

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

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

JOSE MARTI STEM ACADEMY
1800 Summit Avenue
Union City, New Jersey

Tuesday, February 7, 2023
Commencing at 7:11 p.m.

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

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:

LUCIO P. FERNANDEZ, COMMISSIONER

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

SCARINCI HOLLENBECK
BY: JORGE deARMAS, ESQ.
Corporation Counsel

RAYMOND GONZALEZ, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

HILDA ROSARIO, City Clerk

SUSAN BISCHOFF, CCR, RPR
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A P P E A R A N C E S:

ANTHONY SARSANO, ESQ.
Attorney for Plaza Espana, Inc.

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1 MS. ROSARIO: Can we please stand for
2 the Pledge of Allegiance.

3 (Whereupon, the Pledge of Allegiance was
4 recited.)

5 MS. ROSARIO: This is a regular public
6 meeting of the Union City Board of Commissioners
7 on February 7, 2023, at Jose Marti Stem Freshman
8 Academy School at 1800 Summit Avenue.

9 This meeting has been called in
10 accordance with the Open Public Meeting Act,
11 adequate notice was forwarded to the The Jersey
12 Journal, The Record, The Hudson Reporter, has been
13 posted on the bulletin board in the City Hall and
14 has been made available to the public in the
15 office of the Municipal Clerk.

16

17 **ROLL CALL:**

18

19 MS. ROSARIO: Commissioner Fernandez is
20 absent.

21 MAYOR STACK: Commissioner Fernandez had
22 a family emergency.

23 MS. ROSARIO: Commissioner Grullon.

24 COMMISSIONER GRULLON: Here.

25 MS. ROSARIO: Commissioner Valdivia.

1 COMMISSIONER VALDIVIA: Here.

2 MS. ROSARIO: Commissioner Martinetti.

3 COMMISSIONER MARTINETTI: Here.

4 MS. ROSARIO: Mayor Stack.

5 MAYOR STACK: Here.

6

7 **PROCLAMATIONS:**

8

9 MS. ROSARIO: There are two
10 proclamations this evening. One is honoring Pensa
11 Modern Movers Way.

12

13 (Proclamation read by Ms. Barrera.)

14

15 MAYOR STACK: It's a pleasure to present
16 this proclamation and do a street naming to Pensa
17 because truly they represent not only in Union
18 City, but most importantly Union City, what a true
19 success story a business is when people come
20 together and work hard. The true American dream,
21 the hard work that they put in, the commitment
22 that they've had to the customers that they
23 served. I've never received complaints about
24 their company and I've received complaints about
25 moving companies across the state. I've never

1 received a complaint about them. Their reputation
2 is right out there as the top movers in the state.
3 And it's something you take for granted, right,
4 about a moving company until you need a moving
5 company to move and to safeguard your belongings.
6 Think about that, you move out of an apartment,
7 wherever you move from and go to your new
8 location, how important it is that somebody is
9 transporting all your belongings for you, things
10 you work your entire life for.

11 Truly, they represent the best of the
12 best of business, but the best of the best of
13 people. And we're very fortunate and lucky to
14 have them in Union City. And I look forward to
15 having a nice street naming in the spring. Thank
16 you very much and thank you to the Pensa family.

17 I've known them for a long time, not for
18 100 years -- I'm not that old. But I've known him
19 for many, many years, belong before I became the
20 Mayor. In fact, the days I would meet with my
21 mother on Summit Avenue and we would pass their
22 place. I've known his family for many, many years
23 and we're just grateful.

24 MR. PENSA: Couple stick ball games on
25 Central Avenue. Thank you very much. I

1 appreciate it. From the entire Pensa family, we'd
2 like to thank everyone in the City of Union City,
3 past and present. You've been so good to us. My
4 father and my grandfather love this city.

5 It's funny being in the moving business,
6 I move people all over, Westwood, down the shore.
7 And as soon as they find out I'm from Union City,
8 they're like I'm from Palisade Avenue. So you can
9 leave the City, but unfortunately Union City will
10 never leave your heart.

11 MAYOR STACK: That's right. Thank you
12 very much.

13 MR. PENSA: God bless you all. My
14 parents, I'm sure, are looking down, smiling. My
15 father is saying, kid, you could -- excuse my
16 appearance in my uniform. But I have my Dad's
17 spirit with me, you could always do a moving job
18 in a uniform, but -- you can't do a moving job in
19 a suit, but you can do a speech in a uniform.

20 MAYOR STACK: Thank you, thank you.

21 MS. ROSARIO: So the second one, we're
22 recognizing August 18th as "Never Give Up Day in
23 the City of Union City".

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

2 **APPROVAL OF MINUTES OF PREVIOUS MEETING.)**

3
4 MS. ROSARIO: And the second item on the
5 agenda is the approval of meeting minutes. Motion
6 to approve meeting minutes for the January 24,
7 2023, Board of Commissioners meeting.

8 MAYOR STACK: Motion.

9 COMMISSIONER MARTINETTI: Second.

10 MS. ROSARIO: Motion by Mayor Stack,
11 second by Commissioner Martinetti.

12 Commissioner Grullon.

13 COMMISSIONER GRULLON: Yes.

14 MS. ROSARIO: Commissioner Valdivia.

15 COMMISSIONER VALDIVIA: Yes.

16 MS. ROSARIO: Commissioner Martinetti.

17 COMMISSIONER MARTINETTI: Yes.

18 MS. ROSARIO: Mayor Stack.

19 MAYOR STACK: Yes.

20
21 (Whereupon, the Board discussed and took
22 action on the following items:

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

24 1. AN ORDINANCE AMENDING CHAPTER 223, SECTION 12
25 REGARDING USE OF THIN BRICK FOR AFFORDABLE HOUSING

1 DEVELOPMENTS.)

2
3 MS. ROSARIO: The third item on the
4 agenda is the ordinance for introduction.

5 Adoption on first reading authorizes the
6 Municipal Clerk to advertise the ordinance with a
7 notice of the introduction, together with a notice
8 of the time and place when the ordinance will be
9 considered for the final passage. The ordinance
10 will be further considered at a meeting of the
11 Board of Commissioners to be held on Tuesday,
12 February 21, 2023, at the Bruce D. Walter
13 Recreation Center, 507 West Street, in Union City,
14 New Jersey at 7:00 p.m.

15 An ordinance amending Chapter 223,
16 Section 12 regarding the use of thin brick for
17 affordable housing developments.

18 May I have a motion to introduce, Mayor?

19 MAYOR STACK: Yes. What this would
20 allow -- so we have an ordinance and this is just
21 the introduction tonight, we'll have a hearing on
22 this. But this would allow an affordable housing
23 project, a senior citizen building or affordable
24 housing to use -- we don't allow thin brick in the
25 City of Union City, we only allow full brick to go

1 up on homes. This would allow just on affordable
2 housing projects and just on senior citizen
3 buildings to use the thin brick. Obviously, it's
4 a cost factor when you're trying to build
5 additional affordable housing, which we're trying
6 very hard in Union City to build a senior building
7 and also another building for families. It's just
8 a major cost factor when you're doing that type of
9 housing, when it's not market rate, it's
10 affordable housing.

11 I'll make the motion to introduce.

12 MS. ROSARIO: Motion made by Mayor
13 Stack.

14 COMMISSIONER VALDIVIA: Second.

15 MS. ROSARIO: Second by Commissioner
16 Valdivia.

17 Commissioner Grullon.

18 COMMISSIONER GRULLON: Yes.

19 MS. ROSARIO: Commissioner Valdivia.

20 COMMISSIONER VALDIVIA: Yes.

21 MS. ROSARIO: Commissioner Martinetti.

22 COMMISSIONER MARTINETTI: Yes.

23 MS. ROSARIO: Mayor Stack.

24 MAYOR STACK: Yes.

25

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

CONSENT AGENDA:

(1) Resolution Approving the Payment of Claims.

(2) Resolution Approving the Payment of Concurring Claims.

(3) Resolution Approving the Escrow Refunds.

(4) Resolution Approving the City Payroll From December 17, 2022, Through December 30, 2022.

(5) Resolution Approving the Library Payroll From 12/17/2022 to 12/30/2022.

(6) Resolution Authorizing the Refund of Premium Monies Collected At the Tax Sale.

(7) Resolution Cancelling First Quarter Taxes.

(8) Resolution Cancelling Unclaimed Tax Credit Debts.

(9) Resolution Authorizing the Adjustment of Taxes For the First Quarter.

(10) Resolution Cancelling the Third and Fourth Quarter Taxes.

(11) Resolution Authorizing Refunds of Redemption Monies to Outside Lienholders.

(12) Resolution to Reappoint Hilda I. Rosario As Acting Municipal Clerk.

(13) Resolution to Apply For and Obtain a Grant

1 From the New Jersey Department of Community
2 Affairs For Approximately \$1,700,000 to Carry Out
3 a Project to Develop a New Youth Soccer Field At
4 4100 Palisade Avenue.

5 (14) Resolution Designating 11th Street From
6 Kennedy Boulevard to Summit Avenue As A. Pensa
7 Modern Movers Way.

8 (15) Resolution Authorizing the Receipt of the Bid
9 For Elevator Inspection Services, Third Occasion.

10 (16) Resolution Authorizing Receipt of Bids For
11 Chlorine and Pool Chemicals 2023.

12 (17) Resolution Authorizing Receipt of Bids For
13 Pools and Spray Grounds Opening Maintenance and
14 Closing 2023.

15 (18) Resolution Reappointing Alejandro Velazquez
16 to the North Hudson Sewerage Authority.

17 (19) Resolution Reappointing Libero Marotta to the
18 North Hudson Sewerage Authority.

19 (20) Resolution Authorizing Emergency Repairs For
20 Police Women's Locker Room and Police Evidence
21 Room Within the City of Union City Police
22 Department.

23 (21) Resolution Authorizing the Placement of a
24 Lien on the Property Known As 906 New York Avenue,
25 Union City, New Jersey, Block 49, Lot 19 in the

1 City of Union City For the Emergency Repair.)

2

3 MS. ROSARIO: There's 21 items on the
4 consent agenda.

5 One, resolution approving the payment of
6 claims.

7 Two, resolution approving the payment of
8 concurring claims.

9 Three, resolution approving the escrow
10 refunds.

11 Four, resolution approving the city
12 payroll from December 17, 2022, through December
13 30, 2022.

14 Five, resolution approving the library
15 payroll from 12/17/2022 to 12/30/2022.

16 Six, resolution authorizing the refund
17 of premium monies collected at the tax sale.

18 Seven, resolution cancelling first
19 quarter taxes.

20 Eight, resolution cancelling unclaimed
21 tax credit debts.

22 Nine, resolution authorizing the
23 adjustment of taxes for the first quarter.

24 Ten, resolution cancelling the third and
25 fourth quarter taxes.

1 Eleven, resolution authorizing refunds
2 of redemption monies to outside lienholders.

3 Twelve, resolution to reappoint Hilda I.
4 Rosario as Acting Municipal Clerk.

5 Thirteen, resolution to apply for and
6 obtain a grant from the New Jersey Department of
7 Community Affairs for approximately \$1,700,000 to
8 carry out a project to develop a new youth soccer
9 field at 4100 Palisade Avenue.

10 Fourteen, resolution designating 11th
11 Street from Kennedy Boulevard to Summit Avenue as
12 A. Pensa Modern Movers Way.

13 Fifteen, resolution authorizing the
14 receipt of the bid for elevator inspection
15 services, third occasion.

16 Sixteen, resolution authorizing receipt
17 of bids for chlorine and pool chemicals 2023.

18 Seventeen, resolution authorizing
19 receipt of bids for pools and spray grounds
20 opening maintenance and closing 2023.

21 Eighteen, resolution reappointing
22 Alejandro Velazquez to the North Hudson Sewerage
23 authority.

24 Nineteen, resolution reappointing Libero
25 Marotta to the North Hudson Sewerage Authority.

1 Twenty, resolution authorizing emergency
2 repairs for police women's locker room and police
3 evidence room within the City of Union City Police
4 Department.

5 Twenty-one, resolution authorizing the
6 placement of a lien on the property known as 906
7 New York Avenue, Union City, New Jersey, Block 49,
8 Lot 19 in the City of Union City for the emergency
9 repair.

10 Mayor abstains on payments to Chasan,
11 Lamporello and Mallon. Commissioner Martinetti
12 abstains on payments to Adolfo Lopez.

13 MAYOR STACK: Anyone wishing to comment
14 on the consent agenda please, step forward, state
15 your name and address for the record. This is on
16 the consent agenda. These are the items that were
17 just read into the record by the Clerk, Hilda.
18 Anyone wishing to comment at this time on any of
19 the matters on the consent agenda?

20 Seeing none, I'll make the motion to
21 close public hearing.

22 MS. ROSARIO: Motion by Mayor Stack,
23 second by Commissioner Valdivia.

24 Commissioner Grullon.

25 COMMISSIONER GRULLON: Yes.

1 MS. ROSARIO: Commissioner Valdivia.

2 COMMISSIONER VALDIVIA: Yes.

3 MS. ROSARIO: Commissioner Martinetti.

4 COMMISSIONER MARTINETTI: I'm abstaining
5 on the payments for Adolfo Lopez, aye on the rest.

6 MS. ROSARIO: Mayor Stack.

7 MAYOR STACK: Yes.

8 MS. ROSARIO: May I have a motion to
9 approve all items on the consent agenda?

10 COMMISSIONER VALDIVIA: Motion.

11 COMMISSIONER MARTINETTI: Second.

12 MS. ROSARIO: Motion by Commissioner
13 Valdivia, second by Commissioner Martinetti.

14 Commissioner Grullon.

15 COMMISSIONER GRULLON: Yes.

16 MS. ROSARIO: Commissioner Valdivia.

17 COMMISSIONER VALDIVIA: Yes.

18 MS. ROSARIO: Commissioner Martinetti.

19 COMMISSIONER MARTINETTI: Yes.

20 MS. ROSARIO: Mayor Stack.

21 MAYOR STACK: Yes.

22 MS. ROSARIO: There are two ordinances
23 for --

24 MAYOR STACK: Just before we do, I'm
25 sorry, Hilda, I should have said it before, I

1 missed this opportunity.

2 Number 13, the resolution on the new
3 youth soccer field on 4100 Palisade, that's
4 becoming closer to reality. We just had to secure
5 various pots of funding, for lack of a better
6 term, to develop that. It will be a small soccer
7 field and it will also be -- for young children.
8 And it will also be a passive park on 41st Street
9 between Hudson Avenue and Palisade Avenue. And
10 that will run probably about 150 feet deep on
11 Palisade Avenue. So this will bring a nice spot
12 uptown for anywhere from three year olds to seven
13 year olds or nine year old playing on a small
14 soccer field practicing for when they play on the
15 larger field.

16 So this will bring some good recreation
17 to the up own areas. This is in addition to the
18 library that we're renovating and building at 43rd
19 Street. In addition to what we've done on
20 Palisade Avenue with the renovations of Palisade
21 with the new streets and sidewalks. The lights
22 should be installed over the next month or two
23 into the summer. And then we're working on
24 redoing Hudson Avenue, from 30 to 50th Street on
25 Hudson. That will be new sidewalks, new street,

1 new lighting, and tree planting. This summer, we
2 should be planting probably another thousand trees
3 over the summer. That all ties in together.
4 Thank you, Hilda.

5 MS. ROSARIO: You're welcome, Mayor.

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

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

11 1. AN ORDINANCE OF THE CITY OF UNION CITY, COUNTY
12 OF HUDSON, NEW JERSEY, APPROPRIATING THE SUM OF
13 \$533,000 IN FUNDING FROM THE CAPITAL IMPROVEMENT
14 FUND FOR THE ACQUISITION AND INSTALLATION OF
15 STREET LIGHTING FOR CENTRAL AVENUE.)

16
17 MS. ROSARIO: There are two ordinances
18 for hearing and adoption consideration.

19 One, an ordinance of the City of Union
20 City, County of Hudson, New Jersey appropriating
21 the sum of \$533,000 in funding from the capital
22 improvement fund for the acquisition and
23 installation of street lighting for Central
24 Avenue. Mayor, would you like to take public
25 comment on this ordinance?

1 MAYOR STACK: Sure. So this ordinance
2 is money that we have in the capital fund, this
3 \$533,000. This is for street lighting on Central
4 Avenue, which runs between 21st and 35th. This
5 lighting will also be installed in the next
6 several months on Central Avenue.

7 We found out and it's a great
8 opportunity that we have, Chief Facchini here this
9 evening and I thank him for being here, and at
10 most of the meetings. He can tell you along with
11 the police department, that the additional
12 lighting definitely helps in keeping our streets
13 safe, it gives the police officers, both the
14 uniform and detectives, additional layers out
15 there where they can drive down the block and see
16 a block to a half block down, whatever it may be,
17 where the streets are well illuminated. Not only
18 the streets, but the sidewalks, so when people
19 come home in the evening hours, they can see their
20 surroundings. So this is just adding to what
21 we've been doing, along with cameras at we've had
22 on Central Avenue for quite some time.

23 Anyone wishing to comment on this
24 ordinance at this time? This is the street
25 lighting on Central Avenue from 21st to 35th.

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

4 Seeing none, I make a motion to close
5 the hearing.

6 MS. ROSARIO: Motion made by Mayor
7 Stack.

8 COMMISSIONER VALDIVIA: Second.

9 MS. ROSARIO: Second by Commissioner
10 Valdivia.

11 Commissioner Grullon.

12 COMMISSIONER GRULLON: Yes.

13 MS. ROSARIO: Commissioner Valdivia.

14 COMMISSIONER VALDIVIA: Yes.

15 MS. ROSARIO: Commissioner Martinetti.

16 COMMISSIONER MARTINETTI: Yes.

17 MS. ROSARIO: Mayor Stack.

18 MAYOR STACK: Yes.

19 MS. ROSARIO: May I have a motion to
20 adopt?

21 COMMISSIONER VALDIVIA: Motion.

22 MS. ROSARIO: Motion by Commissioner
23 Valdivia.

24 COMMISSIONER GRULLON: Second.

25 MS. ROSARIO: Second by Commissioner

1 Grullon.

2 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

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

13 **ORDINANCE(S) FOR HEARING AND ADOPTION:**

14 2. AN ORDINANCE AUTHORIZING THE EXERCISE OF
15 EMINENT DOMAIN, IF ADVISABLE, TO ACQUIRE EASEMENT
16 RIGHTS IN BLOCK 242, LOT 1: ADDITIONAL LOTS 2, 3,
17 4 & 11, BLOCK 242, LOT 5: ADDITIONAL LOT 6, AND
18 BLOCK 242, LOT 7 AKA 4100 PALISADE AVENUE IN THE
19 CITY OF UNION CITY.)

20

21 MS. ROSARIO: The second ordinance is an
22 ordinance authorizing the exercise of eminent
23 domain, if advisable, to acquire easement rights
24 in Block 242, Lot 1, additional lots 2, 3, 4 and
25 11; Block 242, Lot 5, additional Lot 6; and Block

1 242, Lot 7, also known as 4100 Palisade Avenue in
2 the City of Union City.

3 MAYOR STACK: So this is the property
4 that I just spoke about, this is 4100 Palisade.
5 This is exactly where the soccer field and the
6 passive park are going. This building is empty
7 right now. I know there's been an attempt to
8 negotiate with the owner, this is just giving us
9 eminent domain power over the property.

10 Anyone issuing to comment on this
11 ordinance at this time, please step forward, state
12 your name and address for the record? Anyone
13 wishing to comment, please step forward. Again,
14 this is on 4100 Palisade Avenue.

15 Seeing none, I'll make a motion to close
16 the public hearing.

17 MS. ROSARIO: Motion by Mayor Stack.

18 COMMISSIONER VALDIVIA: Second.

19 MS. ROSARIO: Second by Commissioner
20 Valdivia.

21 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 MS. ROSARIO: May I have a motion to
5 adopt.

6 COMMISSIONER VALDIVIA: Motion.

7 COMMISSIONER MARTINETTI: Second.

8 MS. ROSARIO: Motion by Commissioner
9 Valdivia, second by Commissioner Martinetti.
10 Commissioner Grullon.

11 COMMISSIONER GRULLON: Yes.

12 MS. ROSARIO: Commissioner Valdivia.

13 COMMISSIONER VALDIVIA: Yes.

14 MS. ROSARIO: Commissioner Martinetti.

15 COMMISSIONER MARTINETTI: Yes.

16 MS. ROSARIO: Mayor Stack.

17 MAYOR STACK: Yes.

18

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

20

21 MS. ROSARIO: Mayor, at this time, would
22 you like to take public comment at this portion of
23 the meeting?

24 MAYOR STACK: Yes. Would anyone like to
25 comment on any matter concerning municipal

1 government in the City of Union City?

2 I just thank the Commissioners for
3 sharing in the vision and moving 100 percent of
4 our Commission meetings around the community.
5 99 percent of our meetings are held in the evening
6 hours. In a lot of the cases, we notify the
7 residents where we'll be on the Commission
8 meeting, whether it's through the internet,
9 whether it's by flyers. We always try to keep our
10 municipal government as transparent as possible.
11 And letting residents know exactly where we'll be.
12 This is in addition to the mobile mayor's office,
13 the police community meetings, and now the Board
14 of Commissioners meetings.

15 Anyone wishing to comment on any matter
16 concerning municipal government in the City of
17 Union City, please step forward, state your name
18 and address for the record?

19 I'd like to thank those residents that
20 are here this evening, even if you don't comment.
21 Thank you for coming out and being part of
22 municipal government in the City of Union City.

23 Seeing none, I make a motion to close
24 public hearing. Then we can move to liquor
25 hearings.

1 MS. ROSARIO: Motion by Mayor Stack.

2 COMMISSIONER MARTINETTI: Second.

3 MS. ROSARIO: Second by Commissioner
4 Martinetti.

5 Commissioner Grullon.

6 COMMISSIONER GRULLON: Yes.

7 MS. ROSARIO: Commissioner Valdivia.

8 COMMISSIONER VALDIVIA: Yes.

9 MS. ROSARIO: Commissioner Martinetti.

10 COMMISSIONER MARTINETTI: Yes.

11 MS. ROSARIO: Mayor Stack.

12 MAYOR STACK: Yes.

13 * * * *

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LIQUOR LICENSE DISCIPLINARY HEARINGS:

1. Plaza Espana, Inc.

2506 Bergenline Avenue

0910-33-136-030

(Anthony Sarsano, Esq.)

2. Crave 43, LLC

T/a Crave 43

120 43rd Street

0910-33-029-010

3. Agave Restaurant, LLC

T/a Agave Restaurant

4317 Bergenline Avenue

0910-33-052-007

(Ciro Medeiros, Esq.)

4. Pupusa No. 2, Inc.

T/a La Pupusa Loca 2

4709 Bergenline Avenue

0910-33-174-008

(Robert Williams, Esq.)

1 5. Salvadorian Bar & Restaurant, Inc.
2 T/a El Centro Americano Bar Y Restaurant
3 4212 New York Avenue
4 0910-33-051-006
5 (Anthony Bianciella, Esq.)

6
7 6. Sai Prasad, Inc.
8 T/a Bergenline Liquors
9 3819 Bergenline Avenue
10 0910-32-066-004

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12 7. JRV Restaurant, Inc.
13 T/a El Papaturro
14 1018 Summit Avenue
15 0910-33-137-005

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1 **1. Plaza Espana, Inc.**
2 **2506 Bergenline Avenue**
3 **0910-33-136-030**
4 **(Anthony Sarsano, Esq.)**

5
6 MS. ROSARIO: Mr. Gonzalez.

7 MR. GONZALEZ: Good evening. For the
8 record, Raymond Gonzalez, G-O-N-Z-A-L-E-Z.

9 If we could swear in the interpreter,
10 please.

11
12 S O L V I L L O N, an interpreter of the
13 SPANISH language, after having been duly sworn,
14 did interpret the following testimony:

15
16 MR. GONZALEZ: Good evening, Mayor,
17 Commissioners. We have several matters today at
18 the ABC. The first matter is Plaza Espana. I'd
19 like to give you a little background on this.
20 This matter was before the Board about two weeks
21 ago, the last meeting. We had a lot of violations
22 and we had an opportunity to have a meeting.

23 First of all, I think it's very
24 important that the owner recognize that the police
25 department has worked very hard and diligent on

1 this particular license establishment. As a
2 result of the investigation that was brought
3 forward by Lieutenant Dunlay and Sergeant Zeron,
4 it was discovered that Mr. Carmona was no longer
5 the owner of the real estate. And the license was
6 still being registered at that location, although
7 he's represented to us that it was not being used
8 by him.

9 Irrespective, there was a lot of
10 violations. We have reached an agreement where
11 there would be a one year, 365 day suspension.
12 The license will be put into pocket status
13 immediately, there will be no appeal, and that
14 will establish that the license is no longer
15 there.

16 I had the benefit of speaking to Mr.
17 Francisco Soto, who is the attorney who represents
18 the person who bought the real estate. And I have
19 explained to all parties the license, if it's no
20 longer there and there's any alcohol that's being
21 sold or any alcohol activity at all in that
22 location, what will happen is those individuals
23 will be charged with criminal 2c charges. And we
24 will pursue that matter by way of police
25 department investigation.

1 Right now, I've been told that it's been
2 closed. They're very well aware no alcohol can be
3 there at this location. We're giving the benefit
4 of the doubt to Mr. Carmona that he is going to
5 put the license in pocket status and doesn't have
6 anything to do with that particular location.
7 He's represented by Mr. Sarsano, we do have an
8 interpreter. So it's very clear on the record
9 that he knows everything that's being told today.
10 It's my understanding this is agreed upon by all
11 the parties.

12 MAYOR STACK: Mr. Sarsano, if you can
13 enter your appearance.

14 MR. SARSANO: Yes. For the record, my
15 name is Anthony Sarsano and I represent the
16 licensee, Plaza Espana. I've had an opportunity
17 to discuss this matter with Mr. Gonzalez and with
18 the police being present at a meeting. The
19 representations made by Mr. Gonzalez are
20 completely accurate and I've spoken in detail to
21 my client with respect to what has to occur. He's
22 in accord. And I represent the license will in
23 fact be pocketed immediately.

24 MAYOR STACK: I think the message that
25 needs to go back to the people who bought the

1 establishment -- I was talking about this with Mr.
2 Gonzalez earlier -- is that there really should be
3 a good message that goes back that says basically,
4 you know, get a good restaurant going, serve good
5 food to people. And then you never know what the
6 future holds for them. But they should really
7 focus on the food, build up a good clientele,
8 build up a good restaurant, with a great community
9 around that restaurant and they'll do well. Thank
10 you very much.

11 MR. GONZALEZ: Since this matter is
12 quite complicated, I will be preparing the
13 resolution setting forth all the terms and I'll
14 provide it to the clerk this week.

15 MS. ROSARIO: Okay.

16 MR. GONZALEZ: That resolves that
17 matter.

18 MAYOR STACK: Are we taking a vote on
19 this?

20 MR. GONZALEZ: I'm sorry, I would say
21 just do the vote tonight.

22 MAYOR STACK: We'll take a vote tonight.
23 Then you can prepare the resolution and we can put
24 it on the next meeting. I'll make the motion to
25 approve with the stipulations that are set forth

1 by Mr. Gonzalez and agreed upon by Mr. Sarsano,
2 the attorney for the establishment with the
3 license was once held going into pocket status
4 with the suspension for a year.

5 MS. ROSARIO: Motion made by Mayor
6 Stack.

7 COMMISSIONER VALDIVIA: Second.

8 MS. ROSARIO: Second by Commissioner
9 Valdivia.

10 Commissioner Grullon.

11 COMMISSIONER GRULLON: Yes.

12 MS. ROSARIO: Commissioner Valdivia.

13 COMMISSIONER VALDIVIA: Yes.

14 MS. ROSARIO: Commissioner Martinetti.

15 COMMISSIONER MARTINETTI: Yes.

16 MS. ROSARIO: Mayor Stack.

17 MAYOR STACK: Yes. Thank you very much,
18 have a good evening.

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1 **2. Crave 43, LLC**

2 **T/a Crave 43**

3 **120 43rd Street**

4 **0910-33-029-010**

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6 MR. GONZALEZ: The next matter on our
7 list is Crave 43, LLC. The owner, Ms. Balboa, is
8 here. We did properly serve them. Fortunately
9 for her, she's here today. I didn't get a chance
10 to speak to her before. We will be having a
11 meeting that I'm setting forth with the police
12 department and she's agreed to attend that to try
13 to resolve it. So I'm just respectfully
14 requesting this matter be carried to the next
15 meeting.

16 MAYOR STACK: Absolutely. Thank you
17 very much.

18 MS. BALBOA: Thank you.

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1 **3. Agave Restaurant, LLC**

2 **T/a Agave Restaurant**

3 **4317 Bergenline Avenue**

4 **0910-33-052-007**

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6 MR. GONZALEZ: Our next matter is Agave
7 Restaurant, LLC. They are represented by Ciro
8 Medeiros. This matter, likewise, Mr. Medeiros has
9 just appeared today. I think it's something that
10 could be resolved. We'd like to adjourn this to
11 the next meeting and we'll probably have a
12 resolution for the next court date.

13 MAYOR STACK: No problem. Yes,
14 absolutely. We'll adjourn it to the next meeting.

15 MR. MEDEIROS: Thank you very much,
16 Mayor, Board of Commissioners, Mr. Gonzalez.

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1 **4. Pupusa No. 2, Inc.**

2 **T/a La Pupusa Loca 2**

3 **4709 Bergenline Avenue**

4 **0910-33-174-008**

5 **(Robert Williams, Esq.)**

6
7 MR. GONZALEZ: The next matter is Papusa
8 No. 2, Inc., trading as La Papusa Loca 2. I'm
9 sorry, I did receive a call and an email from
10 their attorney, Robert Williams, asking that the
11 matter be adjourned. There's a lot of discovery
12 that has to be provided to him. He likewise wants
13 to have the opportunity to meet before the next
14 meeting, and I consent to that. I think it's
15 appropriate.

16 MAYOR STACK: All right. That will be
17 adjourned to the next meeting.

18 * * * *

1 **5. Salvadorian Bar & Restaurant, Inc.**

2 **T/a El Centro Americano Bar Y Restaurant**

3 **4212 New York Avenue**

4 **0910-33-051-006**

5 **(Anthony Bianciella, Esq.)**

6

7 MR. GONZALEZ: The next matter is

8 Salvadorian Bar and Restaurant, Inc. They are

9 represented by Anthony Bianciella, he contacted me

10 last week. I have provided to him the discovery,

11 he wants an opportunity to speak with us in person

12 with the police department and I think it's

13 appropriate, if we could carry that also.

14 MAYOR STACK: Absolutely.

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1 **6. Sai Prasad, Inc.**

2 **T/a Bergenline Liquors**

3 **3819 Bergenline Avenue**

4 **0910-32-066-004**

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6 MR. GONZALEZ: The next matter is Sai
7 Prasad, Inc., trading as Bergenline Liquors. I
8 don't see anybody here. I know Lieutenant Dunlay
9 has served everybody appropriately in this matter.
10 I would move to go forward on this case, but I
11 think it would be appropriate, maybe, if we just
12 carry it one more time. I will send them one more
13 notice.

14 MAYOR STACK: How many times have they
15 not showed up?

16 MR. GONZALEZ: This is the first time.

17 MAYOR STACK: First time?

18 MR. GONZALEZ: First time, I don't
19 want -- I want --

20 MAYOR STACK: Put them on the for the
21 next one. But if not the next one, then we'll
22 hear it.

23 MR. GONZALEZ: Sure.

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1 **7. JRV Restaurant, Inc.**

2 **T/a El Papaturro**

3 **1018 Summit Avenue**

4 **0910-33-137-005**

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6 MR. GONZALEZ: And the last matter is
7 JRV Restaurant, Inc., trading as El Papaturro.
8 They are here, Juan Collados is the owner. I
9 don't know if he needs the interpreter also.

10 MR. COLLADOS: I don't need the
11 interpreter. Good evening.

12 MR. GONZALEZ: He's asked that we carry
13 this to the next meeting. He would like to meet
14 with us personally to see if we can resolve it. I
15 think it's appropriate under the circumstances.

16 MAYOR STACK: Absolutely. It's
17 adjourned to the next meeting.

18 MR. GONZALEZ: That concludes the ABC.

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ADJOURNMENT :

MS. ROSARIO: May I have a motion to adjourn?

MAYOR STACK: Motion.

COMMISSIONER MARTINETTI: Second.

MS. ROSARIO: Motion by Mayor Stack, second by Commissioner Martinetti. All in favor?

(Whereupon, all Board Members indicate in the affirmative.)

(Whereupon the meeting was adjourned at 7:44 p.m.)

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Brian P. Stack

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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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Jorge de Armas, 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