

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Washington Elementary School
3905 New York Avenue
Union City, New Jersey

Tuesday, January 7, 2020
Commencing at 7:01 p.m.

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

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

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

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

ERIN M. KNOEDLER, CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

Audio-Digital
Transcription Service, L.L.C.
audiots@aol.com

ADTS
AUDIO DIGITAL
Transcription Service

29 Oak Avenue
West Orange, N.J. 07052
(973) 669-1222
Fax: (973) 669-0855

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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, January 7th, 2020, at seven
4 p.m., at the Washington Elementary School, 3905
5 New York 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 at City Hall and made available to
17 the public in the Office of the Municipal Clerk.

18

19 **ROLL CALL:**

20

21 CITY CLERK: Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Here.

23 CITY CLERK: Commissioner Grullon?

24 COMMISSIONER GRULLON: Here.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Here.

2 CITY CLERK: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Here.

4 CITY CLERK: Mayor Stack?

5 MAYOR STACK: Here.

6

7 (Whereupon, the Board discussed and took
8 action on the following items in total:

9 **CONSENT AGENDA:**

10 (1) Resolution Approving the Payment of Claims

11 (2) Resolution Approving the Payment of
12 Concurring Claims

13 (3) Resolution Approving the Escrow Refunds

14 (4) Resolution Approving the City Payroll for
15 December 21, 2019 through January 3, 2020

16 (5) Resolution Approving the Library Payroll
17 for December 21, 2019 through January 3, 2020

18 (6) Resolution Re-Appointing Lilia Munoz as
19 Municipal Court Judge

20 (7) Resolution Supporting the Drive Sober or
21 Get Pulled Over 2019 Year End Holiday Crackdown

22 (8) Resolution Authorizing the Refund of
23 Premium Monies Collected at the Tax Sale

24 (9) Resolution Authorizing Refund of Redemption
25 Monies to Outside Lienholders

1 (10) Resolution Authorizing the City Clerk to
2 Advertise for Bids for City Hall HVAC Replacement
3 (Rebid)

4 (11) Resolution Authorizing the City Clerk to
5 Advertise for Bids for 2019 Road Repairs - Misc
6 Citywide Pothole Repairs (Rebid)

7 (12) Resolution Authorizing the City Clerk to
8 Advertise for Bids for City Hall Elevator
9 Improvements

10 (13) Resolution Approving Addendum to Contract
11 for Special Counsel Services for Barry
12 Sarkisian.)

13

14 CITY CLERK: There are 13 items on the
15 Consent Agenda.

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

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

20 The third is a Resolution Approving Escrow
21 Refunds.

22 The fourth is a Resolution Approving the
23 City Payroll for the period of December 21st, 2019
24 through January 3rd, 2020.

25 The fifth is a Resolution Approving the

1 Library Payroll for the period of December 21st,
2 2019 through January 3rd, 2020.

3 The sixth is a Resolution Re-Appointing
4 Lilia Munoz as the Municipal Court Judge.

5 Seven is a Resolution Supporting the Drive
6 Sober or Get Pulled Over 2019 Year End Holiday
7 Crackdown.

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

11 The ninth is a Resolution Authorizing
12 Refund of Redemption Monies to Outside
13 Lienholders.

14 The tenth is a Resolution Authorizing the
15 City Clerk to Advertise for Bids for the City
16 Hall HVAC Replacement.

17 This is a rebid.

18 The eleventh is a Resolution Authorizing
19 the City Clerk to Advertise for Bids for 2019
20 Road Repairs, Miscellaneous City Pothole Repairs.

21 This is also a rebid.

22 The twelfth is a Resolution Authorizing the
23 City Clerk to Advertise for Bids for City Hall
24 Elevator Improvements.

25 The thirteenth is a Resolution Approving an

1 Addendum to a Contract for Special Counsel
2 Services for Barry Sarkisian.

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

5 MAYOR STACK: Sure.

6 Just before we do, I would just like to
7 point out on number 6, the Resolution
8 Reappointing Judge Munoz as our Municipal Court
9 Judge, the Judge has served the City very well
10 over many years. And I know it's over 20 years
11 at least. Could be a little bit more. And she's
12 always done an excellent job; very fair,
13 independent. And that's what we like in Union
14 City.

15 She's done a great job and I would just
16 like to recognize that in her reappointment.

17 Anyone wishing to comment at this time, at
18 the -- on the Consent Agenda, please step
19 forward, state your name and address for the
20 record.

21 Seeing none.

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

24 COMMISSIONER GRULLON: Motion.

25 CITY CLERK: Motion by Commissioner

1 Grullon.

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?

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 May I have a motion to approve all items on

18 Consent?

19 COMMISSIONER VALDIVIA: Motion.

20 CITY CLERK: Motion by Commissioner

21 Valdivia.

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: 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 **REGULAR AGENDA:**
16 1. Resolution Approving a Payment of Claim for
17 the Hudson County Improvement Authority.)
18
19 CITY CLERK: There is one item on the
20 Regular Agenda.
21 It's a Resolution Approving the Payment of
22 Claim for the Hudson County Improvement
23 Authority.
24 May I have motion to approve item 1?
25 MAYOR STACK: Motion.

1 CITY CLERK: Motion by Mayor Stack.

2 COMMISSIONER VALDIVIA: Second.

3 CITY CLERK: Second by Commissioner

4 Valdivia.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 CITY CLERK: Commissioner Grullon?

8 COMMISSIONER GRULLON: Yes.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Commissioner Martinetti is

12 recusing.

13 Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16

17 (Whereupon, the Board discussed and took

18 action on the following item:

19 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21 1. ORDINANCE AMENDING ARTICLE I OF CHAPTER 366
22 ENTITLED "SNOW AND ICE REMOVAL".)

23

24 CITY CLERK: There's one Ordinance on for

25 Public Hearing and Adoption Consideration this

1 evening.

2 It's an Ordinance Amending Article I of
3 Chapter 366 Entitled Snow and Ice Removal.

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

6 MAYOR STACK: Can we just explain it, Erin?

7 I -- I know what it is. Maybe if you or --

8 CITY CLERK: Sure.

9 MAYOR STACK: -- Angelo could just explain
10 the Ordinance?

11 CITY CLERK: You want to go ahead?

12 MR. AUTERI: Sure. Yes.

13 MAYOR STACK: I appreciate it.

14 MR. AUTERI: Absolutely, Mayor.

15 So what this Ordinance is going to do is
16 set forth that there's an eight hour time
17 limitation after a snowfall or snow event to
18 remove snow or ice.

19 If the ice is too thick to be removed in
20 any reasonable way, then ashes or salt or -- in
21 the Ordinance, it doesn't mention calcium
22 chloride but the Code section does on a -- on a
23 public sidewalk.

24 And it has to be done within eight hours of
25 the snow event.

1 MAYOR STACK: We've received a lot of
2 complaints where sidewalks are not shoveled in
3 the City and we've had children and seniors and
4 residents fall on these sidewalks.

5 Being proactive.

6 Anyone else who would like to comment on
7 this Ordinance, please step forward, state your
8 name and address for the record.

9 Seeing none.

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

12 COMMISSIONER MARTINETTI: Motion.

13 CITY CLERK: Motion by Commissioner
14 Martinetti.

15 COMMISSIONER VALDIVIA: Second.

16 CITY CLERK: Second by Commissioner
17 Valdivia.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 CITY CLERK: Commissioner Grullon?

21 COMMISSIONER GRULLON: Yes.

22 CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 CITY CLERK: Commissioner Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 CITY CLERK: Mayor Stack?
2 MAYOR STACK: Yes.
3 CITY CLERK: Thank you.
4 May I have a motion to adopt?
5 MAYOR STACK: Motion.
6 COMMISSIONER MARTINETTI: Motion.
7 CITY CLERK: Motion by Mayor Stack.
8 COMMISSIONER GRULLON: Second.
9 CITY CLERK: Second by Commissioner
10 Grullon.
11 Commissioner Fernandez?
12 COMMISSIONER FERNANDEZ: Yes.
13 CITY CLERK: Commissioner Grullon?
14 COMMISSIONER GRULLON: Yes.
15 CITY CLERK: Commissioner Valdivia?
16 COMMISSIONER VALDIVIA: Yes.
17 CITY CLERK: Commissioner Martinetti?
18 COMMISSIONER MARTINETTI: Yes.
19 CITY CLERK: Mayor Stack?
20 MAYOR STACK: Yes.
21 CITY CLERK: Thank you.
22 At this time, Mayor, would you like --
23 MAYOR STACK: Just -- just on that one,
24 Erin, if we can --
25 CITY CLERK: Sure.

1 MAYOR STACK: -- Angelo, if you can get a
2 note over to all the departments that are
3 effected by the Ordinance. Maybe get them to
4 everyone.

5 And also if the -- get one to the Chief, if
6 the Police Department could assist us in this, it
7 would be pretty easy once it's eight hours after
8 the storm -- the duration of the storm, to issue
9 on when the Police are out in the different
10 sectors.

11 CITY CLERK: Okay.

12 No problem.

13 MAYOR STACK: Thank you.

14

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

16

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

20 MAYOR STACK: Sure.

21 Anyone wishing to comment at this time, on
22 any matter concerning municipal government in the
23 City of Union City, please step forward, state
24 your name and address for the record.

25 Seeing none.

1 CITY CLERK: May I have a motion to close
2 Public Comment?

3 COMMISSIONER MARTINETTI: Motion.

4 CITY CLERK: Motion by Commissioner
5 Martinetti.

6 Second?

7 COMMISSIONER VALDIVIA: Second.

8 CITY CLERK: Second by Commissioner
9 Valdivia.

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

22

* * *

23

24

25

1 LIQUOR LICENSE PUBLIC HEARING:

2

3 1. Person-to-Person and Place-to-Place

4 Transfer Application

5 1705 Restaurant LLC to Mi Islita Restaurant

6 Proposed Location: 520 39th Street

7 Liquor License No. 0910-33-063-006

8

9 2. El Chapin

10 t/a El Cuscatleco

11 Location: 2118 Bergenline Avenue

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

13

14 3. Vanessa Café Corp.

15 t/a Vanessa Bar Restaurant

16 Location: 120 43rd Street

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

18

19 CITY CLERK: At this time we have Liquor
20 License Disciplinary Hearings and Public Hearing.

21 Mr. Farmer?

22 MR. FARMER: (Indiscernible).

23 MR. DILLON: Yes, please.

24 CITY CLERK: Yes, please.

25 MR. FARMER: Good evening, Mayor and Board

1 members.

2 First of all, Happy New Year.

3 MAYOR STACK: Happy New Year.

4 COMMISSIONER MARTINETTI: Happy New Year.

5 COMMISSIONER GRULLON: Happy New Year to
6 you.

7

8 * * *

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1 Person-to-Person and Place-to-Place Transfer

2 Application

3 1705 Restaurant LLC to Mi Islita Restaurant

4 Proposed Location: 520 39th Street

5 Liquor License No. 0910-33-063-006

6

7 MR. FARMER: The first matter on your
8 agenda is a person-to-person/place-to-place
9 transfer application from 1705 Restaurant Inc. to
10 520 39th Street.

11 The licensee is here and so is his attorney
12 Mr. Williams.

13 To refresh the Board's recollection, this
14 was the situation where we were instructed -- or
15 the Board and the Police had conversations and
16 indeed we had another conversation with
17 Lieutenant Loaces about this.

18 And they agreed to certain conditions,
19 which we sent out notices to the people in the
20 community, saying that the licensee has agreed to
21 sell beer, wine, liquor, coffee, anisette,
22 Sambuca.

23 The licensee will close every night, seven
24 days a week, at 10 p.m.

25 The licensee -- the license shall only be

1 used in the operation of a restaurant.

2 There will be no bar at the premises.

3 The only service beer and wine and liqueur
4 for coffee. And it will be at table service and
5 at the counter of the -- of the booth.

6 This is a small place; very reminiscent to
7 a luncheonette.

8 It -- when you walk in it has a small
9 counter that has about eight stools and then it
10 has everything around.

11 Now we have sent out notices to people
12 within the area asking them that if they had any
13 objection to come here tonight and either talk
14 about it, pro or con, as well as Lieutenant
15 Loaces is here in order to offer to the Board the
16 Police position with respect to transfer.

17 Having said all that, I also want to
18 acknowledge that Mr. Williams, the attorney for
19 the licensee is here, representing the licensee;
20 and also the licensee is here.

21 And I would ask if he's got any questions
22 about what I said with respect to this matter.
23 He can not only put his appearance on the record
24 but he can tell us what --

25 MR. WILLIAMS: Thank you.

1 MR. FARMER: -- suggestion --

2 MR. DILLON: Could you state your name for
3 the record please?

4 MR. WILLIAMS: Sure.

5 Robert C. Williams, appearing on behalf of
6 the -- Mi -- Mi Islita Restaurant, LLC, the
7 applicant for the person-to-person/place-to-place
8 transfer.

9 To my immediate right, Mr. Maissel Lopez.
10 He's the 100 percent owner. He's been there
11 quite some time now.

12 MR. DILLON: Can you --

13 MR. WILLIAMS: -- provide very small place
14 --

15 MR. FARMER: Bob? Bob, you got to direct
16 your --

17 MR. DILLON: Can you spell his name for me.

18 CITY CLERK: Put his name on the record
19 please.

20 MR. WILLIAMS: Oh, sure.

21 It's M-A-S-S-I-E-L?

22 MR. LOPEZ: No. M-A-I-S-S-E-L.

23 MR. DILLON: M-A-I-S-S-I --

24 MR. WILLIAMS: E-L.

25 MR. LOPEZ: E-L.

1 MR. WILLIAMS: Lopez.

2 MR. DILLON: Thank you.

3 MR. WILLIAMS: L-O-P-E-Z.

4 We've had an opportunity to go over
5 everything with the Lieutenant, Mr. Farmer, who's
6 been very cooperative. The conditions, as
7 represented by Mr. Farmer, have been agreed to by
8 the licensee.

9 Correct, sir?

10 MR. LOPEZ: Yes.

11 MR. WILLIAMS: He understands his
12 responsibility. He had no intention of opening a
13 bar. This restaurant has had a number of -- been
14 very successful so far. People have asked it
15 would be nice if they could have a bottle of wine
16 or some beer with their meal. That's why we're
17 purchasing where there's a pocket license and
18 moving it in there.

19 But we've accepted the restriction. We'll
20 be done by ten p.m. So we'll be open during the
21 day, of course. We open early. We have a lot of
22 coffee during the day and food.

23 And we're looking forward to giving
24 everybody an opportunity to come in and have a
25 glass a wine and tasting the fine Cuban cuisine.

1 MR. FARMER: Okay.

2 MAYOR STACK: How -- how many years have
3 you been in business, sir, at this location?

4 MR. LOPEZ: At this location?

5 Now is going to be, in February -- next
6 month, one year.

7 MAYOR STACK: One year.

8 MR. LOPEZ: February 7.

9 MAYOR STACK: Okay.

10 MR. FARMER: Here are some pictures of
11 the --

12 MAYOR STACK: Yeah, I have --

13 MR. FARMER: -- outside --

14 MAYOR STACK: -- I have it. I have it.

15 MR. FARMER: Oh, you have them.

16 MAYOR STACK: No problem.

17 MR. FARMER: Okay.

18 MR. WILLIAMS: Yeah, I wanted to give you a
19 flavor. This is a very tiny place if you --

20 MAYOR STACK: Right.

21 MR. WILLIAMS: -- have an oppor-- had an
22 opportunity --

23 I went over there tonight. I can't imagine
24 this place will give you any problem.

25 This -- this is just an accommodation for

1 the clientele.

2 MAYOR STACK: Are there any residents that
3 are here on this application tonight? This
4 application -- the location of the -- of the
5 establishment --

6 MR. FARMER: Right here. These two --

7 MAYOR STACK: Right.

8 -- the establishment at 520 39th Street?

9 MR. WILLIAMS: 530 29th (sic).

10 MRS. A. NOCELOTL: Okay.

11 Right here?

12 MAYOR STACK: Could -- could you just step
13 forward.

14 MR. DILLON: You got to come forward.

15 MAYOR STACK: Could you just step forward
16 and just --

17 MRS. A. NOCELOTL: Right here?

18 MAYOR STACK: -- just if you could state
19 your name and address for the record.

20 Right over here.

21 MRS. A. NOCELOTL: I live in front --

22 MR. DILLON: No, no. Ma'am, I need your
23 name first.

24 MRS. A. NOCELOTL: Okay.

25 MR. FARMER: Why don't --

1 MRS. A. NOCELOTL: Anna --

2 MR. FARMER: -- you come over here.

3 MRS. A. NOCELOTL: Anna --

4 MR. DILLON: Anna.

5 MRS. A. NOCELOTL: Anna Nocelotl. N-O-C-E-
6 L-O-T-L.

7 MR. DILLON: Okay.

8 MRS. A. NOCELOTL: Okay?

9 MR. DILLON: Yup.

10 Thank you.

11 MRS. A. NOCELOTL: (Indiscernible).

12 MAYOR STACK: Sure.

13 MRS. A. NOCELOTL: I live in front of his
14 restaurant. I live -- that's my property. And I
15 live there like 16 years ago. And I live in this
16 country like 30 years.

17 MAYOR STACK: Sure.

18 MRS. A. NOCELOTL: The problem that I have
19 now is because his customers use my driveway all
20 the -- all the time to park -- like park the car
21 all the time.

22 When my husband horn like to try to, you
23 know, to get the space -- our space, --

24 MAYOR STACK: Sure. To get into your
25 driveway.

1 MRS. A. NOCELOTL: -- they are very rude
2 with us.

3 Even some of them try to hit my husband in
4 front of my son. They tell -- told us mean words
5 like --

6 I can't -- I can't --

7 MS. G. NOCELOTL: Bad words.

8 MAYOR STACK: Sure, I understand.

9 MRS. A. NOCELOTL: -- but very bad words.

10 MAYOR STACK: I understand.

11 MRS. A. NOCELOTL: They said you are
12 illegally --

13 MS. G. NOCELOTL: Here and they threaten to
14 --

15 MRS. A. NOCELOTL: -- and --

16 MS. G. NOCELOTL: -- call --

17 MRS. A. NOCELOTL: -- you not even --

18 MS. G. NOCELOTL: -- Immigration,
19 basically.

20 MRS. A. NOCELOTL: And --

21 MAYOR STACK: Yeah, they should never say
22 that.

23 MRS. A. NOCELOTL: -- not even you have to
24 be live there -- living there.

25 So for us it's very stressful. I hope you

1 understand what I'm trying to --

2 MAYOR STACK: I do.

3 MRS. A. NOCELOTL: -- tell you.

4 MAYOR STACK: No, you've done a good job in
5 explaining it.

6 MRS. A. NOCELOTL: My son is crying -- was
7 crying when a customer told my husband that.
8 Even my son, he's nine years old, he tried to get
9 something; he said, mommy, I'm going to hit that
10 guy in front of his restaurant. They are very
11 rude.

12 That's why I'm very worried. Because they
13 are -- they don't have alcohol in their bodies
14 but I can't imagine when they have a cup of wine
15 or a bottle of beer inside of their bodies.

16 MS. G. NOCELOTL: They're worried about
17 what's going to happen --

18 MRS. A. NOCELOTL: Yes.

19 MS. G. NOCELOTL: -- if they get drunk.
20 Like what's the next step like basically.

21 MRS. A. NOCELOTL: With no alcohol they are
22 very rude. So with alcohol --

23 That's my question.

24 And I'm very, very worried. Because his
25 restaurant is in front of my house and all the

1 time I have -- that's a headache.

2 MS. G. NOCELOTL: And it's not like we can
3 even call the Police because this happens so
4 frequently and --

5 MRS. A. NOCELOTL: Yes.

6 MS. G. NOCELOTL: -- sometimes even the
7 Police itself park in front --

8 MRS. A. NOCELOTL: Yeah.

9 MS. G. NOCELOTL: -- of our car -- in front
10 of our --

11 MRS. A. NOCELOTL: Yes.

12 MS. G. NOCELOTL: -- driveway.

13 MRS. A. NOCELOTL: I went inside of his
14 restaurant to say, please can you move the car,
15 because you are not doing Police --

16 MS. G. NOCELOTL: Police activity.

17 MRS. A. NOCELOTL: -- Police -- Police
18 activity. So the Police told me, where did you
19 park? Said if there -- I come from the doctor,
20 I'm sick. So he went out and moved the car.

21 I have this problem, Brian, and --

22 MAYOR STACK: Have -- have you -- have you
23 gone to speak to the owner, to this gentleman, or
24 anybody else and said --

25 MRS. A. NOCELOTL: I don't want to say --

1 MAYOR STACK: -- can we work together on
2 this?

3 MRS. A. NOCELOTL: -- because he's new.

4 MAYOR STACK: Right.

5 MRS. A. NOCELOTL: I live there 16 years.

6 MAYOR STACK: Sure.

7 MRS. A. NOCELOTL: But for me it's very
8 hard. It's a headache.

9 MAYOR STACK: Right.

10 MRS. A. NOCELOTL: It's a headache.

11 Now I feel very stress, for me and my
12 family. Even my son, he's afraid. My dad, where
13 is my dad? When he's coming, my dad? And he's
14 in the -- in the window looking. Oh, my mommy,
15 there's a car parked in the -- in -- in our
16 driveway. What's going to happen with my dad?
17 They going to hit my dad?

18 MAYOR STACK: Right.

19 MRS. A. NOCELOTL: And they tell -- tell us
20 very bad words, very words -- bad words. In
21 front of his restaurant they said you are --

22 It's very --

23 MAYOR STACK: I know. That -- that
24 shouldn't happen. And we want to try to remedy
25 that --

1 MRS. A. NOCELOTL: Yes.

2 MAYOR STACK: -- regardless of the
3 application tonight. We want to try to --

4 MRS. A. NOCELOTL: Yes.

5 MAYOR STACK: -- help you with that.

6 MRS. A. NOCELOTL: Please.

7 MAYOR STACK: Lieutenant, have you -- have
8 you heard of these complaints before?

9 LIEUTENANT LOACES: This is the first I
10 hear of it.

11 MAYOR STACK: Okay.

12 And you said also Police cars park there?

13 MRS. A. NOCELOTL: Yes.

14 MAYOR STACK: In the driveway?

15 MRS. A. NOCELOTL: In the driveway, yeah.

16 Was one time.

17 MAYOR STACK: Okay.

18 MRS. A. NOCELOTL: I went inside to say,
19 please, I -- maybe he got mad and said where is
20 your car?

21 I said it's there, please, I come from the
22 doctor; I need my driveway.

23 MAYOR STACK: Sometimes what we do -- and I
24 know it's a little bit of an inconvenience for
25 you, but sometimes what we do is we give

1 residents to put two cones in the driveway. So
2 when you got home the driveway's guaranteed to be
3 free because you have two cones there.

4 I know it's an inconvenience --

5 MRS. A. NOCELOTL: Okay.

6 MAYOR STACK: -- you got to stop the car
7 and get out. If -- if it's your husband coming
8 home, he's got to move the cones.

9 But do you think that would help?

10 I mean we've done it --

11 MRS. A. NOCELOTL: (Indiscernible).

12 You know one day what happened, Brian, one
13 car was parking in my driveway and my husband
14 horn --

15 MAYOR STACK: Right.

16 MRS. A. NOCELOTL: -- and one car was
17 behind our car and was maybe like --

18 MS. G. NOCELOTL: It was like a Detective,
19 basically.

20 MRS. A. NOCELOTL: -- Detective --

21 MAYOR STACK: Okay.

22 MRS. A. NOCELOTL: -- and --

23 MS. G. NOCELOTL: After minutes of that
24 happening, minutes of their honking, he basically
25 threatened my dad, next time I'm going to give

1 | you a ticket for causing traffic.

2 | And my dad tried explaining that that's
3 | my --

4 | MAYOR STACK: His driveway.

5 | MS. G. NOCELOTL: -- driveway.

6 | MAYOR STACK: His driveway.

7 | MS. G. NOCELOTL: Somebody's parked there.

8 | And he said I don't care, I'm just going to give
9 | you a ticket.

10 | MAYOR STACK: You live right next to the
11 | parking deck

12 | Right?

13 | MS. G. NOCELOTL: It's around there.

14 | MAYOR STACK: In -- in that area. But you
15 | have the parking deck maybe right there.

16 | Right?

17 | MS. G. NOCELOTL: Yeah.

18 | MAYOR STACK: You're a couple houses along
19 | there?

20 | Do you think it would help if we -- if we
21 | -- if I was able to get the Traffic Division --

22 | Would that be something you would like to
23 | do, regardless of the application tonight, to
24 | help you so nobody parks in the driveway no
25 | matter where they are doing business or whatever

1 | they're doing in the area?

2 | Would -- if I gave you some cones to put in
3 | your driveway, do you think that would help?

4 | Or --

5 | Because we've done it in other --

6 | MRS. A. NOCELOTL: I don't mind. I can do,
7 | you know, --

8 | MAYOR STACK: To try it.

9 | MRS. A. NOCELOTL: I don't have nothing
10 | against him because he has -- I think one year I
11 | think his restaurant.

12 | MAYOR STACK: Right.

13 | MRS. A. NOCELOTL: I hope everything would
14 | be good for him.

15 | MAYOR STACK: Right.

16 | MRS. A. NOCELOTL: But I'm thinking about
17 | me, too. Because I have my house there 16 years.

18 | MAYOR STACK: Okay.

19 | MRS. A. NOCELOTL: And it's a big problem
20 | for me.

21 | MAYOR STACK: Mr. Williams, do you have any
22 | reaction to what --

23 | MR. WILLIAMS: No, --

24 | MAYOR STACK: -- how we can -- how we can
25 | help her with this problem?

1 MR. WILLIAMS: One thing we could do is
2 have maybe a sign up, if you park here illegally
3 you're going to be towed. First couple cars that
4 get towed, nobody's going to park there again.

5 And I would like that if somebody's in
6 there and you think they are patrons of the
7 restaurant, that you come in and tell us --

8 MAYOR STACK: I was going to say that.

9 MR. WILLIAMS: -- so that we can make
10 announcement, if you're parked in that driveway,
11 you better move it or you're going to be towed.

12 MAYOR STACK: What -- what about maybe a
13 sign when they walk in the establishment
14 saying --

15 MR. WILLIAMS: We're going to put a sign.

16 MAYOR STACK: Yeah.

17 MR. WILLIAMS: I would --

18 MAYOR STACK: Yeah. Nobody should be
19 parked there.

20 MR. WILLIAMS: Do not park --

21 MAYOR STACK: John, maybe you have an idea.

22 LIEUTENANT LOACES: That's a good idea.

23 MR. WILLIAMS: What is the address?

24 MRS. A. NOCELOTL: 525 --

25 MR. WILLIAMS: 525, --

1 MRS. A. NOCELOTL: -- 39 --

2 MR. WILLIAMS: -- okay.

3 MRS. A. NOCELOTL: Yeah, I think from --

4 MR. WILLIAMS: We'll put a little thing
5 there and you're going to announce it.

6 MAYOR STACK: You're right across the
7 street from the place?

8 You're right across the street.

9 MR. WILLIAMS: All right, we're going to --

10 But I thought your idea was a good one. If
11 they put the orange cones there no one's going to
12 move it.

13 MAYOR STACK: Right. Because they're not
14 going to get out and move it.

15 I feel --

16 MR. WILLIAMS: They're not going to know
17 why they're there.

18 MAYOR STACK: I feel if we put the cones
19 there to begin with, right, --

20 MRS. A. NOCELOTL: Yes.

21 MAYOR STACK: -- I feel it will -- it will
22 help you.

23 MRS. A. NOCELOTL: I think so.

24 MR. WILLIAMS: Yeah.

25 MRS. A. NOCELOTL: I hope so.

1 MAYOR STACK: Let me -- let me just write
2 myself a note, too, on this.

3 MR. WILLIAMS: Because we want you to be
4 happy.

5 MAYOR STACK: I'll have it done tomorrow.

6 MR. WILLIAMS: We want you to come in and
7 have some --

8 MRS. A. NOCELOTL: I know.

9 COMMISSIONER FERNANDEZ: Now, the --

10 I have a question. Because there's --
11 there's been a restaurant there. Over 60 years
12 there's --

13 MR. WILLIAMS: Yes.

14 COMMISSIONER FERNANDEZ: -- been a
15 restaurant there. It used to be Siglo
16 restaurant, which was there, --

17 COMMISSIONER VALDIVIA: Siglo --

18 MAYOR STACK: Yeah.

19 COMMISSIONER FERNANDEZ: -- back in the --

20 MRS. A. NOCELOTL: But I never --

21 COMMISSIONER FERNANDEZ: -- '50s and '60s.

22 MRS. A. NOCELOTL: -- have that problem
23 with --

24 COMMISSIONER FERNANDEZ: But, now, --

25 MS. G. NOCELOTL: Because they had their

1 own parking.

2 MRS. A. NOCELOTL: Yeah.

3 COMMISSIONER FERNANDEZ: But, now, my -- my
4 question is if you had that problem before, why
5 didn't you address -- address it with him?

6 Maybe aside from the sign that say please
7 don't park across the street, there's a deck down
8 --

9 MR. LOPEZ: Um-hum.

10 COMMISSIONER FERNANDEZ: -- you know, down
11 the block, park --

12 MR. LOPEZ: Sure.

13 COMMISSIONER FERNANDEZ: -- in the deck,
14 also they can exchange numbers that if she sees
15 someone, she -- can she call him --

16 MR. WILLIAMS: Call us.

17 MAYOR STACK: Yeah.

18 COMMISSIONER FERNANDEZ: -- and say, --

19 MAYOR STACK: Yeah, that might be a good
20 idea.

21 COMMISSIONER FERNANDEZ: -- you know, did
22 someone park there across the street; please
23 don't park there. Something like that.

24 MR. WILLIAMS: No, we --

25 COMMISSIONER FERNANDEZ: You know?

1 MRS. A. NOCELOTL: Even customers, they are
2 looking. And they try -- they park -- they park
3 the car there and they are looking like this.

4 MR. WILLIAMS: Yeah.

5 MRS. A. NOCELOTL: And my husband is
6 honk --

7 COMMISSIONER FERNANDEZ: Do you have -- do
8 you have one of those signs that people have like
9 -- it's like a block of cement with a stick on it
10 and it says no parking?

11 MAYOR STACK: No. We don't really have a
12 lot of them anymore.

13 MS. G. NOCELOTL: We have sign --

14 COMMISSIONER FERNANDEZ: No, right?

15 MAYOR STACK: We tried to do away with
16 them.

17 MS. G. NOCELOTL: -- right in front --

18 COMMISSIONER FERNANDEZ: Yeah.

19 MS. G. NOCELOTL: -- that say no parking
20 because --

21 MRS. A. NOCELOTL: Yeah. They don't care.

22 MAYOR STACK: I'll -- I'll get cones to
23 bring there.

24 I'll make sure that they put up a sign in
25 their establishment that nobody should be

1 blocking any driveway on the block. They
2 shouldn't be parked in any driveway.

3 And I'll make sure I'll let the Chief know
4 and the Lieutenant will know and we'll -- we'll
5 tow them. We'll tow them. I mean that's the
6 only solution I think we could take is to tow
7 them out of there.

8 It's not fair that your driveway's blocked.
9 You shouldn't have to deal with that. And nobody
10 should curse at you and insult you. There's no
11 reason.

12 MRS. A. NOCELOTL: Yeah, very bad.

13 MAYOR STACK: No.

14 MRS. A. NOCELOTL: And it's very rude.
15 Rude people.

16 MAYOR STACK: Right.

17 Do you have any objection to the liquor
18 license itself at this establishment?

19 Is there any objection to that?

20 MRS. A. NOCELOTL: I hope so. No.

21 MAYOR STACK: Your -- your --

22 MRS. A. NOCELOTL: This is the problem.

23 MAYOR STACK: Your problem is the parking
24 in your driveway?

25 MRS. A. NOCELOTL: Yes.

1 MAYOR STACK: Okay.

2 MRS. A. NOCELOTL: And -- and I'm worried
3 because they are no -- with no alcohol --

4 MAYOR STACK: Right.

5 MRS. A. NOCELOTL: -- inside.

6 MAYOR STACK: Right.

7 MRS. A. NOCELOTL: So when they drink
8 alcohol, I don't know what is going to be their
9 reaction --

10 MAYOR STACK: Sure.

11 MRS. A. NOCELOTL: -- with us.

12 MAYOR STACK: Sure.

13 MRS. A. NOCELOTL: I'm afraid.

14 MAYOR STACK: Of course.

15 MRS. A. NOCELOTL: I'm a real afraid.

16 MAYOR STACK: And just do me a favor, going
17 forward, if you have problems, don't wait. Don't
18 wait for some --

19 Call me. Call me on my cell phone. Let me
20 know this. I would have got --

21 MRS. A. NOCELOTL: Okay.

22 MAYOR STACK: -- involved a while ago. I
23 would have got involved in this. Myself or
24 Lieutenant Loaces, one of us will get involved.
25 You call my cell phone, --

1 MRS. A. NOCELOTL: Yes.

2 MAYOR STACK: -- you'll hear back from me
3 within one day and I'll -- I'll handle it myself
4 for you.

5 MRS. A. NOCELOTL: Please.

6 MAYOR STACK: Just before you leave
7 tonight, I just need to get your cell phone
8 number so I can follow up with the cones and
9 monitor this going forward.

10 MRS. A. NOCELOTL: Please.

11 MAYOR STACK: Okay?

12 MRS. A. NOCELOTL: I appreciate.

13 MAYOR STACK: Absolutely.

14 MRS. A. NOCELOTL: Thank you very much.

15 MAYOR STACK: Absolutely.

16 Thank you for coming to the meeting.

17 MRS. A. NOCELOTL: Stay here?

18 MAYOR STACK: Just don't leave.

19 MRS. A. NOCELOTL: Don't leave?

20 MR. DILLON: Yeah, I just need your name
21 for the record.

22 MS. G. NOCELOTL: Gabriela. One L.

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

25 LIEUTENANT LOACES: But it's clear. It's

1 clear.

2 MRS. A. NOCELOTL: It's clear. No.

3 MAYOR STACK: And we'll put cones there,
4 too, John. It will help. You know what I'm
5 saying?

6 Yeah.

7 MR. DILLON: That's it?

8 MS. G. NOCELOTL: Yeah.

9 MR. DILLON: Okay.

10 Thank you.

11 MAYOR STACK: No problem.

12 MR. WILLIAMS: Thank you.

13 Thank you.

14 MAYOR STACK: Just before you leave, I just
15 need to get the phone number -- you and your mom,
16 okay?

17 MS. G. NOCELOTL: Okay.

18 MAYOR STACK: Thank you.

19 John, did you want to add in on this --

20 MR. FARMER: Yeah, --

21 MAYOR STACK: -- application?

22 MR. FARMER: -- I was going to --

23 MAYOR STACK: Maybe --

24 MR. FARMER: -- call him to set forth

25 the --

1 MAYOR STACK: Is there any other residents
2 who have any comments or any -- any issues with
3 this establishment on 39th Street, the 500 block?

4 Seeing no --

5 Okay.

6 LIEUTENANT LOACES: Good evening.
7 Lieutenant Loaces, L-O-A-C-E-S.

8 When the application first came forward I
9 went and I visited the restaurant to see what the
10 restaurant was. It's actually very small, as is
11 indicated by the photos there.

12 We then, as Mr. Farmer stated, we sent out
13 notices to the area of residents to come to this
14 meeting and share their opinion with us.

15 In addition to that, last Friday, as well
16 as last night, we went personally and visited the
17 area residents to make sure that, one, they got
18 the flyers; and, two, that if they weren't able
19 to make it here today they could express their
20 opposition, you know, to us.

21 Everyone we spoke to initially had some
22 apprehension about a liquor license establishment
23 being placed in that area considering the fact
24 that there's another liquor license establishment
25 literally up the block.

1 However, the dynamics of that location and
2 this location are considerably different.

3 Once we explained to the area residents the
4 condition that Mr. Lopez was willing to put
5 forth, -- that they're going to close at ten
6 o'clock, that they're only going to offer beer
7 and wine and liqueur for coffee, like anisette
8 and Sambuca, and it's not going to be your
9 typical cubetazo with doing shots and that kind
10 of vibe, we had no opposition whatsoever from the
11 residents.

12 I had the opportunity to speak to Mr. Lopez
13 personally today as well and he confirmed and
14 assured me that all the conditions that he
15 proposed he intends to adhere to.

16 MAYOR STACK: Okay.

17 Mr. Farmer, do you have anything?

18 MR. FARMER: No, I don't. I think, you
19 know, time will tell and we'll police it. And
20 certainly now it's got a little red dot
21 associated with it, so in the near fut-- in the
22 foreseeable short future, I'm sure the Police
23 will be checking it out.

24 And certainly now that we know about the
25 driveway business, we seem to be on our way to a

1 solution on that. And needless to say I'm going
2 to state the obvious two things -- three things
3 really.

4 Number one, nobody should talk to anybody
5 in a derogatory, insulting manner. If you do
6 that, what's going to happen is you could be a
7 nuisance. And that is an ABC violation.

8 So if you're going to have bad behavior,
9 that bad behavior can have some consequences and
10 might very well have a consequence with respect
11 to your license.

12 But the reality of it is just be nice to
13 people.

14 And that's all I got to say.

15 MAYOR STACK: Is there any prior -- any
16 prior experience with a liquor license that you
17 have?

18 MR. LOPEZ: No.

19 MAYOR STACK: This is the first time?

20 All right.

21 I'm going to -- I'm going to make a motion
22 to reserve judgment until the next Commission
23 meeting for decision.

24 CITY CLERK: There's a motion to table my
25 Mayor Stack.

1 Second?

2 COMMISSIONER GRULLON: Second.

3 CITY CLERK: Second by Commissioner

4 Grullon.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 CITY CLERK: Commissioner Grullon?

8 COMMISSIONER GRULLON: Yes.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16 It's tabled until the next meeting.

17 MAYOR STACK: Thank you.

18 MR. WILLIAMS: When would that be?

19 CITY CLERK: It would be January 21st. And
20 if you have your card, Mr. Williams, I could send
21 you the details.

22 MR. WILLIAMS: Okay, now just -- just for
23 my scheduling, do I have to come back here?

24 Because I'm not sure what would be --

25 MAYOR STACK: Greg, does he have to -- I --

1 MR. FARMER: I -- I can't make that
2 decision. I mean obviously the Board's tabled;
3 there's going to be a -- an opinion.

4 MAYOR STACK: We'll have -- yeah, we'll
5 have a decision at the next meeting.

6 I don't think you have to be here for it
7 though. No. I don't think -- I think he has to
8 be here. I mean it's up to you though.

9 MR. WILLIAMS: Well, it's up to him.
10 It's --

11 MAYOR STACK: Yeah.

12 MR. FARMER: Okay.

13 MAYOR STACK: All right?

14 MR. WILLIAMS: This is my third -- that
15 will be my third trip over here --

16 MAYOR STACK: Yeah. No problem.

17 MR. WILLIAMS: -- on this.

18 All right.

19 Thank you.

20 MAYOR STACK: No problem at all. Any time.

21 MR. WILLIAMS: Okay.

22 CITY CLERK: Thank you.

23 MR. WILLIAMS: All right, I'll give you a
24 card.

25 MAYOR STACK: Just before the next case,

1 | could I -- I don't want to tie them up, they're
2 | sitting here, --

3 | MR. FARMER: No, --

4 | MAYOR STACK: -- could I just -- could you
5 | just step forward for a second?

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

8 | CITY CLERK: Can we have a motion to go off
9 | the record?

10 | COMMISSIONER VALDIVIA: Go off the record.

11 | COMMISSIONER MARTINETTI: Motion.

12 | CITY CLERK: All in -- all in favor?

13 |

14 | (Whereupon, there was a chorus of ayes.)

15 |

16 | CITY CLERK: Any opposition?

17 | Okay, off the record.

18 |

19 | (Off the record at 7:25 p.m.)

20 | (On the record at 7:27 p.m.)

21 |

22 | CITY CLERK: We're back on the record at
23 | 7:27.

24 |

25 |

* * *

1 El Chapin

2 t/a El Cuscatleco

3 Location: 2118 Bergenline Avenue

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

5

6 MR. FARMER: The second one on your
7 calendar is El Chapin.

8 This afternoon I received a phone call from
9 the lawyer representing him saying he was on
10 vacation; would be returning on the 13th.

11 So, consequently, I'd just ask if you could
12 carry it to that.

13 MAYOR STACK: No problem. No problem at
14 all.

15 MR. FARMER: Okay.

16

17 * * *

18

19

20

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24

25

1 | Vanessa Café Corp.
2 | t/a Vanessa Bar Restaurant
3 | Location: 120 43rd Street
4 | Liquor License No. 0910-33-029-008
5 |

6 | MR. FARMER: The last one is Vanessa Café
7 | and the licensee is here.

8 | MAYOR STACK: Okay.

9 | MR. FARMER: Just so we're clear in the
10 | context of this, the young lady in front of you
11 | is the prospective purchaser who has set forth in
12 | all of the application paperwork to get a
13 | transfer.

14 | And in the meantime she's been the manager
15 | of the place. And she will be taking it over
16 | soon.

17 | And there was -- basically what happened
18 | was there were two women who intersected with one
19 | another about a man who was with one of the woman
20 | -- women and that the other woman objected to it
21 | and slapped her in the face. That's the extent
22 | of the assault. But it had been brew-- brewing.

23 | And we've talked about this with Lieutenant
24 | Loaces. And normally a brawl or a fight could
25 | have ten days or something -- 15 days perhaps,

1 | depending on the circumstances. I think that
2 | this was such a spontaneous situation that we cut
3 | that down to about three days and the licensee's
4 | in agreement with that and she can tell me what
5 | days she wants.

6 | And she has assured us, -- just as an
7 | afterthought here, she has assured us she's going
8 | to be a new owner --

9 | Because the place has a terrible record.

10 | MAYOR STACK: Right.

11 | MR. FARMER: I mean it's just --

12 | MAYOR STACK: I remember it.

13 | MR. FARMER: But --

14 | MAYOR STACK: I think I spoke to you at one
15 | time; --

16 | MS. LUNA: Yes.

17 | MAYOR STACK: -- right?

18 | MS. LUNA: (Indiscernible).

19 | MAYOR STACK: Right. I remember now.
20 | Right.

21 | MR. FARMER: So she has good expectations
22 | and good intentions. So that, in light of the
23 | fact that it was a spontaneous event, I would
24 | recommend and Lieutenant Loaces confers --
25 | concurs, that it be a three day suspension.

1 MAYOR STACK: Okay.

2 Do you want to enter your appearance on the
3 record as to what Mr. Farmer has just said?

4 MS. LUNA: Yes.

5 My name is Garibell Luna.

6 I'm going to be the -- I'm previous owner
7 of Vanessa Café, soon to be Crave 43 (phonetic).

8 MR. DILLON: Can you spell that for me
9 please?

10 MS. LUNA: My name? Yes.

11 Garibell, G-A-R-I-B-E-L-L. Luna, L-U-N-A.

12 MR. DILLON: Thanks.

13 MS. LUNA: Okay.

14 I mean, basically, we -- we spoke about
15 this and I just wanted to, you know, -- on my
16 behalf about the situation, a little bit more
17 detail of what occurred that night. And it was
18 basically a misunderstanding with the whole
19 recording situation.

20 So, basically, that's the reason why -- the
21 Detective ask me if, you know, for -- for this --
22 that day of the situation I explained to him
23 pretty much that I, as of right now, myself,
24 didn't know how to access every one of the
25 cameras at the moment.

1 But if it did need footage that I could
2 give him the information the next day or if he
3 give me his information or anything --

4 So, basically, he -- you know the Detective
5 said -- he said that everything is okay,
6 everything's going to be fine. Told him if he
7 needs more information to just let me know.

8 So basically I received his information.
9 Couple days ago -- pretty much yesterday, due to
10 the holidays, you know, --

11 So basically that's what happened in detail
12 that night of why I believe, you know, this is
13 the circumstance of why I'm here today.

14 MAYOR STACK: Lieutenant?

15 LIEUTENANT LOACES: The Detective that
16 responded has a different account of what
17 occurred. So I guess it boils down to Miss
18 Luna's version versus the Detective's version,
19 which I guess boils down to an issue of
20 credibility.

21 I have no reason to believe that my
22 officers were not forthright and honest and
23 plainly asked what they were looking for. And I
24 don't think it was a miscommunication.

25 Not that I'm questioning what she said but

1 I have to give deference to my Detective who have
2 been doing this for many years, are very
3 competent, know what they're doing. So I find it
4 a little difficult to believe that they didn't
5 explain themselves properly in the sense of the
6 video, as far as that's concerned.

7 Her other concern was that the Detective
8 did not follow up with her to see if the position
9 had changed about her being able to access the
10 video recording device, which she claims she did
11 not have access to on that date.

12 Which my position is it's not incumbent
13 upon the Detective to follow up with you to
14 defend you.

15 Had she believed that she would have had
16 access to the video a couple of days later, had
17 she contacted somebody, then that would have been
18 incumbent upon her to access the video somehow
19 and then reach out to the Police Department and
20 reach out to the Detective and say, look, I have
21 the alleged video.

22 The issue is that it's been over a month
23 now and from what Miss Luna explained, her
24 recording device only records for ten days. So
25 obviously if there was any footage it's gone now.

1 MAYOR STACK: So let me ask you now, what
2 does our Ordinance now, 30 days.

3 Right?

4 LIEUTENANT LOACES: Sixty.

5 MAYOR STACK: Or 60?

6 LIEUTENANT LOACES: Sixty. I've
7 explained --

8 MAYOR STACK: Sixty days; right?

9 MR. FARMER: Yeah.

10 LIEUTENANT LOACES: Going forward.

11 MR. FARMER: Yeah.

12 MAYOR STACK: Sixty days.

13 MR. FARMER: Went into effect December
14 31st.

15 MAYOR STACK: Right.

16 How -- how long do you own the
17 establishment?

18 MS. LUNA: Well, I've been in the
19 establishment I would say for about three months
20 now. So I'm still doing the transfer work and
21 everything.

22 MAYOR STACK: So prior to that you weren't
23 involved in the establishment?

24 MS. LUNA: Well, -- yes.

25 MAYOR STACK: You were?

1 MS. LUNA: Because I -- I've been there for
2 three months or so -- November the -- towards the
3 end of November.

4 MAYOR STACK: Okay but prior to those three
5 months, were you involved in that establishment?

6 MS. LUNA: Well, I would bartend and things
7 like that, yes.

8 MAYOR STACK: How long?

9 MS. LUNA: I would say like maybe a year or
10 so.

11 MAYOR STACK: Were you the manager or no?

12 MS. LUNA: No. Just bartender.

13 MAYOR STACK: No just that there's a lot of
14 issues at this establishment.

15 MS. LUNA: Yes.

16 MAYOR STACK: I just want you to realize
17 that.

18 We've got a lot of -- a lot of complaints
19 in that neighborhood, too. A lot.

20 Well, how much stuff do we have on -- on
21 the license?

22 Is there a lot on this license?

23 LIEUTENANT LOACES: It's colorful to say
24 the least.

25 MAYOR STACK: Yeah.

1 MR. FARMER: Yeah.

2 MAYOR STACK: Yeah.

3 MR. FARMER: Hold on.

4 MAYOR STACK: All right.

5 I -- I just think what you have to do is

6 you got to try to get a hold of this

7 establishment and really run it.

8 Are you going to be there most of the time

9 --

10 MS. LUNA: Yes.

11 MAYOR STACK: -- running it?

12 MS. LUNA: Um-hum. Fulltime.

13 MAYOR STACK: Okay.

14 LIEUTENANT LOACES: I believe Miss Luna --

15 I don't want to speak but you stated you wanted

16 to change the --

17 MS. LUNA: Yes.

18 LIEUTENANT LOACES: -- make it more of a

19 restaurant, maybe more --

20 MS. LUNA: More restaurant.

21 LIEUTENANT LOACES: -- food and --

22 MAYOR STACK: That would be good.

23 LIEUTENANT LOACES: -- less alcohol.

24 MS. LUNA: We're changing --

25 Yup. We're going to have appetizers.

1 MAYOR STACK: Good.

2 MS. LUNA: We're going to be serving food.
3 As well as we're changing a little bit more of
4 the, you know, the décor and things like that.

5 MAYOR STACK: Good.

6 MS. LUNA: Also change the name to give it
7 a --

8 MAYOR STACK: Good. I think that would be
9 a good thing.

10 LIEUTENANT LOACES: Agreed.

11 COMMISSIONER MARTINETTI: What are your
12 hours there now?

13 MS. LUNA: Excuse me?

14 COMMISSIONER MARTINETTI: What are the
15 hours there now?

16 MS. LUNA: During the week, Monday through
17 Fridays is four to 1:30. And then weekends,
18 Saturdays, is from two to 1:30. And Sundays from
19 12 to 1:30.

20 MR. FARMER: Here's the record. It's two
21 pages.

22 MAYOR STACK: And when -- when you're not
23 in the establishment, who's going to be running
24 it?

25 MS. LUNA: My manager.

1 MAYOR STACK: Okay.

2 And the manager has experience?

3 MS. LUNA: Yes.

4 MAYOR STACK: Okay.

5 MS. LUNA: He was working there prior.

6 MAYOR STACK: Just -- just if you can, I --

7 I think it would be a good idea to use Mr. Farmer

8 and Lieutenant Loaces as a resource to help you

9 just if there's, you know, --

10 We have a training. We still do the

11 training and everything, right Greg, --

12 MR. FARMER: Yes.

13 MAYOR STACK: -- once a year?

14 MR. FARMER: We did it last summer and I'm

15 going to be doing it this summer.

16 MAYOR STACK: This summer again. We do

17 training. It's important to come to that.

18 MS. LUNA: Right.

19 MAYOR STACK: Just to avoid any of the

20 other problems that were experienced here.

21 MS. LUNA: Yeah, I'd be willing to take

22 any kind of --

23 MAYOR STACK: Okay, good.

24 MS. LUNA: -- anything. I mean most of --

25 you know, --

1 MAYOR STACK: Right.

2 MS. LUNA: -- regards to the license
3 like --

4 MAYOR STACK: Sure.

5 And if there's an issue it needs the
6 Police. So if there's something going on, be the
7 first to dial 865-1111 and call the Police first.

8 Good. Very good. Okay.

9 LIEUTENANT LOACES: In this -- in this
10 situation where the spontaneous slap occurred, it
11 was the establishment that contacted --

12 MAYOR STACK: Good.

13 LIEUTENANT LOACES: -- the Police.

14 MAYOR STACK: That's a good sign. That's a
15 good sign. Good.

16 And just make sure people -- the door's not
17 open; people are not congregating in front; stuff
18 like that.

19 MS. LUNA: No, of course.

20 MAYOR STACK: Just to keep the neighborhood
21 happy.

22 MS. LUNA: Okay.

23 MAYOR STACK: I'll make a motion to accept.

24 MR. FARMER: Okay.

25 CITY CLERK: There's a motion by Mayor

1 Stack.

2 Second?

3 COMMISSIONER FERNANDEZ: Second.

4 COMMISSIONER MARTINETTI: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 CITY CLERK: Commissioner Grullon?

10 COMMISSIONER GRULLON: Yes.

11 CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 CITY CLERK: Commissioner Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 CITY CLERK: Thank you.

18

19 **ADJOURNMENT:**

20

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

23 Mr. Farmer, you don't have anything
24 further?

25 MR. FARMER: No.

1 CITY CLERK: I'm sorry.

2 COMMISSIONER MARTINETTI: Good night.

3 CITY CLERK: No other items on the agenda
4 at this time.

5 May I have a motion to adjourn?

6 COMMISSIONER MARTINETTI: Motion.

7 COMMISSIONER VALDIVIA: Motion.

8 CITY CLERK: Motion by Commissioner
9 Martinetti.

10 Second 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: Mayor Stack?

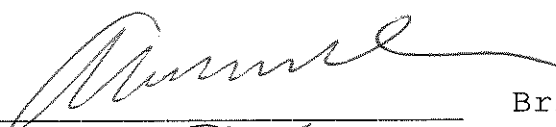
20 MAYOR STACK: Yes.

21 CITY CLERK: Thank you.

22

23 (Whereupon, the proceedings were concluded
24 at 7:36 p.m.)
25

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Brian P. Stack

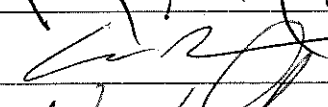
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Lucio P. Fernandez

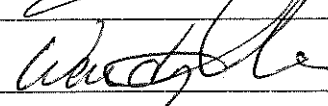
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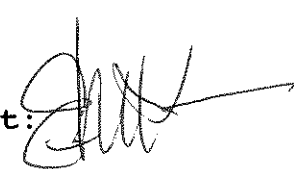

Wendy A. Grullon

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Board of Commissioners

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Attest: 

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Erin M. Knoedler,

10

City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, January 7, 2020 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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23

24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon