

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

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

HARBOR VIEW CONDOMINIUM
3315 Pleasant Avenue
Union City, New Jersey

Tuesday, April 19, 2022
Commencing at 7:02 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

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ANNA NORIS, ESQUIRE
Attorney for Marvinna, Inc., t/a El Cobre

TOMAS R. PANEQUE, ESQUIRE
Attorney for Don Ramon, Inc., t/a Don
Ramon Restaurant

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1 MR. AUTERI: We're going to start the
2 meeting now.

3 MAYOR STACK: If we could please have
4 everybody's attention?

5 MS. ROSARIO: This is a regular public
6 meeting of the Union City Board of Commissioners
7 being held on Tuesday April 19, 7 p.m., at 3315
8 Pleasant Avenue. Please rise so we can pledge
9 allegiance.

10

11 (Whereupon, the Pledge of Allegiance is
12 recited.)

13

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

21

22 **ROLL CALL:**

23

24 MS. ROSARIO: Commissioner Fernandez.

25 COMMISSIONER FERNANDEZ: Present.

1 MS. ROSARIO: Commissioner Grullon.

2 COMMISSIONER GRULLON: Here.

3 MS. ROSARIO: Commissioner Valdivia.

4 COMMISSIONER VALDIVIA: Here.

5 MS. ROSARIO: Commissioner Martinetti.

6 COMMISSIONER MARTINETTI: Here.

7 MS. ROSARIO: Mayor Stack.

8 MAYOR STACK: Here.

9

10 **SPECIAL PRESENTATIONS:**

11 1. Presentation of Certificate of Appreciation to
12 Santos Martinez.

13 2. Proclamation to Recognize Isiah Angel Cruz.

14

15 MS. ROSARIO: We have two items, two
16 special presentations. The first presentation is
17 a certificate of appreciation to Santos Martinez.
18 Mr. Martinez, can you please stand up.

19 MAYOR STACK: Maybe, Lucio, you could
20 read it.

21 COMMISSIONER FERNANDEZ: We have a
22 special certification, a City proclamation on
23 behalf of the mayor, the Board of Commissioner to
24 Mr. Martinez. I'm going to read the proclamation.

25

1 (Whereupon, the proclamation was read
2 by Commissioner Fernandez and pictures were
3 taken.)

4

5 MAYOR STACK: Congratulations.

6 MR. MARTINEZ: I don't speak good
7 English, but I might be able to say something. I
8 feel so happy, I never expect in my life to have
9 something that you make for me. And thanks a lot,
10 all of you, who are here now and coming to see.
11 So, so far, that's the only thing I can say.

12 MAYOR STACK: Thank you very much.

13 COMMISSIONER FERNANDEZ: Ladies and
14 gentlemen, we'll be serving cake and coffee, so
15 don't leave.

16 MAYOR STACK: Now, we're going to resume
17 an official meeting of the Board of Commissioners.
18 If we could just have everyone's attention while
19 Lily's serving the cake.

20 MS. ROSARIO: The second presentation is
21 a proclamation to recognize Isiah Angel Cruz. Mr.
22 Cruz, come on forward.

23 COMMISSIONER FERNANDEZ: On behalf of
24 the Mayor and the Board of Commissioners, I'd like
25 to present this City proclamation to Isiah Angel

1 Cruz.

2
3 (Whereupon, the proclamation was read
4 by Commissioner Fernandez and pictures were
5 taken.)

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

9 **APPROVAL OF PREVIOUS MEETING MINUTES - REGULAR**
10 **MEETING - APRIL 5, 2022.)**

11
12 MS. ROSARIO: Next item, meeting
13 minutes. Motion to approve the minutes for the
14 April 5th Board of Commissioners meeting?

15 COMMISSIONER MARTINETTI: Motion.

16 MS. ROSARIO: Motion by Commissioner
17 Martinetti. Second?

18 COMMISSIONER VALDIVIA: Second.

19 MS. ROSARIO: Second by Commissioner
20 Valdivia. Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Yes.

22 MS. ROSARIO: Commissioner Grullon.

23 COMMISSIONER GRULLON: Yes.

24 MS. ROSARIO: Commissioner Valdivia.

25 COMMISSIONER VALDIVIA: Yes.

1 MS. ROSARIO: Commissioner Martinetti.

2 COMMISSIONER MARTINETTI: Yes.

3 MS. ROSARIO: Mayor Stack.

4 MAYOR STACK: Yes.

5 COMMISSIONER FERNANDEZ: Excuse me,
6 ladies and gentlemen, we're continuing the
7 meeting. If can you please keep it down.

8
9 (Whereupon, the Board discussed and took
10 action on the following items in total:

11 **CONSENT AGENDA:**

12 (1) Resolution Approving the Payment of Claims

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

15 (3) Resolution Approving the Escrow Refunds

16 (4) Resolution Approving the City Payroll -
17 03/12/2022-03/25/2022

18 (5) Resolution Approving the Library Payroll -
19 03/12/2022-03/25/2022

20 (6) Resolution Cancelling Tax Sale Certificates

21 (7) Resolution Cancelling Second Quarter Taxes

22 (8) Resolution Authorizing the Adjustment of
23 Taxes For the Second Quarter

24 (9) Resolution Cancelling Taxes

25 (10) Resolution Authorizing the Refund of Premium

1 Monies Collected At the Tax Sale

2 (11) Resolution Authorizing the Submission of the
3 2021-2022 Municipal Recycling Tonnage Grant
4 Application

5 (12) Resolution Authorizing the Submission of an
6 Application For DMHAS Youth Leadership Grant
7 Funding For the Union City Municipal Alliance For
8 the Year One Grant Term (7/1/022-3/14/2023)

9 (13) Resolution Authorizing the Awarding of a
10 Raffle License (to St. Augustine Church)

11 (14) Resolution Ch. 159-2022 (Distracted Driving
12 Crackdown, U Drive, U Text, U Pay)

13 (15) Resolution Authorizing Contingent Award of
14 Contract For Central Avenue Corridor Improvements
15 to A&J Contractors Group, Inc.

16 (16) Resolution Authorizing Award of Contract For
17 Summit Avenue and 19th Street Resurfacing Project

18 (17) Resolution Designating 23rd Street From
19 Bergenline Avenue to West Street As "Hines
20 Pharmacy Way"

21 (18) Resolution Designating 39th Street From
22 Palisade Avenue to New York Avenue As "Siomara
23 Sanchez Way"

24 (19) Resolution Designating 39th Street From
25 Bergenline Avenue to New York Avenue As "Miledi

1 Puello Way"

2 MS. ROSARIO: We have 19 --

3 MAYOR STACK: Everyone, if I could just
4 have everybody's attention for a minute, please.
5 Everyone, I just need -- we're continuing an
6 official meeting of the Board of Commissioners.
7 We just need to make sure it gets recorded on the
8 record, so if we can just keep it down just for a
9 little bit. Thanks, everyone.

10 MS. ROSARIO: Next item is the consent
11 agenda.

12 We have the Resolution Approving the
13 Payment of Claims; Resolution Approving the
14 Payment of Concurring Claims; Resolution Approving
15 the Escrow Refunds; Resolution Approving the City
16 Payroll from 03/12/2022-03/25/2022; Resolution
17 Approving the Library Payroll from
18 03/12/2022-03/25/2022; Resolution Cancelling Tax
19 Sale Certificates; Resolution Cancelling the
20 Second Quarter Taxes; Resolution Authorizing the
21 Adjustment of Taxes For the Second Quarter;
22 Resolution Cancelling Taxes; Resolution
23 Authorizing the Refund of Premium Monies Collected
24 at the Tax Sale; Resolution Authorizing the
25 Submission of the 2021-2022 Municipal Recycling

1 Tonnage Grant Application; Resolution Authorizing
2 the Submission of Application For DMHAS Youth
3 Leadership Grant Funding for the Union City
4 Municipal Alliance for the Year One Grant Term
5 (7/1/022-3/14/2023); Resolution Authorizing the
6 Awarding of a Raffle License (to St. Augustine
7 Church); Resolution Ch. 159-2022 (Distracted
8 Driving Crackdown, U Drive, U Text, U Pay);
9 Resolution Authorizing Contingent Award of
10 Contract for Central Avenue Corridor Improvements
11 to A&J Contractors Group, Inc.; Resolution
12 Authorizing Award of Contract for Summit Avenue
13 and 19th Street Resurfacing Project; Resolution
14 Designating 23rd Street from Bergenline Avenue to
15 West Street as "Hines Pharmacy Way"; Resolution
16 Designating 39th Street from Palisade Avenue to
17 New York Avenue as "Siomara Sanchez Way";
18 Resolution Designating 39th Street from Bergenline
19 Avenue to New York Avenue as "Miledi Puello Way".

20 MAYOR STACK: So the matters that we
21 just discussed were on the consent agenda. I just
22 wanted to point out there's 19 items on the
23 consent agenda and tonight, one of the top items,
24 that we're awarding a contract for Central Avenue
25 corridor improvements, that's Central Avenue

1 between 21 and 35, we're doing brand new
2 sidewalks, brand new streets. Lighting traffic,
3 improvements to the signals, we're also planting
4 trees, along with about 2,500 other trees we're
5 planting this summer.

6 In addition to that, there's a contract
7 to redo Summit Avenue from 5 to 18 on Summit
8 Avenue and other streets will be paved throughout
9 the community, along with the work that we're
10 doing on Peter Street, right around the corner
11 here. And also designating several streets after
12 residents or business, Hines Pharmacy on 23rd and
13 Bergenline, that are always out there helping the
14 neighborhoods, specifically during the COVID
15 pandemic. Also Siomara Sanchez Way, somebody
16 whose been a very strong advocate for the
17 immigrants in our community; along with Miledi
18 Puello Way. So it's always important to recognize
19 those residents, just as we did tonight with the
20 residents that we recognized here, one being a
21 resident of your building, of people that have
22 made substantial contributions to our community.

23 Having said that, is there anyone who
24 would like to comment on the consent agenda?
25 Seeing none, motion.

1 MS. ROSARIO: Motion by Mayor Stack.
2 COMMISSIONER VALDIVIA: Second.
3 MS. ROSARIO: Second by Commissioner
4 Valdivia. 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 MS. ROSARIO: Motion to approve all
15 items on the consent agenda?
16 COMMISSIONER VALDIVIA: Motion.
17 MS. ROSARIO: Motion by Commissioner
18 Valdivia. Second?
19 COMMISSIONER FERNANDEZ: Second.
20 MS. ROSARIO: Second by Commissioner
21 Fernandez. Commissioner Fernandez.
22 COMMISSIONER FERNANDEZ: Yes.
23 MS. ROSARIO: Commissioner Grullon.
24 COMMISSIONER GRULLON: Yes.
25 MS. ROSARIO: Commissioner Valdivia.

1 COMMISSIONER VALDIVIA: Yes.

2 MS. ROSARIO: Commissioner Martinetti.

3 COMMISSIONER MARTINETTI: Yes.

4 MS. ROSARIO: Mayor Stack.

5 MAYOR STACK: Yes.

6

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

9 **REGULAR AGENDA:**

10 1. Resolution approving payment of claims to the
11 Union City Board of Education.)

12

13 MS. ROSARIO: There are two items on the
14 regular agenda, resolution approving payment of
15 claims for the Union City Board of Education.

16 MR. AUTERI: Ordinarily, Commissioner
17 Valdivia and Commissioner Gullon would not vote
18 on Board of Ed matters. However tonight, the
19 Board is invoking the doctrine of necessity.

20 MS. ROSARIO: Motion to approve item one
21 on the regular agenda.

22 COMMISSIONER GRULLON: Motion.

23 MS. ROSARIO: Motion by Commissioner
24 Gullon. Second?

25 COMMISSIONER VALDIVIA: Second.

1 MS. ROSARIO: Second by Commissioner
2 Valdivia.

3 MS. ROSARIO: Commissioner Fernandez.
4 Commissioner Grullon.

5 COMMISSIONER GRULLON: Yes.

6 MS. ROSARIO: Commissioner Valdivia.

7 COMMISSIONER VALDIVIA: Yes.

8 MS. ROSARIO: Commissioner Martinetti
9 is recusing. Mayor Stack.

10 MAYOR STACK: Yes.

11

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

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

15 1. An Ordinance of the City of Union City, County
16 of Hudson, New Jersey, appropriating the sum of
17 \$1,160,500 in funding from the capital improvement
18 fund for the completion of roadway reconstruction,
19 repaving, and repair and improvements and repairs
20 to the 38th Street garage.)

21

22 MS. ROSARIO: The next item on the
23 agenda is the ordinance for hearing and adoption
24 of consideration.

25 An ordinance of the City of Union City,

1 County of Hudson, New Jersey, appropriating the
2 assume of \$1,160,500 in funding from the capital
3 improvement funds for the completion of roadway
4 reconstruction, repaving, and repair and
5 improvements and repairs to the 38th Street
6 garage.

7 MAYOR STACK: All right. So this is a
8 bond issue that we're doing additional
9 improvements in the community of Union City,
10 including road paving, improvements that are
11 passed to a specific building on 38th Street, the
12 parking garage, which was built about 29 years
13 ago, 30 years ago, and needs some structural
14 improvements to maintain the integrity of the
15 building and something that's so important to the
16 community, providing over 400 parking spaces.

17 Again, this is something that was built
18 about 30 years ago and it's gotten some wear and
19 tear in the building. So we're just maintaining
20 what we have.

21 Anyone wishing to go comment on this
22 ordinance at this time, please step forward, state
23 your name and address for the record? Seeing
24 none. Motion.

25 MS. ROSARIO: Motion by Mayor Stack.

1 Second by?

2 COMMISSIONER FERNANDEZ: Second.

3 MS. ROSARIO: Second by Commissioner
4 Fernandez. 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 MS. ROSARIO: Motion to adopt?

15 COMMISSIONER VALDIVIA: Motion.

16 MS. ROSARIO: Motion by Commissioner
17 Valdivia. Second?

18 COMMISSIONER MARTINETTI: Second.

19 MS. ROSARIO: Second by Commissioner
20 Martinetti. Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Yes.

22 MS. ROSARIO: Commissioner Grullon.

23 COMMISSIONER GRULLON: Yes.

24 MS. ROSARIO: Commissioner Valdivia.

25 COMMISSIONER VALDIVIA: Yes.

1 MS. ROSARIO: Commissioner Martinetti.

2 COMMISSIONER MARTINETTI: Yes.

3 MS. ROSARIO: Mayor Stack.

4 MAYOR STACK: Yes.

5

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

7

8 MS. ROSARIO: Mayor, at this time, would
9 you like to take public comment?

10 MAYOR STACK: Sure. Thank you very
11 much, Clerk, I appreciate it.

12 So the meeting that we're holding
13 tonight, we moved the meeting to your building
14 specifically because we wanted to honor Mr.
15 Martinez and he lives in the building, we wanted
16 to move the meeting here. Normally, we hold these
17 meetings in schools or public buildings throughout
18 the community. Every two weeks, we hold an
19 official meeting such as, to vote on the items on
20 this agenda, which is the Board of Commissioners
21 meeting agenda. We move them around the City
22 every two weeks, they're always held in the
23 evening hours at 7:00 p.m.

24 We move them to a school or a facility
25 and every neighborhood in the City, we try to

1 cover. And we do it on a constant basis. We move
2 100 percent of our commission meetings around the
3 City. There was a time in Union City where these
4 meetings would be held at 10:00 in the morning.
5 Those days are long gone, since this
6 administration took over, to give more
7 transparency and more access to the residents in
8 the community.

9 So like I said, the meeting that we're
10 holding tonight, I thank the Commissioners because
11 they shared in the vision of moving these meetings
12 throughout the community, each of the
13 Commissioners do, and I thank them for that and
14 the time it takes to move it around. So I do
15 appreciate that.

16 Having said that, does any resident have
17 any matter that they'd like to comment on
18 concerning any matter of municipal government in
19 the City of Union City? Okay. Seeing none, I
20 appreciate everybody being here tonight. We'll
21 close the public portion of the meeting, then
22 we'll be doing liquor hearings also this evening.

23 MS. ROSARIO: Motion to close the public
24 comment.

25 COMMISSIONER MARTINETTI: Motion.

1 COMMISSIONER VALDIVIA: Second.

2 MS. ROSARIO: Motion by Commissioner
3 Martinetti, second by Commissioner Valdivia.
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.

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LIQUOR LICENSE PUBLIC HEARINGS

1. Marvinia, Inc.

T/a El Cobre

4413-15 Bergenline Avenue

0910-33-208-010

(Anna Noris, Esq.)

2. Don Ramon, Inc.

T/a Don Ramon Restaurant

4538 Bergenline Avenue

0910-33-047-004

3. Crave 43, LLC

T/a Crave 43

120 43rd Street

0910-33-029-009

4. Ganesh Swami, Inc.

T/a Union Discount Liquors

710 Summit Avenue

0910-44-132-009

1 **1. Marvina, Inc.**

2 **T/a El Cobre**

3 **4413-15 Bergenline Avenue**

4 **0910-33-208-010**

5
6 MAYOR STACK: This portion of the
7 meeting is liquor hearings. Mr. Farmer is the
8 ABC, Alcoholic Beverage Control, attorney
9 prosecutor. And then there will be attorneys that
10 will be representing some of the applicant's that
11 have liquor establishments in the City. And
12 Lieutenant Dunlay is from the Union City Police
13 Department, the detective commander.

14 MR. FARMER: Gregory Farmer on behalf of
15 the Union City Alcoholic Beverage Control
16 Commission.

17 MS. NORIS: Anna Noris from the law
18 office of Lopez Noris, West New York, on behalf of
19 the licensee.

20 MR. FARMER: Good evening, Mayor and
21 Board. On the agenda is about four items, the
22 first of which is El Cobre. This is a violation
23 of the ordinance that we passed having cameras in
24 the front of the -- in the entrance and in the
25 exit, okay. Took a long time to get that going,

1 up and running. And the police have taken an
2 absolutely zero tolerance on it. That and the
3 ordinance dealing with beer bottles off tables at
4 9:30.

5 We've spoken about it, Lieutenant Dunlay
6 and myself and Ms. Noris. And what we've done
7 is -- and this is consistent with what we've done
8 in the past -- this theoretically could be three
9 strikes, you're out. The first strike, we
10 interpret as, eh, it might have been a mistake.
11 For example, you could easily say, oh, the
12 ordinance says 60 days, you have to transcribe it,
13 we had 32, what's the big deal. Police department
14 says, you miss by a minute, you miss by a mile,
15 all right.

16 And how we've structured this is we've
17 taken first offense and took a policy, and the
18 licensees agreed to plead guilty to that, 10 days
19 for an ordinance violation. The first seven days
20 suspended, you serve three days, that's not bad.
21 The second offense is 20 days, the third offense
22 is 30 days and possibly revocation. So it's a
23 policy, I think, is reasonable to get people to
24 comply. And if they don't comply the second time
25 around, they're going to be shut down for 20 days.

1 So I understand the licensee is pleading
2 guilty, 10 days, seven suspended and May 9th, 10th
3 and 11th, it will be served.

4 MAYOR STACK: First, you want to enter
5 your appearance for the record and just whether
6 you agree or don't?

7 MS. NORIS: Yes, absolutely. Anna Noris
8 from the law office of Lopez Noris, West New York,
9 on behalf of the license holder. Mr. Nelson is
10 here also.

11 MAYOR STACK: Do you agree with what Mr.
12 Farmer --

13 MS. NORIS: Yes, I do.

14 MAYOR STACK: What would the terms be
15 again, Greg?

16 MR. FARMER: Ten days.

17 MS. NORIS: Seven suspended.

18 MR. FARMER: Ten days, seven suspended
19 on a condition that we don't get another violation
20 with a year.

21 MAYOR STACK: Okay.

22 MR. FARMER: And three served and that's
23 May 9, 10 and 11.

24 MR. AUTERI: So seven days in abeyance,
25 three served?

1 MR. FARMER: Correct.

2 MAYOR STACK: Okay. On Mr. Farmer's
3 representation, I make a motion to approve.

4 MS. ROSARIO: Motion by Mayor Stack.
5 Second?

6 COMMISSIONER VALDIVIA: Second.

7 MS. ROSARIO: Second by Commissioner
8 Valdivia. 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 COMMISSIONER MARTINETTI: Recusing.

16 MS. ROSARIO: Mayor Stack.

17 MAYOR STACK: Yes.

18 LIEUTENANT DUNLAY: Thank you.

19 MS. NORIS: Thank you.

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1 **2. Don Ramon, Inc.**

2 **T/a Don Ramon Restaurant**

3 **4538 Bergenline Avenue**

4 **0910-33-047-004**

5
6 MR. FARMER: This is Don Ramon, it's at
7 4538 Bergenline Avenue. The licensee is here with
8 his attorney, Mr. Espinosa -- Paneque, I'm sorry.

9 MR. PANEQUE: Second time he did that.

10 MAYOR STACK: You missing him, Greg?

11 MR. PANEQUE: I can act like him if you
12 want.

13 MR. FARMER: Well, as soon as Mr.
14 Paneque entered the picture, we were able to sit
15 down and talk about it with the licensee and with
16 Lieutenant Dunlay. We have reached a resolution.
17 Basically, this is a carry over from a prior
18 proceeding where we gave him 30 days and served 20
19 and 10 were held in abeyance. Well, now 10 in
20 abeyance is back again. We have a camera
21 violation, we have -- well, an incident which was
22 basically a struggle or whatever. And then they
23 were deficient with respect to their paperwork, so
24 let me recapitulate that.

25 First of all, they violated a City

1 ordinance with respect to serving alcohol after --

2 LIEUTENANT DUNLAY: You want me to give
3 the --

4 MAYOR STACK: Yeah, why don't you run
5 through it?

6 LIEUTENANT DUNLAY: This involved a
7 fight inside the establishment that escalated
8 outside, there was a little bit of property
9 damage. The police went to inspect, there was a
10 little hindering on the part of the employees, not
11 the licensee. One of the cooks was hiding in the
12 back and stuff like that, stuff that's against the
13 ABC. When the police are called to do an
14 inspection, it's a full regulatory inspection.
15 You know, everybody is supposed to come out and
16 everybody is supposed to give their information
17 and there was some paperwork violation.

18 There was a -- the suspensions had we
19 tried this case and gone to the maximum, you know,
20 ultimately they would have been facing a hefty
21 suspension time. But we've come to an agreement,
22 obviously with COVID and everything else, we're
23 not looking to put him out of business as well and
24 I believe the Board feels the same way. You know,
25 we're not here to the -- the goal is not to shut

1 you down completely, but there is some penance for
2 the since that occur.

3 But we've agreed to -- and tell me if
4 I'm incorrect, a guilty plea on the ordinance
5 violation for there was alcohol being served after
6 1:30, which I know we have a 2:00 closing, but
7 anything after 1:30 is last call for alcohol is an
8 ordinance violation.

9 We have a guilty on hindering an
10 investigation for the persons that were hiding in
11 the back. Guilty plea for -- on the basis of a
12 brawl. And a guilty plea on the E-141 where four
13 employees weren't on the list. We will be
14 dismissing the camera violation because the matter
15 was -- Don Ramon has always had great cameras and
16 have always assisted in the past. This was an
17 oversight on their part, which they immediately
18 corrected. We're going to dismiss the nuisance,
19 and we're going to dismiss the books of
20 accounting, you know, charge that they had. Am I
21 corrected, Mr. Paneque?

22 MR. PANEQUE: Good evening, Mr. Mayor --

23 MR. FARMER: Let me finish, I'm sorry.
24 All that's going to be wrapped up in a 30 day
25 suspension, all of the month of June.

1 MR. PANEQUE: Good evening, again, Mr.
2 Mayor, honorable council members, Tomas R.
3 Paneque, attorney for Don Ramon Restaurant.

4 As the Lieutenant and Mr. Farmer
5 indicated, we did have a sit down. And as a
6 result of that sit down, we did come to a
7 settlement agreement. The settlement agreement
8 involves the plea of guilty, voluntarily, to the
9 charges that the Lieutenant placed on the record,
10 with a recommended suspension of 30 days to begin
11 on June 1st, as agreed. So my client will be shut
12 down for the entire month of June.

13 MAYOR STACK: Okay, okay. I'll make a
14 motion to approve on the plea agreement.

15 MS. ROSARIO: Motion by Mayor Stack.
16 Second?

17 COMMISSIONER FERNANDEZ: Second.

18 MS. ROSARIO: Second by Commissioner
19 Fernandez. Commissioner Fernandez.

20 COMMISSIONER FERNANDEZ: Yes.

21 MS. ROSARIO: Commissioner Grullon.

22 COMMISSIONER GRULLON: Yes.

23 MS. ROSARIO: Commissioner Valdivia.

24 COMMISSIONER VALDIVIA: Yes.

25 MS. ROSARIO: Commissioner Martinetti.

1 COMMISSIONER MARTINETTI: Yes.

2 MS. ROSARIO: Mayor Stack.

3 MAYOR STACK: Yes.

4 MR. PANEQUE: Thank you very much.

5 MAYOR STACK: Thank you very much,
6 gentlemen, thank you.

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1 **3. Crave 43, LLC**
2 **T/a Crave 43**
3 **120 43rd Street**
4 **0910-33-029-009**

5
6 LIEUTENANT DUNLAY: We'll hear Union
7 Liquors.

8 MAYOR STACK: Union Liquors or are we
9 going to number 3?

10 MR. FARMER: We can do number 3, let's
11 keep in order.

12 MAYOR STACK: Crave 43.

13 MR. FARMER: Okay. This is Crave 43,
14 put your appearance.

15 MS. LUNA: Daribell Luna,
16 D-A-R-I-B-E-L-L, Luna, L-U-N-A.

17 MR. FARMER: And the situation here is a
18 violation of the camera ordinance. This is the
19 first violation and it is customary it's going to
20 be a three day suspension, ten days total, seven
21 suspended, three days they'll serve, which are May
22 8, 9th, 10th --

23 LIEUTENANT DUNLAY: 9, 10, 11.

24 MAYOR STACK: 9, 10, 11. Ma'am, if you
25 could just enter your appearance.

1 MS. LUNA: Daribell Luna, owner of Crave
2 43.

3 MAYOR STACK: You're the owner?

4 MS. LUNA: Yes.

5 MAYOR STACK: Do you wish to be
6 represented by an attorney this evening?

7 MS. LUNA: No, we came to an agreement
8 and I agree with it.

9 MAYOR STACK: You do, okay. I just
10 wanted to make sure.

11
12 D A R I B E L L L U N A, having been duly sworn
13 or affirmed, did testify previously and as
14 follows:

15
16 MAYOR STACK: Okay. And you said that
17 you're comfortable with proceeding without an
18 attorney?

19 MS. LUNA: Yeah.

20 MAYOR STACK: Very good. You understand
21 you'll be facing a three day suspension, May 9th,
22 10th, 11th?

23 MS. LUNA: Yes.

24 MAYOR STACK: Okay. I make a motion to
25 approve.

1 COMMISSIONER MARTINETTI: Second.

2 MS. ROSARIO: Motion by Mayor Stack,
3 second by Commissioner Martinetti. Commissioner
4 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 LIEUTENANT DUNLAY: Thank you.

15 MAYOR STACK: Thank you very much,
16 ma'am.

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1 **4. Ganesh Swami, Inc.**
2 **T/a Union Discount Liquors**
3 **710 Summit Avenue**
4 **0910-44-132-009**

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6 MAYOR STACK: Next Ganesh, Union
7 Discount Liquors. Good evening, sir.

8 MR. FARMER: Okay. This is the same
9 thing, this is a first offense of the camera
10 ordinance, ten days, seven suspended, three served
11 and their May 9th, 10th, and 11th.

12 LIEUTENANT DUNLAY: There was also books
13 of account matter that they were charged with.
14 The licensee came to headquarters, provided all
15 the paperwork and, you know, everything was up to
16 date. He was actually away on some family
17 emergency and didn't get it in time. But
18 everything was brought up immediately upon his
19 return. So we would ask that that matter be
20 dismissed, that charge.

21 MAYOR STACK: Okay. And, sir, do you
22 wish to have an attorney?

23 MR. PATEL: No, we can recommend that.

24 MAYOR STACK: And what is your name?

25 MR. PATEL: Vino Patel.

1 MAYOR STACK: What is your role with the
2 establishment?

3 MR. PATEL: I'm a manager of it.

4 MAYOR STACK: Okay. If we can swear him
5 in, please.

6

7 V I N O P A T E L, after having been duly
8 sworn or affirmed, did testify as follows:

9

10 MR. PATEL: VINO Patel, V-I-N-O
11 P-A-T-E-L.

12 MAYOR STACK: Thank you, sir. And, sir,
13 you know it's a three day suspension, May 9th,
14 10th, and 11th?

15 MR. PATEL: Yes.

16 MAYOR STACK: Okay. You agree to that,
17 sir?

18 MR. PATEL: Yes.

19 MAYOR STACK: Okay. All right. I'll
20 make a motion to approve.

21 MS. ROSARIO: Motion by Mayor Stack.
22 Second?

23 COMMISSIONER VALDIVIA: Second.

24 MS. ROSARIO: Second by Commissioner
25 Valdivia. Commissioner Fernandez.

1 COMMISSIONER FERNANDEZ: Yes.

2 MS. ROSARIO: Commissioner Grullon.

3 COMMISSIONER GRULLON: Yes.

4 MS. ROSARIO: Commissioner Valdivia.

5 COMMISSIONER VALDIVIA: Yes.

6 MS. ROSARIO: Commissioner Martinetti.

7 COMMISSIONER MARTINETTI: Yes.

8 MS. ROSARIO: Mayor Stack.

9 MAYOR STACK: Yes.

10 Thank you very much, sir. Have a good
11 evening, thank you.

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ADJOURNMENT :

MS. ROSARIO: Mayor, can I have a motion to adjourn?

MAYOR STACK: Sure. I would just like to thank the residents of 3315 Pleasant Avenue and the management and everyone that allowed us to hold the meeting here. It's unprecedented that we hold a meeting in a building such as this, we've really never done that before, but it's a good feeling being here with everyone and coming to the meeting in your building. Thanks again, once again, for having us.

MS. ROSARIO: Motion?

COMMISSIONER MARTINETTI: Motion.

COMMISSIONER VALDIVIA: Second.

MS. ROSARIO: Motion by Commissioner Martinetti, second by Commissioner Valdivia. Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Yes.

MS. ROSARIO: Commissioner Grullon.

COMMISSIONER GRULLON: Yes.

MS. ROSARIO: Commissioner Valdivia.

COMMISSIONER VALDIVIA: Yes.

MS. ROSARIO: Commissioner Martinetti.

1 COMMISSIONER MARTINETTI: Yes.

2 MS. ROSARIO: Mayor Stack.

3 MAYOR STACK: Yes.

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5 (Whereupon the meeting was adjourned at

6 7:36 p.m.)

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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.

SUSAN BISCHOFF, CCR, RPR
LICENSE NO. 30XI00233700