

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

REGULAR MEETING : TRANSCRIPT OF  
: :  
: :  
-----: PROCEEDINGS

JEFFERSON ELEMENTARY SCHOOL  
3400 Palisade Avenue  
Union City, New Jersey

Tuesday, March 1, 2022  
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:

SCARINCI HOLLENBECK  
BY: ANGELO AUTERI, ESQ.  
Corporation Counsel

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

HILDA ROSARIO, Acting City Clerk

SUSAN BISCHOFF, CCR, RPR  
449 Columbia Blvd., Wood-Ridge, NJ 07075  
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A P P E A R A N C E S:

ANNA NORIS, ESQ.  
Attorney for La Parilla Bar & Grill, LLC  
t/a Maria Mentiras Bar & Grill

I N D E XPAGE

CALL TO ORDER 5  
SALUTE TO FLAG 5  
ROLL CALL 5

SPECIAL PRESENTATION 6

MINUTES 8

CONSENT AGENDA 9

CITIZENS ADDRESS THE BOARD 15

LIQUOR LICENSE PUBLIC HEARINGS 36

La Parilla Bar & Grill, LLC 36

ADJOURNMENT 61

I N D E XLa Parilla Bar & Grill, LLC t/a Maria Mentiras Bar  
& GrillSWORNPAGE

Lieutenant Dunlay

45

Maria Gutierrez

48

Marta Velasquez

53

Fedal Castro

54

David Villantes

55

1 MS. ROSARIO: This is a regular public  
2 meeting of the Union City Board of Commissioners  
3 being held on Tuesday, March 1, 2022, 7:00 p.m. at  
4 the Jefferson Elementary School 3400 Palisade  
5 Avenue, Union City. Please stand for the Pledge  
6 of Allegiance.

7  
8 (Whereupon, the Pledge of Allegiance was  
9 recited.)

10  
11 MS. ROSARIO: This meeting has been  
12 called in accordance with the Open Public Meetings  
13 Act, adequate notice of this meeting has been  
14 provided to The Jersey Journal, The Record, and  
15 The Hudson Reporter, has been posted on the  
16 bulletin board in the City hall and has been made  
17 available to the public in the Office of the  
18 Municipal Clerk.

19  
20 **ROLL CALL:**

21  
22 MS. ROSARIO: Commissioner Fernandez.

23 COMMISSIONER FERNANDEZ: Here.

24 MS. ROSARIO: Commissioner Grullon.

25 COMMISSIONER GRULLON: Here.

1 MS. ROSARIO: Commissioner Valdivia.  
2 COMMISSIONER VALDIVIA: Here.  
3 MS. ROSARIO: Commissioner Martinetti.  
4 COMMISSIONER MARTINETTI: Here.  
5 MS. ROSARIO: Mayor Stack.  
6 MAYOR STACK: Here.

7  
8 **SPECIAL PRESENTATION:**

9  
10 MS. ROSARIO: We have a special  
11 presentation, Commissioner Fernandez.

12 COMMISSIONER FERNANDEZ: Thank you for  
13 being here this evening. The Mayor and  
14 Commissioners feel that it's a very sad situation,  
15 a tragic situation what's happening in Ukraine at  
16 this moment. And we want to read an official  
17 proclamation stating how we feel about what's  
18 happening. It reads:

19  
20 **CITY OF UNION CITY**  
21 **COUNTY OF HUDSON, STATE OF NEW JERSEY**  
22 **OFFICIAL PROCLAMATION OF THE CITY OF UNION CITY**  
23 **CONDEMNING ACTS OF AGGRESSION AGAINST THE PEOPLE**  
24 **OF UKRAINE**  
25 **WHEREAS,** the armed forces of the Russian

1 Federation have undertaken an illegal and  
2 full-scale invasion of Ukraine in an attempt to  
3 take over an independent country in clear  
4 violations of the international norms and laws by  
5 way of relentless deadly and criminal attacks; and

6 **WHEREAS**, the people of this nation, this  
7 state and the City must stand in solidarity with  
8 the citizens of Ukraine who have shown strength  
9 and resolve in their pursuit of their freedom  
10 sovereignty while enduring immense suffering as a  
11 result of unprovoked military aggression; and

12 **WHEREAS**, a secure, safe and independent  
13 Ukraine is the only acceptable outcome for the  
14 preservation of international unity, peace and  
15 progress; and

16 **WHEREAS**, the Mayor and Board of  
17 Commissioners of the City of Union City desire to  
18 declare their support for Ukraine and its people.

19 **NOW THEREFORE BE IT PROCLAIMED** by the  
20 Mayor and Board of Commissioners of the City of  
21 Union City, County of Hudson, State of New Jersey  
22 as follows:

23 1. The City strongly and unequivocally  
24 condemns and denounces the acts of aggression and  
25 violations of international law committed against

1 Ukraine and its people.

2 2. The City recognizes Ukraine as a  
3 sovereign state and urges the Russian Federation  
4 to immediately cease all violence and withdraw all  
5 its forces from Ukrainian territory and to instead  
6 strive to build bridges of peace with the  
7 Ukrainian people and the Ukrainian nation.

8 3. The City expresses its unequivocal  
9 and unwavering support for and solidarity with the  
10 Ukrainian people in their time of trial.

11 Thank you very much.

12 MAYOR STACK: Thank you, Commissioner.

13

14

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

17 **APPROVAL OF MEETING MINUTES - REGULAR MEETING -**  
18 **FEBRUARY 1, 2022 AND FEBRUARY 15, 2022.)**

19

20 MS. ROSARIO: Next meeting minutes.  
21 Motion to approve meeting minutes for the February  
22 1st and February 15th, 2022, Board of  
23 Commissioners meetings. Motion to approve.

24 COMMISSIONER MARTINETTI: Motion.

25 COMMISSIONER FERNANDEZ: Second.

1 MS. ROSARIO: Motion made by  
2 Commissioner Martinetti and seconded by  
3 Commissioner Fernandez. Vote on the motion.  
4 Commissioner Fernandez.

5 COMMISSIONER FERNANDEZ: Yes.

6 MS. ROSARIO: Commissioner Grullon.

7 COMMISSIONER GRULLON: Yes.

8 MS. ROSARIO: Commissioner Valdivia.

9 COMMISSIONER VALDIVIA: Yes.

10 MS. ROSARIO: Commissioner Martinetti.

11 COMMISSIONER MARTINETTI: Yes.

12 MS. ROSARIO: Mayor Stack.

13 MAYOR STACK: Yes.

14

15 (Whereupon, the Board discussed and took  
16 action on the following items in total:

17 **CONSENT AGENDA:**

18 ( 1) Resolution Approving the Payment of Claims

19 ( 2) Resolution Approving the Payment of  
20 Concurring Claims

21 ( 3) Resolution Approving the Escrow Refunds

22 ( 4) Resolution Approving the City Payroll

23 01/29/2022 - 02/11/2022

24 ( 5) Resolution Approving the Library Payroll

25 01/29/2022 - 02/11/2022

1 ( 6) Resolution Authorizing Refund of Redemption  
2 Monies to Outside Lienholders

3 ( 7) Resolution Authorizing the Refund of Premium  
4 Monies Collected at the Tax Sale

5 ( 8) Resolution Authorizing the Application to  
6 the NJ Clean Energy Program Community Energy  
7 Planning Grant Program

8 ( 9) Resolution Authorizing Contract for 2022  
9 Landscape Maintenance Program - A Project

10 (10) Resolution Authorizing Contract for 2022  
11 Landscape Maintenance Program - B Project

12 (11) Resolution Authorizing the Award of a  
13 Contract for Peter Street Extension Project

14 (12) Resolution of the Board of Commissioners of  
15 The City of Union City Approving the 2018-2019,  
16 2019-2020, 2020-2021 and 2021-2022 Renewal of  
17 Liquor License No. 0910-33-021-008 Issued to  
18 California Cafe Corp. (Pocket License)

19 (13) Amended Resolution of the Board of  
20 Commissioner of the City of Union City approving  
21 the 2018-2019 Renewal of Liquor License No.  
22 0910-43-023-012 issued to Jose Miguel Sanchez t/a  
23 International Mini Market

24 (14) Amended Resolution of the Board of  
25 Commissioners of the City of Union City Approving

1 the 2021-2022 Renewal of Liquor License No.  
2 0910-33-068-005 issued to Los Tejares, LLC (Pocket  
3 License)

4 (15) Amended Resolution of the Board of  
5 Commissioners of the City of Union City Approving  
6 the 2019-2020 Renewal of Liquor License No.

7 0910-33-068-005 issued to The Cousins Restaurant,  
8 Inc. (T/a La Gran Via Restaurant)

9 (16) Resolution of the Board of Commissioners of  
10 the City of Union City Approving the 2021-2022

11 Renewal of Liquor License No. 0910-43-042-005

12 Issued to La Sorpresa Corp. (T/a La Sorpresa  
13 Supermarket)

14 (17) Resolution of the Board of Commissioners of  
15 the City of Union City Approving the 2016-2017

16 Renewal of Liquor License No. 0910-33-041-005

17 Issued to R.G. Miranda Corp. (T/a El Cuco) Nunc  
18 pro Tunc to July 18, 2017.)

19  
20 MS. ROSARIO: Consent agenda.

21 1. Resolution approving the payment of  
22 claims.

23 2. Resolution approving the payment of  
24 concurring claims.

25 3. Resolution approving the escrow

1       refunds.

2                   4.   Resolution approving the City  
3       payroll of 01/29/2022 through 2/11/2022.

4                   Resolution approving the library payroll  
5       of 1/29/2022 through 2/11/2022.

6                   6.   Resolution authorizing refunds of  
7       redemption monies to outside lienholders.

8                   7.   Resolution authorizing the refund of  
9       premium monies collected at the tax sale.

10                  8.   Resolution authorizing the  
11       application to New Jersey clean energy program  
12       community energy planning grant program.

13                  9.   Resolution authorizing contract for  
14       2022 landscape maintenance program - A project.

15                  10.   Resolution authorizing contract for  
16       2022 landscape maintenance program - B project.

17                  11.   Resolution authorizing the award of  
18       a contract for Peter Street extension project.

19                  12.   Resolution of the Board of  
20       Commissioners of the City of Union City approving  
21       the 2018-2019, 2019-2020, 2020-2021, and 2021-2022  
22       renewal of liquor license number 0910-33-021-008  
23       issued to California Cafe Corp., pocket license.

24                  13.   Amended resolution of the Board of  
25       Commissioners of the City of Union City approving

1 the 2018-2019 renewal of liquor license number  
2 0910-43-023-012 issued to Jose Miguel Sanchez t/a  
3 International Mini Market.

4 14. Amended resolution of the Board of  
5 Commissioners of the City of Union City approving  
6 the 2021-2022 renewal of liquor license number  
7 0910-33-038-005 issued to Los Tejares, LLC,  
8 (pocket license)

9 15. Amended resolution of the City of  
10 Union City approving the 2019-2020 renewal of  
11 liquor license number 0910-33-068-005 issued to  
12 The Cousins Restaurant, Inc. (T/A La Gran Via  
13 Restaurant).

14 16. Resolution of the Board of  
15 Commissioners of the City of Union City approving  
16 the 2021-2022 renewal of liquor license number  
17 0910-43-042-005 issued to La Sorpresa Corp. (T/A  
18 La Sorpresa Supermarket)

19 17. Resolution of the Board of  
20 Commissioners of the City of Union City approving  
21 the 2016-2017 renewal of liquor license number  
22 0910-33-041-005 issued to R.G. Miranda Corp. (T/A  
23 El Cuco) nunc pro tunc to July 18, 2017.

24 MAYOR STACK: At this time, is there  
25 anyone who wishes to comment on the consent

1 agenda, please step forward, state your name and  
2 address for the record. This is just on the  
3 consent agenda that the clerk just read into the  
4 record? Seeing none, I'd make a motion to close  
5 the public hearing on this and move the consent  
6 agenda.

7 COMMISSIONER GRULLON: Second.

8 MS. ROSARIO: Motion by Mayor Stack,  
9 second by Commissioner Grullon.

10 Commissioner Fernandez.

11 COMMISSIONER FERNANDEZ: Yes.

12 MS. ROSARIO: Commissioner Valdivia.

13 COMMISSIONER VALDIVIA: Yes.

14 MS. ROSARIO: Commissioner Martinetti.

15 COMMISSIONER MARTINETTI: Yes.

16 MS. ROSARIO: Commissioner Grullon.

17 COMMISSIONER GRULLON: Yes.

18 MS. ROSARIO: Mayor Stack.

19 MAYOR STACK: Yes.

20 MS. ROSARIO: Motion to approve all  
21 items on the consent agenda.

22 COMMISSIONER VALDIVIA: Motion.

23 COMMISSIONER MARTINETTI: Second.

24 MS. ROSARIO: Motion by Commissioner  
25 Valdivia, second by Commissioner Martinetti. Roll

1 call. Commissioner Fernandez.

2 COMMISSIONER FERNANDEZ: Yes.

3 MS. ROSARIO: Commissioner Grullon.

4 COMMISSIONER GRULLON: Yes.

5 MS. ROSARIO: Commissioner Valdivia.

6 COMMISSIONER VALDIVIA: Yes.

7 MS. ROSARIO: Commissioner Martinetti.

8 COMMISSIONER MARTINETTI: Yes.

9 MS. ROSARIO: Mayor Stack.

10 MAYOR STACK: Yes.

11

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

13

14 MAYOR STACK: At this time, this is the  
15 portion of the meeting, anyone wishing to address  
16 the Board of Commissioners on any matter  
17 concerning public interest and public items in the  
18 City of Union City. Before we do, I would just  
19 like to thank the Commissioners for moving 100  
20 percent of our meetings throughout the community,  
21 always in the evening hours. We try to notify the  
22 residents when we're moving a meeting around the  
23 City so we have the best public participation.  
24 I'd like to thank those members of the public that  
25 are here this evening.

1           Having said that, anyone wishing to  
2           comment at this time on any matter concerning  
3           municipal government in the City of Union City,  
4           you may step forward.

5           COMMISSIONER FERNANDEZ: Mayor, I speak  
6           on behalf of the Commissioners and myself when we  
7           thank you for your leadership and your commitment  
8           to diversity in our community by erecting a  
9           beautiful monument in honor of Martin Luther King,  
10          Junior. Thank you very much, Mayor, for such  
11          dedication and leadership.

12          MAYOR STACK: Thank you, Commissioners.  
13          Seeing none, I'll make a motion.

14          MS. ROSARIO: Motion to close the --

15          MR. AUTERI: Please step forward and  
16          state your name and address for the record.

17          MR. GRAHAM: My name is Matthew Graham,  
18          my address is 1205 Morris Street. I brought some  
19          pictures here --

20          MAYOR STACK: I saw these the other day,  
21          we spoke on this --

22          MR. GRAHAM: These are different  
23          pictures. Thank you taking my call -- thanks for  
24          calling me back. So I'm not here to talk about  
25          that same topic here. I'm here as a driver

1     tonight, cyclist, and pedestrian. And on the way  
2     over here, I saw a lot of bikes, saw a lot of  
3     cars, parked cars, not so many driving cars. But  
4     more than any of that was pedestrians on the way  
5     over here.

6             So anything -- I just want to point out  
7     that anything we do for pedestrians is going to be  
8     benefitting everyone because everyone walks, even  
9     if you're just walking to your car. So I brought  
10    these pictures, you could see the -- you'll notice  
11    there's a sign that says no bicycles on the  
12    sidewalk, (speaking Spanish). If you look in the  
13    background there though, there's a car parked in  
14    the crosswalk, we talked about that. The other  
15    picture is a car parked on the sidewalk,  
16    completely blocking the sidewalk, we talked about  
17    this, I know this.

18            I just want to point out the  
19    inconsistencies about the bikes, we say, okay,  
20    stay off the sidewalk. But with the cars, there's  
21    not as much -- you know, it's kind of like, well,  
22    the cars are going to do what they're going to do.  
23    And if you turn the page over, you can see on the  
24    other side some other examples here, pictures of  
25    two cars -- a crosswalk blocked on both ends of

1 the crosswalk, I don't know how we're supposed to  
2 cross that, they're pushing a stroller or laundry  
3 in a cart, I don't know how we navigate that. The  
4 bike lane, blocked by cars. I know we talked  
5 about we're having bike lanes, more bike lanes --

6 MAYOR STACK: We have bike lanes.

7 MR. GRAHAM: We have --

8 MAYOR STACK: These are the improvements  
9 on Palisade Avenue, it looks good, right?

10 MR. GRAHAM: It looks good, but there's  
11 a lot of this -- you can't -- you go in the back,  
12 if you've been on Palisade --

13 MAYOR STACK: We address the board here.

14 MR. GRAHAM: My mistake, I'm sorry,  
15 thank you for correcting me. So the cars, there's  
16 a lot of cars parked in the bike lane.

17 MAYOR STACK: You sent me a letter a  
18 couple days ago, I called you probably within two  
19 days of you sending me the letter. I told you to  
20 give us a chance, we're going to address it. If I  
21 didn't answer your letter, then I would understand  
22 you coming here, but I answered the letter. I  
23 immediately spoke to the Chief, we do have a  
24 process going on right now.

25 We do live in the most densely populated

1 in the city in America. That's the reason we do  
2 have part of the parking problem we have today.  
3 Because many of the buildings and manically of the  
4 structures in the City were put up without any  
5 parking. So we do try to work with residents, but  
6 we would never tolerate -- especially sidewalks  
7 that were just installed -- for people to block an  
8 entire sidewalk and stop anybody. Part of the  
9 reason we put all the new sidewalks in -- it is  
10 the responsibility of the homeowner, but we do it,  
11 trying to make it safer for people who do walk  
12 with baby strollers or somebody with a baby,  
13 children are walking. So we're definitely  
14 addressing that.

15 MR. GRAHAM: My mistake, I think I spent  
16 too much time -- I'm here to ask about design for  
17 the changes that are going to be happening on  
18 here. And you see the picture on the other side  
19 on the bottom, there's two orange posts around the  
20 crosswalk, those are terrific, cars don't park in  
21 the crosswalk. I'm here to ask for -- can we have  
22 more of those around?

23 MAYOR STACK: Absolutely, we will. The  
24 delineators, we definitely will.

25 MR. GRAHAM: That's super. And then the

1 bike lane, if we're doing anymore, I would ask  
2 that we put the bike lane just on the other side  
3 of the parked cars, so that when you're riding in  
4 the bike lane, the cars won't be in the way,  
5 double parked. I'm just here to ask about design.  
6 I'm sorry for going on too much --

7 MAYOR STACK: No, no problem at all. We  
8 will definitely work with putting more of these in  
9 the crosswalks. So thank you so much.

10 COMMISSIONER FERNANDEZ: Have you seen  
11 the last week or so that the police department  
12 sent a robocall, so we're being proactive for  
13 people parking in the crosswalks and a flyer was  
14 sent out. So we're trying to be very proactive,  
15 like the Mayor said, I'm reiterating what he said  
16 you have to give him time to address things. He's  
17 very proactive, he sent the flyer, did a robocall,  
18 you can --

19 MR. GRAHAM: And I appreciate that, so  
20 that's why I'm here tonight to talk about design,  
21 because enforcement is only going to take is so  
22 far. Enforcement is not fun, because you get a  
23 ticket in the mail or on the car, and you got to  
24 pay, that's no fun. So if we can have the design  
25 to keep it from happening in the first place,

1       that's what I'm asking for.

2               MAYOR STACK: We'll work together on it  
3 all summer. Reach out to me any time.

4               MR. GRAHAM: G-R-A-H-A-M.

5               MR. MERCADO: Justin Mercado, 1003  
6 Bergenline Avenue, Justin.

7               I just want to say, Mayor, that I  
8 commend the Commissioner and you, Mayor, for all  
9 the work you're doing. And I understand the  
10 gentleman has the right to say anything, he's got  
11 a point in his complaints. But I want to say  
12 thanks God for the leadership you're doing because  
13 in fact the crime that's going on around the state  
14 and across the river is incredible. There's  
15 shooting every day that -- like 34 blocks away  
16 from here down south, going south, it's  
17 unbelievable the way it is. And you could see it  
18 in the news all the time how the crime and how the  
19 society is going forward. We don't have that kind  
20 of problem, so I'm pleased and happy the way  
21 you're doing the leadership.

22               I just want to say you're doing a good  
23 job and just let everybody know here that how hard  
24 you guys work, especially working with the parking  
25 situation that we have in Union City. You said

1 before how difficult it is to park, sometimes we  
2 going around looking for parking for hours at  
3 nighttime and we don't find it and you have made  
4 it a little bit easier for people during the  
5 nighttime. I just want to commend you for trying  
6 to do the work you do.

7 MAYOR STACK: Thank you. Anyone else  
8 wishing to comment at this time? Please step  
9 forward.

10 MR. MERCADO: Thank you, Mayor. Thank  
11 you, everyone.

12 MR. AUTERI: Please state your name and  
13 address.

14 MR. SANCHEZ: Pedro Sanchez, 125 35th  
15 Street, Union City, New Jersey. I'll make my  
16 comments very brief, just a regular time. So  
17 first of all, I want to thank everyone here, the  
18 Mayor, I live on 35th Street and Hudson Park  
19 Avenue, the block has improved tremendously in  
20 every way, shape, and form. I can say that  
21 firsthand since I've been there all my life,  
22 53 years, so it's in confidence I can say that.

23 The only one thing that, in my personal  
24 opinion, might be somewhat lagging is the property  
25 maintenance issue. A lot of the apartment

1 buildings, some of the homes may be not maintained  
2 as maybe they should. And I completely get it,  
3 it's a blue collar town, a lot of landlords don't  
4 live in the area, they're absentee. And, you  
5 know, economically, it's not feasible.

6 I just want to mention some of them  
7 might be also education related. Just like you  
8 put some great flyers on the rock salt, not to use  
9 that and the dog curbing and the waste, maybe a  
10 flyer reminding that Union City does have a law of  
11 property maintenance and landlords are required to  
12 maintain the property for the appearance, quality  
13 of life and for the safety of the tenants.

14 And I'll end with a very quick example,  
15 an educational one. When I was a kid, I'll admit  
16 I was guilty of this, my house did not look good  
17 sometimes, it wasn't maintained. Then an  
18 inspector knocked on the door, he was from  
19 property maintenance, and said that column, that  
20 brick column, told my mom, you got to fix it. She  
21 said is the house going to fall, no, it just looks  
22 bad. So we fixed it. Then she took the  
23 opportunity to say, well, what else is part of the  
24 maintenance. He said cutting the grass, keeping  
25 the front yard nice, when the garbage comes, you

1     can't leave it on the street all day and all  
2     night, you got to bring it in within a certain  
3     time after, tuck it into your property. It's just  
4     common sense stuff that she didn't know until she  
5     was informed. Ever since then, no problem. Maybe  
6     I maintain my house too much.

7             But my point is if there was some maybe  
8     Union City could start some type of flyer. Let me  
9     end by saying this, you know, the Mayor is going  
10    above and beyond in beautifying our City, okay.  
11    If you look at the sidewalks, the streets, if you  
12    look, there's a new street sign on every corner.  
13    Palisade Ave. looks like I'm in Paris, my opinion,  
14    it's crazy. But I think we have to do our part as  
15    landlords and as renters to -- out of respect for  
16    ourselves and for the Mayor and our neighborhood,  
17    do our part to improve. We can't just rely on the  
18    Mayor to beautify the City, we got to do our part.  
19    And that's beginning I think with the landlords,  
20    like myself, that's all.

21            MAYOR STACK: Thank you. I know you and  
22    I have gone back and forth, if you could design  
23    something for me that you think would work try to  
24    get it to me, I'll use it.

25            MR. SANCHEZ: Thank you.

1           MAYOR STACK: Get it to me, I'll get it  
2 out within two, three weeks. And I'll do the  
3 calls, try to get it to me as soon as you can.

4           MR. SANCHEZ: Will do.

5           MAYOR STACK: Anyone else wishing to  
6 comment at this time, please step forward.

7           MS. TROJAN: Mr. Mayor, I'm not sure if  
8 I'm appropriate to mention --

9           MR. AUTERI: Please state your name for  
10 the record.

11          MS. TROJAN: Carolyn Trojan.

12          MR. AUTERI: And address.

13          MS. TROJAN: 3312 Hudson Ave. The feral  
14 colony, is it appropriate -- because we called  
15 your office to ask, is it appropriate to discuss  
16 that here and they didn't know anything about it.

17          MAYOR STACK: If you could call me -- if  
18 you leave me a message either tonight or tomorrow,  
19 I'll set up a meeting in my office.

20          MS. TROJAN: Got it, thank you.

21          MAYOR STACK: Just left leave me a  
22 message about that, myself.

23          MS. TROJAN: You got it.

24          MAYOR STACK: Anyone else wishing to  
25 comment? Sir.

1           MR. BLOISE: Jeff Bloise, 926 19th  
2 Street, just a question regarding that topic, the  
3 feral cat colony. I put in volunteer, whatever  
4 relief need money and the first thing that pops up  
5 is the Feral Committee for Union City, if that's  
6 representing the City, I have a lot of questions.  
7 Basically, like on their website, is everything  
8 available to the public, all the receipts are  
9 outdated and the ones that are up-to-date, don't  
10 have the income and expense --

11           MAYOR STACK: This is on Fernando  
12 Cortez's?

13           MR. BLOISE: I think so, yes.

14           MAYOR STACK: That's not the City, that's  
15 a private organization. The City doesn't run  
16 that --

17           MR. BLOISE: It representative of the  
18 City --

19           MAYOR STACK: He may, but he's got  
20 lawsuits.

21           MR. BLOISE: He's supposed to have a  
22 trailer right here on --

23           MAYOR STACK: He has a trailer that we  
24 donated to them, but they're not a city  
25 organization, they're a private --

1           MR. BLOISE: Other organizations have  
2 trailers as well?

3           MAYOR STACK: They do. The City has a  
4 trailer, too.

5           MR. BLOISE: Okay.

6           MAYOR STACK: Whenever you'd like to  
7 speak to me, call me on my cell.

8           MR. BLOISE: Thank you.

9           MR. AUTERI: Please step forward.

10          MAYOR STACK: Let me just say something.  
11 There's been no stronger commitment to the feral  
12 cats in the community than Union City has made, we  
13 dedicate about 150 to \$200,000 a year on T&R in  
14 the City and we've gone out of our way to do that.  
15 But there's many different organizations out there  
16 and it's great that people are passionate about  
17 the T&R program in the City. But some of the  
18 groups, we're just not responsible for. We run  
19 our own, we have a company that's running it for  
20 us right now, a gentleman by the name of Ryan runs  
21 it. But Fernando's program doesn't represent the  
22 City, he's doing his own thing out there, and I  
23 give him credit because he's passionate and he  
24 loves animals. Anyone who loves animals has to be  
25 a good person. But he doesn't represent.

1           MR. BLOISE: If you don't mind, what's  
2 the organization?

3           MR. AUTERI: Can you please stand up?

4           MR. BLOISE: I'm sorry. Do you mind,  
5 what's the organization that Union City does  
6 represent?

7           MAYOR STACK: It's the Union City, UCAT,  
8 Union City cat program.

9           MR. BLOISE: I appreciate that.

10          MAYOR STACK: Reach out to me at any  
11 time. If you want to meet --

12          MR. CORTEZ: I am Fernando Cortez, from  
13 Towers, 21 years resident of Union City. I happen  
14 to be the founding member of the Union City Feral  
15 Cat Committee. Please, allow me just one minute.  
16 I send in the mail to the Honorable Mayor Stack  
17 and to the Honorable Members of the Board, I  
18 mailed out 65 Union City residents and it may be a  
19 little more, it's stating again that more than 50  
20 complaints from the homes that Mr. Ryan Baker --  
21 namely that the contract doesn't have teeth,  
22 does -- he did not have as he did in the first two  
23 month and he's now violated the contract.

24           The contract tell him you have to do X  
25 number of those cat. He could not place any cat

1 in any home. And he's now violating the contract.  
2 The contract was very -- you have to do X number  
3 of cat in home. He could not provide the cell  
4 phone to anyone to provide any customer service  
5 and he's violating the contract.

6 MAYOR STACK: Fernando, we have a system  
7 set up, you call Bellen and Bellen will set up  
8 we'll do so many cats per week. We'll do all  
9 that. We've tried very hard to work together on  
10 this. I know you're passionate about your views  
11 on the T&R program and there's other groups that  
12 are out there. But the thing we're doing is we're  
13 spending the money out there to T&R cats. There's  
14 almost a thousand cats we T&Red in the City.

15 But while I respect the issue and I love  
16 animals myself, I have animals myself, you just  
17 got to realize T&R is not the only issue that the  
18 Mayor and Commissioners are dealing with, it's a  
19 big city, it's a very densely populated. I know  
20 everyone is passionate, I give you credit, you  
21 heard me say it. I give you a lot of credit for  
22 what you do out there.

23 Everybody has to try to work together.  
24 I think what has to happen -- I've never said this  
25 publicly before, all the egos of the different

1 people that do T&R have to calm down and come  
2 together benefit of the cats and animals that are  
3 out there. That's what's got to happen. It's not  
4 about who's running it, who's responsible, who's  
5 getting the credit. The point is taking care of  
6 the animals, that's what's got to happen.

7 And I'm going to be honest with you, I'm  
8 a very patient guy, but I've had enough of all the  
9 emails back and forth, the people criticizing each  
10 other, it's about the animals. If we ran the City  
11 that way, where would Union City be right now? We  
12 got to come together -- whether we like each other  
13 or not, we all have to come together for the  
14 betterment of the cats that are out there.

15 That's all. We're all trying to do the  
16 right thing. Anybody who helps an animal is a  
17 great person. Anyone who hurt an animal, you hurt  
18 a child. That's my philosophy. But we got to  
19 come together, work together for the benefit of  
20 the animals.

21 MR. CORTEZ: Allow me 15 seconds?

22 MAYOR STACK: Sure.

23 MR. CORTEZ: The issue -- I don't want  
24 to put everyone to sleep here, we took the time to  
25 organize our thought, we tried to be constructive

1 as you like. You say this is the problem, we  
2 presented our humble solution. We just humble  
3 resident that says our solution is far more better  
4 with the same resources that are given to Mr.  
5 Baker, our solution is far more better than  
6 anything that is presented. We just ask you  
7 Honorable Mayor --

8 MAYOR STACK: I know, but I can't give  
9 your group \$150,000, too. You asked me for a  
10 trailer, now you got a trailer. I did whatever I  
11 could. Whatever you do volunteer wise to help  
12 those animals is great. We gave a trailer, we'll  
13 help any way we can. But I can't give each group  
14 that pops up \$150,000, it just can't be done.

15 MR. CORTEZ: No, but we should just see  
16 Mr. Baker had his time, we gave him the grace  
17 period -- he had took over the one who did  
18 initially, we gave him his grace period and we try  
19 to work with him. It's not me, it's not me, I  
20 just humble Union City resident. We presented the  
21 complaints of more than 65 Union City residents,  
22 we can say -- we got to bring problems to people,  
23 people to have continue to go and I'm just a guy  
24 here for Union City. We just humbly ask this  
25 Honorable Member of the Union City Commission to

1       respond to our proposal because it's a business --

2               MAYOR STACK: But I have somebody  
3       running the program, right. When that contract  
4       expires, put a proposal in, we'll be more than  
5       happy to entertain that. But I'm not going to  
6       break the proposal we have with this person until  
7       it expires. When it expires, we'll put out an RFP  
8       and RFQ and you're more than welcome to apply for  
9       it. Am I correct, Angelo?

10              MR. AUTERI: Yes. And I think we saw  
11       the services through competitive contracting, but  
12       you're absolutely right, Mayor, we're under  
13       contract with this organization.

14              MR. CORTEZ: We did our homework, we  
15       have copy of the contract for your information  
16       alone, probably you are the lawyer, you have very  
17       clearly put a break clause in the contract that  
18       the City can break.

19              MAYOR STACK: We can break any  
20       professional service contract, but we're not ready  
21       to break that right now. Let's give them a chance  
22       to see what they can do between now and maybe --  
23       let's revisit this July 1st and if it's not  
24       working out, then I'll be more than happy to sit  
25       down with all the T&R people.

1           You remember when I put the meeting  
2 together before the pandemic, I sat down with like  
3 90 people, 90 people sat down with me about how  
4 passionate they were about cats. Then when it  
5 came time, over a period of time when it came time  
6 to help out with the T&R program, I was down to  
7 like five people. It was me and five people.  
8 Yeah.

9           We had meeting after meeting after  
10 meeting I was doing with people. And then after  
11 awhile, people are passionate the first couple  
12 times, and then everybody gets busy with their  
13 life, but I can't be holding the bag, running the  
14 T&R program myself.

15           MR. CORTEZ: Sorry. So I don't want to  
16 occupy these other members, you say July 1st,  
17 let's see how --

18           MAYOR STACK: Let's see how he does  
19 until July 1st and if it's not working out, you  
20 call me. I will have the meeting with everybody  
21 involved and put a proposal in. If you're going  
22 to do a better job, I'd give to you in a  
23 heartbeat, you're a Union City resident.

24           MR. CORTEZ: Not me --

25           MAYOR STACK: I don't mean you, I mean

1 your organization, whatever group you put  
2 together, nonprofit, whatever it may be.

3 MR. CORTEZ: There are more than 250  
4 members of our humble group who can do it, bu can  
5 you consider instead of July 1st, we say June 1st?

6 MAYOR STACK: June 1st.

7 MR. CORTEZ: He's doing good --

8 MAYOR STACK: June 1st, you contact me.  
9 Angelo and I will set up a meeting with everybody,  
10 all right. You have my commitment on that. Let's  
11 agree to work together on this.

12 MR. CORTEZ: Thank you.

13 MAYOR STACK: Thank you very much.  
14 Anyone else wishing to comment at this time,  
15 please step forward, state your name and address  
16 for the record? Seeing no others.

17 MS. ROSARIO: Motion to close the public  
18 comment portion of the meeting.

19 COMMISSIONER GRULLON: Motion.

20 COMMISSIONER FERNANDEZ: Second.

21 MS. ROSARIO: Motion by Commissioner  
22 Grullon, second by Commissioner Fernandez. Roll  
23 call. Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: Yes.

25 MS. ROSARIO: Commissioner Grullon.

1 COMMISSIONER GRULLON: Yes.  
2 MS. ROSARIO: Commissioner Valdivia.  
3 COMMISSIONER VALDIVIA: Yes.  
4 MS. ROSARIO: Commissioner Martinetti.  
5 COMMISSIONER MARTINETTI: Yes.  
6 MS. ROSARIO: Mayor Stack.  
7 MAYOR STACK: Yes.  
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**LIQUOR LICENSE HEARINGS:**

**1. La Parilla Bar & Grill, LLC**

**T/a Maria Mentiras Bar & Grill**

**328 32nd Street**

**0910-33-030-015**

MS. ROSARIO: Now, we have liquor  
license hearings.

MAYOR STACK: At this time, we have  
liquor license hearings. Mr. Farmer, please step  
forward. Lieutenant Dunlay, can you step forward?

**La Parilla Bar & Grill, LLC**

**T/a Maria Mentiras Bar & Grill**

**328 32nd Street**

**0910-33-030-015**

**(Anna Noris, Esquire)**

MR. FARMER: You have one matter on your  
calendar this evening, it's Maria Mentiras, La  
Parilla Bar, and it's located at 32832nd Street.

We have charges -- perhaps before I get  
started, I can put my appearance on the record.

Gregory Farmer on behalf of the Union City ABC

1 board. And the licensee, Ms. Mentiras is here and  
2 her attorney, Ms. Noris is here. So she can put  
3 her appearance?

4 MS. NORIS: Yes, Anna Noris from the law  
5 firm of Lopez and Noris on behalf of the licensee.

6 MR. FARMER: This -- we have had  
7 conferences back and forth probably for the last  
8 month. What this is all about is this: About the  
9 middle of December, the police received some calls  
10 about noise. They went out there and they  
11 heard -- and Lieutenant Dunlay will testify, being  
12 the supervising officer on duty, that the whole  
13 plan -- not plan, the whole shape, whole  
14 development of that night starts with complaints  
15 of noise from the licensed premise. You go and  
16 there's nothing there -- and then at 4 in the  
17 morning, 4 in the morning, they get a complaint.  
18 They go over there and they do hear noise, what do  
19 you do? Knock on the door, knock on the door  
20 somebody opened it. They were surprised because  
21 now it's 4:00 in the morning, two hours after  
22 closing. And there are about a half dozen people  
23 there, okay.

24 Finally close them up. After they close  
25 them up, the police ask for some paperwork, like

1 names and addresses. And the response was from  
2 the licensee's employee or manager that the door  
3 is a self-locking door. And because we went out,  
4 it locked, and we can't get back in. So you'll  
5 have to wait, okay.

6 The police go back a day or so later to  
7 see the video that bars are required to have in  
8 front of the establishment. They turn that on,  
9 what they see is basically people coming and going  
10 for at least two hours after closing on that day.  
11 And that's the case. And what we've come to  
12 resolution, it would be --

13 MAYOR STACK: These are customers coming  
14 and going or were they employees?

15 MR. FARMER: They were people, I can't  
16 say -- they were people, but they were people who  
17 were leaving at -- coming in together and leaving  
18 together, couples I would say. And as far as  
19 this, specific to that, I'm sure Lieutenant Dunlay  
20 can fill us in on that.

21 But what we've come up with is this, we  
22 had conferences, Lieutenant Dunlay, the licensee,  
23 myself, and Ms. Noris's firm, and we came to a  
24 resolution of a 45-day suspension, okay. That was  
25 tough for the licensee to swallow, okay.

1           However, what we agreed to do is this:  
2   That it's going to be 45 days, if she would have  
3   the opportunity and the right to address this  
4   board to see if the board would mitigate any part  
5   or make -- a 45-day suspension. And that's where  
6   we're at.

7           MAYOR STACK: All that's worked out, it  
8   was a 45 day suspension?

9           MR. FARMER: Pardon?

10          MAYOR STACK: What was worked out was a  
11   45-day suspension?

12          MR. FARMER: Yes.

13          MAYOR STACK: The charge was for having  
14   customers after hours?

15          MR. FARMER: Yeah, having the place open  
16   at 4:00 in the morning, people inside, video  
17   showing people coming and going, couples with --

18          MAYOR STACK: What's the background of  
19   the establishment? What's the background?

20          MR. FARMER: I can show you the history,  
21   I have it right here.

22          MAYOR STACK: How many years has your  
23   client owned it?

24          MS. NORIS: Ten.

25          MAYOR STACK: All right. Did you want

1 to address the board?

2 MS. NORIS: I would, if I could. With  
3 regard to the particular incident in December, on  
4 that particular incident, my client had taken her  
5 employees to New York, they had had a Christmas  
6 party. They came back to the establishment.

7 MAYOR STACK: What was -- I'm sorry to  
8 interrupt you, what was the date of the offense?

9 MR. FARMER: December 15th.

10 MS. NORIS: So she had taken them out,  
11 obviously, they came back. They were going to  
12 have a drink, et cetera, et cetera. She left  
13 after awhile, said, okay, close up, you guys have  
14 to go. The only people who were in the  
15 establishment were people who were employed by  
16 her. She's very unhappy that it transpired, but  
17 it was not the public coming in and out, that's  
18 not what was happening. It was her employees  
19 involved and a lot of them are here to testify  
20 today to the fact it was them.

21 MAYOR STACK: Everybody in the  
22 establishment at that time when the police came,  
23 they were employees?

24 MS. NORIS: Yes.

25 MAYOR STACK: Okay.

1 MS. NORIS: That's the first issue.  
2 With regard to the second issue or the remaining  
3 issues, rather, that we want to put before the  
4 Board consists her attempt throughout all of this  
5 to have a good relationship in the community with  
6 the tenants above her, understanding it's a  
7 problem, it's a restaurant and a bar underneath  
8 apartment units. And she's tried very hard and a  
9 few of the tenants are actually here to be able to  
10 explain to the board just how they feel about the  
11 establishment and what they think that she's  
12 attempted to do.

13 Since she's opened the establishment,  
14 she's reached out to see if she could get the  
15 location soundproofed. They've come back to her  
16 and basically said you would have to soundproof  
17 the entire building. Because it's still going to  
18 travel, it's a very old building. So it's not for  
19 a lack of trying on her part. She's really done  
20 the best that she can. And I think that's one of  
21 the issues that we're most concerned about.

22 With regard to mitigation, what we're  
23 actually requesting is not to diminish the days of  
24 the suspension, that's not it. Obviously, her  
25 business has gone through a lot as a result of the

1 pandemic, it's been a big problem for her. She's  
2 managed to keep it there, she's managed to keep  
3 her employees who have been with her for a large  
4 amount of years, a lot of them since she began.  
5 She doesn't want to lose all those people. Those  
6 are people who live in town, those are, you know,  
7 members of this community who need that job in  
8 order to be able to feed their families and pay  
9 their rents and things of that nature.

10 So what we're requesting in terms of  
11 mitigation is more of we'll serve our 45 days, but  
12 what we would be requesting -- and I know it's not  
13 something that's commonly done -- would be that we  
14 serve 15 and 15 and 15 in three consecutive  
15 months. You would still have the 45-day  
16 suspension, but it would allow her to be able to  
17 keep her employees as much as she could. She  
18 would be able to try to make some money, keep them  
19 on some type of a small salary on the off weeks,  
20 have them earn the salaries during the week that  
21 they're working in order for her not to have to  
22 lose them, for her not to have to retrain them.

23 She was explaining to me that it costs  
24 her \$20 an hour to have a dishwasher now. She  
25 doesn't want to lose these people, it's very

1     difficult to find people to work in the restaurant  
2     business right now. She doesn't want to lose her  
3     business. Again, she wants to cooperate with the  
4     City, we understand, clearly, why the statute  
5     is -- why the ordinance is what it is. And we too  
6     are concerned about what happens in the community  
7     and making the tenants above satisfied and happy.  
8     Like I said, there are some here who would  
9     actually like to address the board and your Honor  
10    in order to explain exactly what they believe they  
11    have tried to do with the business there.

12                 But again I think one of the crucial  
13    points is what is she going to do with the  
14    employees that are going to be left without an  
15    ability to make a wage, without them leaving the  
16    establishment, and her having to retrain people  
17    all over again. And you just never know what  
18    you're going to get as opposed to knowing what you  
19    have. And her employees have been very loyal to  
20    her, she would like to be able to keep them. But  
21    she understands no one's going to wait for her for  
22    45 days.

23                 So if we could have those parties that  
24    are prepared to testify, just to testify, and by  
25    way of background and give some information.

1 Again, all we're requesting is to see if we can  
2 just scale it out, same amount of time, no issue  
3 at all. But just scale it out so she doesn't lose  
4 her employees.

5 MAYOR STACK: What are you looking to  
6 do?

7 MS. NORIS: 15 days --

8 MAYOR STACK: Per month?

9 MS. NORIS: Right, in a consecutive --  
10 three consecutive months, she doesn't have an  
11 issue, give her 15 days to try to make a living.  
12 We had gone through a number of proposals, one  
13 involved, you know, perhaps closing at 10:00, but  
14 that's not a business that starts to move until  
15 after 9, so it's like staying closed. That would  
16 be for 40 days, so she would definitely be out.  
17 We're just trying to find a way to satisfy what  
18 the ordinance requires and at the same time allow  
19 this business that wants to work, wants to stay  
20 here in Union City, wants to serve its community,  
21 wants to have its employees continue to be in her  
22 employment, just be able to do so. So that's  
23 really why we're here.

24 Ms. Mentiras, Ms. Gutierrez, the owner  
25 would like to testify, would like to address you

1 as well. And like I said, some of the tenants who  
2 are here as well as a couple of her employees  
3 would like to testify.

4 MR. FARMER: Before we get started,  
5 could I just have Lieutenant Dunlay explain what  
6 the -- from the supervisor capacity, as well as  
7 addressing the allegations that this is employees  
8 coming and going. I haven't seen the video, see  
9 the video, the employer approved, the video is  
10 there. So I'd like -- just so you have a full  
11 picture of all the facts.

12 MAYOR STACK: Absolutely.

13 LIEUTENANT DUNLAY: Lieutenant Dunlay,  
14 Union City Police, I have the detectives and the  
15 officers that responded to the scene present  
16 today, they were ready to testify should this have  
17 gone to trial. I believe we made a resolution,  
18 but the obvious facts that we have that we're  
19 concerned with was the ongoing noise complaints  
20 that coming from Maria --

21 MAYOR STACK: What was --

22 LIEUTENANT DUNLAY: Noise complaints,  
23 we're getting a lot of noise complaints from the  
24 building, so much to the point that Ms. Gutierrez  
25 actually reached out, I believe, to your office,

1 she reached out to me for wanting some guidance  
2 regarding soundproofing, et cetera.

3 The problem escalated on December 15th  
4 was the fact that, yes, you had -- you weren't  
5 open to the public, but did you not -- you know,  
6 you didn't follow through with being a good  
7 neighbor in the sense that you kept your business  
8 open, even though -- you know, you weren't open  
9 for business, you added this as an extension, as  
10 your living room, per se, which is against the  
11 ordinance to begin with. You know, 2:00, any  
12 liquor license establishment in Union City, as a  
13 matter of fact, any entertainment venue in the  
14 City must close at 2 a.m. The only reason it  
15 could be open is for regular duties, such as  
16 cleaning, et cetera. But no alcohol, no music,  
17 nothing could be played after 2 a.m., that's what  
18 the ordinance passed.

19 If we totalled up everything, we're  
20 looking at over a hundred day suspension, had we  
21 taken it to trial and they be found guilty of  
22 every charge. And that's -- like I said, we  
23 reached a compromise where we think 45 days is  
24 something reasonable that the police department  
25 feels comfortable with, you know. And we brought

1     it up to Ms. Gutierrez and Mentiras. And they  
2     wanted something, we offered -- she made the  
3     argument that she can't feed her employees, she's  
4     going to lose her employees, that's something  
5     that's a major concern to us as well. And, you  
6     know, I thought outside the box and made the  
7     recommendation perhaps staying -- you know, for  
8     90 days, serving a sentence where you wouldn't be  
9     closed, you would be open till 10 p.m., that's  
10    something that they didn't want to really listen  
11    to -- and I get it, it's a business that primarily  
12    works in the evening. And most of the monies or  
13    most of the profits are made after a certain time.

14             And I like I said, that's where we  
15    stand. We've had ongoing noise complaints that if  
16    we had to testify, I would have asked the  
17    community police unit to come today because they  
18    actually handled the noise complaints, et cetera  
19    in a manner that -- like I said we've had numerous  
20    complaints. The fact it was open after 2 in the  
21    morning is something I didn't think was very  
22    neighborly, per se. And that's the Police  
23    Department's position. Obviously, it rests on you  
24    guys, the Members of the Board to make a  
25    determination.

1                   MAYOR STACK:   Okay.

2                   MS. GUTIERREZ:   My name is Maria  
3                   Gutierrez, owner of Maria Mentiras.

4

5                   M A R I A   G U T I E R R E Z , after having been  
6                   duly sworn or affirmed, did testify as follows:

7

8                   MS. GUTIERREZ:   So, first of all, yes,  
9                   we do apologize for the things that we did wrong.  
10                  We're not denying that we stayed open after 2, not  
11                  to the public.  It was a celebration and we didn't  
12                  think it was bothering anyone.  So we obviously  
13                  understand we need to be punished for what we did  
14                  wrong, which is the 45 days.  It's the first time  
15                  in ten years that something like this happens or  
16                  any allegation or problem with Maria Mentiras, as  
17                  many of you and residents, and people that  
18                  actually work for you guys visit us.  We are one  
19                  of the few establishments that put, not only our  
20                  hearts, but our money, into the establishment.  We  
21                  beautify it in every season.

22                  We try to run a family business, family  
23                  oriented business.  We never have fights in there.  
24                  I mean even though we do serve alcohol and it's  
25                  part of the business because it comes with it, to

1 have this litigation involved here. One of the  
2 few that -- and I do joke to them about it, you're  
3 here every weekend and we're always -- everything  
4 at some point. We never have any other issues  
5 other than the noise complaint because we're not  
6 here to harm anyone. We are here to be partners  
7 of the City and partners of the people around us.

8           So, yeah, we made a mistake. It is the  
9 first time we do have a problem like this. We  
10 understand we need to be closed, okay, we'll take  
11 it. But I'm just pleading and begging for your  
12 mercy. Because you know we were hit during COVID  
13 pretty hard. I was lucky enough to survive, I was  
14 lucky enough to keep my employees. I don't want  
15 to lose them over a mistake. So I'll take the  
16 heat of being closed the 45 days that I need to be  
17 closed. But I don't want to lose my employees.  
18 They're here, they're family people that they live  
19 in Union City. I have the customers that go there  
20 and they tell me we come here because of your  
21 employees, it's not because of the food, it's not  
22 because of the alcohol, it's because of the  
23 ambiance that we provide there.

24           So closing 45 days will mean losing  
25 them. Because not only losing the money that I

1 will lose as an owner, I will lose my employees.  
2 They need to pay bills, they have families to  
3 feed, so they're going to go look for a job. And  
4 most likely, knowing their morals, they're not  
5 going to leave that job to come back to me. So  
6 that means having to retrain and hire new people.

7           So I am begging you like you all family  
8 people, once you probably lived off a check and  
9 you just think what you would do 45 days without  
10 getting money. So that's what I'm begging you  
11 right now. I'll take the 45 days, it was our  
12 mistake. At the end of the day, I am responsible  
13 for what they do. And it was irresponsible of me  
14 leaving them there that night. They were  
15 drinking, obviously they kept the party going. So  
16 I'll take that hit, that responsibilities. But I  
17 beg you to allow those 45 days to be broken down  
18 into three segments so that I can keep them.

19           That is my plea. And as far as the  
20 noise complaints, I've tried my best. We're  
21 closing an hour earlier, we're not even staying  
22 open until 2 any day of the week, we're closing at  
23 1 a.m. We used to have the speakers up in the  
24 ceiling, we took them out of the ceiling. We  
25 reinvested in a new sound system that is not in

1 the ceiling. I hired a sound engineer who went to  
2 the restaurant and he said I cannot guarantee that  
3 if you soundproof the restaurant that the noise is  
4 not going to travel because it's an old building.  
5 It doesn't even have insulation. So if you were  
6 to spend the \$30,000 that it will cost to  
7 soundproof just the restaurant, I can only  
8 guarantee that it would reduce 25 percent of the  
9 noise traveling.

10 So with that being said, I've been  
11 talking to the neighbors. And I've told them I'm  
12 not here to make anyone's life miserable, we're  
13 just trying to survive, tell me how can we help  
14 make it, you know, better for everyone, here's my  
15 phone number, call me. If you think it's loud,  
16 let the manager know, we'll lower it down.  
17 Because we're not here to harm anyone.

18 I understand Union City doesn't have a  
19 noise ordinance and I spoke to Mr. Dunlay and Mr.  
20 Stack, you know. I like to follow rules, I'm told  
21 do things a certain way and I do it that way.  
22 That's why we have the police department there  
23 quickly and we don't get fines because we have  
24 everything on point. We like to follow rules.

25 There's not a noise ordinance, but I

1 have the tenants here that live right above the  
2 restaurant and they don't have complaints about  
3 us. So I don't know if there's a resolution that  
4 we can come to as far as my noise complaints or  
5 what's going on. You know, it could be a personal  
6 grudge that someone has onto me, I have no idea  
7 what it is. But I've done everything and I don't  
8 want to keep affecting the business. And I think  
9 we run a decent business for the City of Union  
10 City. I hear the tenants speaking about  
11 beautifying the town. We invest a lot of money in  
12 beautifying the restaurant, not only on the inside  
13 but on the outside. Training people, I have  
14 events in my restaurant where people come and  
15 paint. I've done things for kids and I'm willing  
16 to do a lot more, I'm willing to participate a lot  
17 more in things of the City. But obviously, I want  
18 to be able to stay in business. And we are  
19 working on a point where my employees, every  
20 weekend, they're afraid. They're like, oh my God,  
21 I don't know if we're going to do something  
22 different because we don't know if we're going to  
23 have the cops come in again.

24 So we are not really working the way we  
25 can work respectfully because we're not here to

1       disrespect anyone. But if there's any way that  
2       you guys can guide us or help us to fix that issue  
3       of the noise problem that we have, it will be  
4       great. Because again I'm told to follow a rule  
5       and I tend to follow it. I'm human, we make  
6       mistakes and there's proof of it.

7               But that's my plea. And I wouldn't --  
8       again, touch your hearts, once you live of a  
9       salary, paycheck to paycheck, weekly, my employees  
10      do so as well. That's my case. If you want to  
11      speak to any of the employees, they're here. The  
12      tenants are also here and they're willing to.

13             MAYOR STACK: Absolutely. Do any of  
14      them want to testify?

15             MS. NORIS: Yes. I'm interested in the  
16      tenants and one of the tenants, I believe.

17

18      L I E U T E N A N T     D U N L A Y, after having  
19      been duly sworn or affirmed, did interpret the  
20      following testimony from English to Spanish and  
21      Spanish to English:

22

23      M A R T A     V E L A S Q U E Z, after having been  
24      duly sworn or affirmed, did testify as follows  
25      through the interpreter:

1 MS. VELASQUEZ: Marta Velasquez.

2 V-E-L-A-S-Q-U-E-Z. No complaint about Maria  
3 Mentiras, nothing bothers me. If there's music  
4 playing, I'm dancing upstairs.

5 MAYOR STACK: Thank you very much.

6 COMMISSIONER VALDIVIA: I just want to  
7 make a comment, Marta is a very good person. I  
8 know her over 30 years.

9 MS. NORIS: This is the other tenant.

10

11 F E D A L C A S T R O , after having been duly  
12 sworn or affirmed, did testify as follows:

13

14 MR. CASTRO: My name is Fedal,  
15 F-E-D-A-L, Castro, C-A-S-T-R-O. I live in the  
16 apartment 4, but I can listen to the music, so I  
17 don't have a complaint of that. So I don't know  
18 who's calling for complaints. Because apartment  
19 1, they don't have complaint and 2 no have  
20 complaints, and 3 have no complaints, and 4 have  
21 no complaints. So I don't know who keeps calling  
22 police and have complaints, so that's weird. I  
23 don't know who's calling the police. So I don't  
24 have complaints.

25 MAYOR STACK: Thank you very much.

1       Anyone else that you have?

2               MS. NORIS: This is an employee.

3

4       D A V I D   V I L L A N T E S , after having been  
5       duly sworn or affirmed, did testify as follows  
6       through Lieutenant Dunlay:

7

8               MR. VILLANTES: My name is David  
9       Villantes, V-I-L-L-A-N-T-E-S. I don't know much  
10       about laws, I want to tell you before you make a  
11       verdict, please think of the people that work  
12       there having a difficult time and the situation  
13       with the pandemic. She opened the restaurant in  
14       December, we have a lot of necessities, mom's  
15       sick, we all work because we have necessities.  
16       And I want to ask you, please, asking for mercy so  
17       we keep our jobs. And to close for 45 days is a  
18       lot, we don't know what to do. It's a lot of  
19       necessities, bills to pay, children, sick family  
20       members, that's all I ask.

21               So please have mercy, not only it's  
22       going to hurt Ms. Maria, you're hurting everybody  
23       else. I ask you please, please have mercy.  
24       That's all I have to say. Thank you.

25               MAYOR STACK: Thank you.

1 MS. NORIS: That will be it. I believe  
2 the other ones have gotten gun shy. But, again,  
3 these are the remaining employees that she's got  
4 who are here. Everyone has similar circumstances  
5 and that's what they want the Board to understand.  
6 They're not asking for -- you've heard her  
7 candidly say, I accept our mistake. It was a  
8 mistake and we are prepared to pay for it. She  
9 doesn't want to pay at the cost of losing her  
10 business, she doesn't want to pay at the cost of  
11 losing her employees.

12 And again her neighbors are here saying  
13 she's not upsetting us. So whether there's a  
14 vendetta, someone is upset, I don't know the  
15 answer to that question, I will never know the  
16 answer to that question. I don't think the police  
17 will know the answer.

18 COMMISSIONER FERNANDEZ: I have a  
19 question. Is the noise complaint people being  
20 inside or people leaving the establishment?

21 MS. NORIS: I think the noise is more of  
22 the music being played.

23 LIEUTENANT DUNLAY: It's in the  
24 building, the vibrations.

25 MS. NORIS: It is the building, but as

1 she said before, she's tried. So she removed the  
2 speakers, so the noise is less. She's trying to  
3 do whatever she can.

4 MAYOR STACK: That's what is most  
5 important to me, just try to make sure that the  
6 music is somewhat contained. I understand it's an  
7 older building, but just make sure it's contained.

8 MS. NORIS: She definitely does that.  
9 Again, she's come very candidly here, saying all  
10 she wants is a little business of lenience. She's  
11 prepared to pay.

12 MAYOR STACK: How is the establishment  
13 in the past?

14 LIEUTENANT DUNLAY: It's very good,  
15 never had any major issues. Like I said --

16 MAYOR STACK: No violations, no issues?

17 LIEUTENANT DUNLAY: Like I said, some  
18 noise complaints and we had the one violation over  
19 after certain time during the COVID restrictions,  
20 where the restaurant was open on the outside  
21 dining after a certain time frame.

22 COMMISSIONER FERNANDEZ: It's noise  
23 complaints or music?

24 LIEUTENANT DUNLAY: When I noise  
25 complaint, we refer to music, loud music playing.

1     So what happens is it's an older building, so it  
2     resonates through --

3             COMMISSIONER FERNANDEZ:  It's not  
4     people --

5             LIEUTENANT DUNLAY:  No, sir, there's be  
6     complaints in the past.

7             MAYOR STACK:  Somebody's definitely  
8     calling, somebody in the building is calling.

9             MS. NORIS:  Well, there is a theory  
10    attached to that.  And actually I thought that Ms.  
11    Velasquez would tell you, she does have a daughter  
12    that comes to visit and she does believe that when  
13    the daughter comes to visit, she says you're  
14    older, you're sick -- and those things are true.  
15    But she just told you that it doesn't upset her.  
16    It does upset her daughter and she knows that her  
17    daughter has called in the past.  And she's  
18    actually told her she shouldn't and she doesn't  
19    want her to.  So that's what we believe.  But  
20    again I'm just saying what the problem may be  
21    because she doesn't live in the house, she doesn't  
22    live there.  So she just comes and --

23             MAYOR STACK:  I understand.

24             MS. NORIS:  She gets upset.

25             MAYOR STACK:  I recognize what Maria has

1 done with the corner and how nice she keeps the  
2 property, it's always clean, it's always fixed up  
3 nice. I never see any issues and I pass there  
4 all time. I understand the situation with COVID  
5 and everything else, the tough time we've had with  
6 COVID and how tough it is on everyone, especially  
7 business owners.

8 So what I'm willing to do -- and I  
9 normally don't do this, I'll take it from a 45-day  
10 suspension, I'll bring it down to 25 days. We'll  
11 spread out, April 10 days, May 10 days, and June 5  
12 days.

13 MS. GUTIERREZ: Thank you so much.

14 MAYOR STACK: I just ask that you make  
15 sure we keep the music contained so nobody is  
16 calling or anything like that. So, Mr. Farmer,  
17 we'll do 10 in April -- work that out with Maria,  
18 10 in May, work it out, and June, we'll do 5 days.  
19 And that's basically it.

20 MS. NORIS: Thank you very much.

21 MAYOR STACK: Thank you.

22 COMMISSIONER VALDIVIA: We have to vote.

23 MS. NORIS: Thank you, Mr. Mayor.

24 MAYOR STACK: I make the motion.

25 MR. AUTERI: All right, motion by Mayor

1       Stack to accept the penalty as stated on the  
2       record.

3               COMMISSIONER VALDIVIA:   Second.

4               MR. AUTERI:   Second by Commissioner  
5       Valdivia.   25 day suspension --

6               MAYOR STACK:   10 days in April, 10 days  
7       in May, 5 days in June.

8               MR. AUTERI:   Commissioner Fernandez.

9               COMMISSIONER FERNANDEZ:   Yes.

10              MS. ROSARIO:   Commissioner Grullon.

11              COMMISSIONER GRULLON:   Yes.

12              MS. ROSARIO:   Commissioner Valdivia.

13              COMMISSIONER VALDIVIA:   Yes.

14              MS. ROSARIO:   Commissioner Martinetti  
15       has recused.   Mayor Stack.

16              MAYOR STACK:   Yes.

17

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1       **ADJOURNMENT:**

2

3               MR. AUTERI: There are no further items

4 on the agenda. Before we have a motion to

5 adjourn, I'd like to state for the record that

6 Commissioner Martinetti is recusing on the consent

7 agenda to all payments to Adolfo Lopez and Mayor

8 Stack is recusing on the consent general to all

9 payments to the law firm of Chasan Lamporello. If

10 there's no further items, can I have a motion to

11 adjourn?

12               MAYOR STACK: Motion.

13               COMMISSIONER VALDIVIA: Second.

14               MR. AUTERI: Motion by Mayor Stack,

15 second by Commissioner Valdivia. All in favor?

16

17               (Whereupon, all Commissioners indicate

18 in the affirmative.)

19

20               MR. AUTERI: Thank you. The time is now

21 7:59.

22

23               (Whereupon the matter was adjourned at

24 7:59 p.m.)

25

1

Brian P. Stack

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Lucio P. Fernandez

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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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**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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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

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SUSAN BISCHOFF, CCR, RPR  
LICENSE NO. 30XI00233700