

ORIGINAL

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Colin Powell Elementary School
1500 New York Avenue
Union City, New Jersey

Tuesday, November 24, 2020
Commencing at 7:02 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.
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Alcohol Beverage Control Commission

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T/A Pupusa Loca II

JOSE RODRIGUEZ, ESQ., (Via telephone)
Attorney for R.G. Miranda Corp.
T/A El Cuco

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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 24, 2020, at
4 seven p.m., at the Colin Powell Elementary
5 School, 1500 New York 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 of the meeting has been
15 provided to The Jersey Journal, The Record, The
16 Hudson Reporter, and has been posted in the
17 bulletin board at City Hall, made available to
18 the public in the 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.

7

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

10 **APPROVAL OF PREVIOUS MEETING MINUTES -**

11 **REGULAR MEETING - NOVEMBER 10, 2020.)**

12

13 CITY CLERK: The first item is the Approval
14 of the Meeting Minutes from the meeting of
15 November 10, 2020.

16 May I have a motion to approve?

17 COMMISSIONER GRULLON: Motion.

18 CITY CLERK: Motion by Commissioner
19 Grullon.

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?

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 items in total:

12 **CONSENT AGENDA:**

13 (1) Resolution Approving the Payment of Claims

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

16 (3) Resolution Approving the Escrow Refunds

17 (4) Resolution Approving the City Payroll for
18 November 7th through November 20, 2020

19 (5) Resolution Approving the Library Payroll
20 for November 7th through November 20, 2020

21 (6) Resolution Awarding a Contract to D&L
22 Paving Contractors, for the 2020 Miscellaneous
23 City-Wide Pothole Repair Project - Phase 3

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

- 1 (8) Resolution Authorizing a Refund of Premium
2 Monies Collected at the Tax Sale
- 3 (9) Resolution of the (sic) Authorizing the
4 Chief Financial Officer of the City of Union City
5 to Prepare and Submit an Application to the
6 Director of the Division of Local Government
7 Services for Approval of a Special Emergency in
8 the Aggregate Amount of \$7,202,800.21, or Such
9 Other Amount Certified by the Director, for
10 Certain Covid-19 Related Extraordinary Costs and
11 Expenses and Lost Revenues
- 12 (10) Resolution Appointing Melissa Basque as the
13 Deputy Registrar of Vital Statistics
- 14 (11) Resolution Renaming West Street from 14th
15 Street to 16th Street as "Commissioner Joseph R.
16 Marini Way."

17

18 CITY CLERK: There are 11 items on the
19 Consent Agenda.

20 The first is a Resolution Approving the
21 Payment of Claims.

22 Second is a Resolution Approving the
23 Payment of Concurring Claims.

24 Third is a Resolution Approving the Escrow
25 Refunds.

1 Fourth is a Resolution Approving the City
2 Payroll for the Period of November 7 through
3 November 20, 2020.

4 The fifth is a Resolution Approving the
5 Library Payroll for the Period of November 7
6 through November 20, 2020.

7 Sixth is a Resolution Awarding a Contract
8 with D and L Paving Contractors for the 2020
9 Miscellaneous City-Wide Pothole Repair Project,
10 Phase 3.

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

14 Eighth is a Resolution Authorizing a Refund
15 of Premium Monies Collected at the Tax Sale.

16 The ninth is a Resolution Authorizing the
17 Chief Financial Officer of the City of Union City
18 to Prepare and Submit an Application to the
19 Director of the Division of Local Government
20 Services for Approval of a Special Emergency in
21 the Aggregate Amount of \$7,202,800.21 or Other
22 Such Amount Certified by the Director, for
23 Certain Covid-19 Related Extraordinary Costs and
24 Expenses and Lost Revenues.

25 Tenth is a Resolution Appointing Melissa

1 Basque as the Deputy Registrar of Vital
2 Statistics.

3 And the eleventh is a Resolution Renaming
4 West Street from 14th Street to 16th Street as
5 Commissioner Joseph R. Marini Way.

6 Mayor, at this time, would you like to take
7 public comment on Consent?

8 MAYOR STACK: Sure.

9 Anyone wishing to comment on the Consent
10 Agenda, please step forward. State your name and
11 address for the record.

12 Also, we're just recognizing 14th to 16th on
13 West Street as Commissioner Joseph Marini Way.

14 Commissioner Marini, obviously, was a City
15 Commissioner for four years. I believe for four
16 years, it could have been a little longer.

17 COMMISSIONER VALDIVIA: I think it was a
18 little longer.

19 MAYOR STACK: Eight years. Eight years, he
20 was a City Commissioner in Union City, back up
21 until 1990 -- 1997. And he was a City
22 Commissioner in the City of Union City.

23 He was also an assistant school
24 superintendent. He was also a principal in Union
25 City. I believe he put about 40 years in the

1 school system in total. And always a
2 distinguished member of the community.

3 His son, actually, owns and operates a
4 professional dental business on 15th and West,
5 right down the street here, and we thought it
6 would be nice to name a street after the
7 Commissioner for his dedicated years of service
8 to our children and to our residents.

9 Anyone wishing to comment on the Consent
10 Agenda, please step forward?

11 Seeing none.

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

14 COMMISSIONER FERNANDEZ: Motion.

15 CITY CLERK: Motion by Commissioner
16 Fernandez.

17 Second?

18 COMMISSIONER VALDIVIA: Second.

19 CITY CLERK: Second by Commissioner
20 Valdivia.

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: Thank you.

7 May I have a motion to approve all items on
8 Consent?

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 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: I'm recusing on
21 anything with North Hudson Fire and Rescue; aye
22 on the rest.

23 CITY CLERK: Thank you.

24 And Mayor Stack?

25 MAYOR STACK: Yes.

1 CITY CLERK: Thank you.

2

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

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

6 1. ORDINANCE AUTHORIZING SPECIAL EMERGENCY
7 APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-53 (1)
8 AND N.J.S.A. 40A:4-53(m) FOR COSTS AND EXPENSES
9 RELATED TO AND LOST REVENUES RESULTING FROM THE
10 COVID-19 PANDEMIC IN AND FOR THE CITY OF UNION
11 CITY, COUNTY OF HUDSON, NEW JERSEY.)

12

13 CITY CLERK: There's one Ordinance on for
14 Introduction.

15 Adoption on First Reading will authorize
16 the Municipal Clerk to publish the Ordinance and
17 the Public Hearing, which will take place on
18 Tuesday, December 8, 2020 at Veterans Memorial
19 Elementary School, 1401 Central Avenue, Union
20 City, New Jersey.

21 I do want to make one distinction, though.

22 This Ordinance may be heard on December
23 8th, or it also could be heard on December 22nd.
24 It's the Division Director of Local Government
25 Services will have to approve the amount prior

1 to. So, it could happen on each of those places,
2 and it will be advertised in accordance with the
3 law.

4 This is an Ordinance Authorizing a Special
5 Emergency Appropriation Pursuant to N.J.S.A.
6 40A:4-53(1) -- colon 1, sorry -- and N.J.S.A.
7 40A:4-53(m) for Costs and Expenses Related to and
8 Lost Revenues Resulting from the Covid-19
9 Pandemic and in -- and -- in and for the City of
10 Union City, County of Hudson, New Jersey.

11 May I have a motion to introduce?

12 COMMISSIONER VALDIVIA: Motion.

13 MAYOR STACK: Second.

14 CITY CLERK: Motion by Commissioner
15 Valdivia.

16 Second by Mayor Stack.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 CITY CLERK: Commissioner Grullon?

20 COMMISSIONER GRULLON: Yes.

21 CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 CITY CLERK: Commissioner Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

3

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

6 **REGULAR AGENDA:**

7 1. RESOLUTION AUTHORIZING THE CANCELLATION OF
8 INTERLOCAL AGREEMENT BALANCES.)

9

10 CITY CLERK: There's one item on the
11 Regular Agenda.

12 It's a Resolution Authorizing the
13 Cancellation of Interlocal Agreement Balances.

14 Angelo?

15 MR. AUTERI: Ordinarily, Commissioners
16 Grullon and Valdivia would not vote on Board of
17 Ed matters. However, tonight, we'll invoke the
18 doctrine of necessity.

19 CITY CLERK: May I have a motion to approve
20 item 1?

21 COMMISSIONER GRULLON: Motion.

22 CITY CLERK: Motion by Commissioner
23 Grullon.

24 Second?

25 COMMISSIONER VALDIVIA: Second.

1 CITY CLERK: Second by Commissioner
2 Valdivia.

3 Commissioner Fernandez is recusing.

4 Commissioner Grullon?

5 COMMISSIONER GRULLON: Yes.

6 CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 CITY CLERK: Commissioner Martinetti is
9 recusing.

10 And 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 **ORDINANCE(S) FOR HEARING AND ADOPTION**

17 **CONSIDERATION:**

18 1. ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
19 APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(a)
20 FOR THE PREPARATION OF AN APPROVED TAX MAP IN AND
21 FOR THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW
22 JERSEY.)

23

24 CITY CLERK: There are three Ordinances on
25 for Hearing and Public -- for Hearing and

1 Adoption Consideration.

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

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

9 MAYOR STACK: Yes.

10 Anyone wishing to step forward and comment
11 on this Ordinance at this time, please step
12 forward.

13 Seeing none.

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

16 COMMISSIONER GRULLON: Motion.

17 CITY CLERK: Motion by Commissioner
18 Grullon.

19 Second?

20 COMMISSIONER FERNANDEZ: Second.

21 CITY CLERK: Second by Commissioner
22 Fernandez.

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 May I have a motion to adopt?
10 COMMISSIONER VALDIVIA: Motion.
11 CITY CLERK: Motion by Commissioner
12 Valdivia.
13 Second?
14 COMMISSIONER GRULLON: Second.
15 CITY CLERK: Second by Commissioner
16 Grullon.
17 Commissioner Fernandez?
18 COMMISSIONER FERNANDEZ: Yes.
19 CITY CLERK: Commissioner Grullon?
20 COMMISSIONER GRULLON: Yes.
21 CITY CLERK: Commissioner Valdivia?
22 COMMISSIONER VALDIVIA: Yes.
23 CITY CLERK: Commissioner Martinetti?
24 COMMISSIONER MARTINETTI: Yes.
25 CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

3

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

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

7 **CONSIDERATION:**

8 2. ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
9 APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(h)
10 FOR THE PAYMENT OF CONTRACTUALLY REQUIRED
11 SEVERENCE (sic) LIABILITIES IN AND FOR THE CITY
12 OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY.)

13

14 CITY CLERK: The second is an Ordinance
15 Authorizing a Special Emergency Appropriation
16 Pursuant to N.J.S.A. 40A:4-53(h) for the Payment
17 and Contractual Required Severance Liabilities in
18 and for the City of Union City, County of Hudson,
19 New Jersey.

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

22 MAYOR STACK: Yes.

23 Anyone wishing to comment on this Ordinance
24 at this time, please step forward. State your
25 name and address for the record.

1 Seeing none.

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

4 COMMISSIONER FERNANDEZ: Motion.

5 CITY CLERK: Motion by Commissioner
6 Fernandez.

7 Second?

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 May I have a motion to adopt?

23 MAYOR STACK: Motion.

24 CITY CLERK: Motion by Mayor Stack.

25 Second?

1 COMMISSIONER GRULLON: Second.

2 CITY CLERK: Second by Commissioner
3 Grullon.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 CITY CLERK: Commissioner Grullon?

7 COMMISSIONER GRULLON: Yes.

8 CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 CITY CLERK: Commissioner Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14 CITY CLERK: Thank you.

15

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

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

19 **CONSIDERATION:**

20 3. ORDINANCE AMENDING CHAPTER 359 OF THE CODE OF
21 THE CITY OF UNION CITY TO SET FORTH REQUIREMENTS
22 PERTAINING TO SOLID WASTE COLLECTION AND
23 RECEPTACLE REMOVAL.)

24

25 CITY CLERK: The third Ordinance is an

1 Ordinance Amending Chapter 359 of the Code of the
2 City of Union City to Set Forth Requirements
3 Pertaining to Solid Waste Collection and
4 Receptacle Removal.

5 Mayor would you like to take public comment
6 on this Ordinance?

7 MAYOR STACK: Anyone wishing to comment at
8 this time, please step forward. State your name
9 and address for the record.

10 Seeing none.

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

13 COMMISSIONER VALDIVIA: Motion.

14 COMMISSIONER MARTINETTI: Motion.

15 CITY CLERK: Motion by Commissioner
16 Valdivia.

17 Second by Commissioner Martinetti.

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: May I have a motion to adopt?
4 COMMISSIONER MARTINETTI: Motion.
5 CITY CLERK: Motion by Commissioner
6 Martinetti.
7 Second?
8 COMMISSIONER VALDIVIA: Second.
9 CITY CLERK: Second by Commissioner
10 Valdivia.
11 Commissioner Fernandez?
12 COMMISSIONER FERNANDEZ: Yes.
13 CITY CLERK: Commissioner Grullon?
14 COMMISSIONER GRULLON: Yes.
15 CITY CLERK: Commissioner Valdivia?
16 COMMISSIONER VALDIVIA: Yes.
17 CITY CLERK: Commissioner Martinetti?
18 COMMISSIONER MARTINETTI: Yes.
19 CITY CLERK: Mayor Stack?
20 MAYOR STACK: Yes.
21 CITY CLERK: Thank you.
22
23 **OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:**
24
25 CITY CLERK: Mayor, at this time, would you

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

3 | MAYOR STACK: Anyone wishing to comment on
4 | any matter concerning municipal government in the
5 | City of Union City, please step forward. State
6 | your name and address for the record.

7 | Seeing none.

8 | I would just like to thank those members of
9 | the public that are here this evening.

10 | I realize we're only a few days before
11 | Thanksgiving, but we do get good participation at
12 | our Commissioner meetings, even during the COVID
13 | pandemic. We'd like to thank those residents and
14 | also the Commissioners for moving a hundred
15 | percent of our meetings throughout the community.

16 | Motion.

17 | CITY CLERK: I'm sorry.

18 | Motion to close public comment by Mayor
19 | Stack.

20 | Second?

21 | COMMISSIONER FERNANDEZ: Second.

22 | COMMISSIONER MARTINETTI: 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.

11 * * *

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1 LIQUOR LICENSE HEARINGS:

2
3 1. Pupusa No. 2, Inc.

4 T/A Pupusa Loca II

5 4709-11 Bergenline Avenue

6 0910-33-174-008

7 (Robert C. Williams, Esq.)

8
9 2. Manhattan Bar & Grill Restaurant, Inc.

10 T/A Manhattan Bar & Grill Restaurant

11 1711 Manhattan Avenue

12 0910-33-188-004

13
14 3. R.G. Miranda Corp.

15 T/A El Cuco

16 516 Kennedy Boulevard

17 0910-33-141-005

18
19 4. Bambinas Bar & Restaurant, LLC

20 T/A Milagro Bar

21 2906 Bergenline Avenue

22 0910-33-040-009

23
24 CITY CLERK: At this time, we have Liquor
25 License Public Hearings.

1 MR. FARMER: Good evening, Mayor.

2 And good evening, Board members.

3 Tonight, if you look at the agenda, you'll
4 see that there are four items on your agenda.
5 Two have been resolved; really, three have been
6 resolved and the fourth got a lawyer. So, we're
7 going to be putting that off.

8 The first one is Pupusa. And there's going
9 to be a plea on Pupusa and there's going to be a
10 plea on El Cuco. And they both kind of deal with
11 the same thing.

12 First of all, the offenses are similar to
13 the ones that we have handled in the past with a
14 15 day suspension, ten days served, five held in
15 abeyance.

16 These two are represented by two attorneys,
17 who are very skillful in this area of
18 Administrative Law and ABC; Mr. Rodriguez who's
19 appeared before this Board and Mr. Williams who's
20 appeared before this Board.

21 Both of them have -- since the onset of
22 Coronavirus, both of them have limited their
23 practices to visual remote practice, as opposed
24 to going into the court.

25 I suspect -- they're of a vulnerable age,

1 and I suspect that they have some underlying
2 issues, as well as their clients, who are also
3 reluctant to come -- come here.

4 And this issue has popped up in the legal
5 system recently, I should say. And the way it's
6 been handled, and the way these people have
7 handled similar situations in other
8 jurisdictions, is by an affidavit, which really
9 sets forth I'm -- I'm who I say I am; I got this
10 charge; I've reviewed the charge with my lawyer;
11 I've had conversations with him; and I know he's
12 had conversations with the Union City ABC Board,
13 and they've come to this resolution that I can
14 get 15 days, five -- suspend five of them and the
15 ten I can serve after the first of the year. And
16 I'm doing that freely and voluntarily.

17 I have both lawyers --

18 First of all, I'm talking about Mr.
19 Williams here, I have them on the phone, in the
20 sense that I have their numbers. I can call them
21 and get them on the phone, if that's what you
22 want.

23 I talked to Angelo before we started and he
24 thought that that would be a good practice.

25 MAYOR STACK: Angelo, do you want to give

1 an opinion on this?

2 MR. AUTERI: I do, Mayor, and -- and
3 thanks, Greg, yes.

4 So, what Mr. Farmer said is correct. There
5 are ways to have remote conducting of a public
6 meeting.

7 I'm satisfied with the affidavits. I've
8 reviewed them. However, I would think, for
9 posterity purposes, that we do get the attorneys
10 on the record, just to have them speak for the
11 record that they are aware of the affidavits and
12 avoid any issues.

13 MR. FARMER: Okay.

14 MAYOR STACK: Okay. We're good to go.
15 Good.

16

17 * * *

18

19

20

21

22

23

24

25

1 LIQUOR LICENSE PUBLIC HEARINGS:

2

3 R.G. Miranda Corp.

4 T/A El Cuco

5 516 Kennedy Boulevard

6 0910-33-141-005

7

8 (Whereupon, Mr. Farmer placed a telephone
9 call to Jose Rodriguez, Esquire.)

10

11 MR. RODRIGUEZ: Hello?

12 MR. FARMER: Yes, Mr. Rodriguez?

13 Greg Farmer, and I'm up here before the
14 Union City ABC Board in Union City.

15 So, would you please put your appearance on
16 record on behalf of your client?

17 MR. RODRIGUEZ: For the record, Mr. Farmer,
18 Jose Rodriguez, attorney at law, on behalf of
19 R.G. Miranda, trading as El Cuco.

20 CITY CLERK: That's item 3 on the agenda.

21 MR. FARMER: All right.

22 Now, you prepared the affidavit that you
23 submitted.

24 Correct, on behalf of El Cuco?

25 MR. RODRIGUEZ: Yes, I did. I -- I

1 prepared the affidavit, in consultation with my
2 client, who is the primary shareholder of El
3 Cuco. And her name is Jacqueline Consorcia
4 Monegro.

5 MR. FARMER: Okay.

6 And she has authorized you to enter this
7 plea on her behalf, and did so freely and
8 voluntarily?

9 MR. RODRIGUEZ: That is correct.

10 MR. FARMER: Okay.

11 MR. RODRIGUEZ: We reviewed the charges.
12 We also reviewed the proposed settlement that was
13 presented to us by the City. We've weighed the
14 consequences of the penalty, including weighing
15 the consequences of entering a guilty plea to the
16 charges, and she determined that she wanted to
17 enter the plea willingly.

18 MR. FARMER: Okay.

19 Angelo, do you have any questions?

20 MR. AUTERI: No, that's -- that's --

21 MR. FARMER: Okay.

22 Thanks.

23 MR. AUTERI: -- enough.

24 Thank you.

25 MR. FARMER: Does any member of the Board

1 have any questions?

2 MAYOR STACK: I'm good. I'm fine with what
3 he represented.

4 MR. FARMER: And I would recommend to the
5 Board that they accept the plea and the days of
6 closing -- has it here someplace --

7 MR. RODRIGUEZ: Yeah, what we indicated in
8 our affidavit is that we are willing to accept
9 the offer of beginning the suspension on the 4th
10 day of January, --

11 MR. FARMER: Correct.

12 MR. RODRIGUEZ: -- 2021.

13 MR. FARMER: Correct.

14 MR. RODRIGUEZ: And that that would be a
15 ten day suspension, the other five day --

16 MS. DILLON: Mr. Farmer?

17 MR. RODRIGUEZ: -- being deferred until --

18 MS. DILLON: Put the phone closer to the
19 mic.

20 MR. RODRIGUEZ: -- the end of the license
21 term, based on good conduct.

22 MR. FARMER: Right.

23 And it will terminate on January 13.

24 Correct?

25 MR. RODRIGUEZ: Correct. Correct.

1 MR. FARMER: I don't think anybody has any
2 other questions.

3 COMMISSIONER MARTINETTI: No.

4 MR. FARMER: All right.

5 So, I guess, we'll put it up to the Board
6 right now as to whether or not to approve the
7 proposed stipulation of settlement.

8 CITY CLERK: Okay.

9 So, does anyone want to make a motion to
10 Mr. Farmer's recommendation?

11 MAYOR STACK: I'll make a motion to
12 approve.

13 CITY CLERK: Thank you, Mayor Stack.

14 COMMISSIONER MARTINETTI: Second.

15 CITY CLERK: Second?

16 I'm sorry.

17 Second, Commissioner Martinetti?

18 Thank you.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 CITY CLERK: Commissioner Grullon?

22 COMMISSIONER GRULLON: Yes.

23 CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 CITY CLERK: Commissioner Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 CITY CLERK: Thank you.

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1 LIQUOR LICENSE PUBLIC HEARINGS:

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3 Pupusa No. 2, Inc.

4 T/A Pupusa Loca II

5 4709-11 Bergenline Avenue

6 0910-33-174-008

7 (Robert C. Williams, Esq.)

8

9 MR. FARMER: The other one -- I'll -- the
10 other one is number 1 on your agenda, Pupusa.

11 LIEUTENANT DUNLAY: Mr. Rodriguez, we're
12 done.

13 Thank you.

14 MR. RODRIGUEZ: Okay.

15 Thank you.

16 Bye.

17 MR. FARMER: And we've had similar
18 discussions. It's a similar charge. We
19 recommend the similar offense; 15 days, five
20 suspended on a condition of good behavior, ten
21 days served after the first of the year.

22 Now, Mr. Williams, who represents the
23 licensee, has submitted an affidavit --

24 MAYOR STACK: Mr. Williams represents --

25 CITY CLERK: Number 1.

1 MR. FARMER: He --

2 CITY CLERK: Pupusa.

3 MAYOR STACK: Number 1. Okay.

4 MR. FARMER: Yeah.

5 MAYOR STACK: Okay.

6 MR. FARMER: And he has submitted an
7 affidavit indicating that the person executing
8 the affidavit is the licensee; that the licensee
9 got these charges; that the licensee is the sole
10 stockholder of the company that owns the business
11 and runs the bar.

12 And as a result of the conversations we've
13 had, he's in agreement for a 15 day suspension,
14 that will start in -- five days suspended, ten
15 days served, and that will start January 4th to
16 January 14th.

17 MAYOR STACK: And we're going to get him on
18 the phone, also.

19 Right?

20 MR. FARMER: Yes.

21 MAYOR STACK: Let's get him on the phone.

22

23 (Whereupon, Mr. Farmer placed a telephone
24 call to Robert C. Williams, Esquire.)

25

1 MR. WILLIAMS: Hello.

2 MR. FARMER: Yes, Mr. Williams?

3 Gregory Farmer. I'm here tonight with the
4 Union City ABC Board. And we're going to be
5 dealing with your case.

6 And the first thing that the Board and
7 counsel for the Board wants to get squared away
8 is --

9 Well, why don't you put appearance on, so
10 we have that cleared up?

11 MR. WILLIAMS: This is Robert C. Williams,
12 Esquire. I have appeared before the Board on
13 numerous occasions on behalf of the licensee,
14 Pupusa Loca II.

15 MR. FARMER: Okay.

16 Now, your practice has become, since the
17 advent of the Coronavirus, a lot of video
18 practice.

19 Is that correct?

20 MR. WILLIAMS: Yes. Yes. I've been in a
21 number of Zoom hearings on ABC matters. Since
22 March, I've only attended one live hearing and
23 that was in Trenton, directly with the Director
24 of ABC.

25 MR. FARMER: Okay.

1 MR. WILLIAMS: But I would say everybody is
2 doing everything by Zoom.

3 MR. FARMER: Okay.

4 So, the affidavit that was executed on
5 behalf of your client was done freely,
6 voluntarily, with your consent, and after
7 consultation with you.

8 MR. WILLIAMS: Yes. Absolutely.

9 MR. FARMER: Okay.

10 And the agreement is a 15 day suspension,
11 five days suspended, ten days served after the
12 first of the year, from January 4th to January
13 14th.

14 MR. WILLIAMS: That's correct.

15 MR. FARMER: Okay.

16 I have -- does the Board or anybody have a
17 question?

18 MAYOR STACK: No.

19 MR. FARMER: Okay.

20 MAYOR STACK: That's fine.

21 Thank you.

22 MR. FARMER: Okay.

23 All right.

24 MAYOR STACK: I'll make a motion to approve

25 --

1 CITY CLERK: Motion by Mayor --
2 MAYOR STACK: -- the settlement.
3 CITY CLERK: Motion by Mayor Stack.
4 Second?
5 COMMISSIONER VALDIVIA: Second.
6 CITY CLERK: Second by Commissioner
7 Valdivia.
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: And Mayor Stack?
17 MAYOR STACK: Yes.
18 CITY CLERK: Thank you.
19 MR. FARMER: Okay, with respect to the --
20 Thank you, Mr. Williams.
21 Thank you.
22 MR. WILLIAMS: And thank the Board, and
23 you, Mr. Farmer, for cooperating and everybody be
24 safe.
25 MR. FARMER: Okay.

1 You, too.

2 MAYOR STACK: Thank you.

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1 LIQUOR LICENSE PUBLIC HEARINGS:

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3 Manhattan Bar & Grill Restaurant, Inc.

4 T/A Manhattan Bar & Grill Restaurant

5 1711 Manhattan Avenue

6 0910-33-188-004

7

8 MR. FARMER: Number 2 on your agenda is
9 Manhattan Bar and Grill.

10 I've just received a letter from Adolfo
11 Lopez that he's representing them. So,
12 consequently, I would like that to be postponed.

13 MAYOR STACK: Let me ask you, though.

14 Didn't they say the last time --

15 MR. FARMER: No, this is the first --

16 MAYOR STACK: Maybe I'm wrong.

17 MR. FARMER: -- time with him on this.

18 MAYOR STACK: This is the first time?

19 MR. FARMER: Yeah.

20 MAYOR STACK: Okay. Good. Okay. Very
21 good.

22 MR. FARMER: The next one, we've taken care
23 of.

24

* * *

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1 LIQUOR LICENSE PUBLIC HEARINGS:

2

3 Bambinas Bar & Restaurant, LLC

4 T/A Milagro Bar

5 2906 Bergenline Avenue

6 0910-33-040-009

7

8 MR. FARMER: And the fourth one is
9 represented by Nino Falcone.

10 I've spoken with Mr. Falcone. I pretty
11 much worked out a plea with him, but he could not
12 be here this evening. I'd ask this to be carried
13 to the next meeting, which I think is December
14 8th.

15 MAYOR STACK: No problem.

16 CITY CLERK: Correct.

17 MR. FARMER: That's the calendar.

18 MAYOR STACK: Perfect.

19 Thank you, Mr. Farmer.

20 CITY CLERK: Thank you, Mr. Farmer.

21 * * *

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1 **ADJOURNMENT:**

2

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

5 May I have a motion to adjourn?

6 MAYOR STACK: Motion.

7 COMMISSIONER FERNANDEZ: Motion.

8 CITY CLERK: Motion by Mayor Stack.

9 Second by Commissioner Fernandez.

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 MAYOR STACK: Thank you very much,
22 everyone.

23 Happy Thanksgiving, everyone.

24 CITY CLERK: Happy Thanksgiving.

25 MAYOR STACK: Absolutely.

1 Thank you.

2

3 (Whereupon, the proceedings were concluded

4 at 7:22 p.m.)

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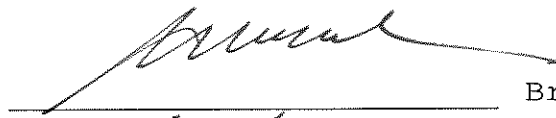
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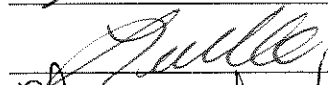
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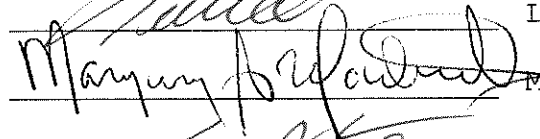
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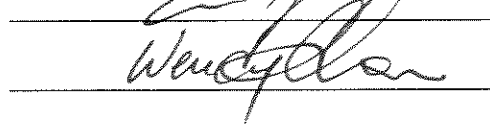
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Brian P. Stack


Lucio P. Fernandez


Maryury A. Martinetti


Celin J. Valdivia


Wendy A. Grullon

Board of Commissioners

Attest: 

Erin M. Knoedler,

City Clerk

1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, 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, November 24, 2020 and digitally
10 recorded.

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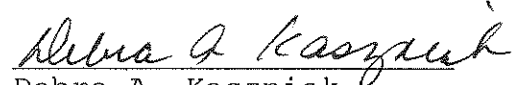
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