

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

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

EARLY CHILDHOOD CENTER
2200 Kennedy Blvd.
Union City, New Jersey

Tuesday, October 8, 2024
Commencing at 7:00 p.m.

TRANSCRIBED FROM AUDIO RECORDING

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:

EIKE PANEQUE, ESQ.
Attorney for El Paso Restaurante Corp.

SITAL SHAH, ESQ.
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1 MS. ROSARIO: Can we please stand for
2 the Pledge of Allegiance, please.

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 being held on Tuesday, October 8, 2024, at
10 7:00 p.m. at the Early Childhood Center, 2200
11 Kennedy Boulevard in Union City. This meeting has
12 been called in accordance with the Open Public
13 Meetings Act. Adequate notice of this meeting has
14 been provided as follows: Was forward to do the
15 The Jersey Journal and The Record, has been posted
16 on the bulletin board in City Hall and has been
17 made available to the public in the office of
18 Municipal Clerk.

19
20 **ROLL CALL:**

21
22 MS. ROSARIO: Commissioner Fernandez.

23 COMMISSIONER FERNANDEZ: Here.

24 MS. ROSARIO: Commissioner Grullon.

25 COMMISSIONER GRULLON: Here.

1 MS. ROSARIO: Commissioner Valdivia.

2 COMMISSIONER VALDIVIA: Here.

3 MS. ROSARIO: Commissioner Martinetti.

4 COMMISSIONER MARTINETTI: Here.

5 MS. ROSARIO: Mayor Stack.

6 MAYOR STACK: Here.

7

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

10 **ORDINANCE FOR INTRODUCTION:**

11 **1. AN ORDINANCE AMENDING CHAPTER 334,**
12 **SECTION 2 (B) (1) , "APPLICABILITY; EXCEPTIONS.)**

13

14 MS. ROSARIO: First item is an ordinance
15 for introduction. Adoption on first reading
16 authorizes the Municipal Clerk to advertise the
17 ordinance with a notice of the introduction,
18 together with a notice of the time and place when
19 the ordinance will be considered for the final
20 passage. The ordinance will be further considered
21 at a meeting of the Board of Commissioners to be
22 held on Tuesday, October 22, 2024, at the William
23 V. Musto Cultural Center at 420 15th Street, Union
24 City, at 7:00 p.m.

25 An ordinance amending Chapter 334,

1 Section 2(B)(1), applicability, exceptions.

2 May I have a motion to introduce?

3 MAYOR STACK: Motion.

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.

18

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

21 **CONSENT AGENDA:**

22 (1) Resolution Approving the Payment of Claims.

23 (2) Resolution Approving the Payment of
24 Concurring Claims.

25 (3) Resolution Approving the Escrow Refunds.

1 (4) Resolution Approving the City Payroll
2 8/24/2024 - 9/6/2024.

3 (5) Resolution Approving the Library Payroll
4 8/24/24 - 9/6/2024.

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

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

9 (8) Resolution Authorizing Contract For the
10 Survey and Design Phases of the Hudson Avenue
11 Improvements Project (32nd Street to 37th Street).

12 (9) Resolution Authorizing Award of Contract For
13 Bergenline Avenue Streetscape Improvements
14 Project, Phase IV.

15 (10) Resolution Authorizing the Award of 2024 CDA
16 Roads - 35th, 36th Street, 39th Street And 42nd
17 Street Improvement Projects to A&J Contractors
18 Group, Inc.

19 (11) Resolution Authorizing Contract For the 2024
20 Sidewalk Opening Permit Restoration Program For
21 the City of Union City.

22 (12) Resolution Authorizing the Use of
23 Competitive Contracting For Opioid Use Disorder
24 Prevention Consultant Services For 2024.

25 (13) Resolution Amending Contract With the Legg

1 Law Firm, LLC, For Chief Municipal Court
2 Prosecutor Services For 2024.

3 (14) Resolution Authorizing Contract With NJ
4 Power Washing & Shrink Wrapping For Juan Pablo
5 Duarte Park.

6 (15) Resolution Authorizing Commodity Supply
7 Agreements Between the City of Union City and CPV
8 Retail Energy LP For the Supply on Electricity.

9 (16) Resolution Authorizing Natural Gas Sales
10 Agreement Between the City of Union City and
11 Aggressive Energy For Natural Gas Supply Service.

12 (17) Resolution Authorizing Area in Need of
13 Redevelopment Study For 507 West Street, Also
14 Known As Block 17, Lot 9 in the City of Union
15 City.

16 (18) Resolution Amending Contract With Cleary
17 Giacobbe Alfieri Jacobs, LLC, For Planning Board
18 Counsel Services For 2024.

19 (19) Resolution Opposing the Proposed Parkland
20 Diversion Application For the Placement of North
21 Bergen Pre-K School Trailers and EMS South
22 Building Within the James J. Braddock North Hudson
23 County Park.)

24
25 MS. ROSARIO: There are 19 items on the

1 consent agenda.

2 One, resolution approving the payment of
3 claims.

4 Two, resolution approving the payment of
5 concurring claims.

6 Three, resolution approving the escrow
7 refunds.

8 Four, resolution approving the city
9 payroll 8/24/2024 - 9/6/2024.

10 Five, resolution approving the library
11 payroll 8/24/24 - 9/6/2024.

12 Six, resolution authorizing the refund
13 of premium monies collected at the tax sale.

14 Seven, resolution authorizing refund of
15 redemption monies to outside lienholders.

16 Eight, resolution authorizing contract
17 for the survey and design phases of the Hudson
18 Avenue improvements project (32nd Street to 37th
19 Street).

20 Nine, resolution authorizing award of
21 contract for Bergenline Avenue streetscape
22 improvements project, Phase IV.

23 Ten, resolution authorizing the award of
24 2024 CDA roads - 35th, 36th Street, 39th Street
25 And 42nd Street improvement projects to A&J

1 Contractors Group, Inc.

2 Eleven, resolution authorizing contract
3 for the 2024 sidewalk opening permit restoration
4 program for the City of Union City.

5 Twelve, resolution authorizing the use
6 of competitive contracting for opioid use disorder
7 prevention consultant services for 2024.

8 Thirteen, resolution amending contract
9 with the Legg Law Firm, LLC, for chief municipal
10 court prosecutor services for 2024.

11 Fourteen, resolution authorizing
12 contract with NJ Power Washing & Shrink Wrapping
13 for Juan Pablo Duarte Park.

14 Fifteen, resolution authorizing
15 commodity supply agreements between the City of
16 Union City and CPV Retail Energy LP for the supply
17 on electricity.

18 Sixteen, resolution authorizing natural
19 gas sales agreement between the City of Union City
20 and Aggressive Energy for natural gas supply
21 service.

22 Seventeen, resolution authorizing area
23 in need of redevelopment study for 507 West
24 Street, also known as Block 17, Lot 9 in the City
25 of Union City.

1 Eighteen, resolution amending contract
2 with Cleary Giacobbe Alfieri Jacobs, LLC, for
3 planning board counsel services for 2024.

4 Nineteen, resolution opposing the
5 proposed parkland diversion application for the
6 placement of North Bergen pre-K school trailers
7 and EMS south building within the James J.
8 Braddock North Hudson County Park.

9 There's an error excuse me. I repeated
10 number 20 for 15. So there was 19 items on the
11 consent agenda.

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

14 MAYOR STACK: Sure. Anyone wishing to
15 the comment on the consent agenda, please step
16 forward, state your name and address for the
17 record. Whoever would like to make comment,
18 please state your name and address and just come
19 right to the podium.

20 MR. BLOOMBERG: Good evening, Mayor and
21 Commissioners, my name is Mark Bloomberg, I live
22 at 24 63rd Street in West New York. I'm here this
23 evening to thank you and voice my support for Item
24 Number 19 in opposition of the parkland diversion.
25 There are some other people here tonight as well

1 that oppose the diversion of county parkland, not
2 just from within Hudson County, but from across
3 the state. If any of them want to raise their
4 hands, feel free to do so. We're supposed to have
5 eight to ten people, I think the parking situation
6 might have been a situation for some of those
7 people (inaudible). Not just the small group of
8 us tonight, we had a petition we had signed back
9 in 2020 with over 4,500 residents and former
10 residents of Hudson County opposing the diversion
11 of county parkland. Along with us, the Hudson
12 County Sierra Club, North Bergen Earth Hawk, New
13 Jersey Conservation Foundation and Appleseed
14 Foundation have all come together and we're
15 opposing this. So we're very happy that Union
16 City is the first town within Hudson County to
17 come forward on it.

18 We have obviously haven't had a chance
19 to see the resolution, the meat of it, but what
20 we're hoping will be in there is that it will be
21 pressure on New Jersey DEP to immediately reject
22 North Bergen's application; that Union City will
23 urge the County Commissioners to withdraw their
24 support of the application; and that it asks for
25 removal of the existing trailers that are in

1 Braddock Park; and that North Bergen reimburses
2 the County for expenses that have been incurred
3 for some of the land that's been purchased by the
4 County already for this; and lastly, that NJ DEP
5 oversees and enforces the removal of the existing
6 preschool trailers as well.

7 So it's something that, as you're aware,
8 it's been going on for 20-plus years. There's no
9 documentation stating, you know, that they were
10 originally given permission to put the trailers
11 there. And, you know, a county park is a place
12 for all residents of the county to enjoy, rather
13 than limiting it to a subset.

14 While I fully appreciate that North
15 Bergen does have an issue with pre-schooling of
16 some of their student population, a county park
17 isn't the place to do it. So again thank you all
18 very much. If I can get a copy of the resolution,
19 that would be greatly appreciated.

20 MAYOR STACK: There's two copies here of
21 the resolution.

22 MR. BLOOMBERG: Okay.

23 MS. ROSARIO: Thank you.

24 MAYOR STACK: Anyone else wishing to
25 speak at this time? Thank you, Mr. Bloomberg.

1 Anyone wishing to speak, you're welcome to come up
2 one by one. Just state your name and address for
3 the record and we'll do it right at the podium.
4 Thank you again.

5 MR. ZHANG: Thank you, Mr. Mayor. My
6 name is Alex Zhang, I live at 4515 Smith Avenue in
7 North Bergen. And I also wanted to express my
8 gratitude to you all for this resolution opposing
9 the trailers in Braddock Park, the county park. I
10 want to just describe for you a normal day in the
11 park, I go multiple times a week. It is packed
12 with people and it's amazing. Now, most of people
13 of color enjoying the green space, which is so
14 limited in our county and to know that my own
15 township is taking up the space when there's
16 perfectly good alternatives when green space is so
17 valuable, it's a social justice issue as far as
18 I'm concerned, not to mention environmental issue.
19 I think it says a lot about your standing up for
20 the people of this county for environmental and
21 social justice in this way. It might seem like a
22 little thing, but it's quite a bit of land. And
23 once something goes on there, there's no getting
24 it back.

25 So thank you for doing what you're

1 doing. We can spread this to other townships and
2 cities in this county because it's really for all
3 of us.

4 MAYOR STACK: Thank you.

5 MR. ZHANG: Thank you.

6 MR. MOSS: Thank you, just quickly. My
7 name is Robert Moss from Bloomfield. I did grow
8 up in Hudson County, as did my father and his
9 brother and my grandmother, but that's not the
10 point. This is a green acres issue. Green acres
11 is a statewide program, statewide tax dollars go
12 into this. DEP, they call themselves (inaudible)
13 land management. Those are the ones that are
14 working on (inaudible), they have a very spotty
15 record across the state of enforcing green acres
16 regulations. Sometime they're good, sometimes
17 they're abysmal, as in this 24-year old saga. I
18 can assure you and anybody that wants to contact
19 me, get my contact information, the green acres
20 regulations are crystal clear. Those trailers
21 were never allowed in the park. North Bergen
22 acted in bad faith all along, came up with all
23 types of unallowed replacement land proposals.
24 And the fact that they might have to buy their
25 own -- even if they had to buy their own land is

1 not an excuse to stay in the park. If they need
2 the land, they can't get (inaudible) they can
3 condemn it, it's their problem.

4 This is a state program. Those lands
5 have to stay in green acres protection, unless
6 there's an unusual reason with a bunch of
7 conditions, which North Bergen and Hudson County
8 have not complied with. Thank you.

9 MAYOR STACK: Thank you very much.
10 Anyone else wishing to comment on the consent
11 agenda? Seeing no other, I'll make a motion to
12 close the public comment period.

13 COMMISSIONER FERNANDEZ: Second.

14 MS. ROSARIO: Motion made by Mayor
15 Stack. Second, Commissioner Fernandez.

16 Commissioner Fernandez.

17 COMMISSIONER FERNANDEZ: Yes.

18 MS. ROSARIO: Commissioner Grullon.

19 COMMISSIONER GRULLON: Yes.

20 MS. ROSARIO: Commissioner Valdivia.

21 COMMISSIONER VALDIVIA: Yes.

22 MS. ROSARIO: Commissioner Martinetti.

23 COMMISSIONER MARTINETTI: Yes.

24 MS. ROSARIO: Mayor Stack.

25 MAYOR STACK: Yes.

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

3 COMMISSIONER VALDIVIA: Motion.

4 MAYOR STACK: Second.

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

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: Commissioner Martinetti.

14 COMMISSIONER MARTINETTI: Yes.

15 MS. ROSARIO: Mayor Stack.

16 MAYOR STACK: Yes. All items including
17 the opposing the parkland diversion have passed.
18 Tomorrow, if one of you would like to contact me,
19 we'll get you a certified copy of the resolution.
20 That matter has now passed. Thank you very much
21 to bringing this to our attention. Thank you,
22 everyone.

23

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

ORDINANCE FOR HEARING AND ADOPTION CONSIDERATION:

**1. ORDINANCE AUTHORIZING LEASE
AGREEMENT FOR LIBERTY PLACE PLAYGROUND.)**

MS. ROSARIO: The next item is the ordinance for hearing and adoption consideration. One, an ordinance authorizing lease agreement for Liberty Place Playground.

Mayor, would you like to take public comment on this adoption?

MAYOR STACK: Sure. Anyone wishing to comment at this time, please step forward and state your name and address for the record. Seeing none.

COMMISSIONER MARTINETTI: Motion.

MS. ROSARIO: Motion made by Commissioner Martinetti. Second?

MAYOR STACK: This is the ordinance on the Liberty playground.

MS. ROSARIO: Can I have a second?

COMMISSIONER FERNANDEZ: Second.

MS. ROSARIO: Second, Commissioner Fernandez.

Commissioner Fernandez.

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

11 MAYOR STACK: Motion.

12 COMMISSIONER MARTINETTI: Second.

13 MS. ROSARIO: Motion made by Mayor
14 Stack. Second by Commissioner Martinetti.

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

3 **REGULAR AGENDA:**

4 1. Resolution amending the CY2024
5 budget.)

6
7 MS. ROSARIO: We have three -- the next
8 items are regular agenda. I have three items.
9 The first item is resolution amending the calendar
10 year 2024 budget.

11 Mayor, at this time would you like to
12 take public comment?

13 MAYOR STACK: Anyone wishing to comment
14 on this resolution at this time, please step
15 forward, state your name and address for the
16 record? Seeing none, I'll make a motion.

17 COMMISSIONER GRULLON: Second.

18 MS. ROSARIO: Motion made by Mayor
19 Stack. Second, Commissioner Grullon.

20 Commissioner Fernandez.

21 COMMISSIONER FERNANDEZ: Yes.

22 MS. ROSARIO: Commissioner Grullon.

23 COMMISSIONER GRULLON: Yes.

24 MS. ROSARIO: Commissioner Valdivia.

25 COMMISSIONER VALDIVIA: Yes.

1 MS. ROSARIO: Commissioner Martinetti.

2 COMMISSIONER MARTINETTI: Yes.

3 MS. ROSARIO: Mayor Stack.

4 MAYOR STACK: Yes.

5

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

8 **REGULAR AGENDA:**

9 2. Resolution approving the adoption of
10 the 2024 budget.)

11

12 MS. ROSARIO: The second item is
13 resolution approving the adoption of the 2024
14 budget.

15 May I have a motion to approve?

16 MAYOR STACK: Motion.

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

19 COMMISSIONER MARTINETTI: Second.

20 MS. ROSARIO: Commissioner 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 item:

9 **REGULAR AGENDA:**

10 3. Resolution approving the Governing
11 Body Certification of Compliance with the United
12 States Equal Employment Opportunity Commission's
13 enforcement guidance on the consideration of
14 arrest and conviction records in employment
15 decision under Title VII of the Civil Rights Act
16 of 1964.)

17

18 MS. ROSARIO: The next item is
19 resolution approving the governing body
20 certification of compliance with the United States
21 Equal Employment Opportunity Commission's
22 enforcement guidance on the consideration of
23 arrest and conviction records in employment
24 decisions under Title VII of the Civil Rights Act
25 of 1964. May I have a motion to approve?

1 MAYOR STACK: Motion.

2 MS. ROSARIO: Motion made by Mayor
3 Stack.

4 COMMISSIONER VALDIVIA: Second.

5 MS. ROSARIO: Second, Commissioner
6 Valdivia.

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: Commissioner Martinetti.

14 COMMISSIONER MARTINETTI: Yes.

15 MS. ROSARIO: Mayor Stack.

16 MAYOR STACK: Yes.

17

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

19

20 MS. ROSARIO: Mayor, would you like to
21 take public comment on any --

22 MAYOR STACK: Sure. At this time, I
23 would just like to thank the members of the public
24 that are here this evening. I'd also like to
25 thank the Commissioners for moving 100 percent of

1 our meetings throughout the city, always in the
2 evening. I would say 99 percent of the time in
3 the evening hours. Once again, I would like to
4 thank everyone for being here.

5 Anyone wishing to comment on any matter
6 concerning municipal government in the City of
7 Union City, please step forward, state your name
8 and address for the record.

9 MR. CARILLO: Good evening, my name is
10 Jose Carillo, Junior. The reason for this
11 (inaudible) the mayor, authority to -- it says
12 here, that my hiring date was 2013, but I have
13 documents here stating that I was dismissed from
14 the job on 7/21/2012 and that I resigned. So how
15 is it that I resigned in 2011, and 2012 I was
16 dismissed? Which I have documents that I started
17 in 2011 for parking authority, 2012 parking
18 authority, 2013 parking authority, 2014 parking
19 authority. When I bring it to your attention what
20 you did was retransferred everything and have
21 somebody forward my name saying that I resigned
22 and I was dismissed from the department and I lost
23 the three years, I never got the three years back.
24 But the answer that I got was that I have to buy
25 it back. Why do I have to buy back something that

1 you took? I never lost it, you took them.

2 Also, I want to bring up the topic I see
3 that you have a gentleman. I made a comment, I
4 made a comment (inaudible) you know about the
5 comment because I gave you a copy. And the
6 comment in the paper was about (inaudible) and
7 it's funny how you got your inside cameraman, your
8 little boom that does little videos for everything
9 that sticks up for you. I have it right here,
10 I'll show it to you. See, he's the one that does
11 the (inaudible) stories. I'll give it to this --
12 can you give this in?

13 So I made a comment to you on who was
14 going to help me to take care of the situation
15 that I'm in. Just to let you know, you know what
16 I'm saying, I'm on a leave of absent. I've been
17 on leave of absent since I got sick, 14 surgeries
18 I got that you claim that it was not a job injury,
19 which you know is a job injury. And also, you did
20 a lowball settlement and you still deny it to this
21 day. So now I'm down and out, making ends meet.
22 Legally by law in the rule book, it states that if
23 I win a claim settlement, by all means, you have
24 to give me back my days, my sick days, my
25 personals and my vacation days, which you have

1 not. And also you're supposed to keep me on the
2 payroll until the doctors clear me to come back
3 and you have not even have done so.

4 So now, I have to figure out what's my
5 next move and what's my next steps because you
6 want to play your little games. Because you don't
7 want to comply with what you have to comply with.
8 And you think that's fair? Because you're not
9 only doing it to me, you're doing it to everybody,
10 okay. And I took it upon myself to sit here and
11 speak for the fellow members at the DPW. Because
12 all you do is come to my office, come to my
13 office, come to my office. And when I come to the
14 office to talk, you cut me short because you don't
15 what to hear what has to be said.

16 Something has to give, my brother.
17 Something has to give because you know what, you
18 can't keep doing what you're doing all the time.
19 And it's a shame that you have other individuals
20 here that are good individuals and they try to
21 help and they try to stick up, but you shot them
22 down because everything has to be what you say.
23 Yeah, that you give, that you help, yeah, that you
24 provide, that you did this, yeah, you did that.
25 But you're not doing everything you're supposed to

1 do. You're not a standup man, you're not a
2 standup guy. When they come at you, you hide.
3 And then you look for others to attack for you.

4 The comment that he made is very
5 disrespectful, I have it here. I have -- I gave
6 it to the captain so you can see it.

7 VOICE: What's his name?

8 MR. CARILLO: I don't know his name. He
9 should know his name, he work for him.

10 MAYOR STACK: Anyone else wishing to
11 comment at this time, please step forward, state
12 your name and address for the record. Seeing no
13 one, I make a motion to close.

14 MS. ROSARIO: Motion made by Mayor
15 Stack. Second, Commissioner Fernandez --

16 MR. PRATT: My name is Charles Pratt. I
17 got five minutes and I want to (inaudible) matters
18 I have five (inaudible) I have to pass it to you.
19 First is this goes back to October 25th, when I
20 was almost attempted murder in Bayonne. I'm
21 calling you on the phone, telling you about a
22 (inaudible) report that my name is fabricated,
23 saying that Mr. Charles Pratt have (inaudible),
24 that Mr. Pratt have a mental disability, which I
25 suffer with a physical disability for my lungs. I

1 suffer with my lungs from 1988, that's only
2 physical disability that I have. But somebody
3 took it beyond that, slandered my name. And then
4 it got started (inaudible) on me no matter where I
5 went (inaudible) that time for anything that
6 somebody did to me. I'm going to start real
7 quick.

8 I'd like to know, can you please let him
9 see this first? Because he need to see when I'm
10 addressing this is the first guy to identify and
11 tell me who the people are you see.

12 CAPTAIN BERGBAUER: Listen to you speak,
13 that's all.

14 MR. PRATT: You want to -- let's do this
15 the verifying first to these individuals.

16 CAPTAIN BERGBAUER: I'll give it to
17 counsel.

18 MR. PRATT: Give it to counsel.

19 MR. SCARINCI: Thank you.

20 MR. PRATT: Thank you. You see? Is it
21 possible when you get a chance, do you recognize
22 the people in the picture?

23 MAYOR STACK: I really can't see who's
24 in the picture.

25 MR. PRATT: You can't see? So you

1 telling me you can't see yourself?

2 MAYOR STACK: I don't see -- I can't
3 see --

4 MR. PRATT: Look clearly, look very
5 clearly. This is serious, I don't want to point
6 fingers (inaudible)

7 MAYOR STACK: I stated what I can see,
8 what I can't see -- and I can't see that.

9 MR. PRATT: You can't see?

10 MAYOR STACK: I can't see.

11 MR. PRATT: Okay.

12 MAYOR STACK: I can't see the first
13 picture on --

14 MR. PRATT: The left side will be you,
15 okay. Second picture on the right side, it will
16 be the individual neighbor that live on the same
17 block as you, right. Also the third picture I
18 send is one of the individuals that end up a few
19 (inaudible) by saying the incident when the
20 attempted murder happen, came and a superintendent
21 of housing maintenance to the same place, which is
22 the same individual that live on the same block as
23 you, which is the picture I gave you. And now I'm
24 not choosing you, Brian Stack, but now I truly
25 find that you are the main one behind all this

1 conspiracy, the first one I have to say to have me
2 killed. I'm -- listen, Brian (inaudible) gone,
3 and what he did to me, attempted rape. This got
4 to stop because I'm going to make sure it stops
5 because I'm going to federal court. (Inaudible)
6 and this is my last meeting be here because I'm
7 going to federal court that (inaudible) you will
8 have to meet me there. (Inaudible) because that's
9 why I'm filing federal charges, criminal charges,
10 attempted murder, conspiracy to commit murder,
11 right. And also (inaudible) tampering (inaudible)
12 evidence and everything, you are the board of
13 chamber and all this. And it's sad how you got so
14 much power, but you do this to the wrong man.
15 Thank you. Can I get them papers back because
16 I --

17 MR. SCARINCI: Just so the record is --

18 MR. PRATT: Could I have him sign and
19 say that he read it, that he couldn't identify --

20 MR. SCARINCI: These are four pictures
21 that he is submitting and the individuals are
22 completely unrecognizable. So it's -- there's no
23 way of knowing who is in these pictures.

24 MR. PRATT: Excuse me, what you say?

25 MR. SCARINCI: The pictures are

1 unrecognizable.

2 MR. PRATT: You can't identify, okay, no
3 problem --

4 MR. SCARINCI: They're unrecognizable.

5 MR. PRATT: The FBI got a way of blowing
6 them up, you know that, right? Can you sign this?
7 Why not?

8 MAYOR STACK: No.

9 MR. PRATT: You're not willing to sign
10 something --

11 MR. SCARINCI: Sir, sir --

12 MR. PRATT: -- look this person here is
13 you and you don't want to sign that, right? You
14 know what because you already know the truth is
15 the truth. You ain't never going to sign
16 something that's the truth because you know what,
17 they always say the truth hurts and may it hurt
18 the (inaudible)

19 MAYOR STACK: Charles, now is not the
20 time.

21 MR. TRUTH: He's got 24 seconds left.

22 MR. PRATT: Do you know this person?
23 I'm going to show you this and I'll keep it
24 confidential. This one is definitely
25 confidential. (Inaudible) the individual that I

1 made the attempt on my life. Do you know this
2 person here?

3 MR. SCARINCI: Sir, I'm sorry, but --

4 MR. PRATT: Do you know the person
5 that --

6 MR. SCARINCI: Sir --

7 MR. PRATT: -- in Union City as your --

8 MS. ROSARIO: His time is up.

9 MR. PRATT: I'm talking. Do you know
10 the person that has --

11 MS. ROSARIO: His time is up.

12 MR. PRATT: -- a person that worked in
13 this town here in Union City years ago.

14 MR. SCARINCI: Sir, your time is now up.

15 MR. PRATT: My time is up? You know
16 what, be honest --

17 MR. SCARINCI: The pictures are --

18 MR. PRATT: -- come up to me --

19 MR. SCARINCI: I'm sorry --

20 MR. PRATT: -- every time, but you know
21 what, everybody going to jail. Thank you. I'm
22 going to prosecute to the fullest. I'm going to
23 pro se. Thank you.

24 MR. TRUTH: Hello, everybody. I am
25 Leroy Truth and I have a YouTube channel, Leroy

1 Truth Investigation for those of you who do not
2 know me. Welcome to this meeting. I've been
3 investigating over 2,500 allegations of corruption
4 against Mayor Stack who's laughing because he
5 thinks pay to play is worse than sexual assault
6 sexual harassment and (inaudible) intimidation,
7 sexual assault coverup are funny. So check out my
8 YouTube channel, Leroy Truth Investigations about
9 the truth about this criminal (inaudible) this
10 mayor and senator.

11 So, Mayor Stack, I have a few questions
12 for you. Why does Gary Taffet raise so much money
13 for you? Waiting for an answer and you continue
14 to ignore we the people by shuffling papers, maybe
15 I should get you a deck of playing cards, you
16 could play a little solitaire with yourself there.
17 Why does Gary Taffet raise so much money for you?
18 Is there a pay to play with Gary Taffet? Why did
19 you tell the manager of the Carro Cafe, Union
20 City, to not allow me and my seven guests, we had
21 reservations for eight people, into the restaurant
22 when it was open to the public? What kind of
23 mayor does that? You went out of your way to stop
24 me from enjoying a beautiful meal with several of
25 my friends when we had reservations confirmed.

1 What's your answer? Why did you do that?

2 Let's talk more about Gary Taffet.

3 Commissioners, did Gary Taffet fill out pay to
4 play applications? Look at how they're ignoring
5 we the people. I'm going to address the audience
6 because you're more respectful than each and every
7 commissioner in here. This is disgusting and
8 terrible. This shows the truth. So,
9 Commissioners, did Gary Taffet, which is required
10 by law, fill out pay to play application with you?

11 Another question: Have judges, Mayor
12 Stack, Senator Stack, bought tickets for your
13 fundraisers? You know this is true, Scarinci,
14 through a third person, third party? And how many
15 of the judges in Hudson County, in New Jersey,
16 have bought tickets to your fundraisers through
17 third parties that can't be tracked?

18 Since you're not talking, I'll educate
19 the public more about you and the amount of money
20 that these people waste. Mayor Stack, based on
21 research I conducted, 20 percent of Union City
22 residents live under the poverty level. The
23 median household income in the area is only
24 \$40,000.00, clearly a majority of Union City
25 residents are not wealthy and struggle to pay

1 their bills and place food on the table. Yet you
2 fairly recently raised your salary from \$16,500 to
3 \$90,000. And you see how despicable, he's
4 ignoring we the people here.

5 Mayor Stack, is the mayor a part time
6 job or full time job? Scarinci, is the mayor a
7 part time job or full time job? Cat got your
8 tongue? You don't answer to we the people. Hey,
9 Stack, your uncle would not be proud. I'll tell
10 you it's a part time job and he went from \$16,500
11 to \$90,000 a year for a part time job. You know
12 how he justified it? He said I work 24/7. Well,
13 guess what, I don't know if Jose is still here.
14 Any Department of Public Works worker who works
15 part time and are paid, they get paid X amount of
16 dollars. If they say, well, I'm going to work
17 more, I want to do more work, do they
18 automatically get paid five, six times whatever
19 the math is because they said they're going to
20 work more? And the answer is no. But how do
21 Mayor Stack get away with raising his salary to
22 \$90,000, plus all the perks and benefits and
23 pension for a part time job? I ask you to do your
24 own research.

25 Mayor Stack, can you explain to the good

1 residents of Union City and the good attendees
2 here how you and your Board of Commissioners and
3 family members hold 28 government jobs and
4 positions totalling at least \$1.7 million in pay?
5 Would you like me to read the salaries for each of
6 you?

7 MS. ROSARIO: His time is up.

8 MR. SCARINCI: Okay, thank you very
9 much.

10 MAYOR STACK: Thank you. Anyone else
11 wishing to comment at this time? Okay. Thank you
12 very much. Thank you. Appreciate it. Mr.
13 Gonzalez.

14 MS. ROSARIO: Excuse me. Can I have a
15 motion?

16 MR. GONZALEZ: Good evening. For the
17 record, Ramon Gonzalez.

18 MAYOR STACK: I'm sorry. Motion.

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

21 MAYOR STACK: To close the public
22 comment period.

23 COMMISSIONER FERNANDEZ: Second.

24 MS. ROSARIO: Second by Commissioner
25 Fernandez.

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: Yes.
11 MS. ROSARIO: Thank you.

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LIQUOR LICENSE HEARINGS:

1. **RG ENTERPRISE ENTERTAINMENT, INC.**
T/A THERAPY LOUNGE
2803 Bergenline Avenue
0910-33-134-006
2. **CEVICHE TIME LLC**
T/A CEVICHE TIME BY MARCELO
4538 Bergenline Avenue
0910-33-047-005
3. **AGAVE RESTAURANT, LLC**
T/A AGAVE RESTAURANT
4317 Bergenline Avenue
0910-33-052-007
4. **JUANITA'S II, LLC**
T/A JUANITA'S RESTAURANT II
2904 Bergenline Avenue
0910-33-144-010
5. **SOL CHICKEN, INC.**
T/A SOL CHICKEN
2903 Bergenline Avenue
0910-33-126-007
6. **EL PASO RESTAURANTE CORP.**
3715-17 Bergenline Avenue
0910-33-210-006
(Eike Paneque, Esq.)
7. **BERGENLINE 2117 LLC**
T/A UNIVERSAL LIQUORS
2117 Bergenline Avenue
0910-32-195-003
(Sital Shah, Esq.)

1 **1. RG ENTERPRISE ENTERTAINMENT, INC.**
2 **T/A THERAPY LOUNGE**
3 **2803 Bergenline Avenue**
4 **0910-33-134-006**

5 MR. GONZALEZ: Good evening. For the
6 record, Ramon Gonzalez on behalf of Union City
7 ABC. We have several matters on the agenda.
8 First matter is RG Enterprise Entertainment, Inc.,
9 trading as Therapy Lounge. Mr. Guzman is here.
10 For the record, he told us he does not speak
11 English so well. We agreed we would have the
12 interpreter. Place your name on the record?

13 THE INTERPRETER: Good evening,
14 everyone. My name is Guillermo Martinez. I will
15 be the interpreter for today's hearing.

16 G U I L L E R M O M A R T I N E Z, an
17 interpreter of the SPANISH language, after having
18 been duly sworn, did interpret the following
19 testimony:

20
21 MR. GONZALEZ: Mr. Guzman, you are a
22 corporation, you have the opportunity to have an
23 attorney if you wish?

24 MR. GUZMAN: Yes, sir.

25 MR. GONZALEZ: You met with us at a plea

1 meeting hearing earlier this week. I gave you
2 that option also at that hearing. You did not
3 want an attorney; is that correct?

4 MR. GUZMAN: Yes, sir.

5 MR. GONZALEZ: Okay. And you understand
6 if you want an attorney today, we would adjourn
7 this matter and we do not have to proceed?

8 MR. GUZMAN: No.

9 MR. GONZALEZ: Okay. So you -- I'm
10 sorry, you do not want an attorney?

11 MR. GUZMAN: Yes.

12 MR. GONZALEZ: In that plea meeting, you
13 agreed to a ten-day suspension and you also agreed
14 that you're not going to be selling buckets of
15 beer after midnight; is that correct?

16 MR. GUZMAN: Correct.

17 MR. GONZALEZ: And the purpose of that
18 is that way if people don't finish their beers,
19 they don't take them outside as they're walking
20 home they drink the beers because it creates
21 problems (inaudible); is that right?

22 MR. GUZMAN: Yes, sir.

23 MR. GONZALEZ: Now, so the only thing if
24 the board approves it, you don't have those days
25 today?

1 MR. GUZMAN: No.

2 MR. GONZALEZ: I would respectfully
3 request under the circumstances, since Mr. Guzman
4 has agreed to the suspension, and the reason for
5 the violation was that people were leaving the
6 establishment with beers, either open or closed
7 because they had purchased them by the buckets.
8 Since he's agreed -- he recognizes it is a problem
9 and will not be selling those types of beer after
10 midnight, we would recommend the ten-day
11 suspension. That was based on a conversation with
12 Lieutenant Dunlay, Sergeant Zeron, myself, and Mr.
13 Guzman.

14 MAYOR STACK: Sir, you agree?

15 MR. GUZMAN: Yes, sir, I do.

16 MAYOR STACK: Anything further? Nothing
17 further, I'll make a motion to approve.

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

20 COMMISSIONER GRULLON: Second.

21 MS. ROSARIO: Second Commissioner
22 Grullon.

23 Commissioner Fernandez.

24 COMMISSIONER FERNANDEZ: Yes.

25 MS. ROSARIO: Commissioner Grullon.

1 COMMISSIONER GRULLON: Yes.

2 MS. ROSARIO: Commissioner Valdivia.

3 COMMISSIONER VALDIVIA: Yes.

4 MS. ROSARIO: Commissioner Martinetti.

5 COMMISSIONER MARTINETTI: Yes.

6 MS. ROSARIO: Mayor Stack.

7 MAYOR STACK: Yes.

8 MR. GONZALEZ: I'll prepare the
9 resolution and speak to Mr. Guzman to get the
10 dates and I'll provide that so that the proper
11 resolution can be done.

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1 **2. CEVICHE TIME LLC**
2 **T/A CEVICHE TIME BY MARCELO**
3 **4538 Bergenline Avenue**
4 **0910-33-047-005**

5 MR. GONZALEZ: The next matter is
6 Ceviche Time by Marcelo, they're located at 4538
7 Bergenline Avenue and are represented by Mrs.
8 Paneque.

9 MS. PANEQUE: Eike Paneque for Ceviche
10 Time, LLC.

11 MR. GONZALEZ: I believe he -- if he can
12 place his name on the record?

13 MR. PACENO (through the interpreter):
14 Walter Paceno.

15 MR. GONZALEZ: You're the owner of the
16 establishment; is that correct?

17 MR. PACENO: Yes.

18 MR. GONZALEZ: This matter I'm
19 respectfully requesting that it be adjourned for a
20 further plea negotiating meeting. They just
21 retained the Paneque firm to represent them in
22 this matter. And I have to provide them with
23 discovery. I would ask that it be carried to a
24 future meeting. Thank you.

25 MAYOR STACK: Upon the recommendation of
 Mr. Gonzalez, I'll make a motion to adjourn.

1 MS. ROSARIO: Motion made by Mayor
2 Stack. Second?
3 COMMISSIONER VALDIVIA: Second.
4 MS. ROSARIO: Commissioner Valdivia.
5 Commissioner Fernandez.
6 COMMISSIONER FERNANDEZ: Yes.
7 MS. ROSARIO: Commissioner Grullon.
8 COMMISSIONER GRULLON: Yes.
9 MS. ROSARIO: Commissioner Valdivia.
10 COMMISSIONER VALDIVIA: Yes.
11 MS. ROSARIO: Commissioner Martinetti.
12 COMMISSIONER MARTINETTI: Yes.
13 MS. ROSARIO: Mayor Stack.
14 MAYOR STACK: Yes.
15 MR. GONZALEZ: Thank you.
16 MS. PANEQUE: 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**

5 MR. GONZALEZ: The next matter is Agave
6 Restaurant, LLC. They're here, they trade as
7 Agave Restaurant, located at 4317 Bergenline
8 Avenue. Okay. Could you just please state your
9 name for the record?

10 MR. VALERA (through the interpreter):
11 Juan Carlos Valera.

12 MR. GONZALEZ: And, Mr. Valera, you're
13 the owner of the establishment?

14 MR. VALERA: Yes.

15 MR. GONZALEZ: You asked me if you could
16 adjourn this matter, so you can obtain an
17 attorney; is that correct?

18 MR. VALERA: Yes.

19 MR. GONZALEZ: I would ask that it be
20 adjourned and I'll put it on my next plea meeting
21 to see if we can resolve.

22 MAYOR STACK: I'll make a motion to
23 adjourn.

24 COMMISSIONER MARTINETTI: Second.

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

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: Yes.
11 MR. GONZALEZ: Thank you.

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1 **4. JUANITA'S II, LLC**
2 **T/A JUANITA'S RESTAURANT II**
3 **2904 Bergenline Avenue**
4 **0910-33-144-010**

5 MR. GONZALEZ: The next matter is
6 Juanita's II, LLC, trading as Juanita's
7 Restaurant, at 2904 Bergenline Avenue. Could you
8 just place your name on the record?

9 MS. ROMERO: Juana Romero.

10 MR. GONZALEZ: And, Ms. Romero, you're
11 the owner -- I understand that you understand some
12 English, but we have the interpreter so there's no
13 confusion. Let him interpret and you can answer
14 in Spanish and he'll translate.

15 You were present at a hearing and I gave
16 you the opportunity to have an attorney at that
17 time?

18 MS. ROMERO: (Through the interpreter)
19 Yes.

20 MR. GONZALEZ: You chose that you did
21 not want an attorney and you wanted to proceed at
22 that plea hearing?

23 MS. ROMERO: That is correct.

24 MR. GONZALEZ: You understand today I'm
25 going to ask you the same questions. Do you want
an attorney to represent you?

1 MS. ROMERO: No.

2 MR. GONZALEZ: You feel comfortable
3 proceeding without an attorney?

4 MS. ROMERO: Yes.

5 MR. GONZALEZ: This particular
6 establishment has had a problem where there was a
7 brawl inside the establishment. It was
8 somewhat -- we were able to watch it on video, it
9 was somewhat of a quick event that was broken up
10 and the parties left. Unfortunately, they did not
11 call the police immediately. And that's one of
12 the requirements -- or at least something that I
13 think is important, so that proper steps can be
14 taken. The video also showed that the individual
15 was probably intoxicated and she acknowledged
16 that. So that's the basis for the complaint that
17 we have here.

18 But, under the circumstances, I would
19 probably recommend a stronger punishment, but my
20 goal really is to stop the buckets from being sold
21 because they become a problem with people drinking
22 too much. And she has agreed that she's not going
23 to be selling buckets at all during -- when I say
24 buckets, I mean buckets of beer where they get the
25 beers and put it in a bucket. And because she

1 came up with the very ingenious reason or way to
2 do, which I found very interesting, instead of
3 people buying buckets and I understand that an
4 individual wants to sell as much as they can and
5 make money, but it has to be within reason and not
6 something that's going to hurt the public later.

7 What she has taken upon her is she has
8 gotten chips. So the people can get the
9 equivalent of what they would have gotten in chips
10 and she holds the chips and takes them. The
11 reason, she has said, that once it comes to a
12 certain time, they can't have anymore chips.
13 They'll get the chips back or get the money back.
14 And if she sees that the person's not in good
15 condition, she doesn't allow it anymore. I
16 thought it was very ingenious, she's thinking out
17 of the box.

18 And based on what I would have
19 recommended a greater suspension, we have
20 recommended a suspension of five days for not
21 taking the action of calling the police. And I
22 think the action she takes has to be taken into
23 account, that she's being proactive. She has
24 agreed to the suspension and it would be from
25 October 21st to October 25th. That would be my

1 recommendation and -- 26th, five-day suspension
2 21st to 26th. That would be my recommendation
3 based on the actions that she's become very
4 proactive in addressing the issue. Am I correct
5 in what I stated?

6 MS. ROMERO: Correct, yes.

7 MAYOR STACK: I'll make a motion to
8 approve --

9 MS. ROSARIO: Motion made by Mayor Stack.

10 MAYOR STACK: -- the recommendation of
11 Mr. Gonzalez.

12 MS. ROSARIO: Second?

13 COMMISSIONER MARTINETTI: Second.

14 MS. ROSARIO: Commissioner Martinetti.
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. Thank you very much.

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1 **5. SOL CHICKEN, INC.**
2 **T/A SOL CHICKEN**
3 **2903 Bergenline Avenue**
4 **0910-33-126-007**

5 MR. GONZALEZ: The next matter is Sol
6 Chicken trading as Sol Chicken, 2903 Bergenline
7 Avenue. Please state your name for the record.

8 MS. PEREIRAS: (Through the interpreter)
9 Ida Pereiras.

10 MR. GONZALEZ: And, Ms. Pereiras, are
11 you the owner of the establishment?

12 MS. PEREIRAS: Yes.

13 MR. GONZALEZ: We have done regular bar
14 checks and papers to see if everything is in
15 order. The police took their action on this
16 particular place, walked in and found out,
17 although the paperwork was present, it was still
18 lacking the approval from the state. So we filed
19 these charges.

20 She came to the plea meeting and before
21 she came to the plea meeting, I contacted the
22 state to make sure that the paperwork was either
23 not done and we can proceed with it. And
24 apparently the state didn't send it out in time.
25 So she had it, it just had not been received
because the state didn't send it out. Under those

1 circumstances, I don't think it's appropriate to
2 punish an individual because they did everything
3 they were supposed to at the time and they were in
4 fact in compliance, it's just the state didn't
5 send it out in a timely fashion. So my
6 recommendation would be a dismissal.

7 MAYOR STACK: I'll make a motion to
8 approve Mr. Gonzalez's recommendation.

9 COMMISSIONER VALDIVIA: Second.

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

12 Commissioner Fernandez.

13 COMMISSIONER FERNANDEZ: Yes.

14 MS. ROSARIO: 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 MR. GONZALEZ: Thank you.

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1 **6. EL PASO RESTAURANTE CORP.**
2 **3715-17 Bergenline Avenue**
3 **0910-33-210-006**
4 **(Eike Paneque, Esq.)**

5 MR. GONZALEZ: We have two more matters.
6 One is El Paso Restaurante, it's located at 3715
7 Bergenline Avenue. They're represented by Ms.
8 Paneque, who's present. If I can just bring the
9 board up to speed. This matter was actually on
10 about two weeks ago and we had some reservation on
11 having the approval on this matter. And Ms.
12 Paneque has provided the information and I think
13 what happens is that your Honor had asked who will
14 be managing. And the owner, this young man here,
15 stated he would not be there all the time.
16 They've explained to me that it is a family
17 restaurant, it appears there's will a lot of them
18 here that came and took the time to speak with me
19 outside the hearing and explain to me that the
20 reason he answered that is because he took it so
21 literal that he would be there around the clock,
22 but he has his family, since it's a restaurant
23 that's here.

24 I also though had the opportunity since
25 my office is not very far, I go around a lot of
 times on Bergenline and I look. I did express to

1 them that if this got approved that they're going
2 to be subject to much more regulation because they
3 have a license. We would not -- if it was to be
4 approved, we would not want something that would
5 be creating a nuisance to the area, to the public,
6 as loud music and anything along those lines.

7 Obviously, we don't have control over individuals
8 that don't have a license through me, meaning some
9 licensing bureau because I know there's a lot that
10 goes out on there. But I did explain to them that
11 that's a concern that we have and we would not
12 want buckets of beer, obviously. This would be on
13 condition of no buckets being used at all. The
14 licensee of understands that this is a one -- for
15 at least one year, they close selling liquor
16 alcohol at midnight, which is the standard that
17 we've been using on all new liquor license
18 establishments.

19 I just wanted to convey what they have
20 to the Mayor and Commissioners. And if there's
21 any questions, like always, it's always up to you
22 so decide whether to grant or not to grant a
23 license. Lieutenant Dunlay did say that they have
24 complied with everything and the police would have
25 no objection -- they own the license, activate the

1 license.

2 MAYOR STACK: I'm happy it's going to be
3 family operated. We spoke about speakers on the
4 sidewalk on a Saturday night, that kind of
5 activity can't happen.

6 MS. PANEQUE: He understands.

7 MAYOR STACK: -- just a reasonable
8 number, never allowed out on the sidewalk. Being
9 that's a good family run business, we support that
10 a thousand percent. I'll make a motion to
11 approve.

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

14 COMMISSIONER VALDIVIA: Second.

15 MS. ROSARIO: Commissioner Valdivia.
16 Commissioner Fernandez.

17 COMMISSIONER FERNANDEZ: Yes.

18 MS. ROSARIO: Commissioner Grullon.

19 COMMISSIONER GRULLON: Yes.

20 MS. ROSARIO: Commissioner Valdivia.

21 COMMISSIONER VALDIVIA: Yes.

22 MS. ROSARIO: Commissioner Martinetti.

23 COMMISSIONER MARTINETTI: Yes.

24 MS. ROSARIO: Mayor Stack.

25 MAYOR STACK: Yes. Ray you're going to

1 be running the training soon?

2 MR. GONZALEZ: We did the training
3 already. We do it on a yearly basis, they did
4 attend because they own the license. If they own
5 a license, even if it's in pocket status, you're
6 required to come and doing the training.

7 MAYOR STACK: And they were there?

8 MR. GONZALEZ: Yeah. We keep a list of
9 everybody that goes and makes sure that -- I mean
10 they should go.

11 MAYOR STACK: Good luck with your
12 business.

13 MS. PANEQUE: Thank you.

14 MAYOR STACK: Thank have. You a good
15 evening.

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1 **7. BERGENLINE 2117 LLC**
2 **T/A UNIVERSAL LIQUORS**
3 **2117 Bergenline Avenue**
4 **0910-32-195-003**
5 **(Sital Shah, Esq.)**

6 MR. GONZALEZ: The last matter we have
7 is a liquor license transfer for a liquor store
8 located at Bergenline Avenue, 2117 Bergenline
9 Avenue, trading as Universal Liquors, they're
10 represented by Mr. Shah, who's here present. Good
11 evening, place your appearance on the record.

12 MR. SHAH: Sital J. Shah on behalf of
13 Bergenline 2117, LLC, thank you for hearing us.

14 MR. GONZALEZ: This matter comes before
15 the board for a transfer, for a person-to-person
16 transfer, it stays at the same location. They're
17 essentially selling the liquor store. Prior to
18 the sale of any liquor store, the individual that
19 purchases has to qualify.

20 During that qualification period,
21 there's vetting that goes on and proofs that have
22 to be presented. They've been reviewed by me,
23 they have been reviewed by Lieutenant Dunlay also,
24 and have found to be in compliance and qualify, if
25 this board should decide to transfer.

 Aside from the regulations required,

1 they would need to provide, which they have, I
2 spoke to Mr. Shah and I explained to him that we
3 have issues that we like to have addressed. A lot
4 of them are compliance with the regulations and
5 the law. We do not like single beers being sold,
6 just can't do it. Can't do it by ABC, can't do it
7 by Union City ordinance either.

8 I also explained to him that obviously
9 he can't sell the small alcohol bottles, KI guess
10 they look like the airplane bottles. But we find
11 that they cause a problem because a lot of people
12 have purchased them when they're already
13 intoxicated and they drink them outside and it
14 creates a problem for the area and the homes.

15 Mr. Shah has explained to me that he
16 would make his client aware. Clearly, there's no
17 alcohol that should be sold to anybody who's under
18 the influence, whether it's full bottle or a small
19 bottle. But that's an obligation that the new
20 owner would have as the old owner.

21 He did explain that his client does have
22 experience in owning a liquor license or
23 employment at a liquor license?

24 MAYOR STACK: Mr. Shah.

25 MR. SHAH: Yes. My client has previous

1 operating experience, has no problem complying
2 with what Mr. Gonzalez said.

3 MAYOR STACK: What Mr. Gonzalez said
4 about the single beers and the small bottles,
5 that's important to us. If they do as good a job
6 as the prior owner, we never really had any issues
7 there at that location. As long as it's very
8 clean outside all the time, no congregating in the
9 front --

10 MR. SHAH: Sure, I don't see any problem
11 with compliance with that.

12 MAYOR STACK: Best of luck. You'll be
13 at the business also?

14 OWNER: Me and my wife and Jose who's
15 currently there.

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

18 COMMISSIONER FERNANDEZ: Second.

19 MS. ROSARIO: Motion made by Mayor
20 Stack. Second by Commissioner Fernandez.

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 MR. SHAH: Thank you.

7 MR. GONZALEZ: Thank you. That
8 concludes all ABC matters.

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ADJOURNMENT :

MS. ROSARIO: May I have motion to adjourn this meeting?

MAYOR STACK: Motion.

MS. ROSARIO: Motion made by Mayor Stack. All in favor?

(All Board Members indicate in the affirmative.)

MAYOR STACK: Thank you very much. Have a good evening, everyone.

(Whereupon the meeting was adjourned.)

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Brian P. Stack

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Lucio P. Fernandez

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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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Board of Commissioners

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Attest:

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Donald Scarinci, 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 transcript of the AUDIO RECORDED proceedings in their entirety, as taken stenographically by me, is a true and accurate transcript of the proceedings as recorded, and to the best of my ability.

SUSAN BISCHOFF, CCR, RPR
LICENSE NO. 30XI00233700