

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Academy for Advancement
and Enrichment
2210 Kerrigan Avenue
Union City, New Jersey

Tuesday, November 10, 2020
Commencing at 7:00 p.m.

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

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

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

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

ERIN M. KNOEDLER, CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

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

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1 CITY CLERK: This is a Regular Public
2 Meeting of the Union City Board of Commissioners
3 being held on Tuesday, November 10th, 2020 at
4 seven p.m., at the Academy for Advancement and
5 Enrichment, 2210 Kerrigan Avenue, Union City, New
6 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 has been provided to The
15 Jersey Journal, The Record, The Hudson Reporter,
16 and been posted on the bulletin board at City
17 Hall and made available to the public in the
18 Office of the Municipal Clerk.

19

20 **ROLL CALL:**

21

22 CITY CLERK: Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Here.

24 CITY CLERK: Commissioner Grullon?

25 COMMISSIONER GRULLON: Here.

1 CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Here.

3 CITY CLERK: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Here.

5 CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes. Here.

7

8 (Whereupon, the Board discussed and took

9 action on the following item:

10 **APPROVAL OF PREVIOUS MEETING MINUTES -**

11 **REGULAR MEETING - OCTOBER 20, 2020.)**

12

13 CITY CLERK: The first item is the Approval
14 of the Meeting Minutes from October 20th, 2020.

15 May I have a motion to approve?

16 MAYOR STACK: Motion.

17 CITY CLERK: Motion by Mayor Stack.

18 Second?

19 COMMISSIONER VALDIVIA: Second.

20 COMMISSIONER GRULLON: Second.

21 CITY CLERK: Second by Commissioner

22 Valdivia.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 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

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

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

13 1. ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
14 APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(a)
15 FOR THE PREPARATION OF AN APPROVED TAX MAP IN AND
16 FOR THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW
17 JERSEY.)

18

19 CITY CLERK: There are two Ordinances on
20 for Introduction this evening.

21 Adoption on first reading will authorize
22 the Municipal Clerk to make the notice of
23 introduction along with the place and time of
24 final consideration published in the paper.

25 It will be held on Tuesday, November 24th,

1 2020, at the Colin Powell Elementary School, 1500
2 New York Avenue, Union City, New Jersey.

3 The first Ordinance is an Ord-- Ordinance
4 Authorizing a Special Emergency Appropriation
5 Pursuant to N.J.S.A. 40A:4-53(a) for the
6 Preparation of an Approved Tax Map in and or the
7 City of Union City, County of Hudson, New Jersey.

8 May I have a motion to introduce?

9 MAYOR STACK: Motion.

10 COMMISSIONER VALDIVIA: Motion.

11 CITY CLERK: Motion by Mayor Stack.

12 Second by Commissioner Valdivia.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 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 item:

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

3 2. ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
4 APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(h)
5 FOR THE PAYMENT OF CONTRACTUALLY REQUIRED
6 SEVERANCE LIABILITIES IN AND FOR THE CITY OF
7 UNION CITY, COUNTY OF HUDSON, NEW JERSEY.)

8
9 CITY CLERK: The next Ordinance is an
10 Ordinance Authorizing a Special Emergency
11 Appropriation Pursuant to N.J.S.A. 40A:4-53(h)
12 for the Payment and Contractually Required
13 Severance Liabilities in and for the City of
14 Union City, County of Hudson, New Jersey.

15 May I have a motion to introduce?

16 MAYOR STACK: Motion.

17 CITY CLERK: Motion by Mayor Stack.
18 Second?

19 COMMISSIONER MARTINETTI: Second.

20 CITY CLERK: Second by Commissioner
21 Martinetti.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 Commissioner Gullon?

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: And Mayor Stack?

6 MAYOR STACK: Yes.

7 CITY CLERK: Thank you.

8

9 (Whereupon, the Board discussed and took
10 action on the following items in total:

11 **CONSENT AGENDA:**

12 (1) Resolution Approving the Payment of Claims

13 (2) Resolution Approving the Payment of
14 Concurring Claims

15 (3) Resolution Approving the Payment of Escrow
16 Refunds

17 (4) Resolution Approving the City Payroll
18 October 24 through November 6, 2020

19 (5) Resolution Approving the Library Payroll
20 October 24 through November 6, 2020

21 (6) Resolution Renaming Bergenline Avenue
22 Between 8th and 9th Street As "Carmen Cuevas Way"

23 (7) Resolution Authorizing the Issuance and
24 Sale of Up to \$37,845,000 General Obligation
25 Bonds, Series 2020; and \$6,745,000 of Taxable

1 General Obligation Bonds, Series 2020, of the
2 City of Union City, County of Hudson, New Jersey;
3 Authorizing Such Further Action and Making Such
4 Determinations as may be Necessary or Appropriate
5 to Effectuate the Issuance and Sale of the Bonds
6 (8) Resolution Authorizing the Refund of
7 Redemption Monies to Outside Lienholders
8 (9) Resolution Cancelling Added Taxes on
9 Property Erroneously Assessed
10 (10) Resolution Authorizing the Refund of
11 Premium Monies Collected at the Tax Sale
12 (11) Resolution Authorizing the Refund of Tax
13 Appeals Issued by the Hudson County Board of
14 Taxation
15 (12) Resolution of Repayment of Past Added
16 Collected Erroneously
17 (13) Resolution Authorizing the City Clerk to
18 Advertise for Miscellaneous Citywide Pothole
19 Repair - Phase 3
20 (14) Resolution Authorizing the City Clerk to
21 Advertise for Supplemental Snow Removal
22 Services.)
23
24 CITY CLERK: There are 14 items on the
25 Consent Agenda.

1 The first is a Resolution Approving the
2 Payment of Claims.

3 Second is a Resolution Approving the
4 Payment of Concurring Claims.

5 Third is a Resolution Approving the Payroll
6 -- Payment of Escrow Refunds.

7 Fourth is a Resolution Approving the City
8 Payroll for the period of October 24th through
9 November 6, 2020.

10 The fifth is a Resolution Approving the
11 Library Payroll for the period of October 24th
12 through November 6, 2020.

13 The sixth is a Resolution Renaming
14 Bergenline Avenue, Between 8th and 9th Street, as
15 "Carmen Cuevas Way".

16 The seventh is a Resolution Authorizing the
17 Issuance and Sale of Up to 37,845,000 General
18 Obligation Bonds, Series 2020; and 6,745,000 of
19 Taxable General Obligation Bonds, Series 2020, of
20 the City of Union City, County of Hudson, New
21 Jersey; Authorizing Such Further Action and
22 Making Such Determinations as may be Necessary or
23 Appropriate to Effectuate the Issuance and Sale
24 of Bonds.

1 The eighth is a Resolution Authorizing the
2 Refund of Redemption Monies to Outside
3 Lienholders.

4 The ninth is a Resolution Cancelling Added
5 Taxes on a Property Erroneously Assessed.

6 The tenth is a Resolution Authorizing the
7 Refund of Premium Monies Collected at the Tax
8 Sale.

9 The eleventh is a Resolution Authorizing
10 the Refund of Tax Appeals Issued by the Hudson
11 County Board of Taxation.

12 Twelfth is a Resolution reinstating a tax
13 abatement that was erroneously removed.

14 Thirteenth is a Resolution Authorizing the
15 City Clerk to Advertise for Miscellaneous
16 Citywide Pothole Repair, Phase 3 Bids.

17 The fourteenth is a Resolution Authorizing
18 the City Clerk to Advertise for Supplemental Snow
19 Removal Services.

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

22 MAYOR STACK: Sure.

23 Any wish -- anyone wishing to comment on
24 the Consent Agenda, please step forward, state
25 your name and address for the record.

1 Seeing none.

2 I -- I would just like to make a comment.

3 That on number 6, the Renaming of

4 Bergenline Avenue --

5 I just wanted to thank Commissioner

6 Fernandez for making sure we got this done -- and

7 Erin, our City Clerk.

8 -- as "Carmen Cuevas Way".

9 Carmen was a person -- and all of us -- I
10 know all the Commissioners remember her.

11 Somebody who was always very active in the

12 community. Would be at every Community Meeting.

13 Would be out there at all the events that we held

14 in the City. Somebody who was really a person

15 that was true blue Union City.

16 She passed away a short time ago and we
17 just wanted to recognize her contributions to the
18 City of Union City.

19 I know she lived at 818 Bergenline Avenue
20 for many, many years -- I know since I was a kid.

21 And always an active family in the community.

22 Always a family out there to help others. And

23 it's important that we recognize individuals of
24 that.

25 So I'd like to thank the Commissioners for

1 | doing that.

2 | Anyone else wishing to comment on the
3 | Consent Agenda, please step forward, state your
4 | name and address for the record.

5 | Seeing none.

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

8 | COMMISSIONER FERNANDEZ: Motion.

9 | CITY CLERK: Motion by Commissioner
10 | Fernandez.

11 | Second?

12 | COMMISSIONER VALDIVIA: Second.

13 | CITY CLERK: Second by Commissioner
14 | Valdivia.

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: May I have a motion to approve

1 all items on Consent?

2 COMMISSIONER VALDIVIA: Motion.

3 CITY CLERK: Motion by Commissioner
4 Valdivia.

5 Second?

6 COMMISSIONER FERNANDEZ: Second.

7 CITY CLERK: Second by Commissioner
8 Fernandez.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 CITY CLERK: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 CITY CLERK: And Mayor Stack?

18 MAYOR STACK: Yes.

19 CITY CLERK: Thank you.

20

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

23 **REGULAR AGENDA:**

24 1. Resolution Approving Emergency Temporary
25 Appropriations.)

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CITY CLERK: There are three items on the
Regular Agenda.

The first is a Resolution Approving
Emergency Temporary Appropriations.

May I have a motion to approve item 1?

MAYOR STACK: Motion.

CITY CLERK: Motion by Mayor Stack.
Second?

COMMISSIONER GRULLON: Second.

CITY CLERK: Second by Commissioner
Grullon.

Commissioner Fernandez?

COMMISSIONER FERNANDEZ: Yes.

CITY CLERK: Commissioner Grullon?

COMMISSIONER GRULLON: Yes.

CITY CLERK: Commissioner Valdivia?

COMMISSIONER VALDIVIA: Yes.

CITY CLERK: Commissioner Martinetti?

COMMISSIONER MARTINETTI: Yes.

CITY CLERK: Mayor Stack?

MAYOR STACK: Yes.

CITY CLERK: Thank you.

(Whereupon, the Board discussed and took

1 action on the following item:

2 **REGULAR AGENDA:**

3 2. Resolution Approving a Payment of Claim for
4 the Union City Board of Education.)

5

6 CITY CLERK: The second is a Resolution
7 Approving a Payment of Claim for the Union City
8 Board of Education.

9 MR. AUTERI: Ordinarily Commissioner
10 Valdivia and Grullon would not vote on Board of
11 Ed matters; however, tonight we're invoking the
12 doctrine of necessity.

13 CITY CLERK: Thank you.

14 May I have a motion to approve item 2?

15 MAYOR STACK: Motion.

16 CITY CLERK: Motion by Mayor Stack.

17 Second?

18 COMMISSIONER GRULLON: Second.

19 CITY CLERK: Second by Commissioner
20 Grullon.

21 Commissioner Fernandez is recusing.

22 Commissioner Grullon?

23 COMMISSIONER GRULLON: Yes.

24 CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 CITY CLERK: Commissioner Martinetti is
2 recusing.

3 Mayor Stack?

4 MAYOR STACK: Yes.

5 CITY CLERK: Thank you.

6

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

9 **REGULAR AGENDA:**

10 3. Resolution Approving a Payment of Claim for
11 the Hudson County Improvement Authority.)

12

13 CITY CLERK: The third is a Resolution
14 Approving a Payment of Claim for the Hudson
15 County Improvement Authority.

16 MAYOR STACK: Motion.

17 CITY CLERK: Motion on -- on the Resolution
18 by Mayor Stack.

19 Second?

20 COMMISSIONER VALDIVIA: Second.

21 CITY CLERK: Second by Commissioner
22 Valdivia.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 CITY CLERK: Commissioner Grullon?

1 COMMISSIONER GRULLON: Yes.

2 CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 CITY CLERK: Commissioner Martinetti is
5 recusing.

6 And Mayor Stack?

7 MAYOR STACK: Yes.

8 CITY CLERK: Thank you.

9

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

12 **ORDINANCE(S) FOR HEARING AND ADOPTION**

13 **CONSIDERATION:**

14 1. ORDINANCE OF STATE FISCAL YEAR 2021 TO
15 EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
16 AND TO ESTABLISH A CAP BANK (N.J.S.A.
17 40A:4-45.14).)

18

19 CITY CLERK: There are two -- there are two
20 Ordinances on for Public Hearing and Adoption
21 Consideration.

22 First is an Ordinance of the State Fiscal
23 Year 2021 to Exceed the Municipal Budget
24 Appropriation Limits and to Establish a Cap Bank.

25 May I have a --

1 Mayor, would you like to take public
2 comment on this Ordinance?

3 MAYOR STACK: Sure.

4 Anyone wishing to comment on this Ordinance
5 at this time, please step forward, -- it's for
6 the Budget Appropriation Limit Establishing a CAP
7 Bank.

8 Anyone wishing to comment at this time,
9 please step forward, state your name and address
10 for the record.

11 Seeing none.

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

14 COMMISSIONER GRULLON: Motion.

15 CITY CLERK: Motion by Commissioner
16 Grullon.

17 Second?

18 COMMISSIONER FERNANDEZ: Second.

19 CITY CLERK: Second by Commissioner
20 Fernandez.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 CITY CLERK: Commissioner Grullon?

24 COMMISSIONER GRULLON: Yes.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.
2 CITY CLERK: Commissioner Martinetti?
3 COMMISSIONER MARTINETTI: Yes.
4 CITY CLERK: Mayor Stack?
5 MAYOR STACK: Yes.
6 CITY CLERK: Thank you.
7 May I have a motion to adopt?
8 COMMISSIONER MARTINETTI: Motion.
9 COMMISSIONER FERNANDEZ: Motion.
10 CITY CLERK: Motion by Commissioner
11 Martinetti.
12 Second by Commissioner Fernandez.
13 Commissioner Fernandez?
14 COMMISSIONER FERNANDEZ: Yes.
15 CITY CLERK: Commissioner Grullon?
16 COMMISSIONER GRULLON: Yes.
17 CITY CLERK: Commissioner Valdivia?
18 COMMISSIONER VALDIVIA: Yes.
19 CITY CLERK: 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 item:

2 **ORDINANCE(S) FOR HEARING AND ADOPTION**

3 **CONSIDERATION:**

4 2. ORDINANCE AMENDING ARTICLE XIII SECTION
5 4-73 SETTING FORTH REQUIREMENTS FOR THE SPECIAL
6 LAW ENFORCEMENT OFFICER POSITION.)

7
8 CITY CLERK: The second Ordinance is an
9 Ordinance Amending Article XIII Section 4-73
10 Setting Forth Requirements for Special Law
11 Enforcement Officer Position.

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

14 MAYOR STACK: Anyone wishing to comment at
15 this time, --

16 This is raising the hourly rate of a
17 special law enforcement officer, which would be a
18 Class II Officer, in the City of Union City.

19 It's just keeping it in line with the
20 neighboring communities around us because we lose
21 many of these officers to another municipality
22 for a couple extra dollars an hour.

23 They serve a great purpose in the City of
24 Union City. We've had much success with the
25 Class II Officers, something we'd like to

1 continue.

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

5 Seeing none.

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

8 COMMISSIONER FERNANDEZ: Motion.

9 CITY CLERK: Motion by Commissioner
10 Fernandez.

11 Second?

12 COMMISSIONER MARTINETTI: Second.

13 CITY CLERK: Second by Commissioner
14 Martinetti.

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.

1 May I have a motion to adopt?

2 COMMISSIONER MARTINETTI: Motion.

3 CITY CLERK: Motion by Commissioner
4 Martinetti.

5 Second?

6 COMMISSIONER FERNANDEZ: Second.

7 CITY CLERK: Second by Commissioner
8 Fernandez.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 CITY CLERK: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19 CITY CLERK: Thank you.

20

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

22

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

1 MAYOR STACK: Sure.

2 Anyone wishing to comment at this time --
3 time concerning any matter concerning government
4 in the City of Union City, please step forward.

5 I would just like to thank the
6 Commissioners, again, for moving a hundred
7 percent of our meetings around the community.
8 We're in a different location every two weeks.
9 And we hold them in the evening hours to get
10 participation from the public.

11 Thank you, Commissioners.

12 Anyone wishing to comment at this time,
13 please step forward.

14 Seeing none.

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

17 COMMISSIONER GRULLON: Motion.

18 COMMISSIONER VALDIVIA: Motion.

19 CITY CLERK: Motion by Commissioner
20 Grullon.

21 Second?

22 COMMISSIONER FERNANDEZ: Second.

23 CITY CLERK: Second by Commissioner
24 Fernandez.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.
2 CITY CLERK: Commissioner Grullon?
3 COMMISSIONER GRULLON: Yes.
4 CITY CLERK: Commissioner Valdivia?
5 COMMISSIONER VALDIVIA: Yes.
6 CITY CLERK: Commissioner Martinetti?
7 COMMISSIONER MARTINETTI: Yes.
8 CITY CLERK: Mayor Stack?
9 MAYOR STACK: Yes.
10 CITY CLERK: Thank you.

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1 LIQUOR LICENSE PUBLIC HEARINGS

2

3 1. Il Paradiso Corp. (Luis Contreras)

4 T/A Il Paradiso

5 1108 Summit Avenue

6 0910-33-103-002

7

8 2. Enrique DeLeon

9 T/A Cactus Bar

10 426 32nd Street

11 0910-33-227-005

12

13 3. Pupusa No. 2 Inc.

14 T/A Pupusa Loca II

15 4709-11 Bergenline Avenue

16 0910-33-174-008

17 (Robert Williams, Esq.)

18

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

21 MR. FARMER: Good evening, Mayor and the
22 Board.

23 We have three matters on the calendar.

24

25

* * *

1 Il Paradiso Corp. (Luis Contreras)

2 T/A Il Paradiso

3 1108 Summit Avenue

4 0910-33-103-002

5

6 MR. FARMER: The first one is Il Paradiso.

7 This is a situation where they were open
8 during the time that the Governor had all the
9 bars closed.

10 And we have made an agreement, along with
11 Sergeant Dunlay who was part of this discussion,
12 and we're treating this as we've done to others
13 in the past.

14 It will be a 15 day suspension; five days
15 suspended, ten days served. And it will be from
16 January 26th to February 4th.

17 MAYOR STACK: Okay.

18 Mr. Contreras, do you agree with what Mr.
19 Farmer has represented to the Board?

20 MR. CONTRERAS: Yes, Mayor.

21 MAYOR STACK: And do you want to have an
22 attorney present with you?

23 MR. CONTRERAS: No.

24 MAYOR STACK: No.

25 Okay.

1 I'll make a motion to approve the
2 settlement.

3 CITY CLERK: Motion by Mayor Stack.
4 Second?

5 COMMISSIONER FERNANDEZ: Second.

6 CITY CLERK: Second by Commissioner
7 Fernandez.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 CITY CLERK: Commissioner Grullon?

11 COMMISSIONER GRULLON: Yes.

12 CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 CITY CLERK: Commissioner Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18 CITY CLERK: Thank you.

19 SERGEANT DUNLAY: Okay, man.

20 MR. FARMER: Okay.

21 SERGEANT DUNLAY: Gracias.

22 MAYOR STACK: Thank you very much.

23 Thank you.

24

25

* * *

1 Enrique DeLeon
2 T/A Cactus Bar
3 426 32nd Street
4 0910-33-227-005
5

6 MR. FARMER: The next matter is Cactus Bar.

7 And that's a situation of a violation of
8 the Executive Order. And we've entered into a
9 stipulation with Cactus Bar.

10 And the licensee is here tonight. And
11 we've previously spoken to him.

12 That would be 15 days; five days suspended,
13 ten days served after the first of the year.

14 No, you want to do it December 1st.

15 December 1st to 10; wants to start December
16 1st.

17 MAYOR STACK: Start when?

18 MR. FARMER: So -- 15 -- 15 days, --

19 MAYOR STACK: No, I -- when -- when you --
20 I heard that.

21 But when will it start?

22 MR. FARMER: December 1st this year.

23 MAYOR STACK: December.

24 Okay.

25 Sir, do you agree?

1 Your name, sir?

2 MR. DeLEON: Enrique DeLeon.

3 MAYOR STACK: And -- and your role with the
4 establishment?

5 MR. DeLEON: Cactus Restaurant.

6 MAYOR STACK: Okay.

7 Are you the owner?

8 SERGEANT DUNLAY: What's your role?

9 MR. DeLEON: What's that?

10 SERGEANT DUNLAY: Are you the owner?

11 MR. DeLEON: I am the owner. I'm the
12 owner. Yeah.

13 MAYOR STACK: Okay.

14 And you heard what Mr. Farmer said, sir?

15 MR. DeLEON: Yes, from December the 1st to
16 December 10th.

17 MAYOR STACK: Do you want to have a lawyer
18 present with you, sir?

19 MR. DeLEON: No, no, no, no.

20 MAYOR STACK: No.

21 MR. DeLEON: It's all right.

22 MAYOR STACK: And you agree with what Mr.
23 Farmer said?

24 MR. DeLEON: Yes.

25 MAYOR STACK: Okay.

1 MR. DeLEON: Yes, --

2 MAYOR STACK: I'll make a motion to
3 approve.

4 CITY CLERK: Motion by Mayor Stack.
5 Second?

6 COMMISSIONER FERNANDEZ: Second.

7 CITY CLERK: Second by Commissioner
8 Fernandez.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 CITY CLERK: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti?

16 MR. DILLON: Excuse me?

17 Can I have -- can I get his name for the
18 record?

19 CITY CLERK: Sure.

20 Enrique --

21 MR. FARMER: DeLeon.

22 CITY CLERK: -- DeLeon.

23 MAYOR STACK: DeLeon.

24 MR. DILLON: Got it.

25 CITY CLERK: D-E-L-E-O-N.

1 MR. FARMER: You want to say something?

2 MR. DeLEON: Yes.

3 Mr. Mayor, may I -- may I to ask you
4 something?

5 MAYOR STACK: Sure.

6 MR. DeLEON: We got this little problem
7 that we are working with the -- with the
8 Detective and the Inspector, Valdez (phonetic),
9 from the Fire Department. Because the Detective
10 is asking us for a paper that shows how many
11 people we're allowed to have inside of the
12 building. You know?

13 But we talk with the Inspector about this
14 and he said he doesn't -- I mean he has no idea.
15 And the Fire Department said they're not allowed
16 to give the papers.

17 So, you know, like if something -- a
18 certificate or something that tell us how many
19 people we can have inside the -- the restaurant.

20 MAYOR STACK: You don't have an --

21 MR. DeLEON: So I went to the --

22 MAYOR STACK: You don't -- you don't have
23 occupancy load?

24 MR. DeLEON: Yeah we got it. We got it.
25 But they said we need a special paper. And then

1 we went with the Police and they said no.

2 So the Inspector, Valdez, the last time
3 told us that the meet-- is going to be a meeting
4 with the City Hall -- and the City Hall, they're
5 going to tell which Department's going to be
6 allowed to -- to go and give us the paper.

7 You know?

8 So we can't figure out who's going to be
9 the person because --

10 MAYOR STACK: Dave, do you know about this?

11 MR. DeLEON: -- we are worried because we
12 always need to have that.

13 SERGEANT DUNLAY: Mayor, historically, when
14 we had to set up the 25 percent occupancy, we
15 went with what was already drafted. And -- and
16 most of the businesses in Union City, the Union
17 City Fire Prevention Bureau was the one who
18 actually handled the certificate of occupancy on
19 the number of occupants that are allowed based on
20 the space.

21 MAYOR STACK: Yeah, you --

22 SERGEANT DUNLAY: From there we use the 25
23 percent as required by the Governor and that's
24 what we used, excluding the employees and the
25 staff that's actually working, on what they were

1 allowed to have -- to have inside the premise.

2 MR. DeLEON: Yes.

3 MAYOR STACK: So --

4 SERGEANT DUNLAY: But it's always
5 historically been the Fire Prevention Bureau.

6 MAYOR STACK: So is -- is Mr. DeLeon
7 representing though that he didn't know the
8 occupancy load and that's why this happened?

9 SERGEANT DUNLAY: No, no, he's asking
10 because he wants to come correct on the
11 situation.

12 Is -- is that correct?

13 MR. DeLEON: Yes. Yeah, because you know
14 what sometimes the -- the last week another
15 officer show up to our place asking for the paper
16 that say how many people we're allowed to have
17 inside.

18 MAYOR STACK: And you never knew the total
19 number of people?

20 You never knew that?

21 MR. DeLEON: Sir, we -- we used to have
22 only ten person because -- you know before we
23 used to have like --

24 MR. FARMER: I think -- I think --

25 Excuse me. I'm sorry.

1 I think what the Mayor is asking you, on
2 the document that you have hanging up on the
3 wall, it generally says occupancy of such-and-
4 such.

5 MR. DeLEON: Okay.

6 MR. FARMER: Do you have that?

7 MR. DeLEON: Yeah, we have everything.

8 MR. FARMER: Okay.

9 Then just divide by four --

10 MAYOR STACK: And what was that -- and what
11 was that number?

12 MR. DeLEON: Like 40.

13 MAYOR STACK: Forty.

14 MR. FARMER: Well you got ten.

15 MR. DeLEON: We got --

16 MAYOR STACK: And how many did you have in
17 on the night in question?

18 MR. DeLEON: Sometimes nine, sometimes
19 five, sometimes ten.

20 But, you know what, but we ask the
21 Inspector Valdez, he said the -- the Fire
22 Department doesn't give that paper.

23 You know, like a small certificate, saying
24 like okay you need to have only ten person
25 inside.

1 We got all -- all the papers -- the
2 certificate of dancing, everything. We got
3 everything.

4 Even the -- we working very close with the
5 -- with the Fire Department because that building
6 got a lot of issues with the alarm -- you know,
7 fire -- everything.

8 So but they fix it already. So we want to
9 know if we need that extra paper to show to the
10 Detective --

11 SERGEANT DUNLAY: No.

12 MR. DeLEON: -- or not.

13 SERGEANT DUNLAY: Just 25 percent of
14 whatever the --

15 MR. DeLEON: Oh, oh, okay.

16 MAYOR STACK: Yeah, that's -- that's --

17 MR. DeLEON: So now we do --

18 MAYOR STACK: -- fine.

19 MR. DeLEON: Okay.

20 MAYOR STACK: If you have any further --
21 just reach out to me.

22 MR. DeLEON: Oh, okay.

23 Sorry.

24 MAYOR STACK: The address of your building
25 is 426.

1 Right?

2 MR. DeLEON: Yeah, 426 32nd Street.

3 MAYOR STACK: Right.

4 MR. DeLEON: Yes.

5 MAYOR STACK: Okay.

6 MR. DeLEON: All right?

7 MAYOR STACK: Thank you very much.

8 MR. DeLEON: Sir, thank you very much.

9 MR. FARMER: Take care.

10 MAYOR STACK: I'll make a motion to

11 approve.

12 CITY CLERK: So the motion was made by

13 Mayor Stack.

14 Seconded by --

15 COMMISSIONER FERNANDEZ: Second.

16 CITY CLERK: -- Commissioner Fernandez.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 CITY CLERK: Commissioner Grullon?

20 COMMISSIONER GRULLON: Yes.

21 CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 CITY CLERK: Commissioner Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 CITY CLERK: And Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

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1 Pupusa No. 2 Inc.
2 T/A Pupusa Loca II
3 4709-11 Bergenline Avenue
4 0910-33-174-008
5 (Robert Williams, Esq.)
6

7 MR. FARMER: The last one is Pupusa.

8 They -- we had a conference. They have to
9 get back to their attorney.

10 And so I'd -- I'd ask you to carry that to
11 the next meeting, which I think is --

12 MAYOR STACK: No problem at all.

13 MR. FARMER: Okay, thanks.

14 MAYOR STACK: Thank you, Mr. Farmer.

15 CITY CLERK: The 24th; November 24th.

16 MR. FARMER: That's it.

17 MAYOR STACK: Sure.

18 CITY CLERK: Okay.

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1 **ADJOURNMENT:**

2

3 CITY CLERK: There are no other items on
4 the agenda at this time.

5 May I have a motion to adjourn?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion by Mayor Stack.

8 Second?

9 MAYOR STACK: Dave? Can I see you for a
10 minute?

11 COMMISSIONER GRULLON: Second.

12 CITY CLERK: Second by Commissioner
13 Grullon.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 CITY CLERK: Commissioner Grullon?

17 COMMISSIONER GRULLON: Yes.

18 CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 CITY CLERK: Commissioner Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

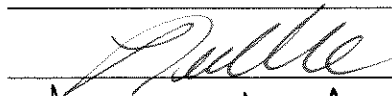
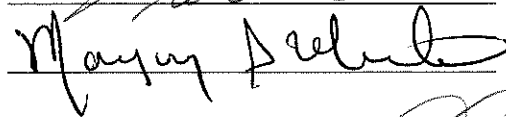
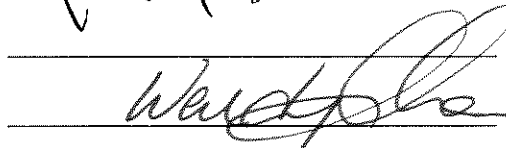
22 CITY CLERK: Mayor Stack?

23 (No audible response.)

24 CITY CLERK: Thank you.

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1 (Whereupon, the proceedings were concluded
2 at 7:17 p.m.)
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1 _____ Brian P. Stack
2  _____ Lucio P. Fernandez
3  _____ Maryury A. Martinetti
4 _____ Celin J. Valdivia
5  _____ Wendy A. Grullon
6 **Board of Commissioners**

7
8 **Attest:**

9 **Erin M. Knoedler,**

10 **City Clerk**
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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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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, November 10, 2020 and digitally
10 recorded.

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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon