

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

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

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

Tuesday, February 6, 2024
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

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

HILDA ROSARIO, City Clerk

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

ANNA NORIS, ESQUIRE
Attorney for R & J Supermarket Corp.

ANNA NORIS, ESQUIRE
Attorney for Maria Mentiras Bar & Grill

ANTHONY SARSANO, ESQUIRE
Attorney for Ceviche Time, LLC

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1 MS. ROSARIO: Please stand for the
2 Pledge of Allegiance.

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

6
7 MS. ROSARIO: This is a regular public
8 meeting of the Union City Board of Commissioners.

9 MAYOR STACK: Everyone, if we could just
10 have everyone's attention? Thank you, everyone,
11 for being here. Hilda, the clerk, will be reading
12 the agenda.

13 MS. ROSARIO: This is a regular public
14 meeting of the Union City Board of Commissioners
15 being held on Tuesday, February 6, 2024, at
16 7:00 p.m. at the Jose Marti Freshman Academy at
17 1800 Summit Avenue in Union City, 07087.

18 The meeting has been called in
19 accordance with the Open Public Meetings Act.
20 Adequate notice of this meeting has been provided,
21 was forwarded to The Jersey Journal and The
22 Record, has been posted on the bulletin board in
23 the City Hall and has been made available to the
24 public in the office of the municipal clerk.

25

ROLL CALL:

MS. ROSARIO: Commissioner Fernandez.

COMMISSIONER FERNANDEZ: Here.

MS. ROSARIO: Commissioner Grullon.

COMMISSIONER GRULLON: Here.

MS. ROSARIO: Commissioner Valdivia.

COMMISSIONER VALDIVIA: Here.

MS. ROSARIO: Commissioner Martinetti.

COMMISSIONER MARTINETTI: Here.

MS. ROSARIO: Mayor Stack.

MAYOR STACK: Here.

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

ORDINANCE FOR INTRODUCTION:

1. AN ORDINANCE OF THE CITY OF UNION CITY, COUNTY OF HUDSON, NEW JERSEY, APPROPRIATING THE SUM OF \$650,000 IN FUNDING FROM THE CAPITAL IMPROVEMENT FUND FOR THE COMPLETION OF VARIOUS PARK IMPROVEMENTS.)

MS. ROSARIO: The first on item on the agenda is an ordinance for introduction. Adoption on first reading authorizes the municipal clerk to

1 advertise the ordinance with a notice of the
2 introduction, together with a notice of the time
3 and place where the ordinance will be considered
4 for the final passage. The ordinance will be
5 further considered at a meeting of the Board of
6 Commissioners to be held on Tuesday, February 20,
7 2024, at the Bruce D. Walter Recreation Center at
8 507 West Street in Union City at 7:00 p.m.

9 The ordinance will be an ordinance of
10 the City of Union City, County of Hudson, New
11 Jersey, appropriating the sum of \$650,000 in
12 funding from the capital improvement fund for the
13 completion of various park improvements.

14 May I have a motion to introduce?

15 COMMISSIONER VALDIVIA: Motion.

16 MS. ROSARIO: Motion made by
17 Commissioner Valdivia.

18 COMMISSIONER MARTINETTI: Second.

19 MS. ROSARIO: Second by Commissioner
20 Martinetti.

21 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 items in total:

9 **CONSENT AGENDA:**

10 (1) Resolution Approving the Payment of Claims.

11 (2) Resolution Approving the Payment of
12 Concurring Claims.

13 (3) Resolution Approving the Escrow Refunds.

14 (4) Resolution Approving the City Payroll From
15 January 6, 2024 Through January 19, 2024.

16 (5) Resolution Approving the Library Payroll
17 From January 6, 2024, Through January 19, 2024.

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

20 (7) Resolution Authorizing the Refund of Premium
21 Monies Collected At the Tax Sale.

22 (8) Resolution Amending Resolution #12/28-6 on
23 the Israeli-Palestinian Conflict and Calling For
24 Permanent Ceasefire and Immediate Release of All
25 Hostages.

(9) Resolution Authorizing Submission of a Strategic Plan For the Union City Municipal Alliance Grant Pursuant to the Governor's Council on Alcoholism and Drug Abuse.

(10) Resolution Authorizing the Submission/Acceptance of an Application to the New Jersey Urban Enterprise Zone Authority to Pursue a Five Year Strategic Plan.

(11) Resolution of the Board of Commissioners of the City of Union City, County of Hudson, New Jersey, Authorizing the Issuance and Sale of Up to \$6,819,000 of Emergency Notes of the City of Union City (Federally Taxable) and Authorizing Such Further Actions and Making Such Determination As May Be Necessary Or Appropriate to Effectuate the Issuance and Sale of the Notes.

(12) Resolution of the Board of Commissioners of the City of Union City, in the County of Hudson, New Jersey, Authorizing the Issuance and Sale of Its Special Emergency Notes, Series A of 2024 (Federally Taxable) in the Principal Amount of Up to \$968,000; and Authorizing Such Further Actions and Making Such Determinations As May Be Necessary Or Appropriate to Effectuate the Issuance and Sale of Said Special Emergency Notes.

1 (13) Resolution Authorizing the Placement of a
2 Lien on the Property Known As 201 39th Street in
3 Union City, New Jersey, 07087, Block 227, Lot 20
4 in the City of Union City For Emergency Repair
5 Costs.

6 (14) Resolution Authorizing the Placement of a
7 Lien on the Property Known As 2200 Bergenline
8 Avenue in Union City, New Jersey, 07087, Block
9 124, Lot 1 in the City of Union City For Emergency
10 Repair Costs.

11 (15) Resolution Approving to Submit a Grant
12 Application and Execute a Grant Contract With the
13 New Jersey Department of Transportation For the
14 Hudson Avenue Improvement Projects.

15 (16) Resolution to Amend Contract With Heyer
16 Gruel & Associates For Special Projects Planner
17 Services For 2024.

18 (17) Resolution to Amend Contract For Planning
19 Consultant Services For Affordable Housing Matters
20 For 2024.

21 (18) Resolution Authorizing Contracts For
22 Municipal Public Defender Services For the City of
23 Union City 2024.

24 (19) Resolution Authorizing Payment to Frank
25 Macchione Construction, Inc., For Emergency

1 Pothole Repairs Throughout the City of Union City.

2 (20) Resolution Amending Resolution #1/23-25
3 Authorizing Newspaper Publications Utilized By the
4 City of Union City For 2024.

5 (21) Resolution Authorizing Payment to A&J
6 Contractors Group, Inc., For Emergency Sidewalk
7 Repairs and Bollard Replacement At Various
8 Locations Throughout the City of Union City.

9 (22) Resolution Authorizing Payment to A&J
10 Contractors Group, Inc., For Emergency Repairs At
11 48th Street and Park Avenue in the City of Union
12 City.

13 (23) Resolution to Reappoint Hilda Rosario As
14 Acting Municipal Clerk.)

15

16 MS. ROSARIO: There are 23 items on the
17 consent agenda.

18 One, resolution approving the payment of
19 claims.

20 Two, resolution approving the payment of
21 concurring claims.

22 Three, resolution approving the escrow
23 refunds.

24 Four, resolution approving the city
25 payroll from January 6, 2024 through January 19,

1 2024.

2 Five, resolution approving the library
3 payroll from January 6, 2024, through January 19,
4 2024.

5 Six, resolution authorizing refund of
6 redemption monies to outside lienholders.

7 Seven, resolution authorizing the refund
8 of premium monies collected at the tax sale.

9 Eight, resolution amending resolution
10 #12/28-6 on the Israeli-Palestinian conflict and
11 calling for permanent ceasefire and immediate
12 release of all hostages.

13 Nine, resolution authorizing submission
14 of a strategic plan for the Union City Municipal
15 Alliance grant pursuant to the governor's council
16 on alcoholism and drug abuse.

17 Ten, resolution authorizing the
18 submission/acceptance of an application to the New
19 Jersey Urban Enterprise Zone Authority to pursue a
20 five year strategic plan.

21 Eleven, resolution of the Board of
22 Commissioners of the City of Union City, County of
23 Hudson, New Jersey, authorizing the issuance and
24 sale of up to \$6,819,000 of emergency notes of the
25 City of Union City (federally taxable) and

1 authorizing such further actions and making such
2 determination as may be necessary or appropriate
3 to effectuate the issuance and sale of the notes.

4 Twelve, resolution of the Board of
5 Commissioners of the City of Union City, in the
6 County of Hudson, New Jersey, authorizing the
7 issuance and sale of its special emergency notes,
8 Series A of 2024 (federally taxable) in the
9 principal amount of up to \$968,000; and
10 authorizing such further actions and making such
11 determinations as may be necessary or appropriate
12 to effectuate the issuance and sale of said
13 special emergency notes.

14 Thirteen, resolution authorizing the
15 placement of a lien on the property known as 201
16 39th Street in Union City, New Jersey, 07087,
17 Block 227, Lot 20 in the City of Union City for
18 emergency repair costs.

19 Fourteen, resolution authorizing the
20 placement of a lien on the property known as 2200
21 Bergenline Avenue in Union City, New Jersey,
22 07087, Block 124, Lot 1 in the City of Union City
23 for emergency repair costs.

24 Fifteen, resolution approving to submit
25 a grant application and execute a grant contract

1 with the New Jersey Department of Transportation
2 for the Hudson Avenue improvement projects.

3 Sixteen, resolution to amend contract
4 with Heyer Gruel & Associates for special projects
5 planner services for 2024.

6 Seventeen, resolution to amend contract
7 for planning consultant services for affordable
8 housing matters for 2024.

9 Eighteen, resolution authorizing
10 contracts for municipal public defender services
11 for the City of Union City 2024.

12 Nineteen, resolution authorizing payment
13 to Frank Macchione Construction, Inc., for
14 emergency pothole repairs throughout the City of
15 Union City.

16 Twenty, resolution amending resolution
17 #1/23-25 authorizing newspaper publications
18 utilized by the City of Union City for 2024.

19 Twenty-one, resolution authorizing
20 payment to A&J Contractors Group, Inc., for
21 emergency sidewalk repairs and bollard replacement
22 at various locations throughout the City of Union
23 City.

24 Twenty-two, resolution authorizing
25 payment to A&J Contractors Group, Inc., for

1 emergency repairs at 48th Street and Park Avenue
2 in the City of Union City.

3 Twenty-three, resolution to reappoint
4 Hilda Rosario as acting Municipal Clerk.

5 Mayor recuses from payments to Chasan,
6 Lamparello and Mallon.

7 Mayor, at this time would you like to
8 take public comment on the consent agenda?

9 MAYOR STACK: Sure. First, I would just
10 like to thank Hilda for the job you're doing as
11 clerk and your reappointment as our acting clerk.
12 Thank you very much on behalf of the Commissioners
13 and myself.

14 At this point, anyone wishing to
15 comment -- this is just on the consent agenda,
16 that's the agenda that was read into the record
17 right now. Anyone wishing to comment on the
18 agenda --

19 MR. TRUTH: I would.

20 MAYOR STACK: Come up right over here,
21 sir.

22 MR. TRUTH: Do you have a microphone?
23 No one can hear. Is there a microphone anyone
24 has?

25 MAYOR STACK: You can begin.

1 MR. TRUTH: All right. Consent agenda,
2 item number one --

3 THE COURT REPORTER: Can I get your name
4 first, please?

5 MR. TRUTH: Leroy Truth, Leroy Truth
6 Investigations, please subscribe to my YouTube
7 channel.

8 (Public address announcement.)

9 MR. TRUTH: So resolution -- and hello,
10 Mayor Stack, how are you?

11 In resolution approving the payment of
12 claims. Now, Mayor Stack, when it comes to paying
13 out money, how much money did Union City receive
14 in 2022 in transitional aid from the State of New
15 Jersey a/k/a New Jersey taxpayers? And do you
16 know how much that is, Mayor Stack?

17 He's ignoring my question here. So
18 don't bother, you received \$22.5 million due to
19 the fact that you cannot balance your own budget.
20 As a matter of fact, half of all the money in your
21 budget came from outside sources.

22 Now, Mayor Stack, by entering into
23 agreement with state taxpayers to balance your
24 budget, did you not agree to state oversight and
25 elimination of waste from spending? That's a

1 question for you, Mr. Stack.

2 MR. AUTERI: The Board's not required to
3 respond to the comments.

4 AUDIENCE MEMBER: We like the way the
5 City looks.

6 (Applause from the audience.)

7 MAYOR STACK: Please allow him to
8 finish, thank you.

9 MR. TRUTH: Mayor Stack, could you
10 control your people who you've stacked the meeting
11 with?

12 MAYOR STACK: I just asked them.
13 Please, everyone, please, just let him finish.

14 MR. TRUTH: Thank you. And I reclaim my
15 time as well. I lost 30 seconds, I reclaim that
16 time.

17 Now, when you first entered into the
18 agreement back in 2001, Union City received
19 \$3 million in aid with the goal of getting Union
20 City in fiscal responsibility 24 years later. By
21 my estimation, and my investigation, state
22 taxpayers have funded Union City with distress aid
23 to the tune of over \$200 million --

24 AUDIENCE MEMBER: Come on, Stack.

25 MR. TRUTH: -- please control your

1 people here, Stack. Clearly you've done nothing
2 to control spending and you're taking advantage of
3 state taxpayers.

4 Now, Mayor, how to you justify spending
5 \$273,549 on Port a Johns? Did the state approve
6 the spending? Is it not true some of those
7 expenses related to the fact that rather than use
8 public buildings on election day, you set up
9 voting trailers?

10 Mayor, how do you justify \$140,334 on
11 election trailers on election day? Did the state
12 approve this? Why can you not use public
13 buildings, like this, like every other
14 municipality does?

15 (Public address announcement.)

16 MR. TRUTH: I reclaim one minute of
17 time.

18 MAYOR STACK: Please continue.

19 MR. TRUTH: Now, why do you need
20 trailers for voting, Mayor Stack? Why can't you
21 use public --

22 MAYOR STACK: This is on the consent
23 agenda. This is the consent agenda.

24 MR. AUTERI: That's right, your comments
25 should be limited to --

1 MAYOR STACK: Your comments are not --

2 MR. TRUTH: Mayor Stack --

3 MAYOR STACK: -- on the consent agenda.

4 MR. TRUTH: -- you made \$113,666 --

5 MAYOR STACK: Please keep your comments
6 on the consent agenda.

7 (Audience interruption.)

8 MR. TRUTH: Control your people.

9 MAYOR STACK: Please, everyone.

10 Keep your comments on the consent
11 agenda.

12 MR. TRUTH: This has all to do with
13 consent agenda item one.

14 MAYOR STACK: Comments on the consent
15 agenda. Stop the rhetoric.

16 MR. TRUTH: Mayor Stack.

17 MAYOR STACK: Stop the rhetoric.

18 MR. TRUTH: -- you paid \$113,666 for
19 party rentals, I assume for parties. Do you think
20 it is right that you cry poverty and you are
21 throwing parties at the expense of the state
22 taxpayers?

23 MAYOR STACK: Worry about Staten Island,
24 New York.

25 (Audience interruption.)

1 MAYOR STACK: Guys, everybody, please,
2 keep it down. Everybody will have an opportunity.

3 MR. TRUTH: Mayor Stack, you paid
4 another --

5 MR. AUTERI: Sir, this comment portion
6 is limited to the consent agenda. We will have
7 you removed if you continue.

8 MR. TRUTH: This is all based upon the
9 item number one.

10 MAYOR STACK: This is on the consent
11 agenda.

12 MR. TRUTH: Yes.

13 MAYOR STACK: Specifically, the consent
14 agenda.

15 MR. TRUTH: -- payment of claims in
16 the --

17 MAYOR STACK: Let the record reflect
18 this individual is not speaking on the consent
19 agenda.

20 (Audience interruption.)

21 MAYOR STACK: Make sure it's all
22 documented, everything, Angelo.

23 MR. TRUTH: Union City paid Grace
24 Theatre Workshop \$24,000.

25 MAYOR STACK: Angelo, where are we at

1 with time?

2 MR. AUTERI: We're done with time.

3 MAYOR STACK: Your time is up. Sir,
4 you're done. Next person.

5 (Audience interruption.)

6 MR. AUTERI: This is for the public
7 comment on the consent agenda only. We'll have
8 another public comment after.

9 MAYOR STACK: We're on the consent
10 agenda. He's finished with his time. The next
11 person would like to speak on the consent agenda.

12 (Audience interruption.)

13 MAYOR STACK: Please keep it down.
14 Seeing no one, I'll make a motion to close the
15 comment period session.

16 COMMISSIONER GRULLON: Second.

17 MS. ROSARIO: Motion made by Mayor
18 Stack, second by Commissioner Grullon.

19 MAYOR STACK: Please keep it down.
20 Please keep your voices down. Let's keep decorum
21 of the meeting, please, everyone. Any other
22 comments on the consent, seeing no other comments
23 on the consent agenda, that's the agenda just read
24 into the record by the clerk, the gentlemen
25 violated that, but no issue. We'll go on. No

1 other comment on the consent agenda, I'll make a
2 motion to close the comment period on the consent
3 agenda.

4 COMMISSIONER MARTINETTI: Second.

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

7 Commissioner Fernandez.

8 COMMISSIONER FERNANDEZ: Yes.

9 MS. ROSARIO: Commissioner Gullon.

10 COMMISSIONER GRULLON: Yes.

11 MS. ROSARIO: Commissioner Valdivia.

12 COMMISSIONER VALDIVIA: Yes.

13 MS. ROSARIO: Commissioner Martinetti.

14 COMMISSIONER MARTINETTI: Yes.

15 MS. ROSARIO: Mayor Stack.

16 MAYOR STACK: Yes.

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

19 COMMISSIONER VALDIVIA: Motion.

20 COMMISSIONER GRULLON: Second.

21 MS. ROSARIO: Motion made by
22 Commissioner Valdivia. Second by Commissioner
23 Gullon.

24 Commissioner Fernandez.

25 COMMISSIONER FERNANDEZ: Yes.

1 MS. ROSARIO: Commissioner Grullon.

2 COMMISSIONER GRULLON: Yes.

3 MS. ROSARIO: Commissioner Valdivia.

4 COMMISSIONER VALDIVIA: Yes.

5 MS. ROSARIO: Commissioner Martinetti.

6 COMMISSIONER MARTINETTI: Yes.

7 MS. ROSARIO: Mayor Stack.

8 MAYOR STACK: Yes.

9

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

12 **REGULAR AGENDA:**

13 1. Resolution approving payment to the HCIA.)

14

15 MS. ROSARIO: There are two items on the
16 regular agenda.

17 One, resolution approving payment to
18 Hudson County Improvement Authority. Commissioner
19 Martinetti will recuse on this resolution.

20 May I have a motion to approve?

21 MAYOR STACK: Motion.

22 MS. ROSARIO: Motion made by Mayor
23 Stack. Second?

24 COMMISSIONER GRULLON: Second.

25 MS. ROSARIO: By Commissioner Grullon.

1 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: Mayor Stack.

8 MAYOR STACK: Yes.

9

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

12 **REGULAR AGENDA:**

13 2. Resolution approving payment to the Union City
14 Day Care program.)

15

16 MS. ROSARIO: The second item is
17 resolution approving payment to the Union City Day
18 Care program.

19 Mayor will recuse on this resolution.

20 May I have a motion to approve?

21 COMMISSIONER MARTINETTI: Motion.

22 MS. ROSARIO: Motion by Commissioner
23 Martinetti. Second by?

24 COMMISSIONER VALDIVIA: Second.

25 MS. ROSARIO: Commissioner Valdivia.

1 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: Abstain.

11

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

13

14 MS. ROSARIO: Mayor, at this time, would
15 you like to take public comment on any portion of
16 this meeting?

17 MAYOR STACK: Anyone wishing to comment
18 on any matters concerning municipal government in
19 the City of Union City, please step forward, state
20 your name and address for the record. Seeing no
21 other, I'll make a motion to close the public
22 comment period.

23 MS. ROSARIO: Motion made by Mayor
24 Stack.

25 COMMISSIONER MARTINETTI: Second.

1 MS. ROSARIO: Second by Commissioner
2 Martinetti.

3 Commissioner Fernandez.

4 COMMISSIONER FERNANDEZ: Yes.

5 MS. ROSARIO: 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 I'd like to thank those residents that
14 are here this evening. The commissioners and I
15 are very happy to move 100 percent of our meetings
16 throughout the community to give all residents an
17 opportunity to respond and come out and
18 participate in municipal government. We
19 appreciate that very much. This portion of the
20 meeting we're going into now is liquor license.

21 * * * *

22

23

24

25

LIQUOR LICENSE HEARINGS:

1. R & J Supermarket Corp.
t/a La Roca Supermarket
4416 Bergenline Avenue
0910-43-005-003
(Anna Noris, Esq.)
2. Lee Entertainment, LLC
t/a Bandolera
415 43rd Street
0910-33-072-007
3. Crave 43, LLC
t/a Crave 43
120 43rd Street
0910-33-029-010
4. 2216 Bergenline Avenue, LLC
t/a Centro Bar
2216 Bergenline Avenue
0910-33-166-007
5. Ceviche Time, LLC
t/a Ceviche Time by Marcelo
4538 Bergenline Avenue
0910-33-047-005
(Anthony Sarsano, Esq.)
6. El Idolo, LLC
t/a Coromoto Bar & Restaurant
4215 Park Avenue
0910-33-111-008
7. JAI Rancchod, LLC
t/a Good Time Liquors
1314 New York Avenue
0910-44-045-008
8. Maria Mentiras Bar & Grill, LLC
t/a Maria Mentiras Bar & Grill
328 32nd Street
0910-33-030-015
(Anna Noris, Esq.)

1 **1. Lee Entertainment, LLC**
2 **t/a Bandolera**
3 **415 43rd Street**
4 **0910-33-072-007**

5
6 MS. ROSARIO: Mr. Gonzalez.

7 MAYOR STACK: So Mr. Gonzalez is the
8 alcoholic beverage control prosecutor. We'll
9 recognize Lieutenant Dunlay and Sergeant Zeron.

10 MR. GONZALEZ: Good evening, Mayor,
11 Commissioners. For the record, Ramon Gonzalez,
12 G-O-N-Z-A-L-E-Z on behalf of the Union City ABC.
13 R & J Supermarket Corporation, trading as La Roca
14 Supermarket.

15 MAYOR STACK: Just if you can keep your
16 voice up, there's an air conditioning unit that
17 going.

18 MR. GONZALEZ: Exactly. This gentleman
19 is represented by Adolfo Lopez and Anna Noris,
20 they're not here yet, so I would respectfully
21 request that maybe we hold off on that.

22 MAYOR STACK: Sure, we can put it at the
23 end, no problem.

24 MR. GONZALEZ: Great.

25 MAYOR STACK: That was number one?

1 MR. GONZALEZ: Yes.

2 The second matter is Lee Entertainment,
3 LLC, trading as Bandolera, 415 43rd Street in
4 Union City. This is a unique situation. This is
5 one where we have a lot of times explained to
6 individuals that our liquor licenses, to have the
7 cameras, that really they help you. Mr. Lee is in
8 charge there. He was charged with these
9 investigative charges. After we investigated and
10 in fact confirmed that what happened was an
11 individual was at his establishment, was not
12 drinking. A young lady that he had been dating,
13 came in with the boyfriend, came in, slapped him,
14 started a fight and went out. Police had to
15 investigate, that's why we're involved with it.

16 But after reviewing it and confirming
17 this with the video cameras, we decided that this
18 matter, it should be dismissed. And this really
19 goes to show the importance of the video cameras
20 because they work both ways. They can show when
21 there's an event, where it's bad, but it also
22 supports an individual who did the right thing.
23 And, more importantly also, is they called the
24 police. So they were proactive. So this matter
25 should be dismissed, that's a recommendation of

1 myself and Lieutenant Dunlay and Sergeant Zeron.
2 I think it's appropriate under the circumstances.
3 That would be my recommendation.

4 MAYOR STACK: If you could read the name
5 and how it's trading again, the establishment?

6 MR. GONZALEZ: That is Lee
7 Entertainment, LLC, trading as Bandolera at 415
8 43rd Street.

9 MAYOR STACK: Lieutenant or Sergeant,
10 did you have anything further you would like to
11 add?

12 LIEUTENANT DUNLAY: There was a little
13 delay with the investigation because the matter
14 was handled appropriately as a domestic violence
15 incident. So after the domestic violence incident
16 was handled, we went through the administrative
17 charges. That's why there's been some lag time.
18 But during the lag time, Mr. Fantoya actually had
19 the video past the 60 days, which our ordinance
20 calls for 60-day retention of video. And it was
21 way past. With the administrative investigation,
22 that's when we found out that the security staff
23 is the one who initiated the call to the police.
24 From reviewing the videos, you can also see that
25 alcohol did not play a part in this matter because

1 it was simply an isolated incident of domestic
2 violence.

3 MAYOR STACK: Thank you for the work on
4 this. Absolutely. So you're looking for a motion
5 to dismiss it, Mr. Gonzalez?

6 MR. GONZALEZ: That is correct.

7 MAYOR STACK: On recommendation of Mr.
8 Gonzalez and the Lieutenant's testimony, I'll make
9 a motion to dismiss.

10 MS. ROSARIO: Motion made by Mayor
11 Stack.

12 COMMISSIONER FERNANDEZ: Second.

13 MS. ROSARIO: Second by Commissioner
14 Fernandez.

15 Commissioner Fernandez.

16 COMMISSIONER FERNANDEZ: Yes.

17 MS. ROSARIO: 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 * * * *

1 **2. Crave 43, LLC**
2 **t/a Crave 43**
3 **120 43rd Street**
4 **0910-33-029-010**

5
6 MR. GONZALEZ: The next matter would be
7 2216 Bergenline Avenue, LLC, trading as Centro
8 Bar, 2216 Bergenline Avenue in Union City. We
9 need the interpreter on this.

10
11 S O L V I L L O N, an interpreter of the
12 SPANISH language, after having been duly sworn,
13 did interpret the following testimony:

14
15 MR. GONZALEZ: State your name?

16 MS. MOLINA LASO: Maria Candelario
17 Molina Laso.

18 MR. GONZALEZ: Ms. Molina Laso, are you
19 the owner of Centro Bar?

20 MS. MOLINA LASO: Yes.

21 MR. GONZALEZ: This is a situation that,
22 once again, the cameras saved the individual. We
23 know we're very diligent and proactive in making
24 sure that there's no violations going on as
25 serving individuals that were under the influence.

1 Well, this situation was very unique also because
2 the gentleman came in -- and I have the reports
3 and I've read them in detail and gone over them
4 with Lieutenant Dunlay and Sergeant Zeron.
5 Gentlemen comes into the location and before he
6 can get into the location and be served, they
7 realized that he's drunk, totally intoxicated.
8 They would not serve him. They asked him to
9 leave, he was escorted out by the security because
10 she does have security. And he stayed there for
11 half an hour causing a disturbance outside, but
12 they did not serve him.

13 They were initially charged with serving
14 because we weren't sure. The cameras in this
15 situation, after they're reviewed by the
16 investigators, confirmed what she said. And it's
17 true, they were proactive, two people called,
18 security called the police department and the
19 cameras showed that. And the cameras also showed
20 that she was calling the police department.

21 So in this situation again, the cameras
22 work. The cameras substantiate when an individual
23 does the right thing. In this situation, I
24 likewise would recommend that the matter would be
25 dismissed.

1 MAYOR STACK: Lieutenant or Sergeant,
2 did you have anything further you would like to
3 add?

4 LIEUTENANT DUNLAY: Just to add in
5 reviewing the video, there was a moment where
6 actually the owner stepped out, even though he
7 wasn't a patron of the establishment and attempted
8 to diffuse the situation multiple times. Multiple
9 attempts to persuade this person to leave the
10 area, just to make sure she's taking care of her
11 neighborhood. That's exactly what happened in
12 this situation.

13 MR. GONZALEZ: I think it's important
14 that she's really turned this around because this
15 was a place where we've had prior problems. But
16 she did come before us before, she did say she was
17 going to comply, and she actually has.

18 MAYOR STACK: Great, thank you.

19 MR. GONZALEZ: So it would be my
20 recommendation that this matter be dismissed.

21 MAYOR STACK: Upon recommendation of Mr.
22 Gonzalez and Lieutenant Dunlay, I'll support a
23 motion to dismiss.

24 MS. ROSARIO: Motion made by Mayor
25 Stack.

1 COMMISSIONER MARTINETTI: Second.
2 MS. ROSARIO: Second by Commissioner
3 Martinetti.
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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1 **3. Ceviche Time, LLC**
2 **t/a Ceviche Time by Marcelo**
3 **4538 Bergenline Avenue**
4 **0910-33-047-005**
5 **(Anthony Sarsano, Esq.)**

6
7 MR. GONZALEZ: The next matter we have
8 is Ceviche Time trading as Ceviche Time by Marcelo
9 at 4538 Bergenline Avenue. They're represented by
10 Mr. Sarsano, he's present here. I would ask him
11 to come up and just place his name on the record.

12 MR. SARSANO: Good evening, Mr. Mayor,
13 Commissioners. My name is Anthony Sarsano and I
14 represent the LLC in this matter. The gentleman
15 to my right is a member of the LLC.

16 MR. GONZALEZ: We have early settlement
17 negotiations on these matters, where we invite
18 everybody in who's charged to see if we can
19 resolve the matter. In this situation, with the
20 help of the officers, the reports, and Mr.
21 Sarsano, we have reached a resolution where there
22 would be a closing consecutively of 30 days and it
23 would be commencing April of 2024 if it's approved
24 by this board. Clearly, this our recommendation,
25 the board can go and make a decision.

1 This really turns out to be a large
2 paper violation and then we have the issue with
3 the cameras not working. This seems to be the
4 only way to enforce it because it really shows
5 with the last two people we had that if the
6 cameras are working, they help you. In this
7 situation we've agreed that it would be a 30-day
8 suspension at a full closing, non-appealable and
9 it would commence on April 1st. I would do it
10 sooner, but there are prepaid parties. I don't
11 want to ruin somebody's events. That's what I
12 would recommend, am I correct, Mr. Sarsano?

13 MR. SARSANO: Absolutely, Mr. Gonzalez.

14 MAYOR STACK: Okay. I'll make a motion
15 to approve the recommendation made by Mr.
16 Gonzalez.

17 MS. ROSARIO: Motion made by Mayor
18 Stack. Second?

19 COMMISSIONER VALDIVIA: Second.

20 MS. ROSARIO: By Commissioner Valdivia.
21 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.
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1 **4. JAI Rancchod, LLC**
2 **t/a Good Time Liquors**
3 **1314 New York Avenue**
4 **0910-44-045-008**

5
6 MR. GONZALEZ: The next matter we have
7 is JAI Rancchod, LLC, trading as Good Time
8 Liquors, located at 1314 New York Avenue.

9 Could you please state your name for the
10 record?

11 MR. PATEL: Hi, I'm Rushabh Patel from
12 Good Time Liquors, R-U-S-H-A-B-H.

13 MR. GONZALEZ: Mr. Patel, you're here
14 today, you're not represented by a lawyer; is that
15 correct?

16 MR. PATEL: Yes.

17 MR. GONZALEZ: All right. Do you want
18 an opportunity to be represented by a lawyer?

19 MR. PATEL: No.

20 MR. GONZALEZ: You understand that you
21 were present with me and the officers where we had
22 a plea negotiating meeting; is that correct?

23 MR. PATEL: Yes.

24 MR. GONZALEZ: You were not represented
25 by a lawyer at that time and I asked you if you

1 wanted to; is that correct?

2 MR. PATEL: Yes.

3 MR. GONZALEZ: And at that time also you
4 stated --

5

6 R U S H A B H P A T E L, after having been duly
7 sworn or affirmed, did testify as follows:

8

9 MR. GONZALEZ: Mr. Patel, everything
10 I've asked you prior to being sworn in, is that
11 the truth?

12 MR. PATEL: Yes.

13 MR. GONZALEZ: Now, as we had the plea
14 negotiating meeting, we went over the issues that
15 you had, that to do with cameras not working
16 properly, you had a situation where you had an
17 employee that was not licensed; is that right?

18 MR. PATEL: Yes.

19 MR. GONZALEZ: And we had recommended a
20 ten day suspension, five of those to be held in
21 abeyance as a mitigating factor, you told us that
22 your wife took ill, had to go to the hospital, and
23 that's why that individual was there; is that
24 correct?

25 MR. PATEL: Yes, that's true.

1 MR. GONZALEZ: You understand that,
2 unfortunately, that's not a justification, but we
3 have recommended that five days out of the ten be
4 held in abeyance; is that correct?

5 MR. PATEL: Yes.

6 MR. GONZALEZ: Is that what you would
7 like the board to do under the circumstances?

8 MR. PATEL: Yes.

9 MR. GONZALEZ: And you understand that
10 your violation is because the cameras were not
11 working properly?

12 MR. PATEL: Yes.

13 MR. GONZALEZ: They are working now?

14 MR. PATEL: Yes.

15 MR. GONZALEZ: Okay. And the
16 individuals that are working at the establishment
17 are all now properly licensed; is that right?

18 MR. PATEL: Yes.

19 MR. GONZALEZ: Based on the
20 recommendation, I would request that ten days be a
21 suspension, five of them held in abeyance for one
22 year. And it's my understanding if it's granted,
23 he would like the suspension to start on
24 February 19th and run through February 23rd; is
25 that correct?

1 MR. PATEL: Yes.

2 MAYOR STACK: That's fine. I'll make a
3 motion to approve.

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

6 COMMISSIONER VALDIVIA: Second.

7 MS. ROSARIO: Commissioner Valdivia.

8 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: Yes.

16 MS. ROSARIO: Mayor Stack.

17 MAYOR STACK: Yes. Thank you.

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1 **5. R & J Supermarket Corp.**
2 **t/a La Roca Supermarket**
3 **4416 Bergenline Avenue**
4 **0910-43-005-003**
5 **(Anna Noris, Esq.)**

6
7 MR. GONZALEZ: If you want to go back to
8 the first one that we held off.

9 MAYOR STACK: What number would that be?

10 MR. GONZALEZ: Number one, R &J
11 Supermarket Corporation trading as La Roca
12 Supermarket.

13 MAYOR STACK: I got it.

14 MR. GONZALEZ: They're located at 4416
15 Bergenline Avenue in Union City.

16 They're represented by Anna Noris.

17 MS. NORIS: Yes, good evening. Anna
18 Noris from the Law Office of Lopez Noris, West
19 New, York.

20 MR. GONZALEZ: This is a situation where
21 the individual has been charged with selling loose
22 beers, in other words under the 72-ounce
23 requirement. In the inspection on this matter, we
24 conducted an investigation on the 25th of October
25 where a plainclothes police officer went in to

1 confirm the fact there were beers being sold under
2 the 72-ounce requirement, that was confirmed. We
3 did an inspection, a reinspection on the 3rd of
4 November, where we found the deficiency in the
5 book, they have corrected that. There was a
6 problem with the camera, they are now in full
7 compliance with that. And they understand that
8 you cannot sell warm beer unless it's at least 72
9 fluid ounces, being a six pack.

10 Based on that recommendation and the
11 plea meeting that we had, there's a recommendation
12 of a 30-day suspension commencing February 12th
13 through March 12th, if this board accepts that.
14 They've corrected the camera situation because
15 we've had the police go back to find it. And they
16 understand that they would have to continue
17 selling their products, but they would not be able
18 to sell any warm beer.

19 MAYOR STACK: Ms. Noris, did you want to
20 comment any further on that?

21 MS. NORIS: No, that is exactly what we
22 discussed.

23 MAYOR STACK: You're in agreement on
24 that?

25 MS. NORIS: 100 percent.

1 MAYOR STACK: I'll make a motion to
2 approve the recommendation by Mr. Gonzalez.

3 MS. ROSARIO: Motion by Mayor Stack.

4 COMMISSIONER GRULLON: Second.

5 MS. ROSARIO: Second by Commissioner
6 Grullon.

7 Commissioner Fernandez.

8 COMMISSIONER FERNANDEZ: Yes.

9 MS. ROSARIO: Commissioner Grullon.

10 COMMISSIONER GRULLON: Yes.

11 MS. ROSARIO: Commissioner Valdivia.

12 COMMISSIONER VALDIVIA: Yes.

13 MS. ROSARIO: Mayor Stack.

14 MAYOR STACK: Yes.

15 MR. GONZALEZ: Thank you.

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1 **6. Maria Mentiras Bar & Grill, LLC**
2 **t/a Maria Mentiras Bar & Grill**
3 **328 32nd Street**
4 **0910-33-030-015**
5 **(Anna Noris, Esq.)**

6
7 MR. GONZALEZ: The last matter we have
8 is Maria Mentiras Bar and Grill, LLC, trading as
9 Maria Mentiras Bar & Grill, located at 328 32nd
10 Street, Union City. They're represented by Ms.
11 Noris.

12 MS. NORIS: Anna Noris once again from
13 Lopez Noris, West New York, on behalf of Maria
14 Mentiras.

15 MR. GONZALEZ: This is a situation where
16 the police had to investigate a brawl that
17 occurred there. When they found the situation,
18 there was an individual who was intoxicated that
19 was arguing about paying for the beers. They were
20 escorted out of the place. Out in the street,
21 there was a scuffle by some of the individuals.
22 Unfortunately, although the cameras were working,
23 they were not working properly. But we were able
24 to confirm during the police investigation that's
25 what, in fact, happened.

1 So we have a brawl, sale to intoxicated
2 patrons, and failure to call the police, which is
3 one thing that we keep stressing -- prior to the
4 incident commencing. We have negotiated though in
5 an effort because there's multiple violations that
6 have been occurring here, that it would be a
7 30-day suspension. It would start on
8 February 19th of this year and that's also taking
9 into account that this young lady is now in the
10 process of selling the location. So, hopefully,
11 it goes through. And that would be our
12 recommendation, 30-day full suspension commencing
13 on the 19th of February.

14 MAYOR STACK: Ms. Noris, did you want to
15 add anything?

16 MS. NORIS: We concur. Thank you,
17 Mayor.

18 MAYOR STACK: Okay. I'll make a motion
19 to approve the recommendation.

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

22 COMMISSIONER FERNANDEZ: Second.

23 MS. ROSARIO: Second by Commissioner
24 Fernandez.

25 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: Mayor Stack.

7 MAYOR STACK: Yes. Thank you.

8 MS. LOPEZ: Thank you very much.

9 MR. GONZALEZ: Okay.

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1 **7. Crave 43, LLC**

2 **t/a Crave 43**

3 **120 43rd Street**

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

5 **8. El Idolo, LLC**

6 **t/a Coromoto Bar & Restaurant**

7 **4215 Park Avenue**

8 **0910-33-111-008**

9
10 MR. GONZALEZ: We have item three, which
11 is Crave 34, LLC. I'm just requesting that that
12 matter be adjourned, we have to do some more
13 investigation on that. And we have the matter
14 which, I guess it would be number seven -- sorry.

15 MAYOR STACK: Number six.

16 MR. GONZALEZ: Number six, they have
17 just retained Mr. Mederos. He called me today,
18 he's not available. And we will set up an
19 appointment for a plea meeting that, so I would
20 respectfully request that that also be adjourned.

21 MAYOR STACK: Great. Thank you very
22 much, Mr. Gonzalez. Thank you very much,
23 Lieutenant. Thank you, Sergeant, for your work.

24 * * * *

25

1 **ADJOURNMENT:**

2

3 MAYOR STACK: At this point in the

4 meeting, we already had our comment period, our

5 public comment period for any matters concerning

6 any matter concerning any matter in the City of

7 Union City. And also we had the public comment

8 period for the consent agenda.

9 I would like to thank you all the

10 residents who came to the meeting tonight. Thank

11 you for allowing us to move our meetings around

12 the community. And thank you for the great city

13 that we have here in the City of Union City.

14 Thank you very much and please get home safe,

15 everybody.

16 MS. ROSARIO: May I have a motion to

17 adjourn?

18 COMMISSIONER VALDIVIA: Motion.

19 COMMISSIONER MARTINETTI: Second.

20 MS. ROSARIO: All in favor?

21 (All Board Members indicate in the

22 affirmative.)

23

24 (Whereupon the meeting was adjourned at

25 7:35 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. Gullon

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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