

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED
PROCEEDINGS

Emerson Middle School
318 18th Street
Union City, New Jersey

Tuesday, December 17, 2019
Commencing at 7:01 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
WENDY A. GRULLON, COMMISSIONER
BRIAN P. STACK, MAYOR

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

A L S O P R E S E N T :

ERIN M. KNOEDLER, CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.,
Alcohol Beverage Control Commission

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1 MS. DILLON: Yes.

2 On the record.

3 CITY CLERK: Okay.

4 This is a Regular Public Meeting of the
5 Union City Board of Commissioners being held on
6 Tuesday, December 17th, at seven p.m., in Emerson
7 Middle School, 318 18th Street, Union City, New
8 Jersey.

9 Please stand for the Pledge of Allegiance.

10

11 (Whereupon the Pledge of Allegiance was
12 said by all.)

13

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

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

21

22 **ROLL CALL:**

23

24 CITY CLERK: Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Here.

1 CITY CLERK: Commissioner Grullon?

2 COMMISSIONER GRULLON: Here.

3 CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Here.

5 CITY CLERK: Commissioner Martinetti?

6 COMMISSIONER MARTINETTI: Here.

7 CITY CLERK: Mayor Stack?

8 MAYOR STACK: Here.

9 CITY CLERK: Thank you.

10

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

13 **APPROVAL OF PREVIOUS MEETING MINUTES -**

14 **NOVEMBER 6, 2019, NOVEMBER 19, 2019 AND**
15 **DECEMBER 3, 2019.)**

16

17 CITY CLERK: The first item is the approval
18 of the meeting minutes of November 6, 2019,
19 November 19, 2019 and December 3rd, 2019.

20 May I have a motion to approve?

21 COMMISSIONER MARTINETTI: Motion.

22 CITY CLERK: Motion by Commissioner
23 Martinetti.

24 MAYOR STACK: Second.

25 CITY CLERK: Second by Mayor Stack.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 CITY CLERK: Commissioner Grullon?

4 COMMISSIONER GRULLON: Yes.

5 CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 CITY CLERK: Commissioner Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11 CITY CLERK: Thank you.

12

13 (Whereupon, the Board discussed and took
14 action on the following item:

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

16 (1) Ordinance Amending Article 1 of Chapter 366
17 Entitled "Snow and Ice Removal".)

18

19 CITY CLERK: There's one Ordinance on for
20 introduction this evening.

21 Adoption on first reading will authorize
22 the Municipal Clerk to advertise the Ordinance
23 with the introduction, along with the public --
24 the consideration for public hearing, which will
25 be on Tuesday, January 7th, 2020 at Washington

1 Elementary School, 3905 New York Avenue, Union
2 City, New Jersey.

3 The first Ordinance is an Ordinance
4 Amending Article 1 of Chapter 366 Entitled Snow
5 and Ice Removal.

6 May I have a motion to introduce?

7 MAYOR STACK: Just for the public's
8 knowledge, what this Ordinance will do, and we'll
9 have a hearing on it, as the Clerk just
10 mentioned, this -- this would set a specific
11 timeframe that residents and business owners in
12 the city, anyone owning property, would have to
13 remove snow on their sidewalk. It would shorten
14 the window down to, I believe, eight hours, --

15 MR. AUTERI: That's correct.

16 MAYOR STACK: -- within eight hours of the
17 storm.

18 Right now, we have people not so much --
19 you don't have it on -- on an owner occupied home
20 or -- or a building, let's say, but sometimes
21 with absentee landlords, they don't shovel their
22 sidewalks.

23 We have elderly residents, children going
24 to school, elderly residents, or residents in
25 general, going about their business and falling

1 and severely hurting themselves. So, we're
2 trying to -- to really address this problem.

3 We have inspectors out there. The Police
4 Department's been assisting us in making sure
5 everyone complies and shovels their sidewalk or
6 removes ice on their sidewalk.

7 I'll make a motion.

8 CITY CLERK: Motion by Mayor Stack.

9 Second?

10 COMMISSIONER GRULLON: Second.

11 CITY CLERK: Second by Commissioner
12 Grullon.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 CITY CLERK: Commissioner Grullon?

16 COMMISSIONER GRULLON: Yes.

17 CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 CITY CLERK: Commissioner Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

23 CITY CLERK: Thank you.

24

25 (Whereupon, the Board discussed and took

1 action on the following items in total:

2 **CONSENT AGENDA:**

3 (1) Resolution Approving the Payment of Claims

4 (2) Resolution Approving the Payment of

5 Concurring Claims

6 (3) Resolution Approving the Escrow Refunds

7 (4) Resolution Approving the City Payroll for

8 December 7, 2019 through December 20, 2019

9 (5) Resolution Approving the Library Payroll

10 for December 7, 2019 through December 20, 2019

11 (6) Resolution Re-Appointing Nancy Jafargian,

12 Norma Guevara and Bolivar Cardenas to the Rent

13 Stabilization Board

14 (7) Resolution Re-Appointing Lauren Sosa

15 Herrera to the Library Board of Trustees

16 (8) Resolution Re-Appointing Jose Guareno and

17 Alicia Morejon to the Planning Board

18 (9) Resolution Re-Appointing Miguel Ortiz and

19 Libero Marotta to the Zoning Board of Adjustment

20 (10) Resolution Authorizing the Use of

21 Competitive Contracting for Concession Stand

22 Services

23 (11) Resolution Cancelling Taxes on Property

24 Deemed Exempt (4300 Kennedy Boulevard)

25 (12) Resolution Authorizing Refund of Redemption

1 Monies to Outside Lienholders

2 (13) Resolution Authorizing the Refund of
3 Premium Monies Collected at the Tax Sale

4 (14) Resolution Authorizing the City of Union
5 City to Enter into a Cooperative Pricing
6 Agreement with the Educational Services
7 Commission of New Jersey.)

8

9 CITY CLERK: There are 14 items on Consent.

10 The first is a Resolution Approving a
11 Payment of Claims.

12 The second is a Resolution Approving the
13 Payment of Concurring Claims.

14 The third is a Resolution Approving the
15 Escrow Refunds.

16 The fourth is a Resolution Approving the
17 City Payroll for the period of December 7, 2019
18 through December 20th, 2019.

19 The fifth is a -- fifth s a Resolution
20 Approving the Library Payroll for December 7,
21 2019 through December 20th, 2019.

22 Six is a Resolution Re-Appointing Nancy
23 Jafargian, Norma Guevara and Bolivar Cardenas to
24 the Rent Stabilization Board.

25 The seventh is a Resolution Re-Appointing

1 Lauren Sosa Herrera to the Library Board of
2 Trustees.

3 The eighth is a Resolution Re-Appointing
4 Jose Guareno and Alicia Morejon to the Planning
5 Board.

6 The ninth is a Resolution Re-Appointing
7 Miguel Ortiz and Libero Marotta to the Zoning
8 Board of Adjustment.

9 The tenth is a Resolution Authorizing the
10 Use of Competitive Contracting for Concession
11 Stand Services.

12 The eleventh is a Resolution Cancelling
13 Taxes on Property Deemed Exempt, 4300 Kennedy
14 Boulevard.

15 The twelfth is a Resolution Authorizing a
16 Refund of Redemption Monies to Outside
17 Lienholders.

18 The thirteenth is a Resolution Authorizing
19 the Refund of Premium Monies Collected at the Tax
20 Sale.

21 The fourteenth is a Resolution Authorizing
22 the City of Union City to Enter into a
23 Cooperative Pricing Agreement with Educational
24 Services Commission of New Jersey.

25 Mayor, at this time, would you like to take

1 public comment on the Consent Agenda?

2 MAYOR STACK: Sure.

3 Just before we do, I would just like to
4 thank those residents that serve on a volunteer
5 basis on various boards in the city, whether it's
6 the Rent Board, the Library Board, the Planning
7 Board, the Zoning Board of Adjustment. Whatever
8 board they may serve on, I'd just like to thank
9 them for their time and encourage all residents
10 who would like to serve on a board to, please,
11 just send a letter in to my office saying your
12 willingness to serve on the board. And as we get
13 openings, we'd be more than happy to appoint you.

14 Anyone wishing to comment at this time on
15 the Consent Agenda?

16 Please step forward; state your name and
17 address for the record.

18 Seeing none.

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

21 MAYOR STACK: Motion.

22 CITY CLERK: Motion by Mayor Stack.

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: Commissioner Valdivia?
6 COMMISSIONER VALDIVIA: Yes.
7 CITY CLERK: Commissioner Martinetti?
8 COMMISSIONER MARTINETTI: Yes.
9 CITY CLERK: Mayor Stack?
10 MAYOR STACK: Yes.
11 CITY CLERK: Thank you.
12 May I have a motion to approve all items on
13 Consent?
14 COMMISSIONER VALDIVIA: Motion.
15 CITY CLERK: Motion by Commissioner
16 Valdivia.
17 Second?
18 COMMISSIONER FERNANDEZ: Second.
19 COMMISSIONER GRULLON: 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

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

11 **REGULAR AGENDA:**

12 (1) Resolution Re-Appointing Victor Grullon to
13 the Zoning Board of Adjustment.)

14

15 CITY CLERK: There are two items on the
16 Regular Agenda.

17 The first is a Resolution Re-Appointing
18 Victor Grullon to the Zoning Board of Adjustment.

19 May I have a motion to approve item one?

20 COMMISSIONER MARTINETTI: Motion.

21 CITY CLERK: Motion by Commissioner --

22 MAYOR STACK: Second.

23 CITY CLERK: -- Martinetti.

24 Second by Mayor Stack.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 CITY CLERK: Commissioner Grullon is
3 recusing.

4 COMMISSIONER GRULLON: Recuse.

5 CITY CLERK: Thank you.

6 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: Thank you.

13

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

16 **REGULAR AGENDA:**

17 (2) Resolution Appointing Eduardo Valdivia as
18 the Union City Fire Official.)

19

20 CITY CLERK: The second is a Resolution
21 Appointing Eduardo Valdivia as the Union City
22 Fire Official.

23 May I have a motion on item two?

24 COMMISSIONER MARTINETTI: Motion.

25 CITY CLERK: Motion by Commissioner

1 Martinetti.

2 Second?

3 COMMISSIONER FERNANDEZ: Second.

4 CITY CLERK: Second by Commissioner

5 Fernandez.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 CITY CLERK: Commissioner Grullon?

9 COMMISSIONER GRULLON: Yes.

10 CITY CLERK: Commissioner Valdivia is

11 recusing.

12 Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 CITY CLERK: Thank you.

17 MAYOR STACK: Just in reference to the Fire

18 Official, Eddie, Eduardo Valdivia, he's currently

19 a captain in North Hudson Regional Fire and

20 Rescue.

21 This will be a part time position that he

22 serves in, but we're trying very hard to -- to

23 build up the -- the fire inspection, fire

24 prevention office in the City of Union City. And

25 we know, under his leadership, and also Glen

1 Gavin (phonetic), and the volunteer services of
2 Joe Isola, we're in the process of doing that.

3 So, I'd like to thank all those that are
4 involved.

5 CITY CLERK: Thank you, Mayor.

6
7 **OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:**

8
9 CITY CLERK: At this time, would you like
10 to take public comment --

11 MAYOR STACK: Sure.

12 CITY CLERK: -- on any item concerning
13 government in the City of Union City?

14 MAYOR STACK: Sure.

15 Anyone wishing to comment, at this time,
16 concerning any matter in the City of Union City,
17 please step forward.

18 State your name and address for the record.

19 I would just like to, just before anyone
20 makes a comment, just thank the Commissioners,
21 once again, for moving a hundred percent of our
22 meetings throughout the community in the evening
23 hours. That's something we do on a constant
24 basis. We rotate them all over the city. We try
25 to give as much public access as possible, in

1 addition to many other official and unofficial
2 meetings that we have throughout the community,
3 whether it be police community meetings, Mobile
4 Mayor's Office, moving our different events
5 throughout the City. We just like to thank those
6 members that are out here.

7 Anyone wishing to comment at this time,
8 concerning any matter of municipal government,
9 the City of Union City?

10 Please step forward; state your name and
11 address for the record.

12 Seeing none.

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

15 COMMISSIONER FERNANDEZ: Motion.

16 CITY CLERK: Motion by Commissioner
17 Fernandez.

18 Second?

19 COMMISSIONER GRULLON: Second.

20 CITY CLERK: Second by Commissioner
21 Grullon.

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.

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1 LIQUOR LICENSE PUBLIC HEARING:

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3 1. Wendy C. Diaz

4 T/A Tropical Bar & Restaurant

5 Location: 4100C Bergenline Avenue

6 License No.: 0910-33-060-003

7

8 CITY CLERK: At this time, Mayor, we have
9 Liquor License Public Hearing.

10 Mr. Farmer?

11 MR. FARMER: Yes.

12 We have one matter --

13 MS. DILLON: Right -- right here, Mr.
14 Farmer.

15 MR. FARMER: Yes.

16 Gregory Farmer on behalf of the Union City
17 ABC Board.

18 You have one matter on your agenda,
19 Tropical Bar and Restaurant, Wendy Diaz.

20 The licensee is here. However, Mr.
21 Altamura, who represents the licensee, is not
22 here. He indicated he would be here by 7:30. I
23 didn't realize the meeting was going to be a ten
24 minute meeting.

25 So, if you could be patient, he's pretty

1 punctual. I would think he'd be right here.

2 MAYOR STACK: No problem at all.

3 MR. FARMER: Thanks.

4 And parenthetically, we've worked out a
5 plea, so the proceeding will be very quick.

6 MAYOR STACK: No problem at all.

7 CITY CLERK: Okay.

8 May -- I think maybe we should probably go
9 off the record.

10 So, if I could have a motion to go off the
11 record?

12 COMMISSIONER FERNANDEZ: Motion.

13 COMMISSIONER VALDIVIA: Motion.

14 MAYOR STACK: Second.

15 CITY CLERK: Okay. Motion by Commissioner
16 Valdivia.

17 Second by Mayor Stack.

18 All in favor?

19

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

21

22 CITY CLERK: Okay.

23 Any opposed?

24 Okay.

25 Thank you.

1 Off the record.

2

3 (Whereupon, the Board recessed from 7:09
4 p.m. to 7:37 p.m.)

5

6 MS. DILLON: Yes.

7 On the record.

8 CITY CLERK: Okay.

9 We're back on the record, 7:37 p.m.

10 MR. FARMER: Good evening, --

11 MAYOR STACK: Thank you.

12 MR. FARMER: -- Mayor and Council.

13 The one matter on your agenda is Tropical
14 Bar and Restaurant Wendy Diaz is the licensee.

15 Ms. Diaz and Mr. Altamura, her attorney,
16 are here --

17 MS. DILLON: Step forward, please.

18 MR. FARMER: -- today.

19 Mr. Altamura and Lieutenant Loaces and
20 myself have discussed this matter. What, as I
21 understand it, Mr. Altamura is entering a plea of
22 non-vult, not denying the charges.

23 And the charges are these:

24 The police came across somebody walking
25 along who had a gash in his face, his forehead I

1 should say, and he was drunk, and he indicated
2 something happened inside the bar, at Tropical.
3 The police went there to view the cameras. For
4 some reason or another, they weren't working or
5 this, that or the other thing.

6 The victim, we can't get. He's kind of
7 disappeared, so to speak. And the situation is,
8 the charges are violating condition of the
9 license, namely a -- the cameras, a fight, which
10 is not much of a fight, and some paper
11 violations.

12 We've agreed to a non-vult please, and it's
13 going to be 14 days. They will close on January,
14 subject to your approval, obviously, they will
15 close on January 8th. Close on January 8th and it
16 will open on January 22nd.

17 MS. DILLON: January 20 --

18 MR. FARMER: Second.

19 MS. DILLON: Second.

20 Thank you.

21 MAYOR STACK: Mr. Altamura, if you could
22 just enter your appearance?

23 MR. ALTAMURA: Yes.

24 Leonard J. Altamura, appearing for Lucrecia
25 (phonetic) Diaz.

1 MR. FARMER: I think she wanted to say
2 something here.

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

5 MR. ALTAMURA: No.

6 MR. FARMER: No?

7 Okay.

8 MR. ALTAMURA: No. We'd just do not
9 dispute the charges and we have come to the
10 agreement that has been set forth on the -- on
11 the record.

12 MR. FARMER: With the condition no appeal
13 and no application to the State to transfer --
14 transform it into a fine.

15 I'm stuttering my words, because I was
16 waiting outside for Mr. Altamura, and it was kind
17 of cold out there.

18 MAYOR STACK: No problem. No problem at
19 all.

20 COMMISSIONER GRULLON: January 8 to what
21 date?

22 COMMISSIONER MARTINETTI: The 22nd.

23 MR. FARMER: January 22nd.

24 COMMISSIONER GRULLON: Okay.

25 I make a motion to approve.

1 COMMISSIONER VALDIVIA: I second it.

2 CITY CLERK: Motion by Commissioner
3 Grullon.

4 Second by Commissioner 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: Abstain.

15 CITY CLERK: Mayor Stack is abstaining.

16 Thank you, Mr. Farmer.

17 Thank you.

18 MR. FARMER: Okay.

19 That's it.

20 MR. ALTAMURA: Thank you.

21 MR. FARMER: Happy Holiday to everybody.

22 MAYOR STACK: Thank you, too.

23 Healthy and --

24 COMMISSIONER MARTINETTI: Thank you.

25 MAYOR STACK: -- happy one.

1 Thank you, Len.

2 CITY CLERK: Thank you.

3

4 **ADJOURNMENT:**

5

6 CITY CLERK: There are no other items on
7 the agenda, may I have a motion to adjourn?

8 COMMISSIONER MARTINETTI: Motion.

9 COMMISSIONER FERNANDEZ: Motion.

10 CITY CLERK: Motion by Commissioner
11 Martinetti.

12 COMMISSIONER VALDIVIA: Second.

13 CITY CLERK: Second by Commissioner
14 Fernandez.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 CITY CLERK: Commissioner Grullon?

18 COMMISSIONER GRULLON: Yes.

19 CITY CLERK: Commissioner Valdivia.

20 COMMISSIONER VALDIVIA: Yes.

21 CITY CLERK: Commissioner Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 CITY CLERK: Thank you.

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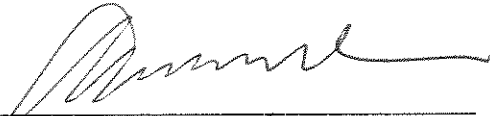
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(Whereupon, the proceedings were concluded
at 7:40 p.m.)

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Brian P. Stack

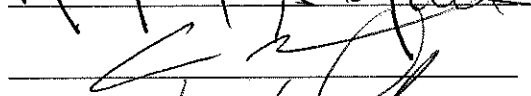
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Lucio P. Fernandez

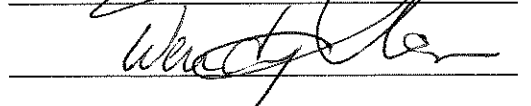
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Maryvry A. Martinetti

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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,

10

City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

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, December 17, 2019 and digitally
10 recorded.

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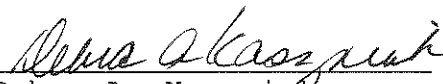
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Debra A. Kaszniak
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25 Monitored and proofread by: Deborah Dillon