

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Early Childhood Center
2200 Kennedy Boulevard
Union City, New Jersey

Tuesday, October 5, 2021
Commencing at 7:07 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:

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

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

JOSE GONZALEZ, Interpreter

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t/a Milagros Bar & Restaurant

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t/a Maria Mentiras Bar & Grill

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JOSE GONZALEZ, Interpreter

32

I N D E X

Bambinas Bar & Restaurant, Inc.
t/a Milagros Bar & Restaurant

SWORNPAGE

JOSE GONZALEZ, Interpreter

PREVIOUSLY SWORN

I N D E X

RG Enterprise Entertainment, Inc.
t/a Therapy Lounge

WITNESSPAGE

LIEUTENANT DAVID DUNLAY
DETECTIVE CARLOS RODRIGUEZ

56
59

1 (Whereupon the Pledge of Allegiance was
2 said by all.)
3

4 MR. AUTERI: This is a Regular Public
5 Meeting of the Union City Board of Commissioners
6 being held on Tuesday, October 5th, 2021 at
7 seven p.m., at the Early Childhood Learning
8 Center, 2200 Kennedy Boulevard, Union City, New
9 Jersey.

10 This meeting has been called in accordance
11 with the Open Public Meetings Act.

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

18

19 **ROLL CALL:**

20

21 MR. AUTERI: Roll call.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Here.

24 MR. AUTERI: Commissioner Grullon?

25 COMMISSIONER GRULLON: Here.

1 MR. AUTERI: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Here.

3 MR. AUTERI: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Here.

5 MR. AUTERI: Mayor Stack?

6 MAYOR STACK: Here.

7

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

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

11 1. STATE FISCAL YEAR 2022 MODEL ORDINANCE TO
12 EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
13 AND TO ESTABLISH A CAP BANK (N.J.S.A.
14 40A:4-45.14.)

15

16 MR. AUTERI: First item on the agenda is an
17 Ordinance for Introduction.

18 Adoption on first reading authorizes the
19 Municipal Clerk to advertise the Ordinances with
20 a notice of the introduction, together with a
21 notice of the time and place when the Ordinances
22 will be considered for final passage.

23 The Ordinances will be further considered
24 at a meeting of the Board of Commissioners to be
25 held on Tuesday, October 19th, 2021 at the William

1 V. Musto Cultural Center, 420 15th Street,
2 Union City, New Jersey, at seven p.m.

3 The Ordinance is State Fiscal Year 2022
4 Model Ordinance to Exceed the Municipal Budget
5 Appropriation Limits and to Establish a Cap Bank.

6 May I have a motion to introduce?

7 MAYOR STACK: Motion.

8 COMMISSIONER MARTINETTI: Second.

9 MR. AUTERI: Motion by Mayor Stack.

10 Second by Commissioner Martinetti.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 MR. AUTERI: Commissioner Grullon?

14 COMMISSIONER GRULLON: Yes.

15 MR. AUTERI: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 MR. AUTERI: Commissioner Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 MR. AUTERI: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 (Whereupon, the Board discussed and took
23 action on the following items in total:

24 **CONSENT AGENDA:**

25 (1) Resolution Approving the Payment of Claims

- 1 (2) Resolution Approving the Payment of
2 Concurring Claims
- 3 (3) Resolution Approving the City Payroll for
4 the period 08/30/2021-09/10/2021
- 5 (4) Resolution Approving the Library Payroll
6 for the period 08/30/2021-09/10/2021
- 7 (5) Resolution Approving Escrow Refunds
- 8 (6) Resolution Authorizing the Refund of
9 Premium Monies Collected at the Tax Sale
- 10 (7) Resolution Authorizing the Refund of
11 Redemption Monies to Outside Lienholders
- 12 (8) Resolution Authorizing the Use of
13 Competitive Contracting For Grant Writing
14 Services
- 15 (9) Resolution to Award Contract for Accounting
16 Services for 2021-2022
- 17 (10) Resolution Authorizing City of Union City
18 to implement COVID-19 Vaccination Policy for All
19 City Employees.)

20

21 MR. AUTERI: The next item on the agenda is
22 the Consent Agenda. There are ten items on the
23 Consent Agenda.

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

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

3 The third is a Resolution Approving the
4 City Payroll for the Period August 30th, 2021 to
5 September 10th, 2021.

6 The fourth is a Resolution Approving the
7 Library Payroll for the Period August 30th, 2021
8 to September 10th, 2021.

9 The fifth is a Resolution Approving Escrow
10 Refunds.

11 The sixth is a Resolution Authorizing the
12 Refund of Premium Monies Collected at the Tax
13 Sale.

14 The seventh is a Resolution Authorizing the
15 Refund of Redemption Monies to Outside
16 Lienholders.

17 The eighth is a Resolution Authorizing the
18 Use of Competitive Contracting for Grant Writing
19 Services.

20 The ninth is a Resolution to Award a
21 Contract for Accounting Services for 2021 to
22 2022.

23 The tenth is a Resolution Authorizing the
24 City of Union City to Implement COVID-19
25 Vaccination Policy for All City Employees.

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

4 MAYOR STACK: Yes.

5 Anyone wishing to comment at this time on
6 the Consent Agenda, please step forward, state
7 your name and address for the record.

8 I would also just like to thank the
9 Commissioners and -- and the Corporation Counsel
10 for the Ordinance (sic) on the COVID -- on the
11 COVID vaccinations.

12 I think it's so important right now that
13 municipal employees and police officers and all
14 realize the importance of getting the vaccine --
15 how it's going to save their life. But, more
16 importantly, save the lives of the people that
17 they come in contact with.

18 So I'd like to thank the Corporation
19 Counsel for working on this Ordinance (sic) and
20 thank the Commissioners for their consideration.

21 MR. AUTERI: Thank you, Mayor.

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

24 COMMISSIONER FERNANDEZ: Motion.

25 COMMISSIONER MARTINETTI: Second.

1 MR. AUTERI: Motion by Commissioner
2 Fernandez.
3 Second by Commissioner Martinetti.
4 Commissioner Fernandez?
5 COMMISSIONER FERNANDEZ: Yes.
6 MR. AUTERI: Commissioner Grullon?
7 COMMISSIONER GRULLON: Yes.
8 MR. AUTERI: Commissioner Valdivia?
9 COMMISSIONER VALDIVIA: Yes.
10 MR. AUTERI: Commissioner Martinetti?
11 COMMISSIONER MARTINETTI: Yes.
12 MR. AUTERI: Mayor Stack?
13 MAYOR STACK: Yes.
14 MR. AUTERI: May I have a motion to approve
15 all items on the Consent Agenda?
16 COMMISSIONER GRULLON: Motion.
17 MR. AUTERI: Motion by Commissioner
18 Grullon.
19 MAYOR STACK: Second.
20 MR. AUTERI: Second by Mayor Stack.
21 Commissioner Fernandez?
22 COMMISSIONER FERNANDEZ: Yes.
23 MR. AUTERI: Commissioner Grullon?
24 COMMISSIONER GRULLON: Yes.
25 MR. AUTERI: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 MR. AUTERI: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 MR. AUTERI: Mayor Stack?

5 MAYOR STACK: Yes.

6

7 (Whereupon, the Board discussed the
8 following item:

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11 1. ORDINANCE AUTHORIZING THE SALE OF AN
12 EASEMENT TO THE STATE OF NEW JERSEY, DEPARTMENT
13 OF TRANSPORTATION AFFECTING REAL PROPERTY OWNED
14 BY THE CITY OF UNION CITY AND THE CITY OF JERSEY
15 CITY IN BLOCK 101, LOT 7 NEAR SECAUCUS ROAD IN
16 JERSEY CITY.)

17

18 MR. AUTERI: Next item on the agenda are
19 Ordinances for Hearing and Adoption
20 Consideration.

21 The first is an Ordinance Authorizing the
22 Sale of an Easement to the State of New Jersey,
23 Department of Transportation Affecting Real
24 Property Owned by the City of Union City and the
25 City of Jersey City in Block 101, Lot 7 Near

1 Secaucus Road in Jersey City.

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

4 MAYOR STACK: Sure.

5 So this is a piece of property that we were
6 made aware of that the City owned. It's a very,
7 very small parcel of land.

8 And Mr. Auteri could get into further.

9 It's -- it's on the Jersey City -- Jersey
10 City, I guess, Union City border involving the
11 State of New Jersey and the Department of
12 Transportation.

13 Mr. Auteri, maybe you could explain a
14 little bit better -- the size of the piece of
15 property.

16 And I don't even think we were made aware
17 of it until they contacted us.

18 MR. AUTERI: No. Yeah, so the --

19 Thank you, Mayor.

20 That -- you -- that was accurate.

21 The Department of Transportation wants to
22 acquire the land through eminent domain
23 proceedings.

24 It's a very small piece of land. We did
25 not know at the time that we owned the property

1 but they went through the records and determined
2 that the City of Union City and the City of
3 Jersey City also owned a small piece.

4 The total value -- market value of the
5 easement is \$9,000.00. The City will be
6 splitting that -- the City will be splitting that
7 with Jersey City. So it will be \$4,500.00 each.

8 COMMISSIONER GRULLON: Oh.

9 MAYOR STACK: Anyone wishing to comment on
10 this Ordinance at this time, please step forward,
11 state your name and address for the record.

12 Seeing none.

13 MR. AUTERI: May I have a motion to close
14 public comment?

15 COMMISSIONER MARTINETTI: Motion.

16 MR. AUTERI: Motion by Commissioner
17 Martinetti.

18 COMMISSIONER VALDIVIA: Second.

19 MR. AUTERI: Second by Commissioner
20 Valdivia.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 MR. AUTERI: Commissioner Grullon?

24 COMMISSIONER GRULLON: Yes.

25 MR. AUTERI: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 MR. AUTERI: Commissioner Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 MR. AUTERI: Mayor Stack?

5 MAYOR STACK: Yes.

6

7 (Whereupon, the Board discussed the
8 following item:

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11 2. ORDINANCE TO SETTING FORTH MAINTENANCE
12 REQUIREMENTS FOR VACANT AND/OR ABANDONED
13 STRUCTURES.)

14

15 MR. AUTERI: The next item is an Ordinance
16 Setting forth Maintenance Requirements for Vacant
17 and/or Abandoned Structures.

18 Would you like to take public comment on
19 this Ordinance?

20 MAYOR STACK: Once again, this is just
21 holding property owners -- but more than property
22 owners, it's more or less mortgage companies and
23 banks for vacant or abandoned structures in the
24 City, making sure that they're properly
25 maintained.

1 It's not fair to -- to residents who live
2 in the area, live on the block, next -- live next
3 to these properties, nor to the City of Union
4 City -- to the governing body and the -- the
5 various departments, whether it be Police, Fire,
6 DPW that go out and clean these properties,
7 maintain them, shovel them, cut the weeds,
8 et cetera, board them up.

9 We're just trying to hold their feet to the
10 fire so to speak to make sure that they're
11 properly maintained, they don't become a public
12 nuisance or a public safety hazard. And that's
13 why this Ordinance is necessary.

14 Again, Mr. Auteri worked diligently on
15 this.

16 Thank you, Angelo.

17 MR. AUTERI: Thank you, Mayor.

18 Can I have a motion to close public
19 comment?

20 COMMISSIONER FERNANDEZ: Motion.

21 MR. AUTERI: Motion by Commissioner
22 Fernandez.

23 COMMISSIONER MARTINETTI: Second.

24 MR. AUTERI: Second by Commissioner
25 Martinetti.

1 Commissioner Fernandez?
2 COMMISSIONER FERNANDEZ: Yes.
3 MR. AUTERI: Commissioner Grullon?
4 COMMISSIONER GRULLON: Yes.
5 MR. AUTERI: Commissioner Valdivia?
6 COMMISSIONER VALDIVIA: Yes.
7 MR. AUTERI: Commissioner Martinetti?
8 COMMISSIONER MARTINETTI: Yes.
9 MR. AUTERI: Mayor Stack?
10 MAYOR STACK: Yes.

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

14 **ORDINANCES FOR HEARING AND ADOPTION**
15 **CONSIDERATION:**

16 1. ORDINANCE AUTHORIZING THE SALE OF AN
17 EASEMENT TO THE STATE OF NEW JERSEY, DEPARTMENT
18 OF TRANSPORTATION AFFECTING REAL PROPERTY OWNED
19 BY THE CITY OF UNION CITY AND THE CITY OF JERSEY
20 CITY IN BLOCK 101, LOT 7 NEAR SECAUCUS ROAD IN
21 JERSEY CITY.)

22
23 MR. AUTERI: I'm at this moment realizing
24 that I don't believe that we did a motion to
25 adopt the first Ordinance.

1 We did do a motion to close public comment.

2 I want to make sure that we do this
3 correctly.

4 So the Ordinance again for the record is
5 Ordinance Authorizing the Sale of an Easement to
6 the State of New Jersey, Department of
7 Transportation Affecting Real Property Owned by
8 the City of Union City and the City of Jersey
9 City in Block 101, Lot 7 Near Secaucus Road in
10 Jersey City.

11 We've already taken public comment.

12 May I have a motion to adopt this
13 Ordinance?

14 COMMISSIONER VALDIVIA: Motion.

15 COMMISSIONER MARTINETTI: Motion.

16 MR. AUTERI: Motion by Commissioner
17 Valdivia.

18 Second by Commissioner Martinetti.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 MR. AUTERI: Commissioner Grullon?

22 COMMISSIONER GRULLON: Yes.

23 MR. AUTERI: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 MR. AUTERI: Commissioner Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 MAYOR STACK: Yes.

3 MR. AUTERI: Thank you.

4

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

7 **ORDINANCES FOR HEARING AND ADOPTION**

8 **CONSIDERATION:**

9 2. ORDINANCE TO SETTING FORTH MAINTENANCE
10 REQUIREMENTS FOR VACANT AND/OR ABANDONED
11 STRUCTURES.)

12

13 MR. AUTERI: Now I will return to the
14 second Ordinance.

15 The Ordinance Setting Forth Maintenance
16 Requirements for Vacant and/or Abandoned
17 Structures.

18 We've already taken public comment.

19 May I have a motion to adopt?

20 COMMISSIONER MARTINETTI: Motion.

21 MR. AUTERI: Motion by Commissioner
22 Martinetti.

23 COMMISSIONER VALDIVIA: Second.

24 MR. AUTERI: Second by Commissioner
25 Valdivia.

1 Commissioner Fernandez?

2 COMMISSIONER FERNANDEZ: Yes.

3 MR. AUTERI: Commissioner Grullon?

4 COMMISSIONER GRULLON: Yes.

5 MR. AUTERI: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 MR. AUTERI: Commissioner Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 MR. AUTERI: Mayor Stack?

10 MAYOR STACK: Yes.

11 MR. AUTERI: Thank you.

12

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

15 **REGULAR AGENDA:**

16 1. Resolution Approving the Introduction of
17 the SFY2021 Budget.)

18

19 MR. AUTERI: The next item is the Regular
20 Agenda.

21 There's one item on the Regular Agenda
22 tonight.

23 Is a Resolution Approving the Introduction
24 of the State Fiscal Year 2021 Budget.

25 May I have a motion to approve item 1 on

1 the Regular Agenda?

2 MAYOR STACK: Motion.

3 COMMISSIONER MARTINETTI: Motion.

4 MR. AUTERI: Motion by --

5 COMMISSIONER MARTINETTI: Second.

6 MR. AUTERI: -- Mayor Stack.

7 Second by Commissioner Martinetti.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 MR. AUTERI: Commissioner Grullon?

11 COMMISSIONER GRULLON: Yes.

12 MR. AUTERI: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 MR. AUTERI: Commissioner Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 MR. AUTERI: Mayor Stack?

17 MAYOR STACK: Yes.

18

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

20

21 MR. AUTERI: All right.

22 Mayor, at this time would you like to take
23 public comment on any matter concerning the City
24 of Union City?

25 MAYOR STACK: Yes.

1 At this time any member of the public who
2 would like to comment, please step forward, state
3 your name and address for the record.

4 Again, I'd like to thank the Commissioners
5 for moving a hundred percent of our meetings
6 throughout the community. This is something we
7 do on a constant basis since we've been elected,
8 going back close to over 20 years now that we
9 move all our meetings throughout the community.

10 I'd just like thank the Commissioners for
11 doing that and thank the members of the public
12 that are here today.

13 Does anyone wish to comment on any matter
14 concerning municipal government in the City of
15 Union City, please step forward, state your name
16 and address for the record.

17 COMMISSIONER FERNANDEZ: Thank you.

18 I would like to make a comment.

19 Working for the Board of Education and
20 being in contact with a lot of the kids in the
21 school, I know everybody here can attest to this,
22 on how happy the parents are that the kids are
23 back in school.

24 And I want to thank the Mayor and the
25 leadership of the Board of Education for having

1 | our kids going back to school. The parents were
2 | very, very happy; the children super happy.

3 | With that said, I'm going to say something
4 | right now. You would not believe how happy the
5 | parents are seeing all the construction around
6 | the City, how they say the City -- the
7 | infrastructure of the City, it's -- they cannot
8 | believe all the construction; how the Mayor is
9 | improving our City. And they're very, very
10 | happy, Mayor.

11 | I wanted you to know personally that we
12 | hear that from the --

13 | MAYOR STACK: Thank you.

14 | COMMISSIONER FERNANDEZ: -- the parents
15 | every day --

16 | MAYOR STACK: Thank you, Lucio.

17 | COMMISSIONER FERNANDEZ: -- when we drop
18 | off our kids.

19 | MAYOR STACK: Thank you very much.

20 | COMMISSIONER FERNANDEZ: Thank you very
21 | much.

22 | MAYOR STACK: Thank you.

23 | MR. AUTERI: Thank you, Commissioner.

24 | May I have a motion to close the public
25 | comment portion?

1 MAYOR STACK: Motion.
2 MR. AUTERI: Motion by Mayor Stack.
3 COMMISSIONER FERNANDEZ: Second.
4 MR. AUTERI: Second by Commissioner
5 Fernandez.
6 Commissioner Fernandez?
7 COMMISSIONER FERNANDEZ: Yes.
8 MR. AUTERI: Commissioner Grullon?
9 COMMISSIONER GRULLON: Yes.
10 MR. AUTERI: Commissioner Valdivia?
11 COMMISSIONER VALDIVIA: Yes.
12 MR. AUTERI: Commissioner Martinetti?
13 COMMISSIONER MARTINETTI: Yes.
14 MR. AUTERI: Mayor Stack?
15 MAYOR STACK: Yes.

16

17

* * *

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1 LIQUOR LICENSE HEARINGS:

2

3 1. 0910-33-106-005

4 Eduardo Cruz t/a Caguas Café

5 Place-to-Place transfer

6 (pocket license to 1709 Bergenline Avenue)

7

8 2. RG Enterprise Entertainment, Inc.

9 t/a Therapy Lounge

10 2803 Bergenline Avenue

11 0910-33-134-006

12

13 3. Bambinas Bar & Restaurant, Inc.

14 t/a Milagros Bar & Restaurant

15 2906 Bergenline Avenue

16 0910-33-040-039

17 (Nino Falcone, Esq.)

18

19 4. La Parrilla Bar & Grill, LLC

20 t/a Maria Mentiras Bar & Grill

21 328 32nd Street

22 0910-33-030-015

23 (Adolfo Lopez, Esq.)

24

25 MR. AUTERI: We now have Liquor License

1 Hearings.

2

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

5

6

* * *

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1 LIQUOR LICENSE HEARINGS:

2

3 1. 0910-33-106-005

4 Eduardo Cruz t/a Caguas Café

5 Place-to-Place transfer

6 (pocket license to 1709 Bergenline Avenue)

7

8 MR. FARMER: Okay?

9 Where's the Interpreter?

10 (Whereupon, there was a pause in the
11 proceedings.)

12 MR. FARMER: Your client's going to need an
13 Inter--

14 He's the Interpreter.

15 A VOICE: Okay.

16 Thank you.

17 MR. GONZALEZ: Should I stand next to him?

18 MR. FARMER: Yeah.

19 Better yet he should stand next to you
20 here.

21 MR. DILLON: Yeah.

22 MR. FARMER: He should stand next --

23 MR. DILLON: I'd rather have you close to
24 the microphone.

25 MR. FARMER: Yes.

1 He should stand next to you here.

2 (Whereupon, Jose Gonzalez, Interpreter,
3 translated into Spanish for Eduardo Cruz.)

4 MR. FARMER: Good evening, Mayor and
5 members of the Board.

6 We're here on -- the first matter on your
7 calendar, which is Eduardo Cruz.

8 And it's a place to place transfer to 1709
9 Bergenline Avenue, which is basically across the
10 street from where he always had his license and
11 had that there active for about 15 years.

12 Pursuant to the instructions, we mailed out
13 to the residents 262 notices of tonight's
14 hearing.

15 And Lieutenant Dunlay is here and he will
16 also remark about how many notices this -- the
17 Police Department sent out.

18 The ones that we sent out were from 15th
19 Street to 19th Street on West Avenue; 15 to 19th;
20 17 Palisade to Central; 18 Palisade to West.

21 I have not received any communication from
22 anybody.

23 The licensee is here tonight, along with
24 his attorney.

25 You might as well put your appearance on --

1 MR. GOLOWSKI: Thank you.

2 MR. FARMER: -- put your appearance --

3 MR. GOLOWSKI: Thank you.

4 My name is Anthony Golowski. I'm with
5 Goldberg Segalla. And I'm here on behalf of Mr.
6 Cruz.

7 MR. DILLON: Excuse me?

8 Can you spell your last name for me?

9 MR. GOLOWSKI: Yes, sir.

10 G-O-L-O-W-S-K-I.

11 MR. DILLON: Thank you.

12 MR. FARMER: And the rec-- record also
13 should reflect that Lieutenant Dunlay is here
14 this evening.

15 Just to refresh the reason we're here is
16 there is pending litigation dealing with the
17 denial of the license transfer from the old
18 place, which was across the street from the new
19 place -- both on 17th Street. Apparently, he lost
20 his license.

21 MR. AUTERI: Excuse me, Mr. Farmer?

22 MR. FARMER: Huh?

23 MR. AUTERI: Mr. Farmer, before we proceed,
24 can we just swear in the --

25 MR. FARMER: Oh sure.

1 I'm sorry.

2 MR. AUTERI: We have a -- we have a
3 translator here today.

4 MR. FARMER: Yeah.

5 MR. AUTERI: And we're not -- we're going
6 to do this concurrently, so we'll swear in the
7 transcriber (sic).

8 Thank you.

9 MR. DILLON: Do you swear the translations
10 you're giving to the Board will be accurate?

11 MR. GONZALEZ: I do.

12 MR. DILLON: Thank you.

13 State your name for the record.

14 MR. GONZALEZ: Jose Gonzalez.

15 MR. DILLON: Thank you.

16 MR. AUTERI: Thank you.

17 MR. FARMER: Why don't you put his -- put
18 his name on the record.

19 MR. DILLON: Your name, sir?

20 MR. CRUZ: Eduardo Cruz.

21 THE INTERPRETER for MR. CRUZ: Eduardo
22 Cruz.

23 MR. DILLON: Thank you.

24 MR. FARMER: So, there's pending litigation
25 concerning this Board's denial of the transfer --

1 | probably about six months ago.

2 | There was a conference before the Director
3 | of the ABC and the license in my office where the
4 | Director felt strongly that we should try to
5 | resolve the matter because he thought that that
6 | would be the best resolution for the matter.

7 | Consequently, they propose this:

8 | That his hours would be Sunday through
9 | Thursday, closing at ten o'clock, instead of two
10 | o'clock; 12 o'clock on Friday and Saturday,
11 | rather than two a.m.; 12 o'clock on Super Bowl
12 | Sunday, rather than two; and closing on New York
13 | Avenue (sic) instead of two.

14 | And that every employee --

15 | MAYOR STACK: Closing on when?

16 | LIEUTENANT DUNLAY: New Year's.

17 | MR. GOLOWSKI: New Year's Eve, sir.

18 | MR. FARMER: New Year's Eve.

19 | MAYOR STACK: New Year's Eve. Okay.

20 | MR. FARMER: Closing -- closing at one
21 | o'clock on New Year's Eve.

22 | MAYOR STACK: Okay.

23 | MR. FARMER: And that these restrictions
24 | would basically in effect for a five year period,
25 | up until 2026.

1 MAYOR STACK: Okay.

2 MR. FARMER: And also and finally, the
3 licensee and every person who works at the
4 licensed premises would have to be qualified to
5 do so by taking a course that is recognized by
6 the State of New Jersey with respect to the
7 details of serving alcohol.

8 Pretty much like the course that we give
9 every year to all the licensees.

10 You know, we're not going to set it up for
11 just the one person but there's an agency that
12 does it. You go. You get certified. He lets us
13 know. And that's him and all of the employees.

14 And I think that that's it.

15 Counselor, where are you?

16 Did --

17 Oh.

18 MR. GOLOWSKI: Right here.

19 MR. FARMER: Did I recite it correctly?

20 MR. GOLOWSKI: Yes you did.

21 MR. FARMER: Okay.

22 And, Lieutenant, --

23 LIEUTENANT DUNLAY: Yes, sir.

24 MR. FARMER: -- you -- you've been part of
25 these negotiations, haven't you?

1 LIEUTENANT DUNLAY: That's correct, yes.

2 MR. FARMER: Okay.

3 Police Department have any objection to
4 this resolution?

5 LIEUTENANT DUNLAY: No. Just the only
6 thing is that we've -- we've advised counsel that
7 no opening should take place until the special
8 conditions regarding the camera ordinance is
9 completely and fully in place.

10 THE INTERPRETER for MR. CRUZ: I understand
11 that.

12 MR. FARMER: Okay.

13 I guess I -- I'll make the motion. I would
14 recommend that we accept the settlement.

15 MR. AUTERI: Can I have a motion to accept
16 the proposed settlement?

17 MAYOR STACK: Yes, I -- I just wanted to
18 ask a question.

19 Will the licensee be in the establishment
20 and running the establishment most of the time?

21 MR. FARMER: I think that's --

22 THE INTERPRETER for MR. CRUZ: Me. Myself.

23 MAYOR STACK: Okay.

24 And he plans to be there, you know, in a
25 reasonable amount of time on a daily basis?

1 I don't -- I don't expect him to be there
2 the entire duration of the day but on a
3 reasonable amount of time every day?

4 THE INTERPRETER for MR. CRUZ: In April?
5 I didn't understand.

6 MAYOR STACK: The question is -- the
7 question is will -- will he be in the
8 establishment on a daily basis managing the
9 establishment?

10 THE INTERPRETER for MR. CRUZ: Yes.

11 Last couple years I've been working by
12 myself.

13 That's why I have the license. It's nice
14 and clean. Because if it was inconvenient I
15 would close and I would go home.

16 MAYOR STACK: It's important for me to know
17 that he's going to be in the establishment
18 running it as the owner because he'll more --
19 more pride in running the establishment.

20 MR. GONZALEZ: I'm sorry, Your Honor?

21 MAYOR STACK: He'll take more pride and
22 he'll make sure that the ABC laws are followed.

23 THE INTERPRETER for MR. CRUZ: Always --
24 always. I would never open until the kids left
25 school. After they went by, that's when I would

1 open.

2 MAYOR STACK: No, I understand that but --
3 and I -- and I appreciate that. But I just want
4 to make sure that he's going to be in the
5 establishment on a daily basis managing.

6 THE INTERPRETER for MR. CRUZ: Yes.

7 MAYOR STACK: Very good.

8 Any other Commissioners have any other
9 comments?

10 Any members of the public?

11 Mr. Farmer indicated how many letters went
12 out to the -- to the area.

13 Were they done by mail and under the doors,
14 Mr. Farmer?

15 How were they given out?

16 MR. FARMER: They were -- they were mailed;
17 262 were mailed. The same number as the mailing
18 list of the last time they came before you.

19 And I understand, in speaking with
20 Lieutenant Dunlay, that another 200 notices went
21 out to the neighborhood.

22 Correct?

23 LIEUTENANT DUNLAY: That's correct.

24 They were hand-delivered by the Detective,
25 sir.

1 MAYOR STACK: And just, you know, Eduardo,
2 I just want you to know, the eyes are going to be
3 on you, watching the establishment, because there
4 was some opposition to you opening. You -- you
5 have agreed to amend the hours.

6 But, remember, we have to be good neighbors
7 with all the residents who live in that area.

8 THE INTERPRETER for MR. CRUZ: Thank God
9 until now a hundred percent of the people are in
10 my favor.

11 Never let anybody get out of hand. Nobody
12 ever had to intervene because of music or
13 anything.

14 MAYOR STACK: Okay.

15 THE INTERPRETER for MR. CRUZ: All those
16 years that I was there.

17 MAYOR STACK: That's important to continue
18 that.

19 Thank you.

20 Any members of the public who would like to
21 comment on this license at this time located at
22 1709 Bergenline Avenue?

23 Okay.

24 Seeing none.

25 MR. AUTERI: May I have a motion to

1 transfer the license -- approve the transfer of
2 the license?

3 COMMISSIONER VALDIVIA: Motion.

4 MR. AUTERI: Motion by Commissioner
5 Valdivia.

6 MAYOR STACK: Second.

7 COMMISSIONER MARTINETTI: Second.

8 MR. AUTERI: Second by Mayor Stack.
9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 MR. AUTERI: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 MR. AUTERI: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 MR. AUTERI: Commissioner Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 MR. AUTERI: Mayor Stack?

18 MAYOR STACK: Yes.

19 And I'm voting on the license -- and I know
20 the Commissioners feel very similar and they
21 could speak for themselves. But we're doing that
22 with the stipulations that were mentioned.

23 We're doing that trusting that Eduardo is
24 going to be a good neighbor to all the residents
25 in the area and we expect nothing less.

1 MR. AUTERI: Thank you, Mayor.

2 MAYOR STACK: Yes.

3 THE INTERPRETER for MR. CRUZ: I've been
4 living in this town for -- since '58. Next --
5 next week I'll be 84 years old.

6 MAYOR STACK: God bless him.

7 THE INTERPRETER for MR. CRUZ: And I've
8 never received Welfare.

9 Thank God.

10 Everything I have is my own work.

11 MAYOR STACK: Very good.

12 Thank you, Eduardo.

13 Thank you, sir.

14 MR. GOLOWSKI: Thank you, Mayor.

15 MAYOR STACK: Thank you.

16 MR. GOLOWSKI: Thank you, counsel.

17 MR. AUTERI: Thank you.

18 MAYOR STACK: Thank you.

19 MR. FARMER: I'll send that to you and if
20 you have any questions, --

21 Can you wait ten minutes maybe?

22 MR. GOLOWSKI: Yeah.

23 Yeah.

24 MR. FARMER: Okay.

25 MR. GOLOWSKI: Thank you.

1 MR. FARMER: I'd like to skip over number
2 2; we'll get back to that.

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1 LIQUOR LICENSE HEARINGS:

2

3 Bambinas Bar & Restaurant, Inc.

4 t/a Milagros Bar & Restaurant

5 2906 Bergenline Avenue

6 0910-33-040-039

7 (Nino Falcone, Esq.)

8

9 MR. FARMER: But number 3 is Bambinas Bar
10 and Restaurant.

11 The licensee and his counsel are here
12 today.

13 MAYOR STACK: Good evening.

14 MR. FALCONE: Good evening.

15 MAYOR STACK: Good evening, Judge.

16 MR. FARMER: Okay and I'd like the record
17 to reflect that the licensee is here with counsel
18 and the Interpreter is here.

19 So we would like to swear in the
20 Interpreter.

21 MR. AUTERI: We -- we can --

22 MR. FALCONE: I believe he's still sworn.

23 MR. AUTERI: -- he's already been sworn in
24 for tonight.

25 MR. FARMER: Okay.

1

2 (Whereupon, Jose Gonzalez, Interpreter,
3 translated into Spanish for the licensee.)

4

5 MR. FARMER: Okay.

6 This is a matter which is a paper violation
7 but, quite frankly, there are other violations in
8 the past where we gave a -- a closing time but
9 also suspended five days. They happened last
10 year on two occasions.

11 So the licensee here today stands before
12 you convicted so-to-speak of ten days.

13 There's a paper violation. Lieutenant
14 Dunlay, Judge Falcone, myself, and the licensee,
15 had a discussion and we've agreed to be 15 days,
16 from --

17 I think you gave me the dates of --

18 MR. FALCONE: October 18th.

19 MR. FARMER: -- October 18th to November
20 1st.

21 And the Police have gone back to the
22 establishment and have come back satisfied that
23 the licensees books are in order.

24 That's what the problem with this place has
25 always been, paper. Just seem to want to ignore

1 that.

2 So it would be 15 days.

3 And, like I said, it'd be from October 18th
4 to November 1st.

5 And did I recite the terms of the
6 settlement?

7 MR. FALCONE: That's correct.

8 MR. FARMER: And your client's in
9 agreement?

10 MR. FALCONE: Yes, they -- she is.

11 MR. FARMER: Okay.

12 And, Lieutenant Dunlay?

13 LIEUTENANT DUNLAY: Yes, that's correct.

14 MR. FARMER: Okay, great.

15 MR. AUTERI: May I have a motion to approve
16 the proposed settlement of 15 days?

17 MAYOR STACK: Motion.

18 MR. AUTERI: Motion by Mayor Stack.

19 COMMISSIONER GRULLON: Second.

20 MR. AUTERI: Second by Commissioner
21 Grullon.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 MR. AUTERI: Commissioner Grullon?

25 COMMISSIONER GRULLON: Yes.

1 MR. AUTERI: Commissioner Valdivia?
2 COMMISSIONER VALDIVIA: Yes.
3 MR. AUTERI: Commissioner Martinetti?
4 COMMISSIONER MARTINETTI: Yes.
5 MR. AUTERI: Mayor Stack?
6 MAYOR STACK: Yes.
7 MR. FARMER: Okay.
8 MR. FALCONE: Thank you.
9 Thank you.
10 MR. FARMER: Anna?
11 MR. FALCONE: We're finished?
12 MR. FARMER: I'm going to get Anna Noris.
13 Wherever --
14 LIEUTENANT DUNLAY: She's right here.
15 MR. FARMER: Oh, Anna, I didn't see you.
16 My apologies.
17 MS. NORIS: That's okay.
18 A VOICE: Good night.
19 MAYOR STACK: Thank you very much.
20 Thank you.
21 A VOICE: Good night.
22 Thank you.
23 MR. FALCONE: Thank you.
24 Good night.
25 MAYOR STACK: Good night.

1 Good night, Judge.

2 COMMISSIONER MARTINETTI: Good luck.

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1 LIQUOR LICENSE HEARINGS:

2

3 La Parrilla Bar & Grill, LLC

4 t/a Maria Mentiras Bar & Grill

5 328 32nd Street

6 0910-33-030-015

7 (Adolfo Lopez, Esq.)

8

9 MR. FARMER: The next one is the last one
10 on your calendar, La Parrilla Bar and Grill at
11 328 32nd Street, Maria Mentiras.

12 Counsel for the licensee's here today.

13 We have previously had conferences with
14 everyone.

15 And what this is is a violation of -- a
16 noise violation, coupled with being open after --
17 being out-- outside open for business after ten
18 o'clock, in violation of the ordinance.

19 It's ten days -- it's 15 days, November 2nd
20 to November 16th.

21 So they were operating on times where the
22 outdoor ordinance said you had to close at ten
23 o'clock and had -- no noise out there. So, --

24 Did I recite the proposal correctly?

25 MS. NORIS: That is correct.

1 MR. FARMER: You're -- are you okay with
2 that?

3 LIEUTENANT DUNLAY: Yeah, just so that
4 counsel -- this is the outdoor -- the out-- the
5 violation after ten p.m. is regarding the special
6 condition -- the special permit that was granted
7 to -- during the COVID-19 for outdoor expansion,
8 which is set to expire by next year.

9 But that's -- that's the violation that
10 we're discussing here. So it's outdoors after
11 ten o'clock.

12 MAYOR STACK: Miss Noris, it just came to
13 my attention today, the woman who lives --

14 It's just -- it's just ironic I spoke to
15 her this morning about 7:30.

16 There's families that live above Maria
17 Mentiras upstairs and it -- I just spoke to the
18 woman this morning, her mother is sick and she
19 said that what happens is that --

20 I'm -- I'm not sure how it's set up in the
21 place; I'm only going by what she told me. And I
22 would only bring it up tonight because you're
23 here. It's just ironic the way it worked out. I
24 spoke to her this morning.

25 She's -- I'm trying to help her mother with

1 | someone else and she -- her mother had recently
2 | spoken to somebody and I had to -- I went to the
3 | building just to visit her mother but she had not
4 | been home.

5 | But the daughter told me today that the
6 | speakers that are up near the ceiling -- and she
7 | said when they play the music very loud all the
8 | sound comes up and her mother can't go to sleep.
9 | Her mother's about 82 years old.

10 | MS. NORIS: Understood.

11 | MAYOR STACK: And maybe you could speak to
12 | them there, either if they could do something
13 | with soundproofing or if they could move the
14 | speakers down and just try to work with them.

15 | She said that she usually -- her mother
16 | would call downstairs and they would lower the
17 | music. That hasn't been too successful recently.

18 | If -- if you could do me a favor. I was
19 | going to reach out for the owner just to talk to
20 | her but if you could speak to her tomorrow I
21 | would appreciate that.

22 | MS. NORIS: Absolutely.

23 | And I --

24 | MAYOR STACK: Thank you.

25 | MS. NORIS: -- I actually want to apologize

1 | that she's -- she's not here. She had called our
2 | office. We have been in contact with her
3 | throughout all of this. Unfortunately she's
4 | pregnant and she was put on bedrest.

5 | MAYOR STACK: Sure.

6 | MS. NORIS: So as late as this afternoon we
7 | had spoken to her and she had said that she was
8 | on bedrest, she was going to have her mother
9 | come.

10 | Since my arrival here, I've called on
11 | numerous occasions; I have not been able to reach
12 | either her or her mother, so I don't know if
13 | something is going on.

14 | Normally whenever we're here, --

15 | MAYOR STACK: No problem.

16 | MS. NORIS: -- they are here.

17 | MAYOR STACK: Sure.

18 | NS. NORIS: That's not a problem.

19 | With regard to what happened in -- in that
20 | particular instance, I know for -- we've
21 | discussed it with her at great length that even
22 | if people are not done eating, that she needs to
23 | comply with the ordinance and it says ten
24 | o'clock. And she said I'm not serving them
25 | anymore but they sort of just lingering around.

1 And so we already explained that that's
2 unfortunate but she's going to have to tell
3 people that they have to go because that is the
4 only way she's going to be complying with the
5 ordinance.

6 So there's no intention on their part to
7 violate any ordinance or to, in fact, create any
8 nuisance for -- for their neighbors. As Your
9 Honor clearly said it, they normally will try and
10 cooperate with the neighbors as much as they can.

11 MAYOR STACK: Please.

12 MS. NORIS: And I will have that
13 conversation with her, hopefully God willing,
14 tomorrow --

15 MAYOR STACK: Sure.

16 MS. NORIS: -- and be able to tell her.

17 MAYOR STACK: I -- and I know -- I know
18 that, Miss Noris, that when you live above --
19 when you live above a liquor establishment, a
20 restaurant, you're going to experience another
21 level of noise.

22 But if they could just do something with
23 the music somehow that would be helpful.

24 MS. NORIS: Absolutely.

25 MAYOR STACK: Thank you.

1 MS. NORIS: I will definitely discuss it
2 with them.

3 MAYOR STACK: Thank you very much.

4 MR. FARMER: And just to end it -- so
5 you're -- authorize it --

6 MS. NORIS: Oh, absolutely.

7 MR. FARMER: -- you're authorized to
8 enter --

9 MS. NORIS: I'm completely authorized. And
10 she's well aware. We've provided dates already
11 to Mr. Farmer after having spoken to them in
12 general.

13 So, if -- if you'll allow me to proceed
14 without her being here, I would appreciate that
15 because of her circumstance. But this is all
16 authorized by everyone involved.

17 MR. AUTERI: May I have a motion to approve
18 the proposed settlement?

19 COMMISSIONER FERNANDEZ: Motion.

20 MR. AUTERI: Motion by Commissioner
21 Fernandez.

22 COMMISSIONER GRULLON: Second.

23 MR. AUTERI: Second by Commissioner
24 Grullon.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 MR. AUTERI: Commissioner Grullon?

3 COMMISSIONER GRULLON: Yes.

4 MR. AUTERI: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 MR. AUTERI: Commissioner Martinetti?

7 COMMISSIONER MARTINETTI: I'm abstaining.

8 MR. AUTERI: Commissioner Martinetti is
9 abstaining.

10 Mayor Stack?

11 MAYOR STACK: Yes.

12 MR. FARMER: The last one on your calendar

13 --

14 MS. NORIS: Thank you very much.

15 MR. FARMER: Thank you, Anna.

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1 LIQUOR LICENSE HEARINGS:

2

3 RG Enterprise Entertainment, Inc.

4 t/a Therapy Lounge

5 2803 Bergenline Avenue

6 0910-33-134-006

7

8 MR. FARMER: The last one on your calendar
9 is Therapy; it's number 2 on your calendar.

10 We've had conferences with Mr. Guzman for a
11 long time and he's been frustrating.

12 Never the less, --

13 Is this out?

14 Never the less, this has been on two or
15 three times and he shows up late; doesn't show
16 up. When we have conferences he sits down and
17 says well I'll get back to you.

18 He know -- he knew it was on because I told
19 him last Thursday. Lieutenant Dunlay told him
20 last Thursday. I sent him a certified letter.
21 And I sent him a regular letter.

22 And this is a very simple case. What --

23 And I have the Officer here.

24 This deals with cameras. Mr. Guzman was
25 supposed to, as per the direction of the City by

1 Resolution, to install cameras. He did that a
2 long time ago and Lieutenant Dunlay was the
3 person, as the representative of the Police
4 Department, to inspect the premises to see if the
5 cameras were in the place where the Police wanted
6 them.

7 Detective Rodriguez will testify --

8 Lieutenant Dunlay will testify as to the
9 level of the cameras.

10 Detective Rodriguez will testify that he
11 went there in June, on June 11th, and inspected
12 the camera situation. And instead of having nine
13 cameras, he only had two cameras. And instead of
14 having the cameras focus on the exit and
15 entrance, they were on the pool table and his
16 office.

17 So what I'd like to just simply do is this:

18 I would like to take the testimony of
19 Detective Rodriguez because this is the second
20 time he's here.

21 I'd ask for ten days. And what I'd suggest
22 is we start the ten days October 20th. I'll send
23 him a letter. We're having a meeting October
24 19th. If he's got some complaint about anything,
25 he can show up then; if not, then it's self-

1 | executing. He shuts down for ten days starting
2 | October 20th.

3 | LIEUTENANT DUNLAY: How about waiting a
4 | little later than that?

5 | MAYOR STACK: Sounds good to me.

6 | COMMISSIONER GRULLON: Um-hum.

7 | MAYOR STACK: Yeah.

8 | MR. FARMER: What do you want?

9 | LIEUTENANT DUNLAY: If we can do it maybe
10 | the 22nd?

11 | MR. FARMER: Okay, 22nd.

12 | Lieutenant Dunlay would prefer it to be the
13 | 22nd.

14 | But can I just take the testimony, you hear
15 | it, then I'll make a --

16 | MAYOR STACK: Absolutely.

17 | MR. FARMER: -- recommendation.

18 | MAYOR STACK: Please.

19 | Go right ahead.

20 | MR. FARMER: Okay.

21 | You want to swear in Lieutenant Dunlay?

22 | MR. DILLON: Please raise your right hand.

23 | Do you swear the testimony you're about to
24 | give this Board is the whole truth?

25 | LIEUTENANT DUNLAY: It is.

1 MR. DILLON: State your name for the
2 record.

3 LIEUTENANT DUNLAY: David Dunlay,
4 Lieutenant, Union City Police.

5 MR. DILLON: Thank you.

6 MR. FARMER: Now, Lieutenant Dunlay, back
7 in 2014, --

8 Strike that. Let me back up.

9 How long have you been associated with the
10 Union City Police Department?

11 LIEUTENANT DUNLAY: Sixteen years.

12 MR. FARMER: And your current status is?

13 LIEUTENANT DUNLAY: Detective, Bureau
14 Commander, Lieutenant.

15 MR. FARMER: A Lieutenant. Okay.

16 And, quite frankly, isn't it accurate that
17 for the most part of your career you've been
18 working nights and familiar with the bars in the
19 area?

20 LIEUTENANT DUNLAY: That is correct.

21 MR. FARMER: Okay.

22 Now, I'm going to show you a police report
23 that you authored back in December 15, 2014. And
24 I'm going to ask you just two questions.

25 Was the licensee aware of this?

1 And what did the Police Department do with
2 respect to cameras?

3 LIEUTENANT DUNLAY: Well, just for the
4 record, this is regarding Union City Police
5 report 14038384, supplemental number 2.

6 This is following a vote by the Board of
7 Commissioners for a special condition for the
8 licensee where he was required to install
9 cameras. This was obviously in 2014. This was
10 before we passed our camera ordinance.

11 So, based on the issues that he was having,
12 I had to go there, conduct an inspection, advise
13 him where to put the cameras and as such he
14 complied.

15 On December 13th, 2014, I went there for
16 the final inspection after he told me that
17 everything was completed.

18 When I did -- when I did the inspection
19 there was a total of 12 cameras that were placed
20 in 2014. This is the record that we placed and
21 this is what I -- when I spoke to Mr. Guzman on
22 that day it was -- it covered all the major areas
23 inside the liquor license establishment. And I
24 told him from here on in these 12 cameras have to
25 be functioning at all times.

1 MR. FARMER: He understood that?

2 LIEUTENANT DUNLAY: And he did understand
3 that.

4 MR. FARMER: Okay.

5 Anything else?

6 LIEUTENANT DUNLAY: No, sir.

7 MR. FARMER: Okay.

8 Detective Rodriguez?

9 MR. DILLON: Please raise your right hand.

10 Do you swear the testimony you're about to
11 give this Board is the whole truth?

12 DETECTIVE RODRIGUEZ: Yes.

13 MR. DILLON: State your name and spell it
14 for the record.

15 DETECTIVE RODRIGUEZ: Carlos Rodriguez, R-
16 O-D-R-I-G-U-E-Z.

17 MR. DILLON: Thank you.

18 MR. FARMER: Detective Rodriguez, I'm going
19 to ask you some questions. Keep your voice up so
20 everybody can hear your response.

21 You're a member of the Union City Police
22 Department?

23 DETECTIVE RODRIGUEZ: Yes.

24 MR. FARMER: For how long have you been a
25 member of the Union City Police Department?

1 DETECTIVE RODRIGUEZ: Seven years.

2 MR. FARMER: Okay.

3 I'm going to direct your attention to June
4 11, 2014, and I'm going to show you a report.

5 Is that your report?

6 DETECTIVE RODRIGUEZ: This is David
7 Dunlay's report.

8 MR. FARMER: No, I'm -- I'm sorry.

9 I'm going to show you a report dated --
10 Just bear with me.

11 LIEUTENANT DUNLAY: That should be it.

12 MR. FARMER: Okay.

13 I show you a report dated June 21st.

14 Did you have an opportunity to go down to
15 the Therapy Lounge?

16 DETECTIVE RODRIGUEZ: Yes.

17 MR. FARMER: Make an inspection of the
18 cameras?

19 DETECTIVE RODRIGUEZ: Yes.

20 MR. FARMER: You were aware of the fact
21 that Lieutenant Dunlay had previously filed a
22 report indicating where and how many cameras were
23 in the -- had to be in the licensed premises?

24 DETECTIVE RODRIGUEZ: Yes.

25 MR. FARMER: Was he in compliance?

1 DETECTIVE RODRIGUEZ: No.

2 MR. FARMER: In what way?

3 DETECTIVE RODRIGUEZ: He only had two
4 cameras. One was facing the pool table; the
5 other one was in his office in the basement.

6 MR. FARMER: So it wasn't facing anything?

7 No exits?

8 No entrance?

9 No this, that or the other?

10 DETECTIVE RODRIGUEZ: Nothing.

11 MR. FARMER: Okay.

12 That it?

13 DETECTIVE RODRIGUEZ: That was the only
14 cameras.

15 MR. FARMER: Okay.

16 I would say -- submit that this -- the
17 Therapy Lounge is in violation of the ordinance;
18 wasn't in compliance with the cameras. The
19 cameras went in with notice to him. He was
20 there. He knew what they were.

21 And the Police came and inspected and what
22 he had was nowhere near what he was supposed to
23 have.

24 Plus, they were worthless.

25 Were looking at the pool table and the

1 office, instead of the front entrance, the back
2 entrance, presumably also the bar area.

3 So, I would suggest that -- I would --

4 I'd recommend that you'd convict him and
5 give him a ten day suspension, which is required
6 up to the ordinance and that we can make it
7 starting October 22nd.

8 And, in all fairness, I'll send Mr. Guzman
9 a letter, if the Board should enter a ten day
10 suspension starting on the 22nd, that he can come
11 here on the 19th to say whatever he wants to say.

12 Okay?

13 MAYOR STACK: And, Mr. Farmer, you said you
14 notified him by how many methods?

15 MR. FARMER: I notified him --

16 Well, first of all, we notified him,
17 orally, about three days ago, my -- myself and
18 Lieutenant Dunlay. I sent him a certified letter
19 and a regular letter.

20 So, I mean he -- he knew. I mean I can't
21 believe he could come in and say oh I didn't
22 know.

23 MAYOR STACK: Great.

24 And it was by certified mail and regular
25 mail.

1 Correct?

2 MR. FARMER: That is correct.

3 MAYOR STACK: Okay.

4 Okay, I'll make a motion to approve the
5 recommendation that was given to us by Mr.
6 Farmer, in the testimony of Detective Rodriguez
7 and Lieutenant Dunlay.

8 COMMISSIONER FERNANDEZ: This is ten days
9 with the stipulation that he will install the
10 additional cameras.

11 Is that correct?

12 LIEUTENANT DUNLAY: Everything's installed
13 as of now.

14 COMMISSIONER GRULLON: Oh.

15 MR. FARMER: Yeah.

16 COMMISSIONER FERNANDEZ: Everything's
17 installed now.

18 MR. FARMER: He's in compliance.

19 COMMISSIONER GRULLON: All them.

20 COMMISSIONER FERNANDEZ: Now he's in
21 compliance. Okay.

22 COMMISSIONER GRULLON: Oh.

23 COMMISSIONER FERNANDEZ: Second.

24 MR. AUTERI: Motion by Mayor Stack.

25 Second by Commissioner Fernandez.

1 Commissioner Fernandez?
2 COMMISSIONER FERNANDEZ: Yes.
3 MR. AUTERI: Commissioner Grullon?
4 COMMISSIONER GRULLON: Yes.
5 MR. AUTERI: Commissioner Valdivia?
6 COMMISSIONER VALDIVIA: Yes.
7 MR. AUTERI: Commissioner Martinetti?
8 COMMISSIONER MARTINETTI: Yes.
9 MR. AUTERI: Mayor Stack?
10 MAYOR STACK: Yes.

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1 **ADJOURNMENT:**

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3 MR. AUTERI: There are no further items on
4 the agenda.

5 May I have a motion to adjourn?

6 COMMISSIONER MARTINETTI: Motion.

7 MR. AUTERI: Motion by Commissioner
8 Martinetti.

9 COMMISSIONER VALDIVIA: Second.

10 MR. AUTERI: Second by Commissioner
11 Valdivia.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 MR. AUTERI: Commissioner Grullon?

15 COMMISSIONER GRULLON: Yes.

16 MR. AUTERI: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 MR. AUTERI: Commissioner Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 MR. AUTERI: Mayor Stack?

21 MAYOR STACK: Yes.

22 MR. AUTERI: The time is now --

23 MAYOR STACK: Thank you.

24 Thank for being here.

25 MR. AUTERI: -- 7:44.

1 Thank you.

2 MAYOR STACK: Lucio, thank you.

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4 (Whereupon, the proceedings were concluded
5 at 7:45 p.m.)

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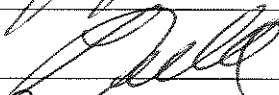
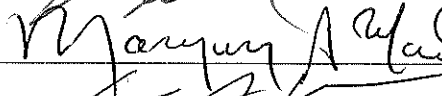
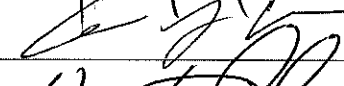
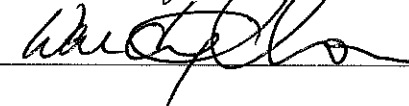
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1  Brian P. Stack
2  Lucio P. Fernandez
3  Maryury A. Martinetti
4  Celin J. Valdivia
5  Wendy A. Grullon

6 Board of Commissioners

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Attest:

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Angelo Auteri, Esq.,

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Corporation Counsel

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1 STATE OF NEW JERSEY:

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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, October 5, 2021 and digitally
10 recorded.

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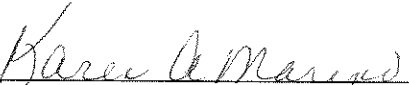
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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon