents --
17 paperwork. And, as you know, they have had a
18 past history.

19 So Mr. Lopez and I recommended a -- to the
20 Board a 14 day suspension. Four days would be
21 suspended out of that 14 days and the other ten
22 -- ten days would be served and they would be
23 served, let's see, September -- September 10th to
24 September 30th.

25 MR. LOPEZ: No, --

1 MR. FARMER: No, we got it wrong here.

2 MR. LOPEZ: To October 10th.

3 MR. FARMER: September 30th to October 10th.

4 MR. LOPEZ: Sorry about that.

5 MR. FARMER: So just to recapitulate here,
6 he's going to serve ten days; four days are going
7 to be suspended provided he doesn't get into any
8 other issues within the next six months. If they
9 do, they get reinstated immediately. And get
10 reinstated in the sense that they were found
11 guilty of that.

12 And -- and that's it.

13 Anything you want to say, Adolfo?

14 MR. LOPEZ: Mr. Mayor and Commissioners,
15 good evening.

16 I represent the license holder. They're
17 here this evening.

18 Mr. Villa (phonetic) is having some health
19 issues and he's undergoing treatment, so both his
20 managers are here.

21 We would like to point out to all of you
22 that the incident is exactly as Mr. Farmer
23 described it but, importantly, these incidents
24 normally happen later on in the night. During
25 their entire history, since they've opened in

1 | this fashion, there have been no incidents of
2 | that type.

3 | This one happened in the middle of the
4 | afternoon and it was mostly one family that was
5 | occupying the place. The deejay was not even an
6 | employee of theirs. It was one of the members of
7 | the family that wanted to play some music. And
8 | that's how this whole thing started, it was
9 | really a dispute among the family and it happened
10 | outside.

11 | But, yes, we acknowledge there were
12 | problems with recordkeeping. Lieutenant Loaces
13 | just met with them several times and now lately
14 | this evening. He went over with them all the
15 | procedures that the City would like them to
16 | follow to keep things in order.

17 | So we would accept the recommendation of
18 | Mr. Farmer. My clients, obviously, would do
19 | anything in their powers to cooperate with the
20 | City. It is certainly not in their interest that
21 | incidents of this type or any type are happening
22 | at their establishment.

23 | So we would ask that -- that you approve
24 | the recommendation of the Prosecutor.

25 | MAYOR STACK: Lieutenant, did you have

1 anything you wanted to add?

2 Lieutenant Loaces?

3 LIEUTENANT LOACES: No I do not.

4 Thank you.

5 MAYOR STACK: Okay.

6 Okay. I'll make --

7 MR. FARMER: The record should reflect that
8 we've had a meeting prior to this --

9 MAYOR STACK: Right.

10 MR. FARMER: -- last Thursday.

11 Okay.

12 MAYOR STACK: I'll make a motion to approve
13 Mr. Farmer's recommendation.

14 COMMISSIONER FERNANDEZ: Second.

15 CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER FERNANDEZ: Second.

17 CITY CLERK: Second by Commissioner
18 Fernandez.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 CITY CLERK: Commissioner Grullon?

22 COMMISSIONER GRULLON: Yes.

23 CITY CLERK: Commissioners Valdivia and

24 Martinetti have, if we could let the record

25 reflect, that they left the meeting at 7:12 p.m.

1 And Mayor Stack?

2 MAYOR STACK: Yes.

3 CITY CLERK: Thank you.

4 MAYOR STACK: Thank you very much.

5 MR. LOPEZ: Thank you so much.

6 MAYOR STACK: Thank you.

7 MR. LOPEZ: Thank you.

8 Thanks.

9 MR. FARMER: Okay.

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1 Fuerte Liquors

2 t/a Fuerte Liquors

3 (Mi Bandera)

4 Location: 518 32nd Street

5 Liquor License No. 0910-33-169-007

6

7 MR. FARMER: The next matter on your agenda
8 is Fuerte Liquor.

9 This is a situation where the licensee had
10 a paperwork violation, namely an E141; didn't
11 have an employee on -- on the listing.

12 We had a conference with him. Lieutenant
13 Loaces is talking to him. He's had a couple of
14 issues in the past.

15 Fuerte Liquor is the old Mi Bandera. And
16 they had one with respect to the underage
17 officer.

18 He seems like a nice guy. He seems like he
19 wants to cooperate. And his family is -- they're
20 well-meaning people.

21 So I -- I would recommend and Loaces --
22 five days that would cover a weekend.

23 MAYOR STACK: How many days?

24 COMMISSIONER GRULLON: Five.

25 MR. FARMER: Five.

1 MAYOR STACK: Five days.

2 MR. FARMER: Over a weekend.

3 MAYOR STACK: Okay.

4 Okay, can we -- can we bring them forward?

5 MR. FARMER: Yeah.

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

8 (Whereupon, Lieutenant Loaces translated
9 into Spanish for Rafael Fermin.)

10 MR. FARMER: We're here with the owner and
11 -- daughter?

12 MS. NAVARRO: Glendy.

13 MR. FARMER: Huh?

14 MS. NAVARRO: Glendy.

15 MR. FARMER: What?

16 MS. NAVARRO: Glendy. I'm a cashier.

17 LIEUTENANT LOACES: Cashier?

18 MS. NAVARRO: Yes.

19 MR. FARMER: Oh, the cashier.

20 Okay, we're here with the cashier and the
21 -- and the licensee.

22 MR. DILLON: I need the -- could I get the
23 names?

24 MR. FARMER: Yeah. I'm sorry. I should
25 have --

1 MR. FERMIN: Rafael Fermin.

2 MR. DILLON: Rafael what?

3 MR. FERMIN: Fermin.

4 MR. DILLON: Could I get the spelling?

5 MS. NAVARRO: F-E-R-M-I-N.

6 MR. DILLON: M-I-N?

7 MS. NAVARRO: Yes.

8 MR. DILLON: And yours? Your name?

9 MS. NAVARRO: G-L-E-N-D-Y.

10 MR. DILLON: G-L-E --

11 MS. NAVARRO: -- N-D-Y.

12 MR. DILLON: -- N-D-Y.

13 MS. NAVARRO: N-A-V-A-R-R-O.

14 MR. DILLON: Navarro? Okay.

15 Thank you.

16 MR. FARMER: Okay.

17 So Lieutenant Loaces and the licensee have
18 just talked about the five days. And the five
19 days are what?

20 LIEUTENANT LOACES: October 24th --

21 MR. FARMER: Um-hum.

22 LIEUTENANT LOACES: -- through the 29th;
23 that includes a weekend.

24 MR. FARMER: Okay.

25 LIEUTENANT LOACES: Thursday to Monday.

1 MR. FARMER: Okay.

2 I would recommend that the Board accept
3 this recommendation for five days.

4 MAYOR STACK: Okay.

5 Sir, are you represented by counsel?

6 MR. FARMER: Do you want a lawyer?

7 (Whereupon, Lieutenant Loaces translated
8 into Spanish for Rafael Fermin.)

9 MR. FERMIN: No.

10 LIEUTENANT LOACES for MR. FERMIN: No.

11 MAYOR STACK: Do you -- do you wish to
12 consult an attorney before you go ahead and do
13 this guilty plea this evening for a five day
14 suspension?

15 LIEUTENANT LOACES for MR. FERMIN: No, I'm
16 willing to accept the five days.

17 MAYOR STACK: But you understand if you
18 want to get an attorney and you want to consult
19 an attorney, we can delay this until the next
20 hearing?

21 LIEUTENANT LOACES for MR. FERMIN: I
22 understand but I want to accept the five days
23 penalty.

24 MAYOR STACK: Okay.

25 MR. FARMER: It should be noted we have

1 already had a conference --

2 MAYOR STACK: Right.

3 MR. FARMER: -- with the licensee where
4 that was asked of him and told if you want to get
5 a lawyer, you can get a lawyer obviously.

6 MAYOR STACK: Right.

7 You -- you understand you're -- you're
8 going to be closed for five days?

9 MR. FERMIN: Yeah.

10 MAYOR STACK: And -- and that includes a
11 weekend.

12 LIEUTENANT LOACES for MR. FERMIN: Yes.

13 MAYOR STACK: And you're willing to accept
14 that?

15 MR. FERMIN: Yes.

16 LIEUTENANT LOACES for MR. FERMIN: Yes.

17 MAYOR STACK: And your role with the
18 establishment.

19 LIEUTENANT LOACES for MR. FERMIN: I'm the
20 manager in charge.

21 MAYOR STACK: You're the manager in charge?
22 And you -- you're speaking on behalf of the
23 owner?

24 LIEUTENANT LOACES for MR. FERMIN: Yes.

25 MR. FARMER: Where is the owner?

1 LIEUTENANT LOACES for MR. FERMIN: In New
2 York. He's got other businesses.

3 MAYOR STACK: Okay.

4 Just -- just going forward though, I want
5 the owner -- I want the owner to be here. It's -
6 - you know, the owner is charged with an offense,
7 the owner has to be here.

8 Explain that, John.

9 He might be the manager but the owner has
10 to be here himself.

11 (Whereupon, Lieutenant Loaces translated
12 into Spanish for Rafael Fermin.)

13 MR. FERMIN: Okay.

14 Okay.

15 Okay. All right.

16 LIEUTENANT LOACES for MR. FERMIN: Yes,
17 that's fine.

18 MAYOR STACK: Okay.

19 I'll make a motion to approve the five day
20 suspension.

21 CITY CLERK: Motion by Mayor Stack.

22 Second?

23 COMMISSIONER FERNANDEZ: Second.

24 CITY CLERK: Second by Commissioner
25 Fernandez.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 CITY CLERK: Commissioner Grullon?

4 COMMISSIONER GRULLON: Yes.

5 CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7 CITY CLERK: Thank you.

8 MAYOR STACK: Thank you very much, sir.

9 CITY CLERK: At --

10 MR. FARMER: Okay.

11 MAYOR STACK: Thank you.

12 Thank you, ma'am.

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1 LIQUOR LICENSE MATTERS:

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3 CITY CLERK: At this time I think we're
4 going to take a five minute recess. And then
5 we'll come back and we'll hear Yunaris.

6 MR. FARMER: Okay.

7 CITY CLERK: If I can go off the record --

8 COMMISSIONER FERNANDEZ: Motion.

9 CITY CLERK: Motion.

10 Second?

11 COMMISSIONER GRULLON: Second.

12 CITY CLERK: Okay.

13 All in favor?

14 MAYOR STACK: Greg, can I see you and John
15 a minute please?

16 COMMISSIONER GRULLON: Second.

17 CITY CLERK: Okay.

18 Thank you.

19

20 (Off the record at 7:26 p.m.)

21

22 (Whereupon, Commissioner Celin J. Valdivia
23 rejoined the meeting at 7:28 p.m.)

24

25 (On the record at 7:33 p.m.)

1

2

CITY CLERK: And a second by Mayor Stack.

3

All in favor?

4

COMMISSIONER FERNANDEZ: Aye.

5

COMMISSIONER GRULLON: Aye.

6

COMMISSIONER VALDIVIA: Aye.

7

I'm back.

8

CITY CLERK: And just let the record

9

reflect that Commissioner Valdivia is back at

10

7:28 p.m. and we're back on the record.

11

Mr. Farmer, whenever you're ready.

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1 **Transfer Application:**

2 **Hare Om, Inc. t/a**

3 **Yunaris Liquor to Union City Liquors, LLC**

4 **Location: 3196 Kennedy Boulevard**

5 **Liquor License No. 0910-32-171-008**

6

7 MR. FARMER: Okay.

8 This is the application for the liquor
9 transfer at Kennedy Center.

10 The landlord -- landlord is here.

11 MAYOR STACK: Just, Mr. Farmer, if you
12 could just keep your voice up just so --

13 MR. FARMER: Sure.

14 MAYOR STACK: -- everyone could hear you
15 and --

16 MR. FARMER: Okay. All right.

17 MAYOR STACK: -- because it's a little --
18 it's a little --

19 MR. FARMER: Gotcha.

20 MAYOR STACK: -- with -- there's an air
21 condition or something on.

22 MR. FARMER: Okay.

23 All right, this is the liquor store
24 transfer of Yunaris from one part of the parking
25 lot, where they occupied less than a thousand

1 feet, to the other side of the parking lot, where
2 they'll be occupying or proposing to occupy I
3 think it's 7900 square feet. I guess we can just
4 round it off to 8,000.

5 The application deals with a new entry into
6 the store; the old -- the old entry but reopening
7 it again. And that the lease that they have
8 negotiated with the landlord had a very involved
9 recitation about what should happen in the
10 landlord/tenant relationship if marijuana becomes
11 -- becomes legal in the State.

12 Okay?

13 Upon reviewing it, it appears that the
14 Board is not in favor of such recitation in the
15 lease. And we have talked to the proposed buyer
16 and he is willing to take all references out
17 about marijuana in the lease. And that the lease
18 will be for a liquor store.

19 So that solved problem number one.

20 Problem number two, aside from expanding
21 from 1,000 to 8,000, they had proposed a
22 situation where the liquor store would have a
23 bar. It's a license --

24 Let me back up. I said that in--
25 incorrectly so to speak.

1 There is six bars -- licenses in the City
2 -- City of Union City that permit a license to
3 have also, in conjunction with the liquor store,
4 a bar. They're called 32 licenses. The State no
5 longer issues them. And we have six of them.
6 This is one of them.

7 Okay?

8 Heretofore, before the transfer, the
9 licensee who was operating the liquor store never
10 -- never chose fit to -- chose to open up a bar
11 area.

12 Okay. So with the application the proposed
13 buyer submitted a sketch of what the place is
14 going to look like. And at first it was
15 represented that it was going to be a tasting
16 bar; something you would see like in BJ's or
17 Costco where you can go up and taste the new
18 thing that they're --

19 However, the bar came out to being
20 something not like a tasting bar but rather a bar
21 with 15 stools around it.

22 So we talked to the licensee about that and
23 he's here and they're going to explain their
24 position on it. And they have said that they
25 would remove the stools.

1 I think in your packet or I have it and I
2 can easily show it to you, that the bars had 15
3 stools around and they're going to take away the
4 stools.

5 Okay?

6 And I think their presentation's going to
7 involve other places that they own and in those
8 other places they have run the same kind of
9 philosophical bar business, such as a tasting
10 bar, and what they envision it will look like.

11 This is -- this is not for the transfer
12 tonight. This is a plenary -- plenary hearing to
13 find out some things and so we have a comfort
14 level as to whether or not we grant it or deny
15 it. If we have a comfort level, we grant it and
16 if we deny it, we'll have a comfort level as so
17 far as why we've denied it.

18 So, the back row and one -- and one seat in
19 the row before it is Yunaris. So anybody who
20 wants to talk about this, please come up because
21 this is your opportunity to do so.

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

24 MR. FARMER: You know, after you pass that
25 out, would you put everybody's name for the

1 record.

2 Can I have one of those?

3 MF. FISH: Andrew Fish, --

4 MR. DILLON: You got to --

5 MAYOR STACK: Just right over here.

6 MR. DILLON: You got to come to the mic.

7 MR. FISH: Oh. Sorry.

8 MAYOR STACK: Yes.

9 Just if everyone could shift right behind
10 here.

11 MR. FISH: Andrew Fish.

12 MR. DILLON: F-I-S-H?

13 MR. FISH: F-I-S-H. Representative of the
14 landlord.

15 MR. KRULL: I'm Al Krull, also with the
16 landlord.

17 MR. DILLON: How do you spell your last
18 name?

19 MR. KRULL: K-R-U-L-L.

20 MR. DILLON: Okay.

21 MR. KRULL: Okay?

22 MR. A. BATHENA: Adithya Bathena, A-D-I-T-
23 H-Y-A.

24 MR. DILLON: A-D-I --

25 MR. A. BATHENA: T-H --

1 MR. DILLON: -- T-H --

2 MR. A. BATHENA: -- Y-A.

3 MR. DILLON: -- Y-A.

4 MR. A. BATHENA: Last name is Bathena, B-A-
5 T-H-E-N-A. And I'm with Buy Rite Liquors.

6 MR. DILLON: Okay.

7 MR. R. BATHENA: Reddy Bathena.

8 MR. DILLON: Sorry?

9 MR. R. BATHENA: You can have the card.

10 MR. DILLON: Oh, Reddy Bathena. Okay.

11 MAYOR STACK: We can begin.

12 MR. DILLON: Thank you.

13 MAYOR STACK: You can begin.

14 MR. R. BATHENA: Ladies and gentlemen, good
15 evening.

16 There is a misconception--

17 MR. DILLON: Sir, please up into the mic.

18 MAYOR STACK: If you could just raise your
19 voice a little bit, if you could.

20 MR. R. BATHENA: Okay.

21 MR. DILLON: Into -- into that.

22 MAYOR STACK: Yeah. Please.

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

25 MR. R. BATHENA: I'd like to explain to you

1 about the position of this liquor license, what
2 we are requesting for a transfer.

3 I'm in this business for 30 years and we
4 have five similar licenses in our family and four
5 are already established; this is the fifth one.
6 And we have given actual -- actual pictures of
7 what is happening in our other locations.

8 This license, Broad C, is a broad privilege
9 license. I'm sure all of you know but I -- I
10 would like to actually explain.

11 This license allows and has the privilege
12 of operating just liquor store, --
13 (indiscernible) -- bar, a restaurant or a banquet
14 or all the four activities under one roof. And
15 that is why it is called broad privileged
16 license.

17 Even though we have the privilege of using
18 this, in this particular context we wanted to
19 actually confine the usage of the license as a
20 tasting bar. And the -- the bar and tasting bar
21 there is a difference.

22 In a bar there is a transaction -- monetary
23 transaction for people I mean who come and then
24 who sit down and order, you know, bottle of beer
25 or a whiskey or wine -- and a glass of wine and

1 | there is an exchange of money.

2 | That is not what this is. We proposed to
3 | have a tasting bar to taste new products that is
4 | being released in the market so that the customer
5 | has the privilege of tasting those -- those
6 | products before they make the decision to buy the
7 | product. And this facilitates in promoting the
8 | products.

9 | And having those barstools and all that --
10 | I mean you know what's here is -- we use chairs
11 | as stools for two different reasons.

12 | One is for staff training. Having people
13 | sit there and then we explain to them about each
14 | product. And sometimes when new beer actually
15 | gets released, even the prospective consumers. I
16 | mean they come there and we have actually it's
17 | something called growler bar, which dispenses 12
18 | different products on a given week. So the
19 | consumers have a choice to pick and choose one of
20 | the 12 products be-- before they buy the product.

21 | And also, the incentive is to package our -
22 | - these beer -- the beer -- the beers what people
23 | want. I mean in 34 ounce and 64 ounce and it's
24 | called growlers.

25 | So we can package them and then they buy

1 and then they take. But they don't sit there and
2 they don't drink. I mean is only -- what they
3 drink is only tasting. It is a tasting pour.
4 And we -- we're not taking any money against that
5 pour. That is the difference between hangout bar
6 and tasting bar.

7 If you have any questions, I'll be more
8 than happy to answer your questions.

9 MR. FARMER: My -- I just have one
10 question.

11 MR. R. BATHENA: Yeah.

12 MR. DILLON: Mr. Farmer, can you speak --

13 MR. FARMER: Yeah.

14 I have two questions.

15 MR. R. BATHENA: Yes.

16 MR. FARMER: First of all, is the basement
17 included in the lease?

18 MR. R. BATHENA: No.

19 MR. FISH: No.

20 MR. FARMER: Okay.

21 And my question is how many stools do you
22 envision being around that bar when you open?

23 One? Ten? Twenty?

24 MR. R. BATHENA: No. You know what? If --
25 if stools are becoming an issue, we'll have zero.

1 If -- if that is an issue.

2 MR. FARMER: Okay.

3 MR. R. BATHENA: I mean I've -- I've
4 explained to you the reason that even we feature
5 some of the -- sometimes is only to train the
6 staff --

7 MR. FARMER: Okay.

8 MR. R. BATHENA: -- and -- and also to
9 address the consumers.

10 MR. FARMER: Okay.

11 MR. R. BATHENA: We don't have an issue if
12 you don't want the stools.

13 MR. FARMER: So, -- okay. So, whatever the
14 Board decides --

15 MR. R. BATHENA: Yeah.

16 MR. FARMER: -- with respect to the number
17 of stools --

18 MR. R. BATHENA: Yeah.

19 MR. FARMER: -- in the place --

20 MR. R. BATHENA: Yes.

21 MR. FARMER: -- is satisfactory to you?

22 MR. R. BATHENA: Absolutely.

23 MR. FARMER: Okay.

24 COMMISSIONER FERNANDEZ: Now I have a
25 question, Mr. Farmer or Lieutenant, how do you

1 monitor that it become -- that it just stays as a
2 testing place?

3 Because my fear is the highway's right
4 there. People come in, they have a couple of
5 beers. Say, hey, let me get a -- a case to go
6 and we'll pop them in the car as we drive.

7 MR. R. BATHENA: We -- we are --
8 conditionally we are accepting we will not sell a
9 beer for a consumer who -- who sits at the bar.
10 We don't. We don't transact.

11 COMMISSIONER FERNANDEZ: But how do we --

12 MR. R. BATHENA: There's no money to
13 transact.

14 COMMISSIONER FERNANDEZ: -- how do we
15 monitor that it's going to be a tasting bar and
16 not a bar?

17 How do we monitor that?

18 COMMISSIONER GRULLON: Um-hum.

19 MR. FARMER: I think we monitor -- I think
20 -- I don't -- I can't --

21 That's really a Police question. And I
22 can't speak for Lieutenant Loaces.

23 But I think we monitor the way we monitor
24 everybody who has a special condition. They go
25 in. Just like they check the paper, if you got

1 the E141, this, that or the other thing. And if
2 they go in, -- and believe me given the interest
3 in this transfer -- I certainly think that the
4 Police will be vigilant with respect to going
5 into the bar.

6 And if they go into the bar and they find
7 that it's not what has been represented and what
8 was -- what was represented here tonight will
9 find its way in the Resolution that the Board
10 passes, so everybody will know the kind of the
11 bar, and if they -- Police go in and there's
12 something else going on other than what's in the
13 Resolution, --

14 MR. R. BATHENA: A Resolution.

15 MR. FARMER: Yes.

16 MR. A. BATHENA: And -- and also we've been
17 in Hudson County for over ten years at another
18 location.

19 MR. FARMER: Do you have his name?

20 Wait.

21 MR. A. BATHENA: And it's actually my store
22 that I own -- I own and operate. And you can
23 check with Jersey City, we run a classy
24 operation. We've been there for ten years and --

25 MAYOR STACK: Where in Jersey City?

1 MR. A. BATHENA: Right by the Holland
2 Tunnel.

3 MAYOR STACK: I see. Okay.

4 MR. A. BATHENA: Yeah. And we've had no
5 incidents in the last ten years.

6 MR. R. BATHENA: And it is opposite to Home
7 Depot.

8 MAYOR STACK: Let me ask you this.

9 There'll be no single cans of beer sold at
10 your establishment where people --

11 MR. R. BATHENA: Single cans of beers will
12 be sold.

13 MAYOR STACK: Okay.

14 MR. R. BATHENA: But not for consumption.

15 MAYOR STACK: Okay.

16 MR. R. BATHENA: Not for consumption.

17 MAYOR STACK: Okay.

18 MR. R. BATHENA: If someone wants to buy,
19 you know, one bottle or one can, --

20 MAYOR STACK: Right.

21 MR. R. BATHENA: -- it is a usual
22 occurrence in every store.

23 It doesn't matter whether it's a Broad C or
24 not. Even in regular retail distribution they do
25 sell single cans, sir, yeah.

1 MAYOR STACK: I'm familiar with that, sure.

2 MR. FARMER: Just so we're clear, what
3 you're selling is for consumption off premises?

4 MR. A. BATHENA: Yes.

5 MR. R. BATHENA: Yeah.

6 MR. FARMER: Right.

7 MR. A. BATHENA: Yes.

8 MR. FARMER: Right.

9 So --

10 MAYOR STACK: Not where -- not where you'll
11 sell a single beer to be consumed in your store.

12 MR. R. BATHENA: No.

13 MR. A. BATHENA: Correct. Correct.

14 MAYOR STACK: You just have to realize
15 though we've -- we've had a long history with
16 bars in Union City.

17 MR. R. BATHENA: Yes.

18 MAYOR STACK: There was a time in Union
19 City where they had hundred and hundreds of bars
20 like on every corner in the City.

21 You know when I was younger there were a
22 lot more bars in the City -- in Union City. And
23 we've taken a great approach in -- in the City to
24 improve quality of life.

25 MR. R. BATHENA: Absolutely.

1 MAYOR STACK: So we had some bad
2 establishments in the -- not all bad
3 establishments but we had some really bad
4 characters. Took us five, six, up to ten
5 years --

6 MR. R. BATHENA: Yeah.

7 MAYOR STACK: -- to close them.

8 We went to the Supreme Court of New Jersey
9 to shut these places down. Because when you have
10 a bad liquor establishment it's different than
11 other types of business because it really gets
12 rowdy, it gets tough. Not so much liquor stores
13 but more bars and --

14 MR. R. BATHENA: Yeah.

15 MAYOR STACK: -- places that say that
16 they're restaurants but they're not, they're
17 really a bar.

18 Several hundred feet from where you are
19 there was a place called La Berraquera. And you
20 guys can't be charged with their sins but they
21 were a major problem in that area and people were
22 very concerned about it in the area.

23 In fact, it was brought up at a Community
24 Meeting the other night, they thought a bar
25 itself was going there; not a liquor store. But

1 the residents thought that a bar was going in and
2 we assured them it was not.

3 That's the reason we're just very
4 concerned. Because we've made a lot of progress;
5 we don't want to go backwards.

6 MR. R. BATHENA: No, we are -- we are
7 sensitive to the -- you know, your situation and
8 we want to be very, very clear what we are doing.
9 And it's not that we're doing it for the first
10 time and coming into this City. We have a track
11 record of four other locations with similar
12 licenses.

13 MAYOR STACK: Sure.

14 And so you won't be occupying any of the
15 basement.

16 Right?

17 MR. A. BATHENA: No.

18 MR. R. BATHENA: There is no basement, --

19 MAYOR STACK: Okay.

20 MR. R. BATHENA: -- no.

21 MAYOR STACK: Okay. And --

22 MR. FISH: There is a basement but it's
23 occupied by --

24 MR. R. BATHENA: But -- but -- but --

25 MR. FISH: -- other tenants.

1 MAYOR STACK: Right. Right. Exactly.
2 Exactly.

3 That was a big concern. That people
4 thought Unique was going to be taken out of
5 there.

6 MR. FISH: No. No.

7 MAYOR STACK: They want that store to stay.

8 MR. FISH: No, no, no.

9 MAYOR STACK: And -- and to the Fish family
10 credit, they've done a good job with managing the
11 building. And I know Al has done a good job in
12 managing the building and bringing good tenants
13 in the building. We haven't had an issue at the
14 Kennedy Center at all and we just want to keep it
15 that way.

16 MR. R. BATHENA: Absolutely.

17 MAYOR STACK: Yeah.

18 MR. FISH: We want to keep it that way,
19 too.

20 MAYOR STACK: Absolutely.

21 MR. FISH: We wouldn't have been able to
22 get such a great operator --

23 And Buy Rite is a New Jersey chain.

24 MAYOR STACK: Yes.

25 MR. FISH: -- coming into the building if

1 it hadn't had been for all the good things that
2 -- I don't know if necessarily particularly this
3 Council, the Mayor, but what has been happening
4 in Union City. We continue to want to invest
5 here and we see this is a -- a unique offering.
6 Particularly, with the -- we'll call the tasting
7 bar, because it gives the opportunity for real
8 engagement between Adithya, his father, their
9 customers and people who are bringing new
10 products to the market.

11 North Bergen has a brewery. If they want
12 to introduce that beer to their customers, it's a
13 little more difficult when they don't have the
14 opportunity as the rep or the owner of the
15 company sitting there saying to you, here, try
16 our beer, and then they're able to fill it for
17 them, --

18 MAYOR STACK: Right.

19 MR. FISH: -- cap it off, like as they were
20 explaining, and have the person take it for off-
21 premise consumption.

22 MAYOR STACK: Right.

23 MR. FISH: Clearly, off-premise
24 consumption.

25 MAYOR STACK: Right.

1 MR. FARMER: I just have two questions and
2 I apologize for interrupting you --

3 MR. FISH: That's okay.

4 MR. FARMER: -- because --

5 What are going to be the hours?

6 MAYOR STACK: That was my next question.

7 MR. R. BATHENA: I think ten to ten on the
8 -- on the weekdays. And probably until 12
9 o'clock on Saturday -- Friday and Saturday.

10 MR. FARMER: Ten o'clock --

11 MR. R. BATHENA: To ten.

12 MR. A. BATHENA: Monday through Thursday.

13 MR. R. BATHENA: Monday through Thursday.

14 MR. FARMER: Saturday --

15 MR. R. BATHENA: And Sunday also, --

16 MR. FARMER: Friday, Saturday and Sunday.

17 MR. R. BATHENA: -- ten to 8:30.

18 MR. A. BATHENA: No, Friday and Saturday
19 probably till midnight.

20 And then Sunday will be maybe eight
21 o'clock.

22 MR. R. BATHENA: Eight o'clock we'll be
23 closed.

24 MR. FARMER: Okay.

25 MR. A. BATHENA: Yeah.

1 MR. FARMER: Do we have that down?

2 CITY CLERK: Yes.

3 MR. FARMER: Okay.

4 And my last question, --

5 MR. R. BATHENA: Yes, sir.

6 MR. FARMER: -- when -- if the Board would
7 approve this license --

8 MR. R. BATHENA: Yes.

9 MR. FARMER: -- and you're the owner of the
10 license, --

11 MR. R. BATHENA: Yes.

12 MR. FARMER: -- how many liquor licenses
13 will you have owned at that time?

14 MR. R. BATHENA: I'm -- I'm not supposed to
15 have more than two and I will not have -- I will
16 not have more than two.

17 MR. FARMER: You have one already?

18 MR. R. BATHENA: Yes.

19 MR. FARMER: Where is that?

20 MR. R. BATHENA: The one in Cranbury.

21 MR. FARMER: Okay.

22 MAYOR STACK: Where is that?

23 MR. FARMER: Cranbury.

24 MR. R. BATHENA: Cranbury.

25 Even that is a Broad C license.

1 MR. FARMER: So, basically, the operation
2 you're running in Cranbury will be similar to the
3 operation --

4 MR. R. BATHENA: Yeah, we have actually --

5 MR. FARMER: -- you would be --

6 MR. R. BATHENA: -- a picture of that, --

7 MR. FARMER: Okay.

8 MR. R. BATHENA: -- too, here.

9 COMMISSIONER FERNANDEZ: Question?

10 Cameras? Cameras all over? Indoor?
11 Outdoor?

12 MR. R. BATHENA: No, Cranbury.

13 COMMISSIONER FERNANDEZ: Cameras?

14 MR. FISH: Oh, he was asking about cameras.

15 COMMISSIONER FERNANDEZ: Cameras.

16 MR. A. BATHENA: Cameras.

17 We'll have cameras.

18 MR. FISH: We don't have cameras as the
19 landlord for the outdoor of the property.

20 COMMISSIONER FERNANDEZ: You know why I'm
21 saying outdoors, we've had some bars -- some
22 liquor stores in the area where people buy a can
23 of beer, crack it open outside and hangout
24 outside.

25 MR. A. BATHENA: Well, we have a security

1 guard.

2 MR. FISH: Yeah, I don't -- we don't want
3 that actually.

4 MR. A. BATHENA: We have the security guard
5 on premises and we will --

6 COMMISSIONER FERNANDEZ: The -- the reason
7 for that, --

8 MR. A. BATHENA: -- he'll shoo him away.

9 COMMISSIONER FERNANDEZ: -- as you probably
10 know, that's a very congested area, it's a lot of
11 traffic going in and out of the Kennedy Center.

12 COMMISSIONER GRULLON: Um-hum.

13 COMMISSIONER FERNANDEZ: The last thing we
14 want is, you know, to have drunkards hanging
15 around in the neighborhood.

16 MR. R. BATHENA: You know, we are -- we are
17 coming in here to make a nice store. It doesn't
18 help us if we have that situation. We'll make
19 sure that -- that doesn't exist.

20 COMMISSIONER FERNANDEZ: I just want to
21 bring the front --

22 MR. R. BATHENA: Yeah. And I understand.

23 COMMISSIONER FERNANDEZ: -- in your mind --

24 MR. R. BATHENA: I mean it doesn't help us.

25 COMMISSIONER VALDIVIA: You have -- you

1 have nice pictures here. But I don't see anyone
2 sitting down tasting --

3 CITY CLERK: Yeah.

4 COMMISSIONER VALDIVIA: I'm just kidding.

5 MR. R. BATHENA: That means it is not
6 active. Which means it is not active. Yeah.

7 COMMISSIONER VALDIVIA: I know that.

8 MR. R. BATHENA: Yeah.

9 MAYOR STACK: What -- what about additional
10 brighter lighting in front of the liquor store?

11 MR. R. BATHENA: Beg your pardon?

12 MAYOR STACK: Additional brighter lighting
13 in front of the liquor store. Would that be
14 something that you or the owner --

15 MR. R. BATHENA: I don't think so.

16 MAYOR STACK: -- would do?

17 MR. KRULL: No, let me address that if you
18 don't mind?

19 MAYOR STACK: Sure, Al.

20 MR. KRULL: Let me address that question.
21 First, --

22 MAYOR STACK: Sure.

23 MR. KRULL: -- we have improved the
24 lighting outside the building. And the County or
25 the City improved the lighting along Kennedy and

1 32nd with the street improvement. Okay. So
2 that's not really an issue.

3 What I --

4 MAYOR STACK: Right -- right outside. On
5 thirty-- right now you don't have a lot going on
6 outside there because there's really no entrances
7 on Kennedy Boulevard.

8 Right?

9 MR. KRULL: Right. So we're going to be
10 reopening the entrance that used to be open for
11 many --

12 MAYOR STACK: Right.

13 MR. KRULL: -- decades and that's
14 something, obviously in that canopy, there's some
15 recessed lights. If they're not working, they'll
16 be repaired.

17 MAYOR STACK: I would like to see
18 lighting --

19 MR. KRULL: But there'll be lights in
20 there.

21 MAYOR STACK: Yeah, I would like to see
22 some lighting on the outside to brighten that up
23 out there. So when the Police pass or people
24 pass, you can see.

25 And it's better for the safety of the

1 customers that are there.

2 MR. KRULL: Sure, that can be done.

3 Absolutely.

4 MAYOR STACK: That's what we would like to
5 see.

6 MR. KRULL: Okay.

7 MAYOR STACK: Yeah.

8 MR. KRULL: First and foremost, --

9 COMMISSIONER VALDIVIA: Is the entrance
10 going to be on Kennedy Boulevard --

11 MAYOR STACK: It is.

12 COMMISSIONER VALDIVIA: -- to the place?

13 MR. KRULL: There's an entrance --

14 MAYOR STACK: On 32nd.

15 MR. KRULL: The old Sears entrance used to
16 be towards where the gas station is.

17 COMMISSIONER VALDIVIA: Yeah, I remember,
18 yeah.

19 MR. KRULL: Okay. So we're going to be
20 reopening that for them. But they also have a
21 mall entry from the main side of the mall.

22 I just want to add, before I go through the
23 booklet, first and foremost we run a -- you know,
24 we run a first class shopping center experience
25 and a medical center.

1 So, you know, we want to maintain the level
2 that we set there for the past 30-some-odd years
3 as you're aware, Brian.

4 Okay?

5 The booklet I gave you, I just put a
6 compilation together of the photos that Adithya
7 had sent me. Also, I redrew the plan. Because
8 when I saw the sketch that you guys received I
9 said, no, it's got to be done a little bit nicer.

10 So the discussion before the meeting was to
11 eliminate the stools, so they can obviously come
12 out. But this is a little better rendition of
13 what there's going to be.

14 And then in the back of the book, as you'll
15 see, there's a number of shots from their other,
16 I think, another four locations in here they can
17 take you through. And candidly, when I first saw
18 them, I said they're using the bar area as like a
19 display for the most part. You'll see that
20 primarily in here.

21 And, again, it's just part of the retail
22 store. It's not like a segregated bar area,
23 different lighting, et cetera. It's just, okay,
24 instead of display pictures they have these
25 counters there.

1 So, any other questions relative to the
2 building or whatever, I can answer them.

3 MAYOR STACK: So -- so you'll be able to
4 enter through the lobby, where you go into let's
5 say Sanitas and that's stuff; they'll be an
6 entrance from there.

7 MR. FISH: Yes.

8 MR. KRULL: Yes.

9 MAYOR STACK: And then there'll be an
10 entrance from Kennedy Boulevard?

11 MR. FISH: Yes.

12 MR. KRULL: Correct.

13 MAYOR STACK: Okay.

14 MR. FISH: And they'll have their own
15 loading dock.

16 MR. KRULL: Okay?

17 MR. FARMER: So we're clear, the diagram
18 you're looking at in there, that's not the
19 correct -- because that shows stools around the
20 bar.

21 MAYOR STACK: Right. Right. I see that.

22 COMMISSIONER GRULLON: Um-hum.

23 MAYOR STACK: Right.

24 MR. KRULL: Right.

25 MAYOR STACK: But -- but the entrances are

1 the same.

2 MR. FARMER: Yes.

3 MAYOR STACK: Right?

4 MR. FISH: Yes.

5 MR. KRULL: Yes.

6 MAYOR STACK: Lieutenant Loaces?

7 Do you have anything that you'd like to
8 speak on?

9 LIEUTENANT LOACES: I do, sir.

10 MAYOR STACK: Sure.

11 LIEUTENANT LOACES: Lieutenant Loaces,
12 Union City Police. L-O-A-C-E-S.

13 When this first came -- when this proposal
14 was first sent to me, the Union City Police
15 Department had a few reservations. Starting out
16 with the fact that it was going to be a bar. As
17 the Mayor pointed out, the resident -- residents
18 of that area suffered many years with the bar
19 literally right down the block from there, the
20 Berraquera.

21 I, as a Police Officer, responded there on
22 hundreds of times on everything from
23 prostitution, drugs, fights, stabbings and what
24 have you. So that, obviously, caused me some
25 concern.

1 Then, as I dove deeper into the proposal, I
2 noticed there was a reference made to marijuana
3 sales in the future, should it become legal. I
4 don't remember the exact language. That,
5 obviously, caused me some concern as well.

6 Coming here today and hearing these
7 gentlemen speak, some of those concerns have been
8 laid to rest.

9 However, just for the sake of clarification
10 and not to beat a dead horse, I would like to
11 confirm a few things.

12 I believe the proposed licensee stated that
13 he would have no barstools.

14 Is that correct?

15 MR. R. BATHENA: If you wish, yes.

16 LIEUTENANT LOACES: Okay.

17 I -- I mean from the Police Department
18 point of view, yes, we would prefer there be no
19 barstools.

20 And I'll -- I'll give you an example.

21 In my own office, I removed the chairs.
22 And the reason I did that is because when you
23 have chairs in your office, it invites people to
24 stay a while.

25 And I understand the concept of you want to

1 put this out there, you want the product to be
2 known. And that's fine. Know it, love it, buy
3 it, go. And that's kind of like what we want to
4 go here.

5 MR. R. BATHENA: Yes, sir.

6 LIEUTENANT LOACES: So that makes me feel a
7 lot better.

8 As far as the language in the -- in the
9 lease about the marijuana. I believe Mr. Farmer
10 mentioned that we do have an ordinance that would
11 prohibit that. Nonetheless, I would sleep better
12 knowing that it's not even in the language of the
13 lease whatsoever.

14 MR. A. BATHENA: It's not a problem.

15 MAYOR STACK: That would -- that would make
16 me comfortable, too.

17 MR. A. BATHENA: It's not a problem at all.

18 MAYOR STACK: Because like, --

19 MR. A. BATHENA: Yeah.

20 MAYOR STACK: -- you know, --

21 MR. A. BATHENA: Yeah.

22 MAYOR STACK: -- whatever happens on the
23 State level -- and in my other role as a State
24 Senator, whatever happens there, we passed an
25 ordinance a while ago just -- we didn't look for

1 any type of marijuana sales in Union City, with
2 the exception of medical, that would be the
3 only --

4 MR. A. BATHENA: No -- no problem, that's
5 not an issue for us.

6 LIEUTENANT LOACES: Great.

7 And then just one question that I have.

8 In this tasting bar, the samples that are
9 provided at no cost, what size are these samples?

10 Obviously, it's not a 12 ounce glass.

11 MR. R. BATHENA: No, sir.

12 MR. A. BATHENA: No, no, it's typically
13 like two ounces maybe --

14 LIEUTENANT LOACES: Like a shot glass?

15 MR. R. BATHENA: Yeah.

16 LIEUTENANT LOACES: Equivalent to a --

17 MR. A. BATHENA: It all depends on -- on
18 what the product is, right? Because if it's a
19 liquor, it's not going to be much at all. It's
20 going to be very little.

21 LIEUTENANT LOACES: Okay.

22 MR. A. BATHENA: If it's beer it might be
23 two ounces.

24 If it's wine, I don't know, maybe an ounce.
25 Something like that.

1 LIEUTENANT LOACES: So, in other words, I
2 could walk into your establishment and sample
3 everything you sell?

4 MR. R. BATHENA: No.

5 MR. A. BATHENA: Not necessarily. Because
6 we'd have to be focusing on featuring something.

7 You know you can't just walk in and say let
8 me try this or that. That's not the --

9 LIEUTENANT LOACES: Okay, so for example,
10 you said you --

11 Okay, how many items do you plan to feature
12 in one given -- in one given time?

13 MR. R. BATHENA: I'll explain.

14 LIEUTENANT LOACES: No, certainly.

15 MR. R. BATHENA: We normally feature 12
16 different beer and we rotated them every week.

17 LIEUTENANT LOACES: Beers.

18 MR. R. BATHENA: Beers.

19 LIEUTENANT LOACES: Okay.

20 MR. R. BATHENA: And when it comes to wine,
21 it could be between eight to 12, again,
22 dispensers.

23 LIEUTENANT LOACES: Okay.

24 MR. A. BATHENA: Typically, there's a wine
25 tasting machine. The reason is when you open up

1 a bottle of wine it goes bad very quickly.

2 LIEUTENANT LOACES: Sure.

3 MR. A. BATHENA: In the machine it's good
4 for about three weeks.

5 MR. R. BATHENA: Actually there's --
6 nitrogen dispensers. And it dispenses only a
7 tasting book. And, you know, they can taste
8 between eight to 12.

9 LIEUTENANT LOACES: Okay.

10 So if my math is correct, --

11 MR. R. BATHENA: And -- and people can only
12 taste what we're offering. And we don't taste
13 people anything they want.

14 MR. A. BATHENA: Because --

15 MR. R. BATHENA: You know we carry about
16 6,000 different products. So, you know, it's not
17 that all the products are available for tasting.

18 LIEUTENANT LOACES: Okay.

19 MR. R. BATHENA: Only specialty products,
20 which we are promoting.

21 MR. A. BATHENA: So the idea is we want to
22 focus on high margin items, you know, so that --
23 that are better for the business.

24 LIEUTENANT LOACES: Sure.

25 So if my math is correct, you mentioned

1 between eight to 12 beers, possibly, --

2 MR. R. BATHENA: Yes.

3 LIEUTENANT LOACES: -- sampled.

4 Correct?

5 You also mentioned eight to 12 beers --

6 MR. R. BATHENA: No, wines.

7 LIEUTENANT LOACES: Oh, I'm sorry, wines.

8 Yes.

9 So eight to 12 wines; eight to 12 wines.

10 MR. R. BATHENA: When it comes to whiskies,
11 we don't even have that many number --

12 LIEUTENANT LOACES: Okay.

13 MR. R. BATHENA: -- probably three or four.

14 MR. A. BATHENA: And also it's not that we
15 allow them to taste every single thing. It's
16 just --

17 LIEUTENANT LOACES: Well, that was -- that
18 was going to be my next question.

19 MR. R. BATHENA: No, no, no.

20 LIEUTENANT LOACES: Can I have 12 little
21 beers, --

22 MR. R. BATHENA: No.

23 MR. A. BATHENA: No, no, no.

24 LIEUTENANT LOACES: -- 12 little wines and
25 five or six whiskies, --

1 MR. A. BATHENA: No, no. No, no, we're
2 not --

3 LIEUTENANT LOACES: -- because then I'm
4 good.

5 COMMISSIONER GRULLON: You don't have to
6 buy anything, just go.

7 MR. A. BATHENA: No, no, we're not --

8 LIEUTENANT LOACES: All right.

9 MR. A. BATHENA: -- going to do that.

10 LIEUTENANT LOACES: I just want to make
11 sure.

12 MR. A. BATHENA: No, no.

13 COMMISSIONER VALDIVIA: I'll visit you
14 before I --

15 LIEUTENANT LOACES: Okay. All right.

16 MR. A. BATHENA: That's not the intention
17 here.

18 LIEUTENANT LOACES: Okay. Good. I'm glad
19 to hear that.

20 And --

21 MAYOR STACK: What -- what is it, you
22 feature --

23 Not to interrupt you, John.

24 LIEUTENANT LOACES: Sure.

25 MAYOR STACK: I don't want you to lose your

1 train of thought.

2 What do you feature, like the beers of that
3 month? Or like --

4 MR. A. BATHENA: So, we'll --

5 MAYOR STACK: -- the wines of that month?

6 MR. A. BATHENA: Yeah, we'll pick --

7 MAYOR STACK: How does it work? I'm not --

8 MR. A. BATHENA: So like it will be like --

9 MAYOR STACK: -- too familiar with that.

10 MR. A. BATHENA: -- let's say we're going
11 into Fall season, --

12 MAYOR STACK: Right.

13 MR. A. BATHENA: -- so maybe there's a
14 pumpkin beer that comes out. Maybe there's an
15 Oktoberfest beer that comes out.

16 MAYOR STACK: I see.

17 MR. A. BATHENA: Sometimes what's fun is
18 you can even have one brewery do what's called a
19 tap takeover. You might do 12 beers from the
20 same guy.

21 MAYOR STACK: I see.

22 MR. A. BATHENA: And then we bring in the
23 -- the -- the beer maker, you know. Headmaster
24 comes in and he kind of talks to the customers.

25 So it's really more educational. It's not

1 | like we're going to be dispensing Heineken or
2 | Corona.

3 | MAYOR STACK: No, no, I understand.

4 | MR. A. BATHENA: You know?

5 | MAYOR STACK: I understand.

6 | MR. A. BATHENA: It's -- it's going to be
7 | these specialized products.

8 | MAYOR STACK: Sure.

9 | LIEUTENANT LOACES: Now, if you know, what
10 | percentage of your sales would be as a direct
11 | result of that tasting bar?

12 | MR. A. BATHENA: Direct result is probably
13 | like --

14 | MR. R. BATHENA: There's a growler.

15 | MR. A. BATHENA: One to, you know, two
16 | percent.

17 | MR. R. BATHENA: The growler. About two
18 | percent --

19 | LIEUTENANT LOACES: Okay.

20 | MR. A. BATHENA: But then what happens
21 | sometimes is they taste something and then they
22 | buy a bottle from the store.

23 | LIEUTENANT LOACES: Sure.

24 | MR. A. BATHENA: That percentage is a
25 | little bit more like -- it's hard to track.

1 LIEUTENANT LOACES: Right.

2 MR. A. BATHENA: You know?

3 MR. R. BATHENA: That's -- (indiscernible).

4 MR. A. BATHENA: Yeah.

5 LIEUTENANT LOACES: But the vast majority
6 of --

7 MR. A. BATHENA: Is a traditional liquor
8 store.

9 LIEUTENANT LOACES: -- the business is it's
10 a traditional liquor store.

11 MR. A. BATHENA: Yes.

12 LIEUTENANT LOACES: I go in there, I take
13 it off the shelf and I buy.

14 MR. A. BATHENA: And what I did in
15 anticipation of this meeting, I actually checked
16 with all four locations and that's what I found
17 was it was about a percent. You know? Something
18 like that.

19 MR. R. BATHENA: Okay.

20 MR. A. BATHENA: Yeah.

21 LIEUTENANT LOACES: I have nothing further.

22 MAYOR STACK: I mean from the photographs
23 that you have, the stores look very nice. Looks
24 like you keep them very nice.

25 MR. A. BATHENA: Yeah, I mean we run -- if

1 | you go to the one in Jersey City, I mean you know
2 | we do a nice job there.

3 | MAYOR STACK: Yeah.

4 | MR. A. BATHENA: You know?

5 | MAYOR STACK: Seems that way.

6 | MR. FARMER: Of the pictures that are in
7 | that booklet, which picture most resembles the
8 | type of bar you're going to have in the
9 | establishment?

10 | MR. R. BATHENA: Okay.

11 | MR. A. BATHENA: I think, probably,
12 | Hamilton? What do you think?

13 | MR. R. BATHENA: No, --

14 | MR. A. BATHENA: West Deptford?

15 | MR. R. BATHENA: West Deptford.

16 | MR. A. BATHENA: Yes.

17 | Probably the one that has the stools in the
18 | picture. Something --

19 | MR. KRULL: So imagine it without the
20 | stools?

21 | MR. A. BATHENA: Yeah.

22 | MR. R. BATHENA: Yeah.

23 | MR. A. BATHENA: And that's something that
24 | we built actually in the space. It wasn't there
25 | when we first purchased the store.

1 MAYOR STACK: Is this the Jersey City
2 store?

3 MR. A. BATHENA: No, that's in West
4 Deptford. It's close to Philadelphia.

5 MAYOR STACK: Oh, I see. Okay.

6 MR. A. BATHENA: Jersey City does not have
7 any Broad C licenses.

8 MAYOR STACK: I see.

9 MR. FISH: Part of what we like so much
10 about Adithya and his father here was that as
11 tastes change and as customers -- us as retail
12 landlords primarily, are always looking for what
13 is the next thing that's happening.

14 You know are our tenants keeping up with
15 the trends?

16 I might have a clothing store that's been
17 there for 30 years but they've lost their taste
18 in what the customer wants and they slowly,
19 slowly die off. And then you have a vacant
20 store. And you have a sad store that's just
21 moving along. And that's not great for anybody,
22 frankly, not for the community, not the landlord,
23 and it's not fun as a business owner running that
24 kind of place.

25 It appears that in the next genesis of

1 retail, in order to keep it alive, is that there
2 has to be an experience with everything. And
3 this is a unique ability. Because not all of New
4 Jersey's going to have these types of licenses
5 that give you that opportunity to have the
6 experience along with. It's just an added
7 benefit that bring customers to the store and
8 keep everything vibrant.

9 And if it -- if it looked like a bar no one
10 would want to go.

11 MAYOR STACK: Right. Exactly. Exactly.

12 MR. FISH: And it's going to have strong
13 lighting; it's not going to be --

14 MAYOR STACK: Just as a business
15 interest --

16 MR. FISH: -- like a dimly --

17 MAYOR STACK: -- it's got to be different.
18 Absolutely.

19 MR. FISH: Yeah.

20 MAYOR STACK: Absolutely.

21 And -- and, of course, you proof everybody,
22 make sure everybody's of the right age, all that
23 stuff.

24 MR. A. BATHENA: Correct.

25 MAYOR STACK: You don't have issues with

1 that in your other establishments.

2 Right?

3 MR. A. BATHENA: Never once in ten years.

4 MAYOR STACK: Good. Excellent. That's
5 good to hear.

6 MR. FARMER: Does anybody else --

7 MAYOR STACK: You seem like -- you seem
8 like, you know, you adapt and you're willing to
9 work with the municipality. I like to hear that.
10 On -- on the stools and on the marijuana we were
11 very concerned about that obviously.

12 I mean we're the most densely populated
13 city; one of the most densely populated in
14 America. So we have to be very concerned.

15 I'm sure you understand where we're coming
16 from.

17 MR. A. BATHENA: Yes.

18 MAYOR STACK: Absolutely.

19 MR. AUTERI: I have one last one -- just
20 one question.

21 When you do tastings, specifically those
22 tastings for spirits, -- whiskey you mentioned,
23 tequila, things like that -- do you ever sell
24 tickets or anything? Any kind of advance notice
25 before the tasting event or is it just for walk-

1 in customers?

2 MR. R. BATHENA: No, no, there are no
3 tickets. But our website will have a presence
4 like featuring what activity in a given week that
5 we're -- we're actually having.

6 I mean it could be wine tasting or beer
7 tasting or whiskey tasting. So our website.

8 MR. AUTERI: So anybody could come in off
9 the street and -- and participate --

10 MR. R. BATHENA: It's all --

11 MR. AUTERI: -- in the tasting?

12 MR. R. BATHENA: -- social media, you know,
13 advertising and marketing.

14 MR. AUTERI: Uh-huh. But no tickets?

15 MR. R. BATHENA: No tickets, no.

16 MR. AUTERI: Okay.

17 MR. R. BATHENA: No tickets.

18 I mean that's why I said there is no
19 monetary transaction.

20 MAYOR STACK: What's the amount of people,
21 Al, that -- that come into the Kennedy Center on
22 a weekly basis?

23 I know one time we spoke. I think -- I
24 think we spoke at one point.

25 MR. KRULL: Yes, you and I spoke about

1 this.

2 MAYOR STACK: Right, I remember. I was
3 impressed with the numbers that come in there.

4 MR. KRULL: So it is -- inside the main
5 building, if I remember correctly, it's in excess
6 of 10,000.

7 MAYOR STACK: Yeah.

8 MR. KRULL: Seventy -- about 7,000 go
9 straight to the basement.

10 MAYOR STACK: Yup.

11 MR. KRULL: People that come in and out of
12 the property between the -- well now three
13 entrances that we have, we used to have more, is
14 approximately 20,000 people a week.

15 And that's part of the reason why it's --
16 we're still invested in it.

17 MAYOR STACK: I'll tell you, I spent -- I
18 spent -- not this past Saturday, Saturday prior,
19 I was driving around the City, which I do a lot.
20 And I get a lot of phone calls a day. I get
21 about 300 calls a day and I call everybody back
22 myself. And I stopped at the Kennedy Center in
23 the parking lot. I spend more time there than Al
24 does, the manager there.

25 And -- and --

1 I'm just teasing you.

2 -- and I was in the lot for about two
3 hours. A lot of people come through there. It's
4 unbelievable how many --

5 A lot of foot traffic. A lot of
6 pedestrians. It's unbelievable. Cars coming in
7 and out. A lot of people come in and out of
8 there.

9 MR. R. BATHENA: I mean actually I want to
10 respond to your question, something different, I
11 just happen to -- the number.

12 MR. AUTERI: Okay.

13 MR. R. BATHENA: We -- we don't sell
14 tickets for the sake of tastings but we do have
15 occasions -- not on -- not on the premises, not
16 where the liquor store is going to be. Like a
17 beer dinner, wine dinners and whiskey dinners in
18 some of the restaurants.

19 I mean we engage those restaurants and we
20 have customer loyal customer programs and all
21 that.

22 For those things, yes, we do sell tickets.
23 But not for consuming on the premises.

24 I just want to make things very clear.

25 MAYOR STACK: But not at that

1 establishment?

2 MR. R. BATHENA: Not -- not at that
3 establishment.

4 MAYOR STACK: Okay.

5 MR. R. BATHENA: We're -- but we --
6 occasionally we have wine and the -- and the beer
7 dinners and the whiskey dinners.

8 But it is a totally different premises.

9 MR. AUTERI: So you -- you put the tickets
10 up for sale on the premises, the event's off-
11 premises?

12 MR. R. BATHENA: Website, social media
13 and -- and as we speak --

14 MR. A. BATHENA: Yeah, I think there's
15 also you invite your best customers. Some of
16 them can be public but mostly it's almost like a
17 very close group. Because you tend to know who
18 your good customers are. They're buying certain
19 segments of product, you know.

20 MR. R. BATHENA: And also loyalty card.

21 MR. A. BATHENA: Yeah.

22 MAYOR STACK: Mr. Farmer, did you have
23 anything further?

24 MR. R. BATHENA: Just -- just wanted to be
25 clear.

1 MR. FARMER: Does anybody have anything
2 else to say?

3 MAYOR STACK: Lieutenant, did you have
4 anything?

5 LIEUTENANT LOACES: I'd just like to add
6 something --

7 MAYOR STACK: Commissioners?
8 Anybody?

9 LIEUTENANT LOACES: -- quickly, which may
10 answer Commissioner Fernandez's question earlier
11 about enforcement.

12 I know you -- you gentlemen and your family
13 have been in this business for many years and
14 have been successful in different locations. I
15 just wanted you to be aware in Union City we are
16 extremely proactive when it comes to liquor
17 license establishments.

18 We do random checks. We have undercover
19 officers. And it's not to hurt the business.
20 It's to protect the residents at the end of the
21 day.

22 With that said, don't ever feel that we're
23 out to get you.

24 If you ever have any questions, any
25 concerns or anything like that, you're not sure

1 | how to proceed with a certain matter, feel free
2 | to call the Union City Police Department. If I
3 | can't go personally and show you how it needs to
4 | get done or how we propose it, then I'll get
5 | somebody down there.

6 | We're here to work with you, so --

7 | MR. A. BATHENA: Sure.

8 | LIEUTENANT LOACES: -- but just know that
9 | we're very strict. We're not some other
10 | communities.

11 | MR. A. BATHENA: We understand.

12 | MAYOR STACK: And just what Lieutenant
13 | Loaces said, I mean if somebody comes in the
14 | establishment has a problem, they're giving you a
15 | problem, they won't leave, they're intoxicated,
16 | please, we encourage you to call the Police. We
17 | take that to consideration.

18 | MR. A. BATHENA: Perfect.

19 | MAYOR STACK: We're not going to turn
20 | around and hurt you and go after your license.

21 | We just encourage all the owners in the
22 | City to come forward.

23 | LIEUTENANT LOACES: Absolutely.

24 | MAYOR STACK: Because you're just going to
25 | prevent something bad from happening. And you

1 know this as a --

2 MR. A. BATHENA: Sure.

3 MAYOR STACK: -- as an owner. I'm
4 preaching to the choir. And that's what I'm
5 saying.

6 MR. KRULL: We like the Police onsite.

7 COMMISSIONER VALDIVIA: Very important, --

8 MAYOR STACK: Exactly.

9 COMMISSIONER VALDIVIA: -- I -- ID
10 everybody.

11 MR. FISH: We would love that presence all
12 the time.

13 COMMISSIONER VALDIVIA: It's not worth --

14 MR. KRULL: We'd love you there all the
15 time.

16 MR. FARMER: But if something happens, --

17 COMMISSIONER VALDIVIA: ID everybody. It's
18 not worth --

19 MR. FARMER: Oh.

20 COMMISSIONER VALDIVIA: -- coming in front
21 of us --

22 MR. A. BATHENA: Sure.

23 MR. FARMER: A situation, --

24 COMMISSIONER VALDIVIA: -- because you sold
25 to a minor.

1 MR. FARMER: -- something happens, don't
2 try to deal with it yourself. Just call the
3 Police.

4 As the Mayor said it's a small town but we
5 are the most densely populated city in the United
6 States, --

7 MAYOR STACK: Yup.

8 MR. FARMER: -- so there's a lot of people.

9 Likewise, the Police aren't too far away
10 either. So call them, they'll be there in two or
11 three minutes.

12 MAYOR STACK: Yup.

13 MR. FARMER: They're on 32nd Street.

14 No, not 32nd Street.

15 COMMISSIONER VALDIVIA: 38th.

16 MAYOR STACK: 38th.

17 MR. FARMER: 38th.

18 MR. KRULL: 38th Street.

19 MR. FARMER: 38th Street.

20 You're on 32nd Street.

21 MR. KRULL: Three minutes.

22 MAYOR STACK: Any other questions by
23 anyone?

24 No?

25 Angelo?

1 MR. AUTERI: No, I'm good.

2 MAYOR STACK: Commissioners, we're okay?

3 Okay. Very good.

4 MR. FARMER: Okay.

5 MR. A. BATHENA: Thank you.

6 MAYOR STACK: Mr. Farmer will be in touch
7 with you shortly.

8 MR. FARMER: Yeah.

9 MR. A. BATHENA: Thank you very much. We
10 appreciate it.

11 MAYOR STACK: Thank you very much.

12 Thank you very much.

13 Thank you.

14 Al, thank you.

15 MR. FISH: Thank you for the time.

16 MR. R. BATHENA: Thank you all.

17 Have a good evening.

18 MAYOR STACK: Thank you very much, sir.

19 MR. R. BATHENA: Thank you.

20 MAYOR STACK: Thank you.

21 Have a nice evening everyone.

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

24

25

1 **ADJOURNMENT:**

2

3 CITY CLERK: Mayor and Commissioners, there
4 are no other items on the agenda.

5 May I have a motion to adjourn?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion by Mayor Stack.

8 Second?

9 COMMISSIONER FERNANDEZ: Second.

10 COMMISSIONER VALDIVIA: Second.

11 CITY CLERK: Second by Commissioner
12 Fernandez.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 CITY CLERK: Commissioner Grullon?

16 COMMISSIONER GRULLON: Yes.

17 CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

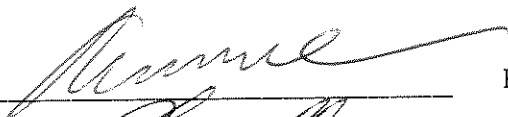
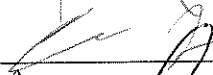
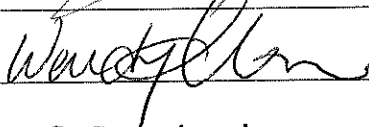
21 CITY CLERK: Thank you.

22

23 (Whereupon, the proceedings were concluded
24 at 8:04 p.m.)

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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, September 10, 2019 and
10 digitally recorded.

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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon