

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 7, 2023
Commencing at 7:00 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
BRIAN P. STACK, MAYOR

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

WENDY A. GRULLON, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER

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

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

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

HILDA ROSARIO, City Clerk

SUSAN BISCHOFF, CCR, RPR
449 Columbia Blvd., Wood-Ridge, NJ 07075
201-933-8220 SBischoffccr@yahoo.com

A P P E A R A N C E S:

ANTHONY BIANCIELLA, ESQUIRE
Attorney for Salvadorian Restaurant, LLC

ANTHONY SARSANO, ESQUIRE
Attorney for Said Prasad, Inc.

CIRO MEDEROS, ESQUIRE
Attorney for Agave Restaurant, LLC

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1 (Whereupon, the Pledge of Allegiance was
2 recited.)

3
4 MS. ROSARIO: This is a regular public
5 meeting of the Union City Board of Commissioners
6 being held on Tuesday, March 7, 2023, at 7:00 p.m.
7 at Jefferson Elementary School, 3400 Palisade
8 Avenue, Union City, New Jersey.

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

16
17 **ROLL CALL:**

18
19 MS. ROSARIO: Commissioner Fernandez.

20 COMMISSIONER FERNANDEZ: Here.

21 MS. ROSARIO: Commissioner Valdivia.

22 COMMISSIONER VALDIVIA: Here.

23 MS. ROSARIO: Mayor Stack.

24 MAYOR STACK: Here.

25 Commissioner Martinetti had a family

1 commitment tonight. And Commissioner Grullon, her
2 sister-in-law is very sick in New York Hospital.

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

6
7 **APPROVAL OF PREVIOUS MEETING MINUTES)**

8
9 MS. ROSARIO: The first item on the
10 agenda is the approval of previous minutes.

11 MAYOR STACK: Motion.

12 COMMISSIONER VALDIVIA: Second.

13 MS. ROSARIO: Motion by Mayor Stack,
14 second by Commissioner Valdivia.

15 Commissioner Fernandez.

16 COMMISSIONER FERNANDEZ: Yes.

17 MS. ROSARIO: Commissioner Valdivia.

18 COMMISSIONER VALDIVIA: Yes.

19 MS. ROSARIO: Mayor Stack.

20 MAYOR STACK: Yes.

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

24
25 **SPECIAL PRESENTATION TO THE UCHS GIRLS' BASKETBALL**

1 **TEAM.)**

2
3 MS. ROSARIO: The next item is a special
4 presentation to the New Jersey Basketball North 1,
5 Group 4, 2022-2023 championship girls' basketball
6 team.

7 (Presentation by Commissioner Valdivia
8 and the coach to the girls basketball team.)

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

12
13 **ORDINANCE(S) FOR INTRODUCTION:**

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

19
20 MS. ROSARIO: There is one ordinance for
21 introduction. Adoption on first reading
22 authorizes the Municipal Clerk to advertise the
23 ordinance with a notice of the introduction,
24 together with a notice of the time and place when
25 the ordinance will be considered for final

1 passage. The ordinance will be further considered
2 at a meeting of the Board of Commissioners to be
3 held on Tuesday, March 21, 2023, at the Islamic
4 Education Center, 4613 Cottage Place, Union City,
5 New Jersey, at 7:00 p.m.

6 An ordinance authorizing the exercise of
7 eminent domain to acquire Block 242, Lot 1:
8 Additional Lots 2, 3, 4 and 11, Block 242, Lot 5:
9 Additional Lot 6 and Block 242, Lot 7, AKA 4100
10 Palisade Avenue in the City of Union City.

11 MAYOR STACK: I'll move it.

12 MS. ROSARIO: Motion to introduce by
13 Mayor Stack.

14 COMMISSIONER VALDIVIA: Second.

15 MS. ROSARIO: Second by Commissioner
16 Valdivia.

17 Commissioner Fernandez.

18 COMMISSIONER FERNANDEZ: Yes.

19 MS. ROSARIO: Commissioner Valdivia.

20 COMMISSIONER VALDIVIA: Yes.

21 MS. ROSARIO: Mayor Stack.

22 MAYOR STACK: Yes.

23

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

CONSENT AGENDA:

(1) Payment of Claims.

(2) Resolution Approving the Payment of
Concurrent Claims.

(3) Resolution Approving the Escrow Refunds.

(4) Resolution Approving the City Payroll
January 14, 2023, Through January 27, 2023.

(5) Resolution Approving the Library Payroll
January 14, 2023 Through January 27, 2023.

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

(7) Resolution Authorizing Premium Monies
Collected At the Tax Sale.

(8) Resolution Authorizing the Refund of
Duplicate Payments.

(9) Resolution Approving the 2022-2023 Renewal
of Liquor License Number 0910-33-001-011 Issued to
Four Amigos Restaurant, LLC T/a Mi Bandera
Restaurant.

(10) Resolution Accepting 2021 Byrne Justice
Assistance Grant (JAG) Program Award.

(11) Resolution Authorizing Emergency Purchase of
Audio Recording Equipment For Municipal Court.

(12) Resolution Authorizing the Placement of a
Lien on the Property Known As 319 37th Street,

1 Union City, New Jersey, Block 215, Lot 25 in the
2 City of Union City Union For Tenant Relocation
3 Costs.

4 (13) Resolution Authorizing the Placement of a
5 Lien on the Property Known As 420 Tournade Place,
6 Union City, Block 61.02, Lot 27 in the City of
7 Union City For Tenant Relocation Costs.

8 (14) Resolution Authorizing the Placement of a
9 Lien on the Property Known As 718 14th Street,
10 Union City, Block 70, Lot 25 in the City of Union
11 City For Emergency Repair Costs.

12 (15) Resolution Authorizing the Placement of a
13 Lien on the Property Known As 626 31st Street, in
14 Union City, Block 171, Lot 30 in the City of Union
15 City For Emergency Repair Costs.

16 (16) Resolution Authorizing Submission of a
17 Strategic Plan For the Union City Municipal
18 Alliance Grant Pursuant to the Governor's Council
19 on Alcoholism and Drug Abuse Grant Cycle From
20 July 1, 2023, Through June 30, 2024.

21 (17) Resolution Authorizing the Submission of an
22 Application For the DMHAS Youth Leadership Grant
23 Funding For the Union City Municipal Alliance For
24 the Grant Cycle September 1, 2023, Through
25 September 30, 2025.

1 (18) Resolution Accepting 2022 Byrne Justice
2 Assistance Grant (JAG) Program Award.

3 (19) Resolution Rejecting All Bids For
4 Landscaping Maintenance Services For 2023 and
5 Authorizing a Rebid.

6 (20) Resolution to Appoint a Regular Member to
7 the Zoning Board of Adjustment For the City of
8 Union City.

9 (21) Resolution Authorizing Colliers Engineering
10 and Design to Advertise For the Receipt of Bids
11 For the Bergenline Avenue Phase II Project From
12 37th Street to 43rd Street.

13 (22) Resolution of the City of Union City, County
14 of Hudson, New Jersey, Authorizing the Issuance of
15 \$850,000 of Affordable Housing Trust Fund Money to
16 720 8th Street Union City, LP, For the Development
17 of an Affordable Housing Project.

18 (23) Resolution of the City of Union City, County
19 of Hudson, New Jersey, Authorizing the Grant of a
20 Tax Exemption and the Execution of an Agreement
21 For Payment in Lieu of Taxes With 720 8th Street
22 Union City LP, Pursuant to N.J.S.A. 55:14K-1 Et
23 Seq.)

24
25 MS. ROSARIO: There are 23 items on the

1 consent agenda.

2 One, payment of claims.

3 Two, resolution approving the payment of
4 concurrent claims.

5 Three, resolution approving the escrow
6 refunds.

7 Four, resolution approving the City
8 payroll January 14, 2023, through January 27,
9 2023.

10 Five, resolution approving the library
11 payroll January 14, 2023 through January 27, 2023.

12 Six, resolution authorizing refund of
13 redemption monies to outside lienholders.

14 Seven, resolution authorizing premium
15 monies collected at the tax sale.

16 Eight, resolution authorizing the refund
17 of duplicate payments.

18 Nine, resolution approving the 2022-2023
19 renewal of liquor license number 0910-33-001-011
20 issued to Four Amigos Restaurant, LLC t/a Mi
21 Bandera Restaurant.

22 Ten, resolution accepting 2021 Byrne
23 Justice Assistance Grant (JAG) program award.

24 Eleven, resolution authorizing emergency
25 purchase of audio recording equipment for

1 municipal court.

2 Twelve, resolution authorizing the
3 placement of a lien on the property known as 319
4 37th Street, Union City, New Jersey, Block 215,
5 Lot 25 in the City of Union City union for tenant
6 relocation costs.

7 Thirteen, resolution authorizing the
8 placement of a lien on the property known as 420
9 Tournade Place, Union City, Block 61.02, Lot 27 in
10 the City of Union City for tenant relocation
11 costs.

12 Fourteen, resolution authorizing the
13 placement of a lien on the property known as 718
14 14th Street, Union City, Block 70, Lot 25 in the
15 City of Union City for emergency repair costs.

16 Fifteen, resolution authorizing the
17 placement of a lien on the property known as 626
18 31st Street, in Union City, Block 171, Lot 30 in
19 the City of Union City for emergency repair costs.

20 Sixteen, resolution authorizing
21 submission of a strategic plan for the Union City
22 Municipal Alliance Grant pursuant to the
23 governor's council on Alcoholism and Drug Abuse
24 Grant Cycle from July 1, 2023, through June 30,
25 2024.

1 Seventeen, resolution authorizing the
2 submission of an application for the DMHAS youth
3 leadership grant funding for the Union City
4 Municipal Alliance for the grant cycle
5 September 1, 2023, through September 30, 2025.

6 Eighteen, resolution accepting 2022
7 Byrne Justice Assistance grant (JAG) program
8 award.

9 Nineteen, resolution rejecting all bids
10 for landscaping maintenance services for 2023 and
11 authorizing a rebid.

12 Twenty, resolution to appoint a regular
13 member to the zoning board of adjustment for the
14 City of Union City.

15 Twenty-one, resolution authorizing
16 Colliers Engineering and Design to advertise for
17 the receipt of bids for the Bergenline Avenue
18 phase II project from 37th Street to 43rd Street.

19 Twenty-two, resolution of the City of
20 Union City, County of Hudson, New Jersey,
21 authorizing the issuance of \$850,000 of affordable
22 housing trust fund money to 720 8th Street Union
23 City, LP, for the development of an affordable
24 housing project.

25 Twenty-three, resolution of the City of

1 Union City, County of Hudson, New Jersey,
2 authorizing the grant of a tax exemption and the
3 execution of an agreement for payment in lieu of
4 taxes with 720 8th Street Union City LP, pursuant
5 to N.J.S.A. 55:14K-1 et seq.

6 MAYOR STACK: Just on number 22, Hilda,
7 who put that on the agenda, 22 and 23? Was that
8 done by Brian Chewcaskie?

9 MR. AUTERI: That's correct, Mayor.

10 MAYOR STACK: Okay.

11 MS. ROSARIO: Mayor, would you like to
12 take public comment?

13 MAYOR STACK: Anyone wishing to comment
14 on the consent agenda, please step forward, state
15 your name and address for the record. That was on
16 the agenda just read into the record by the clerk.
17 Seeing none, I'll make the motion to close the
18 public hearing.

19 MS. ROSARIO: Motion made by Mayor
20 Stack.

21 COMMISSIONER FERNANDEZ: Second.

22 MS. ROSARIO: Session by Commissioner
23 Fernandez.

24 Commissioner Fernandez.

25 COMMISSIONER FERNANDEZ: Yes.

1 MS. ROSARIO: Commissioner Valdivia.

2 COMMISSIONER VALDIVIA: Yes.

3 MS. ROSARIO: Mayor Stack.

4 MAYOR STACK: Yes.

5 MS. ROSARIO: Mayor recuses from
6 payments to Chasan, Lamparello and Mallon. Motion
7 to approve all items on the consent agenda.

8 COMMISSIONER VALDIVIA: Motion.

9 MAYOR STACK: Second.

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

12 Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Yes.

14 MS. ROSARIO: Commissioner Valdivia.

15 COMMISSIONER VALDIVIA: Yes.

16 MS. ROSARIO: Mayor Stack.

17 MAYOR STACK: Yes.

18

19 (Whereupon, the Board discussed and too
20 action on the following item:

21

22 **REGULAR AGENDA:**

23 1. Resolution for the payment of claims to the
24 Union City Board of Education.)

25

1 MS. ROSARIO: We have one item on the
2 regular agenda. It's the resolution for payment
3 of claims to the Union City Board of Education.

4 MAYOR STACK: I'll move it.

5 MS. ROSARIO: Moved by Mayor Stack.

6 MR. AUTERI: The Board is invoking the
7 doctrine of necessity to move this item.

8 MS. ROSARIO: Second?

9 COMMISSIONER VALDIVIA: Second.

10 MS. ROSARIO: Second by Commissioner
11 Valdivia.

12 Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Yes.

14 MS. ROSARIO: Commissioner Valdivia.

15 COMMISSIONER VALDIVIA: 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 on any matter
23 concerning --

24 MAYOR STACK: Anyone wishing to comment
25 on any matter concerning municipal government in

1 the City of Union City, please step forward, state
2 your name and address for the record. Seeing
3 none.

4 MS. ROSARIO: Motion?

5 MAYOR STACK: Close.

6 MS. ROSARIO: By Mayor Stack.

7 COMMISSIONER VALDIVIA: Second.

8 MS. ROSARIO: Second by Commissioner
9 Valdivia.

10 Commissioner Fernandez.

11 COMMISSIONER FERNANDEZ: Yes.

12 MS. ROSARIO: Commissioner Valdivia.

13 COMMISSIONER VALDIVIA: Yes.

14 MS. ROSARIO: Mayor Stack.

15 MAYOR STACK: Yes.

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LIQUOR LICENSE HEARINGS:

1. Crave 43, LLC

T/a Crave 43

120 43rd Street

0910-33-029-010

2. Agave Restaurant, LLC

T/a Agave Restaurant

4317 Bergenline Avenue

0910-33-052-007

3. Salvadorian Bar & Restaurant, LLC

T/a El Centro Americano Bar Y Restaurant

4212 New York Avenue

0910-33-051-006

4. Sai Prasad, Inc.

T/a Bergenline Liquors

3819 Bergenline Avenue

0910-32-066-004

5. JRV Restaurant, Inc.

T/a El Papaturre

1018 Summit Avenue

0910-33-137-005

1 **1. Salvadorian Bar & Restaurant, LLC**
2 **T/a El Centro Americano Bar Y Restaurant**
3 **4212 New York Avenue**
4 **0910-33-051-006**

5
6 MAYOR STACK: Liquor license hearings,
7 Mr. Gonzalez, if you could step forward.

8 MR. GONZALEZ: Thank you. Good evening.
9 For the record, my name is Raymond Gonzalez,
10 G-O-N-Z-A-E-L-E-Z, on behalf of the Union City
11 ABC. Also present is Lieutenant Dunlay and
12 Sergeant Zeron.

13 We have several matters that are on for
14 today, all of them are ready for disposition. I'd
15 like to go a little bit out of order because we're
16 still waiting for one person and one individual's
17 attorney. So I think if we can move to Item 3,
18 Salvadorian Bar and Restaurant, they're
19 represented by Anthony Bianciella.

20 MAYOR STACK: Sure.

21 MR. BIANCIELLA: Good evening, Mayor,
22 Commissioners.

23 MAYOR STACK: If you could state your
24 name for the record.

25 MR. BIANCIELLA: Anthony Bianciella,

1 B-I-A-N-C-I-E-L-L-A.

2 MR. GONZALEZ: This is a matter that
3 happened on the 11th of December of last year.
4 The participants inside the bar became somewhat
5 disruptive and I did see in the video and I
6 believe Detective Dunlay who provided to me also
7 confers that the owner tried to quell the
8 situation, it spilled out into the street and the
9 police had to be called.

10 In speaking with their attorney, we've
11 reached a resolution where it would be a ten day
12 suspension, five of them will be held in abeyance.
13 They've agreed that they would be closed from
14 April 3rd until April 7th and returning back to
15 being open on April 8th.

16 MAYOR STACK: Okay. I'll make a motion
17 to approve.

18 MS. ROSARIO: Motion made by Mayor
19 Stack.

20 COMMISSIONER FERNANDEZ: Second.

21 MS. ROSARIO: Second by Commissioner
22 Fernandez.

23 Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: Yes.

25 MS. ROSARIO: Commissioner Valdivia.

1 COMMISSIONER VALDIVIA: Yes.

2 MS. ROSARIO: Mayor Stack.

3 MAYOR STACK: Yes.

4 MR. BIANCIELLA: Thank you, Mayor.

5 MR. GONZALEZ: Thank you.

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1 **2. Said Prasad, Inc.**
2 **T/a Bergenline Liquors**
3 **3819 Bergenline Avenue**
4 **0910-32-066-004**
5 **(Anthony Sarsano, Esq.)**

6
7 MR. GONZALEZ: The next matter is number
8 4, Bergenline Liquors, they are represented by Mr.
9 Sarsano.

10 MR. GONZALEZ: This is a situation that
11 was on two weeks ago before the Board. There was
12 some violations for the camera where they were
13 blocked and they couldn't be seen. From that
14 period of time when we appeared, there was another
15 incident that occurred on January 24th of this
16 year. That involved a brawl, it spilled into the
17 back. There was some broken cabinets and the
18 police had to respond.

19 More importantly, based on the
20 investigation, this brawl happened after 2:00,
21 probably about 2:15, but it's way after when they
22 should have been closed. In speaking with Mr.
23 Sarsano, we have proposed a 25 day suspension,
24 they have agreed. It would be consecutive, it
25 would start March 13th through April 6th.

1 MAYOR STACK: Mr. Sarsano, did you enter
2 your appearance?

3 MR. SARSANO: No. For the record my
4 name is Anthony Sarsano. I represent the licensee
5 in this matter.

6 MAYOR STACK: Is the licensee here?

7 MR. SARSANO: No. His wife is in labor.

8 MAYOR STACK: From now -- I understand
9 today, I understand the situation. But they have
10 to show up, Mr. Gonzalez. Going forward.

11 MR. GONZALEZ: I understand.

12 MAYOR STACK: This is place should be on
13 notice that they're being watched and there's a
14 lot of issues at this location.

15 MR. SARSANO: I understand, Mr. Mayor.

16 MAYOR STACK: I'll make a motion to
17 approve.

18 MS. ROSARIO: Motion made by Mayor
19 Stack.

20 COMMISSIONER VALDIVIA: Second.

21 MS. ROSARIO: Second by Commissioner
22 Valdivia.

23 Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: I'm going to
25 abstain, but based on the doctrine of necessity, I

1 have to vote. Yes.

2 MS. ROSARIO: Commissioner Valdivia.

3 COMMISSIONER VALDIVIA: Yes.

4 MS. ROSARIO: Mayor Stack.

5 MAYOR STACK: Yes.

6 MR. GONZALEZ: Thank you.

7 MR. SARSANO: Thank you.

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1 **3. JRV Restaurant, Inc.**

2 **T/a El Papaturro**

3 **1018 Summit Avenue**

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

5
6 MR. GONZALEZ: The next matter is Number
7 5, El Papaturro, JRV Restaurant, Inc.

8 MR. CLAROS: Good evening. My name is
9 Juan Claros.

10 MR. GONZALEZ: Mr. Claros, just to be
11 clear, you speak English and do not need an
12 interpreter; is that correct?

13 MR. CLAROS: Correct.

14 MR. GONZALEZ: Okay. This gentleman
15 came to the meeting where we proposed a
16 suspension. The proposed suspension was 20 days.
17 He has, in fact, agreed to it. He would be found
18 guilty of the brawl that occurred there. He's
19 just requested that the suspension run from
20 April 4th to the 24th.

21 I did explain to him that he has the
22 opportunity to get an attorney, I gave him that
23 opportunity two times and he explained to me he
24 does not want to. He wishes to proceed without an
25 attorney; is that correct, sir?

1 MR. CLAROS: That's correct.

2 MAYOR STACK: You understood everything
3 that Mr. Gonzalez said?

4 MR. CLAROS: Yes. Just one thing, from
5 the 4th to the 23rd is 20 days.

6 LIEUTENANT DUNLAY: You would open the
7 24th.

8 MAYOR STACK: I make a motion to
9 approve.

10 COMMISSIONER FERNANDEZ: Second.

11 MS. ROSARIO: Motion made by Mayor
12 Stack, second by Commissioner Fernandez.

13 Commissioner Fernandez.

14 COMMISSIONER FERNANDEZ: Yes.

15 MS. ROSARIO: Commissioner Valdivia.

16 COMMISSIONER VALDIVIA: Yes.

17 MS. ROSARIO: Mayor Stack.

18 MAYOR STACK: Yes.

19 MR. CLAROS: Thank you. Good night.

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1 **4. Agave Restaurant, LLC**
2 **T/a Agave Restaurant**
3 **4317 Bergenline Avenue**
4 **0910-33-052-007**
5 **Ciro Mederos, Esq.**

6
7 MR. GONZALEZ: Another matter that we
8 have Agave Restaurant, LLC, they're located at
9 4317 Bergenline, they're present. They are
10 represented by Ciro Mederos. I talked to him
11 today, I did explain what time the meeting was. I
12 don't see him here. The proposed resolution to
13 this is five days, which would be held in abeyance
14 because it was a camera violation. Not that they
15 didn't have cameras, it's just that the memory on
16 the camera was only 30 days. They have since
17 brought it up to what is required, which is
18 60 days. And Lieutenant Dunlay has actually gone
19 to do the inspection to confirm that they
20 fulfilled --

21 MAYOR STACK: But they are represented
22 by an attorney?

23 MR. GONZALEZ: But they are represented
24 by an attorney.

25 MAYOR STACK: Let's adjourn it until the

1 next meeting.

2 MR. GONZALEZ: That's the second time.

3 MAYOR STACK: Let Mr. Mederos know the
4 next one, we're going to proceed without him.

5 MR. GONZALEZ: The last matter is Crave
6 43, LLC. I spoke with them about 15 minutes ago
7 and they were at the wrong location. They were on
8 their way here. They said they will be here in
9 about 10 minutes. I don't know if you want to
10 carry it to the next meeting?

11 MAYOR STACK: We'll carry it to the next
12 meeting.

13 MR. GONZALEZ: That's all the matters we
14 have then.

15 MAYOR STACK: Thank you very much.

16 MS. ROSARIO: Motion by Commissioner
17 Fernandez.

18 LEFT2: I had an emergency it wasn't
19 anything -- Mr. Mayor --

20 MAYOR STACK: What do you want to do,
21 Ray?

22 MR. GONZALEZ: If you want to put it --

23 MAYOR STACK: I don't want to
24 inconvenience his client, they're walking out.

25 MR. GONZALEZ: I think maybe under the

1 circumstances, since it is going to be a matter
2 that's going to be held in abeyance, it's five
3 days, held in abeyance. They've corrected the
4 situation. Detective Dunlay has confirmed it's
5 been fixed.

6 MAYOR STACK: This is Agave Restaurant?

7 MR. GONZALEZ: It is.

8 MAYOR STACK: Okay. Mr. Mederos, you
9 represent Agave Restaurant.

10 MR. MEDEROS: Yes, I do, your Honor.
11 And, Mayor, for the record, this was an issue with
12 the contractor that he had hired, it wasn't a
13 willing disobedience of the statute or the
14 ordinance. The person he hired didn't do the
15 right thing.

16 MAYOR STACK: Okay.

17 MR. MEDEROS: He's a hard working
18 business person in the city, Mayor, and I think
19 that the record shows that he has had no real
20 problems in the way he's running --

21 MR. GONZALEZ: I think that's why we're
22 providing him the benefit of doubt and not closing
23 him.

24 MAYOR STACK: Exactly. I'll make a
25 motion to approve. So the days would be held in

1 abeyance?

2 MR. GONZALEZ: That's correct for one
3 year.

4 COMMISSIONER FERNANDEZ: Second.

5 MS. ROSARIO: Motion made by Mayor
6 Stack, second by Commissioner Fernandez.

7 Commissioner Fernandez.

8 COMMISSIONER FERNANDEZ: Yes.

9 MS. ROSARIO: Commissioner Valdivia.

10 COMMISSIONER VALDIVIA: Yes.

11 MS. ROSARIO: Mayor Stack.

12 MAYOR STACK: Yes.

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ADJOURNMENT :

MS. ROSARIO: Motion to adjourn.

MAYOR STACK: Motion.

COMMISSIONER FERNANDEZ: Second.

MS. ROSARIO: Motion by Mayor Stack,
second by Commissioner Fernandez.

All in favor?

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

(Whereupon the meeting was adjourned at
7:22 p.m.)

1

Brian P. Stack

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Lucio P. Fernandez

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Celin J. Valdivia

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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
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