

ORIGINAL

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

REGULAR MEETING

:
:
:
:
TRANSCRIPT OF RECORDED
PROCEEDINGS

Roosevelt School
4507 Hudson Avenue
Union City, New Jersey

Tuesday, August 18, 2020
Commencing at 7:08 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, (Left at 7:21 p.m.)
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: SAMANTHA L. BLAKE, 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

ADIS
Transcription Service

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

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

JOHN D. LYNCH, ESQ.,
Attorney for Hamlet Ent 2, LLC, T/A Mama Sushi

I N D E X

	<u>PAGE</u>
CALL TO ORDER	4
SALUTE TO FLAG	4
ROLL CALL	4
APPROVAL OF PREVIOUS MEETING MINUTES	5
CONSENT AGENDA	6
REGULAR AGENDA	19
ORDINANCES FOR HEARING AND ADOPTION CONSIDERATION	20/23/26
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	29
LIQUOR LICENSE PUBLIC HEARING Hamlet Ent 2, LLC, t/a Mama Sushi	33
ADJOURNMENT	42

1 CITY CLERK: All right.

2 This is a -- this is a Regular Public
3 Meeting of the Union City Board of Commissioners
4 being held on Tuesday, August 18th, 2020, at
5 seven p.m., at Roosevelt School, 4507 Hudson
6 Avenue, Union City, New Jersey.

7 Please stand for the Pledge of Allegiance.

8
9 (Whereupon the Pledge of Allegiance was
10 said by all.)

11
12 CITY CLERK: This meeting has been called
13 in accordance with the Open Public Meetings Act.

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

20

21 **ROLL CALL:**

22

23 CITY CLERK: Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Here.

25 CITY CLERK: Commissioner Grullon?

1 COMMISSIONER GRULLON: Here.

2 CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Here.

4 CITY CLERK: Commissioner Martinetti?

5 COMMISSIONER MARTINETTI: Here.

6 CITY CLERK: Mayor Stack?

7 MAYOR STACK: Here.

8 CITY CLERK: Thank you.

9

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

12 **APPROVAL OF PREVIOUS MEETING MINUTES - REGULAR**
13 **MEETING JUNE 23, 2020, JUNE 30, 2020, JULY 14,**
14 **2020, JULY 28, 2020 AND AUGUST 5, 2020.)**

15

16 CITY CLERK: The first item is the approval
17 of the meeting minutes from the meetings of June
18 23rd, 2020, June 30th, 2020, July 14th, 2020, July
19 28th, 2020 and August 5th, 2020.

20 May I have a motion to approve?

21 COMMISSIONER FERNANDEZ: Motion.

22 CITY CLERK: Motion by Commissioner
23 Fernandez.

24 Second?

25 COMMISSIONER VALDIVIA: Second.

1 CITY CLERK: I'm sorry.

2 Second by Commissioner Valdivia?

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 CITY CLERK: Commissioner Grullon?

6 COMMISSIONER GRULLON: Yes.

7 CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 CITY CLERK: Commissioner Martinetti?

10 COMMISSIONER MARTINETTI: Yes.

11 CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 CITY CLERK: Thank you.

14

15 (Whereupon, the Board discussed and took

16 action on the following items in total:

17 **CONSENT AGENDA:**

18 (1) Resolution Approving the Payment of Claims

19 (2) Resolution Approving the Payment of

20 Concurring Claims

21 (3) Resolution Approving the Payment of Escrow

22 Refunds

23 (4) Resolution Approving the City Payroll for

24 August 1st through August 14, 2020

25 (5) Resolution Approving the Library Payroll

- 1 for August 1st through August 14, 2020
- 2 (6) Resolution Awarding a Contract to D&L
- 3 Paving Contractors, Inc., for the 2020
- 4 Miscellaneous City-Wide Pothole Repair Project -
- 5 Phase 2
- 6 (7) Resolution Approving the Submission and
- 7 Execution of a Grant Application and Contract
- 8 with the NJDOT for the Palisade Avenue Roadway
- 9 Improvement Project - Section 3
- 10 (8) Resolution Authorizing the Refund of Premium
- 11 Monies Collected at the Tax Sale
- 12 (9) Resolution Authorizing the Refund of
- 13 Redemption Monies to Outside Lienholders
- 14 (10) Resolution Crediting Convenience Fees on E-
- 15 Checks
- 16 (11) Resolution Authorizing the Award of a
- 17 Contract for Counsel for the Rent Stabilization
- 18 Board to Marotta & Garvey
- 19 (12) Resolution Authorizing the Award of Contract
- 20 for Planning and Zoning Consultant to Community
- 21 Housing and Planning Associates
- 22 (13) Resolution Authorizing the Award of Contract
- 23 for Accounting Services to Business Accounting
- 24 Services, LLC
- 25 (14) Resolution Authorizing the Award of Contract

1 for Architectural Services to RSC Architects,
2 Clarke Canton (sic) Hintz, Becica Associates and
3 Heritage Architecture, LLC (all proposals
4 accepted)
5 (15) Resolution Authorizing the Award of Contract
6 for State and Federal Grants Consultant to
7 Millennium Strategies LLC
8 (16) Resolution Authorizing the Award of a
9 Contract for Police Department Physician to
10 CarePoint Medical Group
11 (17) Resolution Authorizing the Award of Contract
12 for Special Counsel to Gregory Farmer, Chasen,
13 Lamparello, Mallon and Cappuzzo, Florio, Kenny,
14 Raval, LLP, Barry Sarkisian, Marotta & Garvey,
15 Cleary Giocobbe Alfieri and Jacobs, Dario Albert
16 Metz & Eyerman (all proposals accepted)
17 (18) Resolution Authorizing the Award of a
18 Contract for Special Hearing Officer to Florio,
19 Kenny, Raval LLP
20 (19) Resolution Authorizing the Award of Contract
21 for Labor Counsel to O'Toole, Scrivo LLC
22 (20) Resolution Authorizing the Award of a
23 Contract for Recreation Physicals to CarePoint
24 (21) Resolution Authorizing the Award of a
25 Contract for Substitute Municipal Court

1 Prosecutor to Norman Albert, Craig Kojac and
2 Moshood Muftau
3 (22) Resolution Authorizing the Award of Contract
4 Arborist Services to CME Associates
5 (23) Resolution Authorizing the Award of Contract
6 for Transcription Services for Union City Boards
7 to Audio-Digital Transcription Services
8 (24) Resolution Authorizing the Award of Contract
9 for Substitute Public Defender to Yaker (sic)
10 Glatt and Aritstides (sic) Hernandez (all
11 proposals accepted)
12 (25) Resolution Authorizing the Award of Contract
13 for Zoning Board of Adjustment Counsel to Tomas
14 R. Paneque
15 (26) Resolution Authorizing the Award of a
16 Contract for Chief Municipal Court Prosecutor to
17 TJ Legg Law Firm
18 (27) Resolution Authorizing the Award of Contract
19 for ABC Prosecutor with Gregory Farmer
20 (28) Resolution Authorizing the Award of Contract
21 for Planning Consultant for Affordable Housing
22 Matters to Heyer Gruel & Associates
23 (29) Resolution Authorizing the Award of a
24 Contract for Special Projects Planner to Heyer
25 Gruel & Associates

1 (30) Resolution Authorizing the Award of a
2 Contract for Personnel Consultant with Jason
3 Michael Consultants

4 (31) Resolution Authorizing the Award of a
5 Contract for Special Counsel Land Use to Cleary,
6 Giacobbe, Alfieri and Jacobs

7 (32) Resolution Authorizing the Award of a
8 Contract for Planning Board Attorney to Cleary,
9 Giacobbe, Alfieri and Jacobs

10 (33) Resolution Authorizing the Award of Contract
11 for Bond Counsel to Parker McCay

12 (34) Resolution Authorizing the Award of a
13 Contract for Planning Consultant to the Community
14 Development Agency to Community Housing and
15 Planning Associates

16 (35) Resolution Authorizing the Award of a
17 Contract for Consultant for Green Acres and Open
18 Space to Community Housing and Planning
19 Associates

20 (36) Resolution Authorizing the Award of General
21 Counsel to the Community Development Agency to
22 Scarinci Hollenbeck

23 (37) Resolution Approving the Award of a Contract
24 for Tax Appeal Expert to Hallmark Real Estate

25 (38) Resolution Authorizing the Award of a

1 Contract for Special Counsel Tax Appeals to
2 Marotta & Garvey
3 (39) Resolution Authorizing the Award of Contract
4 for Public Defenders to Yaker (sic) Glatt, Dario,
5 Albert, Metz & Eyerman
6 (40) Resolution Authorizing the Award of Contract
7 for Corporation Counsel Services to Scarinici
8 Hollenbeck
9 (41) Resolution Authorizing the Award of Contract
10 for Special Construction Code Litigation Services
11 to Chasen, Lamparello, Mallon and Cappuzzo and
12 Scarinci Hollenbeck (all proposals accepted)
13 (42) Resolution Authorizing the Award of a
14 Contract for Substitute Engineering Services to
15 CME Associates
16 (43) Resolution Authorizing the Award of a
17 Contract for Auditing Services to Donahue (sic),
18 Gironda, Doria & Tompkins (sic).)

19
20 CITY CLERK: There are 43 items on the
21 Consent Agenda.

22 The first is a Resolution Approving the
23 Payment of Claims.

24 The second is a Resolution Approving the
25 Payment of Concurring Claims.

1 The third is a Resolution Approving the
2 Payment of Escrow Refunds.

3 The fourth is a Resolution Approving the
4 City Payroll for the Period of August 1st through
5 August 14, 2020.

6 The fifth is a Resolution Approving the
7 Library Payroll for August 1st through August 14,
8 2020.

9 The sixth is a Resolution Awarding a
10 Contract to D and L Paving Contractors,
11 Incorporated, for the 2020 Miscellaneous Citywide
12 Pothole Repair Project, Phase 2.

13 The seventh is a Resolution Approving the
14 Submission of -- an Execution of a Grant
15 Application and Contract with the NJDOT for
16 Palisade Avenue Roadway Improvement Project,
17 Section 3.

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

21 The ninth is a Resolution Authorizing
22 Refund of Redemption Monies Paid to Outside
23 Lienholders.

24 The tenth is a Resolution Crediting
25 Convenience Fees on E-Checks.

1 The eleventh is a Resolution Authorizing
2 Award of a Contract for Counsel for the Rent
3 Stabilization Board to Marotta and Garvey.

4 The twelfth is a Resolution Authorizing
5 Award of a Contract for Planning and Zoning
6 Consultants to Community Housing and Planning
7 Associates.

8 Thirteenth is a Resolution Authorizing
9 Award of a Contract for Accounting Services to
10 Business Accounting Services, LLC.

11 Fourteenth is a Resolution Authorizing
12 Award of a Contract for Architectural Services to
13 RSC Architects, Clarke Cantor (sic) Hintz, Becica
14 Associates, Heritage Architecture, LLC; all
15 proposals were accepted.

16 The fifteenth is a Resolution Authorizing
17 Award of a Contract for State and Federal Grants
18 Consultant to Millennium Strategies, LLC.

19 Sixteenth is a Resolution Authorizing Award
20 of a Contract for Police Department Physician to
21 CarePoint Medical Group.

22 The seventeenth is a Resolution Authorizing
23 Award of a Contract as Special Counsel to Gregory
24 Farmer, Marotta -- Marotta and Garvey, Cleary
25 Giocobbe Alfieri and Jacobs, Dario Albert Metz

1 and Eyerman; all proposals were accepted.

2 The eighteenth is a Resolution Authorizing
3 Award of a Contract for Special Hearing Officer
4 to Florio, Kenny, Raval, LLP.

5 The nineteenth is a Resolution Authorizing
6 Award of Labor Counsel Contract to O'Toole,
7 Scrivo, LLC.

8 The twentieth is a Resolution Awarding a
9 Contract for Recreation Physicals to CarePoint.

10 The twenty-first is a Resolution
11 Authorizing Award of a Contract to Substitute
12 Municipal Court Prosecutor to Norman -- Norman
13 Albert, Craig Kojac and Moshood Muftau.

14 The twenty-second is a Resolution
15 Authorizing Award of a Contract to Arborist
16 Services for CME Associates.

17 Twenty-third is a Resolution Authorizing
18 Award of Contract for Transcription Services for
19 Union City Boards to Audio-Digital Transcription
20 Services.

21 Twenty-fourth is a Resolution -- Resolution
22 Authorizing Award of a Contract for Substitute
23 Public Defender to Yacker Glatt and Aristides
24 Hernandez; all proposals accepted.

25 Twenty-fifth is a Resolution Authorizing

1 Award of a Contract for Zoning Board of
2 Adjustment Counsel to Tomas Paneque.

3 The twenty-sixth is a Resolution
4 Authorizing Award for a Contract for Chief
5 Municipal Court Prosecutor to TJ Legg Law Firm.

6 The twenty-seventh is a Resolution
7 Authorizing Award of a Contract for ABC
8 Prosecutor to Gregory Farmer.

9 The twenty-eighth is a Resolution
10 Authorizing an Award of Contract for Planning
11 Consultant for Affordable Housing Matters to
12 Heyer Gruel and Associates.

13 The twenty-ninth is a Resolution
14 Authorizing Award of a Contract for Special
15 Projects Planner to Heyer Gruel and Associates.

16 The thirtieth is a Resolution Authorizing
17 Award of Contract for Personnel Consultant with
18 Jason Michaels (sic) Consultants.

19 The thirty-first is a Resolution
20 Authorizing Award of a Contract for Special
21 Counsel Land Use to Cleary, Giacobbe, Alfieri and
22 Jacobs.

23 The thirty-second is a Resolution
24 Authorizing Award of a Contract to Planning Board
25 Attorney to Cleary, Giacobbe, Alfieri and Jacobs.

1 Thirty-third is a Resolution Authorizing
2 Award of a Contract for Bond Counsel to Parker
3 McCay.

4 The thirty-fourth is a Resolution
5 Authorizing Award of Contract for Planning
6 Consultant to the Community Development Agency to
7 Community Housing and Planning Associates.

8 The thirty-fifth is a Resolution
9 Authorizing Award of a Contract for Consultant
10 for Green Acres and Open Space to Community
11 Housing and Planning Associates.

12 Thirty-sixth is a Resolution Authorizing an
13 Award of General Counsel to Community Development
14 Agency to Scarinci Hollenbeck.

15 The thirty-seventh is a Resolution
16 Approving the Award for Contract for Tax Appeal
17 Expert to Hallmark Real Estate.

18 Thirty-eighth is a Resolution Authorizing
19 Award of a Contract for Special Tax Appeals to
20 Marotta and Garvey.

21 Thirty-ninth is a Resolution Authorizing
22 Award of a Contract for Public Defenders to
23 Yacker Glatt, Dario, Albert, Metz and Eyerma.

24 The fortieth is a Resolution Authorizing
25 Award of a Contract for Corporation Counsel

1 Services to Scarinci Hollenbeck.

2 Forty-first is a Resolution Authorizing
3 Award of Special Construction Code Litigation
4 Services to Chasen, Lamparello, Mallon and
5 Cappuzzo and Scarinci Hollenbeck; all proposals
6 accepted.

7 Forty-second is a Resolution Authorizing
8 Award of a Contract for Substitute Engineering
9 Services to CME Associates.

10 Forty-third is a Resolution Authorizing
11 Award of Contract for Auditing Services to
12 Donohue, Gironde, Doria and Tomkins.

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

15 MAYOR STACK: Yes.

16 Anyone wishing to comment on the Consent
17 Agenda, that's the 43 items that the Clerk just
18 read in to the record; anyone wishing to comment
19 on those -- on those items, please step forward.
20 State your name and address for the record.

21 Seeing none.

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

24 COMMISSIONER GRULLON: Motion.

25 CITY CLERK: Motion by Commissioner

1 Gullon.

2 And second?

3 COMMISSIONER FERNANDEZ: Second.

4 MAYOR STACK: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 CITY CLERK: Commissioner Gullon?

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 May I have a motion to approve all items on
19 consent?

20 COMMISSIONER VALDIVIA: Motion.

21 CITY CLERK: Motion by Commissioner
22 Valdivia.

23 Second?

24 COMMISSIONER MARTINETTI: Second.

25 CITY CLERK: Second by Commissioner

1 Martinetti.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 CITY CLERK: Commissioner Grullon?

5 COMMISSIONER GRULLON: Yes.

6 CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 CITY CLERK: Commissioner Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12 CITY CLERK: Thank you.

13

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

16 **REGULAR AGENDA:**

17 1. RESOLUTION APPROVING A PAYMENT OF CLAIM FOR
18 THE HUDSON COUNTY IMPROVEMENT AUTHORITY.)

19

20 CITY CLERK: There is one item on the
21 Regular Agenda.

22 It's a Resolution Approving a Payment of
23 Claim for the Hudson County Improvement
24 Authority.

25 May I have a motion on item 1?

1 MAYOR STACK: Motion.

2 CITY CLERK: Motion by Mayor Stack.

3 Second?

4 COMMISSIONER FERNANDEZ: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 CITY CLERK: Commissioner Grullon?

10 COMMISSIONER GRULLON: Yes.

11 CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 CITY CLERK: Commissioner Martinetti is
14 recusing.

15 Mayor Stack?

16 MAYOR STACK: Yes.

17 CITY CLERK: Thank you.

18

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

21 **ORDINANCES FOR HEARING AND ADOPTION**

22 **CONSIDERATION:**

23 1. ORDINANCE OF THE CITY OF UNION CITY, COUNTY
24 OF HUDSON, NEW JERSEY, APPROPRIATING THE SUM OF
25 \$200,000 IN FUNDING FROM THE CAPITAL IMPROVEMENT

1 FUND FOR THE COMPLETION OF VARIOUS ROAD
2 IMPROVEMENTS.)
3

4 CITY CLERK: There are three Ordinances on
5 for Public Hearing and Adoption this evening.

6 The first is an Ordinance of the City of
7 Union City, County of Hudson, New Jersey,
8 Appropriating the Sum of 200,000 in Funding from
9 the Capital Improvement Fund for the Completion
10 of Various Road Improvements.

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

13 MAYOR STACK: Sure.

14 What this funding is used for is that we're
15 constantly upgrading the streets in the
16 community, constantly making sure we're filling
17 the potholes, doing a lot of repaving. This
18 money will help us on different streets in the
19 city that we haven't totally paved yet, but we're
20 doing repairs to keep the streets in good order.

21 Anyone wishing to comment on this time at
22 this Ordinance for \$200,000.00, please step
23 forward. State your name and address for the
24 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: I'm sorry.

9 Second? Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Thank you.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 CITY CLERK: Commissioner Grullon?

15 COMMISSIONER GRULLON: Yes.

16 CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 CITY CLERK: Commissioner Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22 CITY CLERK: Thank you.

23 May I have a motion to adopt this
24 Ordinance?

25 MAYOR STACK: Motion.

1 CITY CLERK: Motion by Mayor Stack.

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 **ORDINANCES FOR HEARING AND ADOPTION**

21 **CONSIDERATION:**

22 2. AN ORDINANCE TO RESCIND ORDINANCE NO.

23 2019-20 TO SUSPEND SECURITY DEPOSIT SUBMISSION

24 REQUIREMENTS SET FORTH IN SECTION 329-32 ET SEQ.

25 OF THE CODE OF THE CITY OF UNION CITY.)

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CITY CLERK: The second Ordinance is an Ordinance to Rescind Ordinance Number 2019-20 to Suspend Security Deposit Submission Requirements Set Forth in Section 329-32 et seq. of the Code of the City of Union City.

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

MAYOR STACK: Yes.

Anyone wishing to comment at this time, please step forward, on the Ordinance Rescinding the Security Deposit Submission Requirements.

Seeing none.

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

COMMISSIONER FERNANDEZ: Motion.

CITY CLERK: Motion by Commissioner Fernandez.

Second?

COMMISSIONER MARTINETTI: Second.

CITY CLERK: Second by Commissioner Martinetti.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

CITY CLERK: Commissioner Grullon?

1 COMMISSIONER GRULLON: Yes.

2 CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 CITY CLERK: Commissioner Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8 CITY CLERK: Thank you.

9 May I have a motion to adopt this
10 Ordinance?

11 COMMISSIONER GRULLON: Motion.

12 COMMISSIONER VALDIVIA: Motion.

13 CITY CLERK: Motion by Commissioner
14 Valdivia.

15 Second by Commissioner Grullon.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 CITY CLERK: Commissioner Grullon?

19 COMMISSIONER GRULLON: Yes.

20 CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 CITY CLERK: Commissioner Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 CITY CLERK: Mayor Stack?

25 MAYOR STACK: Yes.

1 CITY CLERK: Thank you.

2

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

5 **ORDINANCES FOR HEARING AND ADOPTION**

6 **CONSIDERATION:**

7 3. AN ORDINANCE OF THE CITY OF UNION CITY,
8 COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE
9 SUM OF \$275,000 IN FUNDING FROM THE CAPITAL
10 IMPROVEMENT FUND FOR THE REPLACEMENT OF STREET
11 LIGHTS AND RELATED IMPROVEMENTS ALONG SUMMIT
12 AVENUE.)

13

14 CITY CLERK: The third Ordinance is an
15 Ordinance of the City of Union City, County of
16 Hudson, New Jersey, Appropriating the Sum of
17 275,000 in Funding from the Capital Improvement
18 Fund for the Replacement of Street Lights and
19 Related Improvements Along Summit Avenue.

20 Mayor, at this time, would you like to take
21 -- take public comment on this Ordinance?

22 MAYOR STACK: Sure.

23 What we're doing on this area on Summit
24 Avenue, between 5th Street and 18th Street, is
25 we're upgrading their lighting. While it's

1 | bright down there right now, we want to make it a
2 | little bit brighter. It makes it safer for
3 | residents, when they're out there walking around
4 | at nighttime.

5 | We upgraded the lighting on Bergenline
6 | Avenue from 15th through 30th Street, and you
7 | could see a major difference. It's like
8 | daylight. It's also helpful with the police
9 | cameras that we have up there. It helps with the
10 | -- the lighting for the cameras. But more
11 | importantly, for the lighting when you're getting
12 | out of your vehicle or you're out walking about
13 | at night, that it's very, very bright. You know
14 | your surroundings. So, this is something we're
15 | constantly doing in the city, and now we're doing
16 | it on 5th to 18th on Summit Avenue.

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

20 | Seeing none.

21 | A VOICE: (Indiscernible).

22 | MAYOR STACK: I'm sorry?

23 | A VOICE: That's awesome.

24 | MAYOR STACK: Thank you very much.

25 | Thank you.

1 Anyone else wishing to comment at this
2 time?

3 Seeing none.

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

6 COMMISSIONER MARTINETTI: Motion.

7 CITY CLERK: Motion by Commissioner
8 Martinetti.

9 Second?

10 COMMISSIONER VALDIVIA: Second.

11 CITY CLERK: Second by Commissioner
12 Valdivia.

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 May I have a motion to adopt the Ordinance?

25 COMMISSIONER GRULLON: Motion.

1 CITY CLERK: Motion by Commissioner
2 Grullon.

3 Second?

4 COMMISSIONER MARTINETTI: Second.

5 CITY CLERK: Second by Commissioner
6 Martinetti.

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: And Mayor Stack?

16 MAYOR STACK: Yes.

17 CITY CLERK: Thank you.

18

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

20

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

24 MAYOR STACK: Sure.

25 I would just like to thank the

1 Commissioners for always supporting our goal and
2 our mission of moving a hundred percent of our
3 Commission meetings throughout the community,
4 always in the evening hours, for total
5 participation. We try to do, whether it's our
6 official meetings, the Mobile Mayor's Office,
7 Police Community Meetings, we try to cover every
8 single block, every single neighborhood in the
9 city, and we continue to live up to that
10 tradition.

11 I thank the Commissioners for all that they
12 do to make that possible, and for all their work,
13 each Commissioner does in each of their
14 departments.

15 Most importantly, we'd like to thank those
16 residents that came out tonight.

17 We notified all the residents from 41st to
18 49th, from Park Avenue to Kennedy Boulevard, about
19 this meeting tonight. I realize right now, with
20 COVID, a lot of people aren't about still. But
21 we're trying to make it as accessible as
22 possible, and also to bring some of our -- our
23 items back to normalization, such as our
24 meetings. We only had one Zoom meeting. We did
25 all of our meetings in person, practicing social

1 distancing.

2 At this time, does anyone have any
3 questions, any comments, any issues they'd like
4 to bring to the Commissioners, to my attention,
5 concerning the City of Union City?

6 Seeing none.

7 I'd like to thank everyone for coming out.

8 The portion of the meeting we'll go into now,
9 after the public portion, is Liquor License
10 Public Hearings. You're welcome to stay for
11 that, if you'd like.

12 CITY CLERK: Thank you, Mayor.

13 May I have a motion to close Public
14 Comment?

15 COMMISSIONER FERNANDEZ: Motion.

16 CITY CLERK: Motion by Commissioner
17 Fernandez.

18 Second?

19 MAYOR STACK: Second.

20 CITY CLERK: Second by Mayor Stack.
21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 CITY CLERK: Commissioner Grullon?

24 COMMISSIONER GRULLON: Yes.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 CITY CLERK: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 CITY CLERK: And Mayor Stack?

5 MAYOR STACK: Yes.

6 CITY CLERK: Okay.

7

8 * * *

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 LIQUOR LICENSE HEARING:

2

3 (1) Person to Person and Place to Place

4 Transfer Application

5 Hamlet Ent 2, LLC

6 T/A: Mama Sushi

7 Location: 3417 Bergenline (sic) Avenue

8 License No. 0910-33-034-004

9 *Pocket License & Special Condition

10

11 CITY CLERK: At this time, Mr. Farmer?

12 MR. FARMER: Yes. Where do you want us to

13 stand?

14 MAYOR STACK: I think right over here.

15 MR. FARMER: Right here? Okay.

16 There's one matter on your calendar this
17 evening, and that's a transfer of liquor license
18 concerning a piece of property, 3417 Park Avenue.

19 CITY CLERK: There's a typo in there.

20 MR. FARMER: Huh?

21 CITY CLERK: Sorry.

22 MAYOR STACK: I'm sorry. I'm sorry.

23 CITY CLERK: There was a typo in the
24 agenda. It should say Park Avenue, not

25 Bergenline.

1 MAYOR STACK: You don't mind, right?

2 COMMISSIONER VALDIVIA: No, no.

3 MAYOR STACK: Thank you.

4

5 (Whereupon, Commissioner Celin J. Valdivia
6 left the meeting at 7:21 p.m.)

7

8 MR. FARMER: Now, with respect to this
9 transfer, Detective Dunlay and myself have
10 interviewed the licensee, checked his criminal
11 background and checked everything out, and we're
12 satisfied that they've dotted the Is and crossed
13 the Ts, and that they have met all of the
14 qualifications with respect to a transfer.

15 This license has previously three
16 conditions on it. The first -- and they all
17 really deal with quality of life. The first one
18 is music and loud noise of any kind will be kept
19 at a minimum. No -- (indiscernible) -- music
20 will be played outside of the bar, specifically
21 in the back patio on the rooftop terrace.

22 Now, with respect to the rooftop terrace,
23 we have entered into an agreement that as of this
24 moment, there will be no activity by the licensee
25 on the rooftop terrace.

1 Okay?

2 Licensee has requested, through attorney,
3 Mr. Lynch, to address you on that issue, and I
4 told him that I would think you'd have no
5 objection.

6 The second one deals with a sketch of the
7 premises, the layout. That's pretty much been
8 done. Okay. So, that really --

9 And finally, the applicant understands that
10 there's a concern about parking at this location.
11 As you know, the licensee has secured a contract
12 for parking. And that certainly will alleviate
13 something with respect to that. I -- I realize,
14 and as you know, better than I, that that's a
15 tough spot.

16 MAYOR STACK: Sure.

17 MR. FARMER: That along with the condition
18 of no activity at this time on the roof and no
19 hookah smoking, we're in a position to recommend
20 that it be transferred under those conditions.

21 Mr. Lynch is here representing the licensee
22 and he can speak for himself and tell you what
23 the present situation is.

24 MAYOR STACK: Thank you, Mr. Farmer.

25 Mr. Lynch?

1 MR. LYNCH: Thank you, Mr. Mayor,
2 Commissioners.

3 I would really echo what Mr. Farmer said.
4 My clients are here. They're prepared to go --
5 abide by those conditions.

6 This is not -- I would just like to say
7 this. This is not a fly by night business. Mama
8 Sushi is an established restaurant in both New
9 York and in New Jersey. We anticipate finally
10 maybe having someone successful at that location,
11 because it's a beautiful building. We have a
12 history of success. We intend to continue that
13 success and continue it as good neighbors for the
14 community.

15 My clients are well aware that this is a
16 residential area, which is why they have agreed
17 at this point to -- to establish themselves as
18 good neighbors by agreeing to forego any kind of
19 activity on the roof. And they want an
20 opportunity to prove to -- to the Mayor and the
21 Board that we are good neighbors and we would
22 like to show that. And then, come back and ask
23 you to entertain possibly having a restaurant on
24 that rooftop, especially now during this COVID
25 virus, open air dining. People need it. They

1 have -- we have the facility for it. But we
2 understand that we have to establish a track
3 record for you before we can come back.

4 But I think that shows the mentality that
5 we have. We want to be good citizens, we want to
6 be good business people in Union City and make it
7 a success and make it -- make it a place where
8 the residents can go and enjoy themselves.

9 As I said, we have a track record as a good
10 restaurant in -- in more than one state.

11 So, we're looking forward to opening up and
12 -- and we'll abide by the conditions as Mr.
13 Farmer said. And I would just like to -- one
14 more thing, just emphasize about that we're aware
15 of the parking issues over there. So, we have,
16 in fact, entered into a contract with both a
17 valet parking service and with the Laundromat
18 next door. So, we'll be able to provide plenty
19 of parking and we won't be harassing anyone in
20 the neighborhood.

21 MAYOR STACK: Where would you park, John,
22 besides parking next door, in the laundry?

23 MR. LYNCH: Well, I think that --

24 MAYOR STACK: Where else would they park?

25 MR. LYNCH: I -- I'm going to let my client

1 answer that.

2 MAYOR STACK: Sure.

3 MR. LYNCH: If I can?

4 MAYOR STACK: Sure.

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

7 MR. LYNCH: I think they're going to use
8 the licensed service and the Laundromat.

9 MAYOR STACK: I see.

10 MR. LYNCH: So, but the people won't be
11 pulling in --

12 MR. DILLON: Excuse me?

13 Can you step up to the mic?

14 MR. LYNCH: -- which is even safe --

15 MAYOR STACK: Just if you can just come
16 back, Mr. Lynch.

17 You know what I was thinking, why I asked
18 you, Mr. Lynch, is that I asked because I just
19 asked Sergeant Dunlay, I asked, in the past, I
20 thought there was -- not with Mama Sushi,
21 obviously, but prior establishments that they
22 rented -- I thought they rented, at one point,
23 the Verizon lot on 30 -- 35th and Palisade Avenue
24 at one point.

25 MR. LYNCH: Well, that's certainly

1 something we'll explore.

2 MAYOR STACK: Yeah. I would -- I would
3 definitely --

4 MR. LYNCH: For sure.

5 MAYOR STACK: -- try to look into that.
6 Yeah.

7 MR. LYNCH: No, we will. We will. That --
8 that is the --

9 MAYOR STACK: The Sergeant might be able to
10 work and try to give you the contact on that.

11 MR. LYNCH: Well, I will --

12 MAYOR STACK: If you could.

13 MR. LYNCH: -- certainly contact Sergeant
14 Dunlay --

15 MAYOR STACK: Yeah.

16 MR. LYNCH: -- and work with him --

17 MAYOR STACK: Yeah.

18 MR. LYNCH: -- towards that. That might
19 make things easier.

20 MAYOR STACK: Because that would supply a
21 lot of parking and that -- there's no one --
22 well, there's -- there's maybe ten cars -- eight
23 to ten cars in there at night, but the rest of
24 the lot is wide open.

25 MR. LYNCH: No, well, thank you, Mayor.

1 MAYOR STACK: Yeah.

2 MR. LYNCH: That's great -- great advice.
3 And we will take advantage of it.

4 MAYOR STACK: Yeah. Absolutely.

5 MR. FARMER: Just one last thing.

6 MAYOR STACK: Sure.

7 MR. FARMER: Just for your information.

8 As you can tell, from what we've been
9 talking about, there was some kind of confusion
10 with respect to the extent of the licensed
11 premises. And this Friday, the licensee, a
12 representative of the Building Department, Mr.
13 Lynch and myself, want to meet at the place and
14 get clear on what's licensed and what can be used
15 and what can't be used.

16 MAYOR STACK: I see.

17 MR. FARMER: And that was suggested by the
18 licensee, in the spirit of cooperation with
19 everybody. And graciously, the Building
20 Department made itself available.

21 MAYOR STACK: The only thing we ask is that
22 just, please, just be considerate of the
23 neighbors who live in that area. That is very,
24 very important. There was a lot of complaints in
25 the past when Park Avenue Grill was there, with

1 the noise and stuff like that. That was one of
2 the main concerns. Even in the backyard, just to
3 try to keep it down if you can. Any type of
4 sound barrier you could do back there. I know
5 that there's different techniques you could do,
6 just to be considerate of the neighbors. That's
7 all we ask. Great.

8 Okay.

9 I'll make the motion to approve.

10 CITY CLERK: Motion by Mayor Stack to
11 approve.

12 Second?

13 COMMISSIONER FERNANDEZ: Second.

14 CITY CLERK: Second by Commissioner
15 Valdivia (sic).

16 I'm sorry.

17 Commissioner Fernandez.

18 I do want to let the record reflect that
19 Commissioner Valdivia left at 7:21 p.m.

20 MAYOR STACK: He had to go cover another
21 meeting.

22 Thank you.

23 CITY CLERK: Thank you, Mayor.

24 MAYOR STACK: Thank you.

25 CITY CLERK: Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 CITY CLERK: Commissioner Gullon?

3 COMMISSIONER GRULLON: Yes.

4 CITY CLERK: Commissioner Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 CITY CLERK: And Mayor Stack?

7 MAYOR STACK: Yes.

8 CITY CLERK: Thank you.

9

10 **ADJOURNMENT:**

11

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

14 COMMISSIONER FERNANDEZ: Motion.

15 CITY CLERK: Motion by --

16 MAYOR STACK: Thanks.

17 CITY CLERK: -- Commissioner Fernandez.

18 Second?

19 COMMISSIONER GRULLON: Second.

20 MAYOR STACK: Thank you, John.

21 Thank you very much.

22 CITY CLERK: Second by Commissioner
23 Gullon.

24 MAYOR STACK: Good luck with the business.

25 Good luck.

1 CITY CLERK: Commissioner Fernandez?

2 MAYOR STACK: Thank you.

3 Good luck.

4 CITY CLERK: Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 CITY CLERK: Commissioner Grullon?

7 COMMISSIONER GRULLON: 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 proceedings were concluded
15 at 7:28 p.m.)

16

17

18

19

20

21

22

23

24

25

1

Brian P. Stack

2

Lucio P. Fernandez

3

Marilyn A. Martinetti

4

Celin J. Valdivia

5

Wendy A. Grullon

6

Board of Commissioners

7

8

Attest:

9

Erin M. Knoedler,

10

City Clerk

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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, August 18, 2020 and digitally
10 recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon


Debra A. Kaszniak
Certification No. 324