

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Early Childhood
Education Center
2200 Kennedy Boulevard
Union City, New Jersey

Tuesday, April 7, 2015
Commencing at 7:00 p.m.

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

BRIAN P. STACK, MAYOR
LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER, (Left at 7:50 p.m.)

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

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

DOMINICK CANTATORE, ACTING CITY CLERK

SCARINCI HOLLENBECK
BY: MONICA E. de los RIOS, ESQ.
BY: KARA A. KACZYNSKI, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

A L S O P R E S E N T C O N T ' D :

BRIAN M. CHEWCASKIE, ESQ., Special Counsel

DAVID SPATZ, Planning Consultant

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1 ACTING CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioner, being held on Tuesday, April 7,
4 2015, at seven p.m., at the Early Childhood
5 Education Center, 2200 Kennedy Boulevard, Union
6 City, New Jersey.

7 Everyone please rise for the Pledge of
8 Allegiance.

9
10 (Whereupon the Pledge of Allegiance was
11 said.)

12
13 ACTING CITY CLERK: This meeting has been
14 called in accordance with Chapter 231, Public Law
15 of 1975, the Open Public Meeting Act. Adequate
16 notice of this meeting has been provided as
17 follows:

18 Notice of this meeting setting forth the
19 time, date, location, and the agenda, to the
20 extent known, was forwarded to The Jersey
21 Journal, The Record, and The Hudson Reporter, has
22 been posted on bulletin board in City Hall and
23 has been made available to the public in the
24 office of the Municipal Clerk.

25

1 **ROLL CALL:**

2

3 ACTING CITY CLERK: Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Here.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Here.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Here.

10 ACTING CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Here.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Here.

15

16 **PROCLAMATIONS-CITATIONS-CERTIFICATE OF**

17 **APPRECIATION:**

18

19 ACTING CITY CLERK: First item is -- that
20 we have on the agenda is Proclamation. This
21 commendation and praise are extended to the
22 following coaches and students for their
23 distinguished participation in the Union City Jr.
24 Wrestling Team.

25 MAYOR STACK: I would just like to

1 recognize our -- our wrestling team here in Union
2 City and the great accomplishments that they had,
3 to recognize each of -- each of our participants
4 and the students of Union City and their parents,
5 their coaches, all the volunteers that
6 participate.

7 I know some many times when we -- we view
8 this -- the television and the evening news we
9 hear about such negativity from our youth. And
10 in this case we such great things.

11 We don't hear about all the great things
12 that our youth are doing and -- even in Union
13 City. The great jobs our schools do and day in
14 and day out that the parents, the coaches and all
15 that participate in our programs doing.

16 I felt it was important, along with the
17 Commissioners, to recognize our wrestling team
18 and their outstanding accomplishments.

19 (Applause.)

20 COMMISSIONER FERNANDEZ: I'm Commissioner
21 Lucio Fernandez. I'd like to reiterate what the
22 Mayor just said.

23 On behalf of the Mayor and the Board of
24 Commissioners, we'd like to congratulate first of
25 all the students, the wonderful team but also the

1 coaches and the parents for supporting such an
2 endeavor.

3 Thank you all for being here and thank you
4 for supporting our -- our children.

5 The first proclamation is being presented
6 to our coach, Roberto Diaz.

7 Coach Diaz?

8 (Applause.)

9 COMMISSIONER FERNANDEZ: And the
10 proclamation reads:

11 Whereas, the City of Union City is pleased
12 to honor Coach Roberto Diaz, upon the
13 distinguished success of the Union City Junior
14 Wrestling Team; and

15 Whereas, appropriately and accordingly
16 Coach Roberto Diaz has provided significant
17 contributions to the City of Union City as a
18 coach and role model for the youth; and

19 Whereas, Coach Roberto Diaz is the proud
20 father of five loving children, he was born in
21 California but raised in Union City, New Jersey.
22 Although he works full time, his devotion to his
23 children, as well as the youth of Union City has
24 driven him to become a coach for basketball,
25 soccer, baseball and wrestling. Coach Roberto

1 Diaz is also a certified coach of the Archdiocese
2 of Newark for Saint Augustine School and a mixed
3 martial arts trainer. His most recent
4 accomplishment was mentoring and guiding his
5 wrestling team to the New Jersey State
6 Championship; and

7 Whereas, Coach Roberto Diaz represents the
8 true spirit and character of the City of Union
9 City, his achievements are hereby lauded and
10 recognized; and

11 Now, Therefore Be it Resolved, that Brian
12 P. Stack, Mayor of the City of Union City, and
13 the Union City Board of Commissioners, do hereby
14 honor Coach Roberto Diaz.

15 Congratulations.

16 (Applause.)

17 MAYOR STACK: Thank you very much.

18 COMMISSIONER VALDIVIA: Again, I want to
19 congratulate the wrestling team. I want to
20 congratulate all the parents that are here --
21 proud parents that are here. They're always --
22 the wrestling team is very -- it's not a big
23 group but they're very tight. The few times that
24 I've been around them they're very close.

25 I would like to congratulate Commissioner

1 Martinetti whose son won the State title, Carlos
2 who's number one -- the State title; and all the
3 wrestlers.

4 She's a true wrestling mom.

5 COMMISSIONER MARTINETTI: Thank you.

6 (Applause.)

7 COMMISSIONER VALDIVIA: Thank you.

8 Whereas, the City of Union City is pleased
9 to honor Coach Xavier "Sam" Feliciano, --

10 Sam, please.

11 (Applause.)

12 COMMISSIONER VALDIVIA: -- upon the
13 distinguished success of the Union City Junior
14 Wrestling Team; and

15 Whereas, appropriately and accordingly,
16 Coach Xavier "Sam" Feliciano has provided
17 significant contributions to the City of Union
18 City as a coach, role model and for the youth;
19 and

20 Whereas, Coach Xavier "Sam" Feliciano
21 participated in numerous sports while growing up
22 to keep -- to keep himself out of trouble. As an
23 adult he wanted to provide the youth with the
24 same opportunity and began to coach for various
25 children's leagues. Coach "Sam" Feliciano has

1 | been the head coach of the Union City Junior
2 | Wrestling Team for over 14 years and believes
3 | that wrestling encourages discipline and helps
4 | create emotional, mental toughness. A fulltime
5 | electrician by trade, he finds time to share his
6 | love for sports with the children and is seen as
7 | a friend, mentor, father-figure to his young
8 | athletes; and

9 | Whereas, Coach "Sam" Feliciano represents a
10 | true spirit and character of the City of Union
11 | City, his achievements are hereon lauded and
12 | recognized;

13 | Now There it Be Resolved that Mayor Brian
14 | P. Stack, Mayor of the City of Union City and the
15 | Union City Board of Commissioners, do hereby
16 | honor Coach Xavier "Sam" Feliciano.

17 | Congratulations --

18 | (Applause.)

19 | (Whereupon, there was a pause in the
20 | proceedings while photographs were taken.)

21 | COMMISSIONER FERNANDEZ: On behalf of the
22 | Mayor, as a State Senator, we'd like to please
23 | honor the winning children with citations from
24 | the Senate citation -- from the Senate -- of the
25 | New Jersey State Senate.

1 The citation reads:

2 Commendation and praise are extended to by
3 the citizenry of the 33rd New Jersey Legislative
4 District, through the elective representatives,
5 for your participation in the Union City Junior
6 Wrestling Program and your achievements at the
7 Kids State Championships at Trenton, New Jersey.

8 We're going to call one -- one student at a
9 time.

10 Alan Rivera, 8-U Division Champion.

11 (Applause.)

12 COMMISSIONER FERNANDEZ: Martin A.

13 Martinetti, 8-U Division.

14 (Applause).

15 COMMISSIONER FERNANDEZ: Carlos Garcia,

16 10-U Division.

17 (Applause.)

18 COMMISSIONER FERNANDEZ: Roger Diaz.

19 (Applause.)

20 COMMISSIONER FERNANDEZ: Charles Gaston.

21 (Applause.)

22 COMMISSIONER FERNANDEZ: Adrian Drew.

23 (Applause.)

24 COMMISSIONER FERNANDEZ: Kyle Grund.

25 (Applause.)

1 COMMISSIONER FERNANDEZ: And Commissioner
2 Valdivia will read the Certificate of
3 Appreciation from the City of Union City.

4 COMMISSIONER VALDIVIA: Certificate of
5 Appreciation.

6 Ariel Higuera.

7 (Applause.)

8 COMMISSIONER VALDIVIA: Congratulations.
9 Devon Ramos.

10 (Applause.)

11 COMMISSIONER VALDIVIA: Marc Rivera.

12 (Applause.)

13 COMMISSIONER VALDIVIA: Max Espinosa.

14 (Applause.)

15 COMMISSIONER VALDIVIA: Jamie Rodriquez.

16 (Applause.)

17 COMMISSIONER VALDIVIA: Jean Alvarez.

18 (Applause.)

19 COMMISSIONER VALDIVIA: Aaron Wong.

20 (Applause.)

21 COMMISSIONER VALDIVIA: Ashley Diaz.

22 (Applause.)

23 COMMISSIONER VALDIVIA: Frankie Lopez.

24 (Applause.)

25 COMMISSIONER VALDIVIA: Edwin Nin.

1 (Applause.)

2 COMMISSIONER VALDIVIA: Alejandro Sanchez.

3 (Applause.)

4 COMMISSIONER VALDIVIA: Donovan Sanchez.

5 (Applause.)

6 COMMISSIONER VALDIVIA: Antonio Hernandez.

7 (Applause.)

8 COMMISSIONER VALDIVIA: Bernardo Montanez.

9 (Applause.)

10 COMMISSIONER VALDIVIA: John Carlo Suero.

11 (Applause.)

12 A VOICE: Bernardo's right there.

13 Bernardo.

14 COMMISSIONER VALDIVIA: Oh, Bernardo.

15 (Whereupon, there was a pause in the

16 proceedings.)

17 (Applause.)

18 COMMISSIONER VALDIVIA: Francisco Romero.

19 (Applause.)

20 COMMISSIONER VALDIVIA: Carlos Cedenio.

21 (Applause.)

22 COMMISSIONER VALDIVIA: Joshua Figueroa.

23 (Applause.)

24 COMMISSIONER VALDIVIA: Luan Ortiz.

25 (Applause.)

1 COMMISSIONER VALDIVIA: Justin Lugo.

2 (Applause.)

3 COMMISSIONER VALDIVIA: Yandel Cabrera.

4 (Applause.)

5 COMMISSIONER VALDIVIA: Samantha Diaz.

6 (Applause.)

7 COMMISSIONER VALDIVIA: Martin A.

8 Martinetti.

9 (Applause.)

10 COMMISSIONER VALDIVIA: Carlos Garcia.

11 (Applause.)

12 COMMISSIONER VALDIVIA: Alan Rivera.

13 (Applause.)

14 COMMISSIONER VALDIVIA: Kyle Grund.

15 (Applause.)

16 COMMISSIONER VALDIVIA: Roger Diaz.

17 (Applause.)

18 COMMISSIONER VALDIVIA: Adrian Drew.

19 (Applause.)

20 COMMISSIONER VALDIVIA: Charles Gaston.

21 (Applause.)

22 (Whereupon, there was a pause in the
23 proceedings.)

24 (Whereupon, there was a pause in the
25 proceedings while photographs were taken.)

1 MAYOR STACK: So, we can get back to the
2 meeting, I would just like to thank everyone for
3 their patience during this session.

4 Thank you, everyone.

5 MR. LUIS DIAZ: Mayor, let me reiterate
6 what you said about the Union City youth. This
7 year the Union City High School became Hudson
8 County Champs in debating and -- (indiscernible).
9 They are the Hudson County Champs, Union City
10 High School.

11 MAYOR STACK: Great to hear.

12 Thank you very much, Mr. Diaz.

13 Thank you.

14 (Applause.)

15 MAYOR STACK: Okay, Mr. City Clerk?

16

17 **APPROVAL OF PREVIOUS MEETING MINUTES FROM MARCH**
18 **3, 2015 AND MARCH 17, 2015:**

19

20 ACTING CITY CLERK: Okay, next item is
21 Approval of Previous Meeting Minutes.

22 Motion must be duly made and seconded that
23 the meeting minutes of the Board of Commissioner
24 being held on March 3rd, 2015 and March 17, 2015,
25 be approved and recorded.

1 MAYOR STACK: Motion to --

2 ACTING CITY CLERK: Motion made by Mayor
3 Stack.

4 COMMISSIONER MARTINETTI: Second.

5 ACTING CITY CLERK: Second by Commissioner
6 Martinetti.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 ACTING CITY CLERK: Commissioner Rivas?

11 COMMISSIONER RIVAS: I'll abstain.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 ACTING CITY CLERK: Commissioner
15 Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 ACTING CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19

20 **1. AN ORDINANCE AMENDING CHAPTER 223 "LAND**
21 **DEVELOPMENT" OF THE CODE OF THE CITY OF UNION**
22 **CITY**

23

24 ACTING CITY CLERK: Next item is an
25 Ordinance Amending Chapter 223 Land Development

1 of the Code of the City of Union City.

2 MAYOR STACK: Who's -- who's going to be
3 explaining this one?

4 This is on --

5 MS. de los RIOS: Brian Chewcaskie --

6 MAYOR STACK: And this is on --

7 MS. de los RIOS: -- and Kara --

8 MAYOR STACK: -- this is on --

9 MS. de los RIOS: This is the land use
10 development on the zoning issue.

11 So, Kara and --

12 MAYOR STACK: Sure.

13 MS. de los RIOS: -- and Brian Chewcaskie
14 are here.

15 MAYOR STACK: Sure.

16 If you can just step forward, Mr.
17 Chewcaskie and Kara, and just explain what this
18 item is on the agenda for the public's
19 edification.

20 MR. CHEWCASKIE: You want me to do it or
21 you going to do it?

22 MS. KACZYNSKI: Good evening, Mayor and
23 Commissioners. Kara Kaczynski from Scarinci
24 Hollenbeck.

25 I'm here with Brian Chewcaskie; he's

1 Special Zoning Counsel for the City.

2 This Ordinance before you tonight is on for
3 second reading. And as you know the Ordinance
4 proposes to amend the permitted uses within the
5 City's public district.

6 Currently the proposed amendment is to
7 allow age restricted and/or affordable housing in
8 low or mid-rise apartment buildings within this
9 public district.

10 Public district is comprised of properties
11 that are owned by governmental entities,
12 including the City, the Board of Ed, the Parking
13 Authority. And these new uses would be subject
14 to the standards that are currently existing in
15 the City's RM District and would only be
16 permitted on parking lots that are owned by these
17 governmental entities.

18 As I indicated, Mr. Chewcaskie is here, if
19 you have any additional questions with regard to
20 the Ordinance.

21 MS. DILLON: Mr. Chewcaskie, can I just ask
22 you to move forward?

23 MR. CHEWCASKIE: Sure.

24 It's Brian Chewcaskie, Gittleman, Muhlstock
25 and Chewcaskie.

1 As the Commissioners are aware, several
2 years back the Ordinance was adopted after a
3 comprehensive master plan review. This amendment
4 limits certain uses within the P District, that
5 Kara just explained.

6 However, the further restrictions are there
7 would have to be agreements entered into with the
8 governmental entities in order to provide for the
9 housing that's listed there.

10 It provides greater flexibility. It also
11 advances purposes of the State plan in order to
12 create affordable housing by identifying sites.
13 It does not affect parks or other facilities,
14 which would be subject to those restrictions.

15 So it has a certain purpose but it also has
16 the limitations that there are certain properties
17 that could not be used and any properties that
18 are identified would have to come back to the
19 appropriate body and approval in order to be
20 developed.

21 MAYOR STACK: This -- this would also tie
22 in on the 8th to 10th Street municipal parking lot
23 between Summit and Central Avenue.

24 Correct?

25 MR. CHEWCASKIE: Correct.

1 MAYOR STACK: This -- this is more in tune
2 with the 8th Street municipal parking lot, to
3 possibly build some type of maybe senior housing
4 above the 8th Street lot and maybe have the other
5 portion of the lot have a parking deck on it,
6 increasing the parking for the residents in the
7 area, while developing maybe possibly a senior
8 citizen building on that site.

9 Anyone wishing to comment on this Ordinance
10 at this time, please step forward.

11 Please, please step forward. Just state
12 your name and address for the record.

13 MR. PRICE: Larry Price, 1006 Palisade
14 Avenue.

15 Currently the -- by the way, who do I -- I
16 have questions, I really don't have comments.

17 MAYOR STACK: You can them through the
18 Chair and then I'll delegate who will answer
19 them.

20 MR. PRICE: Okay.

21 Is the -- the public section of the Land
22 Development Ordinance, as it currently exists,
23 states that the P District is only for public
24 purposes. That is now being dropped.

25 My question is why?

1 MAYOR STACK: Chewcaskie?

2 MR. CHEWCASKIE: It's not being dropped,
3 Mr. Price. In addition to those uses, --

4 MAYOR STACK: Just if you could please keep
5 your voice up just so everyone could hear. I
6 understand --

7 MR. CHEWCASKIE: It's allergies, Mayor.

8 MAYOR STACK: Sure.

9 MR. CHEWCASKIE: In addition to the public
10 uses that are specifically identified, in
11 addition you are now advancing age restricted or
12 affordable housing, which certainly is a public
13 purpose under the State Guidelines and in
14 accordance with your master plan. So it doesn't
15 circumvent those public uses.

16 MR. PRICE: Okay.

17 Then my next question is the age restricted
18 -- it just says this use, age restricted or
19 affordable housing. It doesn't say that it has
20 to be publicly owned. It could be privately
21 owned. It could be private housing. We have
22 that around. We've had all kinds of problems
23 with that kind of housing. But we're -- you
24 know, it -- it's age restricted but it could be
25 privately owned.

1 Why are we making -- we're taking public
2 property and -- and devoting it to a private use.
3 I don't understand why.

4 MR. CHEWCASKIE: You want me to answer --

5 MAYOR STACK: Please.

6 MR. CHEWCASKIE: -- answer that question,
7 Mayor?

8 MAYOR STACK: Please, if you could.

9 MS. DILLON: Just step forward.

10 MR. CHEWCASKIE: It's -- it's not entirely
11 privately owned. The land and that on which any
12 -- this housing would be developed is either
13 owned by the City, the Board of Ed or a Parking
14 Authority.

15 Therefore, they would have to be an
16 agreement. Either a lease or a joint venture or
17 some form of agreement as with a public/private
18 partnership in order to advance these housing
19 purposes.

20 MAYOR STACK: And that's the only way we
21 would do it. I mean if -- if you had some type
22 of a senior building go up on the 8th to 10th
23 Street municipal lot, --

24 And there's no project proposed. I just
25 want everybody to understand that.

1 Union City is a land-lock community. The
2 only thing that we can do is in some of these
3 public parcel land to build affordable housing
4 for senior citizens. We have a lot of seniors
5 who maybe own a home in the City, a two-family
6 home or live in an apartment building, can't
7 afford the rent or can't afford to keep their
8 home. They've outlived that use of their home
9 and want to move in and stay in our City. And
10 that's what we're looking to do, keep them in the
11 City.

12 Many of them would qualify for Section 8
13 housing, tax credits. There would be -- it would
14 be keeping them within the same municipality and
15 it would still stay under the public domain.

16 MR. PRICE: But privately owned, privately
17 operated; it could be. It -- it's not -- it's
18 not -- it's not restricted to publicly owned
19 affordable housing or senior citizen --

20 It could be a, you know, private ownership.
21 That's -- I find that's --

22 MAYOR STACK: Brian, you want to --

23 MR. CHEWCASKIE: Yeah.

24 I mean that's correct, Mr. Price, it could
25 be privately -- private ownership and operated.

1 But those are all mandated how it's going to be
2 operated through the various agreements.

3 Throughout other municipalities that have
4 the benefit of having some vacant land, there is
5 certain municipalities that provide the land,
6 enter into an agreement, and create senior
7 citizen housing with like the United
8 Way/Madeline, all sorts of -- of non-profit
9 entities, not fulfill the public purpose of
10 either providing affordable housing,
11 developmentally disabled housing or senior
12 housing.

13 MAYOR STACK: And that's something we would
14 look to do. Maybe possibly North Hudson
15 Community Action Program, the United Way.
16 There's many different organizations we would try
17 to partner up with to take over the building and
18 run that property.

19 MR. PRICE: Okay.

20 I make one comment; I have one last
21 question.

22 The comment I would make, it's Union City.
23 I mean affordable housing is great. At my age,
24 let me tell you, age restricted housing it's got
25 its merits, too. But in Union City if you put it

1 up to the citizens, they'll take parking every
2 day over --

3 MAYOR STACK: We wouldn't be taking the
4 parking away. If we put a building up on the 8th
5 to 10th Street --

6 One thing I wouldn't do -- and I'd go on
7 record saying this, I would never taking parking
8 away.

9 Take for example 9th and Palisade, where
10 Libero lives. I would never go in and say we're
11 going to put up a senior building on this
12 property and knock everybody out of a parking
13 spot. We wouldn't do that.

14 If we took the 8th to 10th Street municipal
15 lot and we developed half of it, Larry, --

16 Let's say, for argument's sake, we went
17 from the 10th Street side, which is the wider
18 side, between Central and Summit; if you could
19 picture that in your mind. We went -- and we
20 went up to let's say what would be quote/unquote
21 9th Street in that parking lot, the equivalent of
22 9th Street let's say, the other side of that lot
23 we would build a deck to make up the parking we
24 lost but also increase the parking for residents
25 in the area.

1 That would be part and parcel of what we
2 do. I would never take the parking away and put
3 a building on that site. I would increase the
4 parking by trying to do a deck on that site.

5 MR. PRICE: Okay.

6 Question. The Municipal Land Use Law
7 requires that any land -- zoning ordinance or
8 amendment to a zoning ordinance be referred to
9 the Planning Board.

10 Why wasn't that done in this case?

11 MAYOR STACK: Brian?

12 MR. CHEWCASKIE: I don't know if it was or
13 wasn't in this case, Mr. Price. But I -- when I
14 reviewed the Ordinance I had to make a
15 determination that it was consistent with the
16 master plan, in which it was.

17 So the master plan, which was adopted years
18 ago by the Planning Board, as long as there's
19 consistency, --

20 MAYOR STACK: Right.

21 MR. CHEWCASKIE: -- there's a purpose in
22 that master plan that encouraged affordable
23 housing within the City and that was one of the
24 statements that was specifically set forth in the
25 Zoning Ordinance.

1 So it was already addressed by the Planning
2 Board and I believe you were part of the
3 committee going back years ago; we probably sat
4 in this room.

5 But that was one of the criteria that the
6 Mayor set, is that in terms of housing we -- we
7 want to encourage affordable housing. So not
8 only was that statement made in the master plan,
9 it was made specifically in the Ordinance itself.

10 MR. PRICE: Well, okay. I'm -- I'm not
11 saying that what -- all I'm saying is Section 26
12 in the Municipal Land Use Law requires a referral
13 to the Planning Board and their review and
14 recommendation back to the governing body. That
15 was not done in this case and my question's why
16 not?

17 MS. KACZYNSKI: Mayor, --

18 MAYOR STACK: We'll review it. Because I
19 think -- I think it was, as Mr. Chewcaskie said,
20 adopted by the Planning Board -- the master plan.
21 We could always review it.

22 Kara?

23 MS. KACZYNSKI: That's what I was going to
24 say. Mayor, we can look into that because I'm
25 not sure exactly what happened either. I know

1 | that the master plan did address the issue.

2 | However, there's no problem about tabling
3 | this until the next meeting, looking into what
4 | happened and taking whatever --

5 | MAYOR STACK: Sure.

6 | MS. KACZYNSKI: -- other steps we --

7 | MAYOR STACK: I would have no problem doing
8 | that.

9 | MS. KACZYNSKI: -- may need to do.

10 | MAYOR STACK: I would have no problem doing
11 | that.

12 | MS. KACZYNSKI: Assuming that that's even
13 | necessary.

14 | MR. CHEWCASKIE: If that -- if that's the
15 | case, Mayor, I would suggest --

16 | MS. DILLON: Just step forward.

17 | MR. CHEWCASKIE: I'm sorry.

18 | -- suggest that you continue with the
19 | public hearing, hear all the comments, and if it
20 | has to be referred --

21 | MAYOR STACK: And we'll do that.

22 | We'll continue with the public hearing. In
23 | fact, I'll leave the public hearing open until
24 | the next meeting. And then at that point we'll
25 | take action on it.

1 Anyone else on this Ordinance?

2 Please, Mr. Marotta?

3 MR. MAROTTA: Excuse me.

4 Libero Marotta, 311 9th Street.

5 I'm very much concerned about this
6 amendment. Had this happened 10 or 12 years ago
7 I would be fully in support of it. But what the
8 Planning Board and Zoning Board has done to the
9 City, doing away with open space, it disturbs me.

10 Mayor, you mention 9th Street and Palisade
11 Avenue and I live in that area. There are 33
12 parking spaces there on that corner. Now, if
13 we're going to put some housing on that corner,
14 the Ordinance is going to require additional
15 parking for the number of rooms that we get into
16 that housing.

17 What are we going to do with it? What if
18 we need 20 more?

19 You say we're not going to destroy and do
20 away with parking but you might not be here
21 forever, Mayor, I'm sorry.

22 MAYOR STACK: I understand.

23 MR. MAROTTA: So, I think we gotta -- we
24 have to word this in such a way that we could
25 guarantee --

1 MAYOR STACK: Sure.

2 MR. MAROTTA: -- that we're going to have
3 parking there. We're not --

4 I mean the City, we suffer from no parking
5 right now. We can't take anymore no parking in
6 the City.

7 MAYOR STACK: Absolutely. Absolutely. I'm
8 a hundred percent in favor.

9 Brian? You want to address that?

10 Or Kara?

11 MS. KACZYNSKI: I was just going to say,
12 Mayor, as -- as Mr. Chewcaskie indicated, any
13 development that would be done there would be
14 subject to an agreement between the City or the
15 governmental entity and whoever's going to be
16 developing it. And of course that issue can be
17 addressed by way of the agreement as well, with
18 some flexibility --

19 MAYOR STACK: I think -- I think what Mr.
20 Marotta brought up I'm willing to do.

21 Let's address it with some language in
22 there, that we address the parking situation
23 going forward. In the event, as Mr. Marotta
24 said, looking into the crystal ball, I'm not
25 here.

1 COMMISSIONER VALDIVIA: No, please.

2 MR. CHEWCASKIE: Well, if I may, Mayor?

3 It is addressed in the manner of speaking
4 in that the criteria for the development is
5 identified in the Ordinance what the standards
6 are.

7 The standards also include the parking.
8 Any residential development meet the Residential
9 Site Improvement Standards for one or two bedroom
10 units.

11 There is certainly flexibility, depending
12 on the type of housing, but that would require an
13 agreement with the -- with the City and an action
14 by the Planning Board.

15 MAYOR STACK: If -- if we could get some
16 language in there, Brian, just to enhance that
17 and make sure going forward; I would like that.

18 MR. MAROTTA: With --

19 Mayor, --

20 MAYOR STACK: Sure.

21 Mr. Marotta?

22 MR. MAROTTA: -- with all due respect to
23 Mr. Chewcaskie, I understand that it's in the
24 Ordinance.

25 However, Mr. Chewcaskie hasn't been around

1 the way we've been around who live here. These
2 Boards disregard the Ordinance. They just grant
3 variances like they're going out of style.

4 For example, only recently the Planning
5 Board, 58 off-street parking was required; they
6 approved a variance for 24.

7 Where do we put the 34 cars? We have
8 skyhooks to put them on?

9 This is what I'm talking about.

10 MAYOR STACK: I understand --

11 MR. MAROTTA: Sure, the Ordinance --

12 MAYOR STACK: And we --

13 MR. MAROTTA: Let's get the language --

14 MAYOR STACK: We'll --

15 MR. MAROTTA: -- in there to make sure --

16 MAYOR STACK: We'll make sure --

17 MR. MAROTTA: -- we're protected.

18 MAYOR STACK: -- the language is in there.

19 MR. MAROTTA: Thank you.

20 MAYOR STACK: And, Mr. Marotta, I gave you
21 my word, the next appointment on the -- on the
22 Board of Adjustment I'm putting you on.

23 I'm serious. I'm very serious about that.

24 We're making one change with an alternate
25 tonight but the next opening you're going on.

1 Anyone else with a question on this
2 Ordinance, please step forward.

3 Seeing none.

4 I'll make a motion to table and keep the
5 public hearing open until the next Commission
6 Meeting, which is on --

7 ACTING CITY CLERK: April 21st, --

8 MAYOR STACK: April --

9 ACTING CITY CLERK: -- at the William V.
10 Musto Cultural Center.

11 COMMISSIONER RIVAS: Second.

12 MAYOR STACK: You got it.

13 ACTING CITY CLERK: Okay, --

14 MS. KACZYNSKI: And, Mayor, just to be
15 clear, with regard to the language because if
16 this is going to come back before the
17 Commissioners and we need to make some
18 amendments, we want to make sure that language is
19 appropriate, what exactly would you like to
20 protect?

21 Would you like to protect the existing
22 number of parking spaces --

23 MAYOR STACK: Existing --

24 MS. KACZYNSKI: -- that are there, --

25 MAYOR STACK: The existing number of

1 parking --

2 MS. KACZYNSKI: -- in addition to
3 whatever --

4 MAYOR STACK: -- spaces that are there.

5 And obviously the units that are going up,
6 making sure we have adequate parking.

7 MS. KACZYNSKI: Got it.

8 MAYOR STACK: I mean we have the easiest
9 way to site it with the, you know, the densely
10 populated community we're in.

11 MS. KACZYNSKI: Thank you.

12 MAYOR STACK: Thank you.

13 We have a motion on -- on --

14 ACTING CITY CLERK: Is there a motion to
15 amend -- I mean to table this till April 21st.

16 COMMISSIONER VALDIVIA: Motion.

17 MAYOR STACK: I moved.

18 ACTING CITY CLERK: Motion made by
19 Commissioner Valdivia.

20 COMMISSIONER MARTINETTI: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Martinetti.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10

11 **2. AN ORDINANCE AUTHORIZING LEASE OF WALL AREA**
12 **FOR BILLBOARD FOR PUBLIC SERVICE NOTICE**

13

14 ACTING CITY CLERK: Next Ordinance
15 Authorizing Lease of Wall Area for Billboard for
16 Public Service Notice.

17 MAYOR STACK: We have -- this is on the
18 billboard that's on 30th Street and Bergenline
19 Avenue. It's a public safety billboard just
20 announcing, if you see something, say something.

21 Going with our slogan in the City -- in the
22 City of Union City, if you see anything out
23 there, any crimes being committed, any public
24 safety concerns, to call the Police Department.
25 We're just trying to get that in people's minds

1 constantly.

2 So far, thank God, it's been working in
3 Union City. We saw another reduction in our
4 crime rate, which is only a snapshot in time but
5 we want to continue that. And we've done well
6 with that.

7 And this billboard is -- it's \$6,000.00 a
8 year. So that's about 500 -- \$6,000.00 a year,
9 on 30th and Bergenline.

10 The billboard is up right now; it's been up
11 for about a year and a half.

12 Motion.

13 ACTING CITY CLERK: Motion to --

14 MAYOR STACK: Anyone wishing to --

15 ACTING CITY CLERK: -- close --

16 MAYOR STACK: -- comment at this time on
17 this billboard?

18 Seeing none.

19 ACTING CITY CLERK: Is there a motion to
20 close public hearing?

21 MAYOR STACK: Motion.

22 COMMISSIONER FERNANDEZ: Second.

23 COMMISSIONER VALDIVIA: Second.

24 ACTING CITY CLERK: Motion by Mayor Stack.

25 Second by Commissioner Valdivia.

1 Roll call.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 ACTING CITY CLERK: Commissioner Rivas?

5 COMMISSIONER RIVAS: Yes.

6 ACTING CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 ACTING CITY CLERK: Commissioner

9 Martinetti?

10 COMMISSIONER MARTINETTI: Yes.

11 ACTING CITY CLERK: Mayor Stack?

12 MAYOR STACK: Yes.

13 ACTING CITY CLERK: Is there a motion to

14 adopt?

15 MAYOR STACK: Motion.

16 ACTING CITY CLERK: Motion by Mayor Stack.

17 COMMISSIONER RIVAS: Second.

18 ACTING CITY CLERK: Second by Commissioner

19 Rivas.

20 Roll call.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 ACTING CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 ACTING CITY CLERK: Commissioner
3 Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 ACTING CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7

8 **3. AN ORDINANCE STAYING ENFORCEMENT OF**
9 **RESTRICTED RESIDENTIAL PERMIT PARKING PROGRAM**

10

11 ACTING CITY CLERK: Third Ordinance is
12 Staying Enforcement of Restricted Residential
13 Permit Parking Program.

14 MAYOR STACK: This will be off till July of
15 2016, I believe?

16 MS. de los RIOS: Um-hum.

17 That's correct.

18 MAYOR STACK: What we're doing is the Union
19 City Police Department is taking over the Union
20 City Parking Authority.

21 We're bringing it under the Police
22 Department to professionalize the Parking
23 Authority and the services they provide.

24 Hopefully in the near future we'll have 24-
25 hour-a-day enforcement of the Residential Parking

1 Program to make sure residents, when they get
2 home in the evening hours, that they have a
3 parking space on their block. It won't be a
4 guarantee but it will be much better than the way
5 it is right now.

6 And we're just holding this off until the
7 Police Department -- they just actually --
8 Lieutenant Vasquez actually just went in, I
9 believe, on Monday -- Monday of this week, to the
10 Parking Authority. He's taking that over and it
11 will be a very well run program.

12 We're just giving him some time to get into
13 the Parking Authority, get his feet wet so-to-
14 speak and take over the program.

15 So, within the next year or so we'll see a
16 major advancement. Six months to a year I would
17 say we'll see a major change in the Parking
18 Authority.

19 Anyone wishing to comment at this time on
20 this Ordinance?

21 Mr. Price?

22 MR. PRICE: Yeah.

23 Larry Price, 1006 Palisade.

24 Just a question. The -- this is the
25 program where you have to have a sticker or one

1 of those yellow things in your car.

2 Correct?

3 MAYOR STACK: We're still continuing that.
4 We were just expanding it citywide to a more 24-
5 hour-a-day program. We're holding off on that.
6 We're keeping what we have right now, which is
7 still residential sticker and still the -- the
8 visitors passes.

9 MR. PRICE: Well, I -- I didn't understand
10 the --

11 We're postponing something from 2015 to
12 2016?

13 MAYOR STACK: Going to a more enhanced
14 program of 24 hours a day.

15 MR. PRICE: Oh. We had a more -- plan --

16 MAYOR STACK: Exactly.

17 MR. PRICE: -- and we're postponing it?

18 MAYOR STACK: Right.

19 MR. PRICE: Okay.

20 MAYOR STACK: Just so we can have
21 additional staff and possibly have some of these
22 Class II Specials involved in the Police
23 Department.

24 MR. PRICE: You mean -- you mean if I don't
25 have a residential sticker I get tagged at three

1 o'clock in the morning when this goes into
2 effect?

3 MAYOR STACK: Yes. It will be out for your
4 protection though, as a City resident.

5 MR. PRICE: I'll keep my garage.

6 MAYOR STACK: Absolutely.

7 Any others to comment on this at this time?

8 No?

9 Seeing none.

10 ACTING CITY CLERK: Is there a motion to
11 table this until July 2016?

12 MAYOR STACK: No, not a motion to table.

13 No, a motion to approve it.

14 ACTING CITY CLERK: Oh, is there --

15 I'm sorry.

16 -- motion to approve it?

17 COMMISSIONER VALDIVIA: Second.

18 ACTING CITY CLERK: Mayor Stack.

19 MAYOR STACK: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia.

21 Roll call.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 ACTING CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Yes.

1 ACTING CITY CLERK: Commissioner Valdivia?
2 COMMISSIONER VALDIVIA: Yes.
3 ACTING CITY CLERK: Commissioner
4 Martinetti?
5 COMMISSIONER MARTINETTI: Yes.
6 ACTING CITY CLERK: Mayor Stack?
7 MAYOR STACK: Yes.
8 ACTING CITY CLERK: Is there a motion to
9 adopt?
10 MAYOR STACK: Motion.
11 ACTING CITY CLERK: Motion by Mayor Stack.
12 COMMISSIONER FERNANDEZ: Second.
13 COMMISSIONER RIVAS: Second.
14 ACTING CITY CLERK: Second by Commissioner
15 Fernandez.
16 Roll call.
17 Commissioner Fernandez?
18 COMMISSIONER FERNANDEZ: Yes.
19 ACTING CITY CLERK: Commissioner Rivas?
20 COMMISSIONER RIVAS: Yes.
21 ACTING CITY CLERK: Commissioner Valdivia?
22 COMMISSIONER VALDIVIA: Yes.
23 ACTING CITY CLERK: Commissioner
24 Martinetti?
25 COMMISSIONER MARTINETTI: Yes.

1 ACTING CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3

4 **CONSENT AGENDA:**

5

6 (1) Resolution Approving the Payment of Claims

7 (2) Resolution Approving the Payment of

8 Concurring Claims

9 (3) Resolution Approving the City Payroll for

10 the Period of March 11, 2015 through March 24,

11 2015 and March 25, 2015 through April 7, 2015

12 (4) Resolution Approving the Library Payroll

13 for the Period of March 11, 2015 through March

14 24, 2015 and March 25, 2015 through April 7, 2015

15 (5) Resolution Designating Bank Account

16 Signatories

17 (6) Resolution Rescinding the Petty Cash Fund

18 for the Emergency Medical Services (EMS)

19 (7) Resolution Rescinding the Petty Cash Fund

20 for the Union City Department of Public Safety,

21 Division of Health

22 (8) Resolution Rescinding the Petty Cash Fund

23 for the Department of Parks and Public Property

24 (9) Resolution Rescinding the Petty Cash Fund

25 for the Department of Parks and Public Property,

- 1 Division of Fire Inspection
- 2 (10) Resolution Changing Custodian of the Petty
3 Cash Fund for the Union City Police Department,
4 Office of the Chief of Police
- 5 (11) Resolution Rescinding the Petty Cash Fund
6 for the Union City Police Department,
7 Detective/Narcotics Task Force
- 8 (12) Resolution Rescinding the Petty Cash Fund
9 for the Union City Police Department, Traffic
10 Division
- 11 (13) Resolution Regarding Appointment of Member
12 Khaled Dardir to the Union City Zoning Board of
13 Adjustment
- 14 (14) Resolution Appointing Members (Martin
15 Martinetti, Margarita Guttierrez, Antonio
16 Martinez, Carlos Vallejo, Elise DiNardo, Esq. to
17 the Union City Housing Authority
- 18 (15) Resolution Re-Naming Central Avenue Between
19 17th Street and 18th Street as "Israel "Kike"
20 Romero Way"
- 21 (16) Resolution Approving State Contract with
22 Mobile Techtronics Inc. for Three (3) New 911
23 Telephone Positions
- 24 (17) Resolution Designating Loading Zone at 201
25 19th Street in the City of Union City

- 1 (18) Resolution Designating Loading Zone at 2401
- 2 Palisade Avenue, Northwest Corner of 24th Street
- 3 and Palisade Avenue
- 4 (19) Resolution Approving Contract for Landscape
- 5 Maintenance Program for Washington and Ellsworth
- 6 Parks
- 7 (20) Resolution Approving Contract for 2015 Park
- 8 Landscape Maintenance Program
- 9 (21) Resolution Approving Contract for Fuel for
- 10 City Vehicles to Hilltop Exxon
- 11 (22) Resolution Approving Contract for Purchase
- 12 of Heavy Duty Truck with Snow Plow
- 13 (23) Resolution Approving Contracts for Baseball
- 14 and Softball Equipment
- 15 (24) Resolution Approving Contract for Pool
- 16 Maintenance Services
- 17 (25) Resolution Approving Amendment to Contract
- 18 with RSC Architects for Additional Services for
- 19 the Renovations of the 47th Street Firehouse
- 20 (26) Resolution Approving Contract for
- 21 Miscellaneous Pool Equipment
- 22 (27) Resolution Approving Contract for Risk
- 23 Manager Services
- 24 (28) Resolution Authorizing Health Insurance
- 25 Broker/Consultant Contract

1 (29) Resolution Authorizing Contract for Federal
2 Grant Consultant

3 (30) Resolution Approving Shared Services
4 Agreement with the Jersey City Incinerator
5 Authority for Use of Mechanical Street Sweepers

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

8 (32) Resolution Authorizing the Refund of
9 Premium Monies Collected at the Tax Sale

10 (33) Resolution Authorizing the Refund of a
11 Duplicate Payment on Block 9, Lot 44 C001 Also
12 Known as 510 2nd Street

13 (34) Resolution to Adjust First and Second
14 Quarter Property Taxes on Block 223, Lot CE605,
15 Also Known as 135 38th Street

16 (35) Resolution Authorizing the Tax Collector to
17 Adjust the Second Quarter Property Taxes on the
18 Attached List (11 pages)

19 (36) Resolution Authorizing the Tax Collector to
20 Adjust the Second Quarter Property Taxes on the
21 Attached List

22 (37) Any other matter of City business that may
23 arise

24

25 ACTING CITY CLERK: Next item is a Consent

1 Agenda.

2 First item is Resolution Approving the
3 Payment of Claims.

4 Item 2.

5 Resolution Approving the Payment of
6 Concurring Claims.

7 Item 3.

8 Resolution Approving the City Payroll for
9 the Period of March 11, 2015 through March 24,
10 2015 and March 25th, 2015 through April 7, 2015.

11 Item 4.

12 Resolution Approving the Library Payroll
13 for the Period of March 11, 2015 through March
14 24, 2015 and March 25th, 2015 through April 7,
15 2015.

16 Item 5.

17 Resolution Designating Bank Account
18 Signatories.

19 Item 6.

20 Resolution Rescinding the Petty Cash Fund
21 for the Emergency Medical Service, EMS.

22 Item 7.

23 Resolution Rescinding the Petty Cash Fund
24 for the Union City Department of Public Safety,
25 Division of Health.

1 Item 8.

2 Resolution Rescinding the Petty Cash Fund
3 for the Department of Parks and Public Property.

4 Item 9.

5 Resolution Rescinding the Petty Cash Fund
6 for the Department of Parks and Public Property,
7 Division of Fire Inspection.

8 Item 10.

9 Resolution Changing Custodian of the Petty
10 Cash Fund for the Union City Police Department,
11 Office of the Chief of Police.

12 Item 11.

13 Resolution Rescinding the Petty Cash Fund
14 for the City -- for the Union City Police
15 Department, Detective/Narcotics Task Force.

16 Item 12.

17 Resolution Rescinding the Petty Cash Fund
18 for the Union City Police Department, Traffic
19 Division.

20 Item 13.

21 Resolution Regarding Appointment of Member
22 Khaled Dardir to the Union City Zoning Board of
23 Adjustment.

24 Item 14.

25 Resolution Appointing Members Martin

1 Martinetti, Margarita Guttierrez, Antonio

2 Martinez, Carlos Vallejo, Elise DiNardo, Esq., to
3 the Union City Housing Authority.

4 Item -- Item 15.

5 Resolution Re-Naming Central Avenue Between
6 17th Street and 18th Street as Israel "Kike"
7 Romero Way.

8 Item 16.

9 Resolution Approving State Contract with
10 Mobile Techtronics Inc. for Three New 911
11 Telephone Positions.

12 Item 17.

13 Resolution Designating Loading Zone at 201
14 19th Street in the City of Union City.

15 Item 18.

16 Resolution Designating Loading Zone at 2401
17 Palisade Avenue, Northwest Corner of 24th Street
18 and Palisade Avenue.

19 Item 19.

20 Resolution Approving Contract for Landscape
21 Maintenance Program for Washington and Ellsworth
22 Parks.

23 Item 20.

24 Resolution Approving Contract for 2015 Park
25 Landscape Maintenance Program.

1 Item 21.

2 Resolution Approving Contract for Fuel for
3 City Vehicles to Hilltop Exxon.

4 Item 22.

5 Resolution Approving Contract for Purchase
6 of Heavy Duty Truck with Snow Plow.

7 Item 23.

8 Resolution Approving Contracts for Baseball
9 and Softball Equipment.

10 Item 24.

11 Resolution Approving Contract for Pool
12 Maintenance Services.

13 Item 25.

14 Resolution Approving Amendment to Contract
15 with RSC Architects for Additional Services for
16 the Renovation of the 47th Street Firehouse.

17 Item 26.

18 Resolution Approving Contract for
19 Miscellaneous Pool Equipment.

20 Item 27.

21 Resolution Approving Contract for Risk
22 Manager Services.

23 Item 28.

24 Resolution Authorizing Health Insurance
25 Broker/Consultant Contract.

1 Item 29.

2 Resolution Authorizing Contract for Federal
3 Grant Consultant.

4 Item 30.

5 Resolution Approving Shared Services
6 Agreement with the Jersey City Incinerator
7 Authority for Use of Mechanical Street Sweepers.

8 Item 31.

9 Resolution Authorizing Refund of Redemption
10 Money to Outside Lienholders.

11 Item 32.

12 Resolution Authorizing the Refund of
13 Premium Money Collected at Tax Sale.

14 Item 33.

15 Resolution Authorizing the Refund of a
16 Duplicate Payment on Block 9, Lot 44 C001 Also
17 Known as 510 2nd Street.

18 Item 34.

19 Resolution to Adjust First and Second
20 Quarter Property Taxes on Block 223, Lot CE605,
21 Also Known as 135 38th Street.

22 Item 35.

23 Resolution Authorizing the Tax Collector to
24 Adjust the Second Quarter Property Taxes on the
25 Attached List, 11 pages.

1 Item 36.

2 Resolution Authorizing the Tax Collector to
3 Adjust the Second Quarter Property Taxes on the
4 Attached List.

5 Mayor, there are no other items on the
6 Consent Agenda. Would you wish to take --

7 MAYOR STACK: Just before we --

8 Sure.

9 Just before we do, I would just like to
10 point out --

11 Thank you, Mr. Clerk.

12 -- on the appointments that are going on
13 various boards in the City, from time to time
14 I've sent out -- at least two or three times a
15 year -- letters to residents, also we advertise
16 in the local newspapers -- anyone who would like
17 to serve on a board in this City, we encourage
18 that.

19 Everyone who has come forward so far and
20 asked to serve on a board has been appointed to a
21 board regardless of the board.

22 Tonight we're doing the Housing Authority,
23 the Zoning Board.

24 I mean everyone heard me say to Mr.
25 Marotta.

1 This gentleman that's on here is going from
2 an alternate member to a permanent member.

3 Anyone who would like to go on a board, we
4 encourage you to please come forward. I
5 appreciate that. It's usually once a month. And
6 depending on which board you sit on it could be a
7 couple hours in that evening. But it's also
8 serving the community and being involved, which I
9 encourage.

10 Just some other items that are on tonight.

11 We're approving a contract for landscape
12 maintenance for Washington Park and Ellsworth
13 Park.

14 Anyone who passed any of our parks knows
15 how we try to really keep the parks in good
16 shape. It's not only important to renovate parks
17 but also to maintain them.

18 Anybody who looks at the park on 33rd and
19 New York Avenue, that was done 12 years ago. You
20 look at how nice it looks and how well the park
21 is maintained. We believe in that. We have
22 part-time security guards.

23 Washington Park on 2nd Street and Palisade
24 Avenue is a beautiful facility for the kids to
25 enjoy. It's strictly for the children of the

1 City.

2 And also Ellsworth Park, we made more of a
3 passive park. Anyone over the next month or so
4 should really, if you get a chance, stop down
5 there. It really came out nice. It's more of an
6 adult park where residents can go enjoy. There's
7 also a small area for children to go and enjoy.

8 We've really taken that very serious. I
9 think some of our parks, I have to say, are
10 better than some of the suburban counties around
11 us and we take pride in that.

12 Every park this summer will be touched
13 again. We'll be putting in new rubber. We've
14 been able to secure a lot of what we're doing in
15 the parks through grants we've been able to
16 secure in the state level, which we've worked
17 hard on securing.

18 The Park Maintenance Program, we've
19 actually saved money having a landscaper come
20 into our parks and maintain our parks, in
21 addition to the security that we have in the
22 parks and some of the light labor that's done.

23 The purchase of a heavy duty truck with a
24 snow plow; it's been about 25 years since Union
25 City purchased any snow removal equipment. I

1 think everybody would agree in Union City our
2 Public Works Department does a tremendous job
3 with our snow removal. I know for a fact because
4 I'm out there with them in every single
5 snowstorm. I'm out there when it starts until
6 the snowstorm finishes.

7 I think we've done a pretty good job this
8 year. The Public Works men and women and Parks
9 Department do a tremendous job.

10 The baseball and softball equipment; we've
11 really expanded our Recreation Program, not only
12 in the schools but in the municipal end, in the
13 recreation end. Anyone who knows, when you keep
14 children active, -- you saw the wrestling program
15 here tonight.

16 Soccer, I think we have over 1500 children
17 participating in our soccer program. That's
18 separate from our schools. That keeps the kids
19 off the street and out of harm's way and gives
20 them something safe to do.

21 We also have something on here, which is
22 kind of special to the Commissioners and myself.

23 The 47th Street Firehouse is an older
24 firehouse; hasn't been used in many, many years
25 since the regionalization of the Fire Department.

1 It's on 47th and Palisade. We're taking that
2 building, we're renovating it, we're making it
3 into a shelter for fire victims only.

4 When there's a fire in the City, rather
5 than taking them and spending money on hotels on
6 Tonnelles Avenue, we're going to be able to keep
7 those fire victims.

8 And all of us know, we never know when one
9 of us are going to face a fire ourselves. We're
10 going to keep them up there for the first week or
11 two after the fire until we can get them back
12 into the community again.

13 We don't want to lose them in the
14 community; it makes it easier to transport their
15 children back and forth to school, rather than
16 sending our school buses down to Tonnelles Avenue
17 to pick them up. Keeps them in the community.

18 In addition to that, we have a great
19 working relationship with the County and Mayor
20 Fulop in Jersey City on sharing some of our
21 equipment. There's an item on here this evening
22 that Jersey City Incinerator Authority shares a
23 mechanical sweeper with us.

24 So, working together we've been able to
25 save some money by sharing equipment with some of

1 | our neighbors. It's worked out well.

2 | At this time does anyone have any questions
3 | on the Consent Agenda that the City Clerk just
4 | read?

5 | Seeing none.

6 | ACTING CITY CLERK: Is there a motion to
7 | close public --

8 | MAYOR STACK: Motion.

9 | ACTING CITY CLERK: Motion by Mayor Stack.

10 | COMMISSIONER MARTINETTI: Second.

11 | ACTING CITY CLERK: Second by Commissioner
12 | Martinetti.

13 | Roll call.

14 | Commissioner Fernandez?

15 | COMMISSIONER FERNANDEZ: Yes.

16 | ACTING CITY CLERK: Commissioner Rivas?

17 | COMMISSIONER RIVAS: Yes.

18 | ACTING CITY CLERK: Commissioner Valdivia?

19 | COMMISSIONER VALDIVIA: Yes.

20 | ACTING CITY CLERK: Commissioner
21 | Martinetti?

22 | COMMISSIONER MARTINETTI: Yes.

23 | ACTING CITY CLERK: Mayor Stack?

24 | MAYOR STACK: Yes.

25 | ACTING CITY CLERK: Is there a motion to

1 approve all items on the Consent Agenda?

2 COMMISSIONER VALDIVIA: Motion.

3 ACTING CITY CLERK: Motion by Commissioner
4 Valdivia.

5 COMMISSIONER RIVAS: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Rivas.

8 Roll call.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes, with the
11 exception --

12 ACTING CITY CLERK: Commissioner --

13 COMMISSIONER FERNANDEZ: Yes, with the
14 exception of number 35 on any item pertaining to
15 any property on Brown Street; otherwise, yes.

16 ACTING CITY CLERK: Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 ACTING CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 ACTING CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 MS. de los RIOS: With the --

24 COMMISSIONER MARTINETTI: Oh, I'm sorry.

25 MS. de los RIOS: At this time we -- we

1 recommend that -- that on item number 1 on the
2 Consent -- on the Consent Agenda that
3 Commissioner Martinetti recuse herself with
4 respect to payments to Adolfo Lopez.

5 COMMISSIONER MARTINETTI: Thank you.

6 ACTING CITY CLERK: Except item 1,
7 everything else yes; Commissioner Martinetti.

8 Mayor Stack?

9 MAYOR STACK: Yes.

10

11 **REGULAR AGENDA:**

12

13 1. Resolution Approving the Redevelopment
14 Agency Payroll for the Period of March 11, 2015
15 through March 24, 2015 and March 25, 2015 through
16 April 7, 2015

17

18 ACTING CITY CLERK: Next item is the
19 Regular Agenda.

20 First item.

21 Resolution Approving the Redevelopment
22 Agency Payroll for the Period of March 11, 2015
23 through March 24th, 2015 --

24 MAYOR STACK: I'll move it.

25 ACTING CITY CLERK: -- and March 25th, 2015

1 through April 7th, 2015.

2 Motion made by Mayor Stack.

3 COMMISSIONER VALDIVIA: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Valdivia.

6 Roll call.

7 Commissioner Fernandez; recusing.

8 Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner

13 Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 ACTING CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17

18 **REGULAR AGENDA:**

19

20 2. Resolution Requesting Approval of Items of
21 Revenue and Appropriation N.J.S.A. 40A:4-87 for a
22 Drug Free Community

23

24 ACTING CITY CLERK: Next item is Resolution
25 Requesting Approval of Items of Revenue and

1 Appropriation N.J.S.A. 40A:4-87 for a Drug Free
2 Community.

3 MAYOR STACK: I'll move it.

4 ACTING CITY CLERK: Motion made by Mayor
5 Stack.

6 COMMISSIONER VALDIVIA: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Valdivia.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 **REGULAR AGENDA:**

23

24 3. Resolution Approving Payment of Claim to
25 Maryury Martinetti

1

2

ACTING CITY CLERK: Item 3.

3

Resolution Approving Payment of Claims to

4

Maryury Martinetti.

5

Is there a motion for item 3?

6

MAYOR STACK: Move it.

7

ACTING CITY CLERK: Motion made --

8

COMMISSIONER RIVAS: Second.

9

ACTING CITY CLERK: -- by Mayor Stack.

10

COMMISSIONER RIVAS: Second.

11

ACTING CITY CLERK: Second by Commissioner

12

Rivas.

13

Roll call.

14

Commissioner Fernandez?

15

COMMISSIONER FERNANDEZ: Yes.

16

ACTING CITY CLERK: Commissioner Rivas?

17

COMMISSIONER RIVAS: Yes.

18

ACTING CITY CLERK: Commissioner Valdivia?

19

COMMISSIONER VALDIVIA: Yes.

20

ACTING CITY CLERK: Commissioner

21

Martinetti?

22

Recusing.

23

ACTING CITY CLERK: Mayor Stack?

24

MAYOR STACK: Yes.

25

1 **REGULAR AGENDA:**

2

3 4. Resolution Approving Payment of Claims to
4 the Hudson County Improvement Authority

5

6 ACTING CITY CLERK: Item 4.

7 Resolution Approving Payment of Claim to
8 the Hudson County Improvement Authority.

9 Is there a motion?

10 MAYOR STACK: I'll move it.

11 ACTING CITY CLERK: Motion by Mayor Stack.

12 COMMISSIONER FERNANDEZ: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Fernandez.

15 Roll call.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 ACTING CITY CLERK: Commissioner Rivas?

19 Recusing.

20 Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: Recusing.

25 ACTING CITY CLERK: Recusing.

1 Mayor Stack?

2 MAYOR STACK: Yes.

3

4 **PUBLIC HEARING:**

5

6 2. 3501-3511 Palisade Avenue (Area in Need of
7 Redevelopment)

8

9 ACTING CITY CLERK: Mayor, there are no
10 other items on the Regular Agenda.

11 Do you wish to take public comment on any
12 item?

13 MAYOR STACK: No, let's hold off on taking
14 public comment. Let's go now -- let's go now to
15 3501-3511 Palisade. There's residents that are
16 here this evening. I know they've been waiting
17 for a while.

18 So, let's -- let's take that right now and
19 then we'll go back to the other parts of the
20 agenda.

21 ACTING CITY CLERK: Okay, so we have Public
22 Hearing on 3501-3511 Palisade Avenue.

23 MAYOR STACK: Right.

24 The study that we have this evening that we
25 have on 3501-3511 Palisade Avenue is just a study

1 | that's been presented -- a redevelopment --
2 | study. And -- that the property at 3501-3511 is
3 | in need in redevelopment.

4 | Let me call up the City Planner, Mr. David
5 | Spatz. David has been the Planner in Union City
6 | since -- 1979?

7 | MR. SPATZ: Eighty-one.

8 | MAYOR STACK: Nineteen eight-one Mr. Spatz
9 | has been in the City. He'll explain exactly what
10 | the report is.

11 | I just want to stress to everybody there's
12 | no project per se that's been approved on this
13 | property.

14 | Everybody will receive a notice in the area
15 | when this project is presented to the residents
16 | in that area. You'll be notified by both the
17 | applicant -- and I'll make sure everybody's
18 | noticed in the radius of that property.

19 | Mr. Spatz?

20 | MR. SPATZ: Yes. Just to go over again
21 | that process.

22 | The way this works is that the Board of
23 | Commissioners recommends and requests that the
24 | Planning Board study a particular area to see
25 | whether it meets the State criteria for being

1 declared an area in need of redevelopment.

2 The Planning Board held a couple of Public
3 Hearings on this; the last one was on March 12.
4 And at that meeting the Planning Board
5 recommended to the Board of Commissioners that
6 this property does meet the State criteria and
7 that the Board of Commissioners should declare it
8 an area in need of redevelopment.

9 As the Mayor stated, at this point there
10 are no plans to develop that property; there is
11 no plan, no mini zoning ordinance for the
12 development of that. That's the next step.

13 So in the event that the Board of
14 Commissioners vote to declare this an area in
15 need of redevelopment, they will also then ask
16 the Planning Board to develop a plan for that
17 area. That will be done at a Public Hearing --
18 perhaps multiple Public Hearings at the Planning
19 Board. Notice will be given out to those
20 affected within 200 feet; they'll be published in
21 the newspaper, it will be on the City Hall
22 bulletin board. So there will be a lot of notice
23 about that. And then that has to come back to
24 the Board of Commissioners as well.

25 So there's multiple opportunities to give

1 | comment and to participate in the development of
2 | that plan.

3 | So this is really just the initial step so
4 | that we can get to that.

5 | MAYOR STACK: The one thing I would ask for
6 | the residents in the area, Mr. Spatz --

7 | MR. SPATZ: Yes.

8 | MAYOR STACK: -- and Monica, as our
9 | attorney, is make sure that when this project
10 | comes up it's on its own -- when the project does
11 | come forward that it's on its own agenda by
12 | itself. That there's no other hearings on this
13 | night, except the project at this property --
14 | being that the interest is generated in this
15 | area. And whether -- that the meeting be held at
16 | Jefferson School or at City Hall, so it's close
17 | to where they live.

18 | MR. SPATZ: That's right. We did that for
19 | the declaration part that we're discussing now --

20 | MAYOR STACK: Right.

21 | MR. SPATZ: -- was a special meeting,
22 | special notice, just for this activity.

23 | MAYOR STACK: Good.

24 | MR. SPATZ: So we had the entire night for
25 | anybody to come give comment --

1 MAYOR STACK: Very good.

2 MR. SPATZ: -- and we'll, obviously, make
3 sure that that gets done for that.

4 So, if I could just go through the report
5 for the Commissioners and for the public. There
6 are, I know, copies up front. As I indicated the
7 Planning Board did review this on March 12th and
8 they did recommend that the Board of
9 Commissioners declare it an area in need of
10 redevelopment.

11 So, let me just go through the report and
12 then I can take questions from the Board and then
13 from the public.

14 Beginning of the report has the definition
15 of the study area. It's the northwestern corner
16 of 35th and Palisade Avenue. It's 3501 to 3511
17 Palisade Avenue, Lots 11 through 14 are developed
18 with the parking lot; and then 15 and 16 contain
19 the parish house for the church.

20 The church is not part of this
21 redevelopment area. So nothing will be done as
22 part of this -- any potential development that
23 effects the church or the structure behind it, in
24 any way, that's on 36th Street.

25 It's just the parking lot and the parish

1 house.

2 We next went into -- beginning on page 4,
3 an investigation of the study area. We did field
4 inspections. I went into the parish house to
5 take a look at that --

6 MAYOR STACK: Just -- not to interrupt you
7 but does --

8 MR. SPATZ: Certainly.

9 MAYOR STACK: -- does everyone here have a
10 copy of the study?

11 No?

12 Let -- let me do this. Justin, can you
13 hand --

14 Anyone who's interested in seeing a copy of
15 the study, if we can hand that out. If it's
16 necessary we can give copies from up here also --
17 or we could make more in the office here, Justin,
18 if you need more.

19 I'm sorry, Mr. Spatz.

20 MR. SPATZ: No, it's all right. Let me
21 wait until they all get copies --

22 MAYOR STACK: Sure.

23 MR. SPATZ: -- and then this way they can
24 follow along.

25 MAYOR STACK: If there's not enough,

1 Justin, maybe you can take one and make more
2 copies.

3 MR. MERCADO: Anybody else?

4 MAYOR STACK: Okay.

5 MR. SPATZ: Okay.

6 MAYOR STACK: Thank you.

7 Sorry about that.

8 MR. SPATZ: Okay, so we have the
9 investigation of the study area, which this talks
10 about the existing land use and the survey of
11 conditions, 3501-3509 Palisade Avenue. That's
12 Block 210, Lots 11 through 14.

13 The property is approximately 10,000 square
14 feet and it contains that paved parking lot.
15 Site is owned by Saint John's Lutheran Church.
16 And it's got a variety of public and private
17 parking on it; it's also used by the church.

18 The other parcel that we discussed was 3511
19 Palisade Avenue. That's Block 210, Lots 15 and
20 16.

21 The parcel is 3,750 square feet. It's also
22 owned by Saint John's Lutheran Church. Contains
23 a four story dwelling; in fair condition. And
24 it's used as the parish house. The building
25 itself is over a hundred years old, which

1 indicates that it -- that many of the electrical,
2 plumbing, heating systems may not meet current
3 building codes and may be in need of repair or
4 replacement.

5 The age of the building also indicates the
6 probable presence of lead-based paint. The
7 federal government has indicated anything built
8 prior to 1940 would most likely contain lead-
9 based paint. That's part of their lead-based
10 paint abatement programs itself.

11 There was significant leak in the basement
12 by our field inspection caused by cracks in the
13 foundation wall, which affect both the basement
14 certainly, as well as the structure itself.

15 So that's just a brief description of the
16 study area.

17
18 (Whereupon, Commissioner Rivas left the
19 meeting at 7:50 p.m.)

20
21 MR. SPATZ: The next step is the zoning
22 controls. This property is located in the City's
23 R, Low Density Residential Zones. The principal
24 uses are one, two and three families, municipal
25 uses, public parks.

1 The next section of the report is a listing
2 from the State of the criteria for establishment
3 of need for redevelopment. The State and the
4 Housing Development and Redevelopment Law sets
5 forth very specific criteria. A property, in
6 order to be declared an area in need of
7 redevelopment, has to meet at least one of those
8 criteria in order to be declared an area in need
9 of development and they are listed in this report
10 again.

11 It's directly from the State law. A number
12 of these criteria have been reviewed by courts
13 and modified or adjusted or clarified.

14 And we'll go on to page 9 is the actual
15 evaluation of the study area where we looked at
16 the properties themselves, the parking lot and
17 the building, to see how they met and whether
18 they met any or more than one of the State
19 criteria.

20 And our review and as accepted by the
21 Planning Board was that there were a number of
22 criteria met.

23 Criteria D, which states by reason of
24 dilapidation, faulty arrangement or design,
25 deleterious land uses, or any combination of

1 | these or other factors the property or building
2 | is detrimental to the safety, health, morals or
3 | welfare of the City.

4 | As we had stated earlier, the building
5 | itself is over a hundred years in age and it
6 | contains many elements that render it in
7 | substandard condition.

8 | It cannot provide handicap accessibility,
9 | both due to its age, its design and the
10 | topographic conditions on the site. That
11 | property is raised above the street level. It
12 | slopes upward towards the west and then towards
13 | the south. There are a significant number of
14 | conditions that I would think would indicate that
15 | it would not be cost-effective to repair or
16 | replace these various systems.

17 | MR. SOMMA: Was this property for sale?

18 | I mean it's owned by John -- Saint John's
19 | Lutheran Church.

20 | Correct?

21 | MR. SPATZ: It's owned by the church. They
22 | have not put it up for sale.

23 | MR. SOMMA: How does the State step in and
24 | say that they need that property?

25 | MR. SPATZ: The State is not taking over

1 the property. The property is going to be
2 retained in ownership by Saint John's Lutheran
3 Church.

4 I'm going to go into it in a little bit
5 more detail.

6 The Board's declaration, if they will do
7 that, will be declaring it as a non-condemnation
8 area in need of redevelopment. Which means that
9 neither the City nor the State or any other
10 public entity will acquire this property. The
11 church themselves will be the developer --

12 MR. SOMMA: Voluntarily they would --

13 MR. SPATZ: That's correct. They're --
14 they would be the developer --

15 MR. SOMMA: It's their decision.

16 MR. SPATZ: -- if --

17 That's correct. This is fully their
18 decision.

19 The property is not being taken from them
20 in any way. They are, in fact, the applicants.
21 They will ultimately be the applicants. Whether
22 they contract out for development, the management
23 of the property but it will always be retained
24 Saint John's Lutheran Church property.

25 Criteria E, as in the State plan, is

1 growing or total lack of utilization of the area.
2 Goes by conditions of title, diverse ownership,
3 or other conditions. And this, I think, affects
4 the parking lot based on its design. It's in
5 poor condition. The striping is not there. The
6 access to it is -- is poor. It's not graded
7 properly. There are lots of potholes; it's in
8 very poor condition.

9 There is a municipal parking deck in
10 reasonably close proximity -- only four blocks
11 from the subject area, which could supplant some
12 of the extra parking.

13 In addition, as was discussed earlier this
14 evening as part of any redevelopment plan for the
15 site, we will indicate that a substantial amount
16 of onsite parking will be provided that would be
17 able to serve the neighborhood as well.

18 Utilizing this property for the
19 construction of affordable housing would be
20 useful and valuable and would contribute to and
21 serve the needs of the community.

22 Lastly, criteria H, the City of Union City
23 is located in the State's what they call PA-1,
24 Planning Area 1, Metropolitan Planning Area.
25 This was designated in the State's master plan,

1 the equivalent of the City's master plan but a
2 little bit more broader for the entire State.

3 In addition, Hudson County has designated
4 Union City as part of their urban complex, which
5 is enabled them to get additional State funding.
6 So this has two designated areas.

7 Criteria H relates to Smart Growth planning
8 principles, which I think would be enhanced by
9 dedicating this as a -- and designating this as a
10 area in need of redevelopment.

11 It meets a number of planning principles
12 revitalizing the State's cities and towns by
13 protecting, preserving and developing valuable
14 human and economic assets, improvement of
15 livability and sustainability by investing public
16 resources in accordance with plans, including the
17 State plan and the City's own master plan;
18 building on the assets of cities and towns such
19 as their labor force, available land and
20 building, strategic locations and diverse
21 populations; promotion of beneficial economic
22 growth, development and renewal for all residents
23 of New Jersey.

24 So it meets many of the purposes, goals and
25 objectives of the State's master plan, as well as

1 the master plan of the City.

2 So, that is -- those are the conditions
3 that I think the criteria met, as was accepted by
4 the Planning Board.

5 And then the conclusion that the Planning
6 Board reached -- and that was shown in our plan
7 -- is that Block 210, Lot 11 through 14, which is
8 3501-09 Palisade Avenue, that's the parking lot,
9 meets criterias E and H; 210, Lots 15 and 16,
10 which is 3511 Palisade Avenue, the parish house,
11 meets criterias D and H. Therefore they meet --
12 they need only meet one criteria, they meet two,
13 at least.

14 And so, therefore, we recommended to the
15 Planning Board that they recommend to the Board
16 of Commissioners that it be declared a non-
17 condemnation redevelopment area. Condemnation,
18 therefore, will not be used as this will be
19 retained by Saint John's.

20 The Planning Board, on March 12th at their
21 meeting, made that recommendation to the Board of
22 Commissioners.

23 And that's, in brief, a summary of the
24 plan. If the Commissioners have any questions,
25 I'll be glad to answer them and then, of

1 course, --

2 MAYOR STACK: Just --

3 MR. SPATZ: -- take any questions from the
4 public.

5 MAYOR STACK: Sure.

6 Just to stress to everyone again, there's
7 no project per se right now. A project will come
8 forward. It's been alluded to that it would be
9 an affordable housing project.

10 And I just ask everybody to keep in mind,
11 when you look at affordable housing projects in
12 the City you have to look no further than 4906
13 Broadway. Look at the improvement at 4906
14 Broadway.

15 When you get a chance, just go up and take
16 a look at the improvement at 4906. It was an old
17 taxi stand that was up there. Now you have a
18 beautiful building where families can afford
19 their apartments.

20 Look at 2601 Central Avenue.

21 Look no further than right up the block
22 from where you live; 3900 Palisade Avenue, an old
23 DPW garage, for those of you that go back many
24 years in Union City, where the garage was
25 dilapidated, falling down, full of asbestos and

1 | lead paint. Now you have an affordable housing
2 | project there.

3 | Or before my time in the City, 1901 West
4 | Street, which is outside the Saint Michael's
5 | Monastery, I mean you saw an improvement. The
6 | people that lived in the building came from
7 | within Union City and moved into the apartments
8 | at these properties and moved into a building
9 | that was affordable -- that's set by income
10 | levels, federally funded most of these buildings
11 | -- have moved into the buildings and they support
12 | the local economy.

13 | The people that live in these buildings are
14 | the one that support the local economy. The ones
15 | that keep the local bodega in business is the
16 | person who lives in the apartment buildings and
17 | in the houses that we all live in in the City.
18 | It's not the millionaires that are coming in and
19 | making it happen.

20 | Our local economy is strong and we see our
21 | local economy strong in Union City and we see it
22 | prosper because of the people that live in Union
23 | City; not outsiders. It's the people who live in
24 | Union City that support the local economy.

25 | So if you want to look at some affordable

1 housing projects that are nice, -- I'm a big
2 supporter in affordable housing. I've never hid
3 that. I'm a big supporter in rent control. I
4 probably wrote the toughest rent control
5 ordinance in the City, because I want to keep the
6 people that are in the City.

7 When I pave a street, I get a new school
8 built in the City, I build a new park, it's not
9 for the outsider that's coming in, it's for you
10 who live in the City and we want to keep the
11 people in the City. We want to keep it
12 affordable and keep those people in the City.

13 This also would bring in some ratable for
14 the City. It would bring in a ratable that we
15 don't get on this property right now.

16 So I just ask everybody to keep an open
17 mind and look around and look at these buildings.
18 They bring no problems to the City of Union City;
19 3900 Palisade doesn't, 2601 Central doesn't, 4906
20 Broadway doesn't, 1901 West Street doesn't.
21 They're good, hardworking families like all of us
22 are.

23 I'll open it up right now for any
24 questions, any comments anyone may have.

25 Mr. Marotta?

1 MR. MAROTTA: Yes.

2 MAYOR STACK: You could just stand right up
3 over here.

4 MR. MAROTTA: Mayor and Commissioners, I
5 appeared at the Planning Board when they had the
6 hearing with respect to the study that we just
7 heard. In fact, I obtained a copy of the study
8 before going to the meeting and my position
9 before the Planning Board was that they cannot
10 recommend to the City to go forward with this.

11 My position to the Planning Board was that
12 the Planning Board recommend to the City that
13 there be a new study made by someone who really
14 meets and satisfies the criteria.

15 The report submitted to this Planning Board
16 and to this Board does not meet the criteria set
17 forth in the -- in the statute. All right?

18 Now, the report says -- concludes -- the
19 report concludes by reason of dilapidation,
20 faulty arrangement or design, deleterious land
21 uses or any combination of these.

22 Well, the study doesn't find that. There's
23 no finding of dilapidation. There's no finding
24 of substandard conditions. There's no finding
25 that the building is unsafe. There's no finding

1 | that there's a lack of air or space. There's no
2 | finding of overcrowding.

3 | These are the conditions that you have to
4 | find according to the statute.

5 | According to the report and examination
6 | that was made of the building is that it's in
7 | fair condition. Well if a building's in fair
8 | condition it can't be dilapidated. And the
9 | criteria is that it's dilapidated, plus other
10 | criteria.

11 | Also, listening to Mr. Spatz give his
12 | report tonight, when he refers to the criteria E
13 | he gives a report that the parking lot is in bad
14 | condition. There's no striping. There might be
15 | potholes. It's not in the report.

16 | MR. SOMMA: Well, people use the lot every
17 | day.

18 | MAYOR STACK: Just --

19 | MR. MAROTTA: You look -- you look at
20 | criteria E, --

21 | MAYOR STACK: -- if we could just have
22 | testimony --

23 | MR. MAROTTA: -- it's not --

24 | MAYOR STACK: Mr. Marotta, just give me one
25 | second.

1 Just if we could have testimony just from
2 one person at a time.

3 MR. SOMMA: Oh, I'm sorry.

4 MAYOR STACK: Sir, you're more than welcome
5 to come up. Absolutely.

6 MR. MAROTTA: It's not in the report. In
7 fact, the report says, the parking lot is only
8 partially utilized. I say the parking -- no
9 parking lot in Union City is partially utilized.
10 People break their legs to get into a parking lot
11 so they can park their car.

12 But the report continues and says that the
13 -- the City has constructed a municipal parking
14 deck on 39th Street, New York Avenue.

15 What parking deck?

16 Which is only four blocks from the subject
17 area and can provide suitable replacement
18 parking.

19 This is what the report says.

20 Number one, if there was a parking deck,
21 which there is not, on 39th Street --

22 MAYOR STACK: I think -- I think the
23 report --

24 MR. MAROTTA: -- and New York Avenue, --

25 MAYOR STACK: I think the typo in the

1 report is 39th Street between Kennedy and
2 Bergenline.

3 MR. MAROTTA: All right.

4 If there was one, believe me, four blocks,
5 the people parking on 35th Street are not going to
6 be able to park over there. They're not going to
7 be able to.

8 So, I say that the report is deficient in
9 meeting the criteria. I'm not saying that the
10 conditions may not exist. They may exist.
11 However, if we go forward with affordable
12 housing, which I favor --

13 When you were a child, Mayor, I favored
14 affordable housing. All right?

15 Still, we have to be concerned about the
16 parking in the area.

17 MAYOR STACK: Absolutely.

18 MR. MAROTTA: I mean we have a parking lot
19 there; we cannot do away with the parking that's
20 presently there. We just can't do it anymore.
21 We can't live in this City without parking. It's
22 simple as that.

23 So, I would -- I would recommend that we
24 get an engineer to review this and maybe come up
25 with the right criteria. I don't think the

1 report is sufficient.

2 MAYOR STACK: Anyone else that would like
3 to comment on the report?

4 Would you like to comment, sir?

5 MR. MARTIN: Yes, sir.

6 MAYOR STACK: Just if -- just if you could
7 come up. Just state your name and address for
8 the record.

9 MS. DILLON: I need you to spell your name
10 for me, too.

11 MR. MARTIN: My name's Anthony Martin.

12 MS. DILLON: Spell your last name.

13 MR. MARTIN: M-A-R-T-I-N. Live on 322 35th
14 Street.

15 MS. DILLON: 322 35th?

16 MR. MARTIN: Right.

17 MS. DILLON: Thank you.

18 MR. MARTIN: And, Mayor, I have some
19 concerns about what this affordable housing can
20 do to the residential area.

21 I know you mentioned that, you know, there
22 -- there is a lot of affordable housing that has
23 improved certain areas. But I remember as a
24 child, you know, the affordable housing that was
25 existing, like the projects, you had to move in

1 | police stations in them.

2 | Well, not you, but -- you know, in order to
3 | keep them in control.

4 | Now, I just want to know how big would this
5 | project be, how many units?

6 | What -- what kind of -- what kind of
7 | implications it will have on the school system?
8 | You know how many kids? Are we going to fill up
9 | Jefferson School, which is right next to it?

10 | Parking; the gentleman's correct. I mean
11 | trying to find parking is ridiculous in the area.

12 | And, you know, what will it do to the
13 | property value to the surround -- in the
14 | residential area?

15 | MAYOR STACK: Sure.

16 | If I -- if I could start from the last
17 | part. I think --

18 | MR. MARTIN: Yes, sir.

19 | MAYOR STACK: -- what goes up on that
20 | property, I've heard -- I've heard some talk
21 | about possibly a four store building that we're
22 | look-- four story building, 32 apartments. I
23 | heard that mentioned.

24 | Nothing -- nothing concrete though. I
25 | haven't seen a plan saying that. I heard the

1 pastor possibly mention it -- Pastor Kugler.

2 What I've seen on buildings that come in,
3 the affordable housing that's come in today, I've
4 seen it only increase the property value in the
5 area; it hasn't decreased it.

6 I think you know what this Administration
7 has tried to do is to clean up Union City and to
8 try our best to enhance the property value in the
9 City and make it nicer.

10 You live close to New York Avenue, so you
11 know exactly what I'm talking about. We're
12 trying to do now many of the side streets there.

13 As to what took place years ago and how
14 crime was handled at 39th Street or wherever, 39th
15 Street Housing, you have a lot a hardworking
16 people. I think the approach back then by the
17 Police Department may have been a well-
18 intentioned approach. I think the approach we
19 take now with community policing has resolved a
20 lot of those problems by being able to speak to
21 people, whether it's at 39th Street Housing or
22 whether it's on 6th and New York Avenue where I
23 live.

24 I think the approach is a much different
25 approach. I think the Police Department today --

1 not because of me, because I think the Police
2 Department has gotten better, the training has
3 gotten better, the police officers that we have
4 today are better than you maybe had 30 years ago
5 in the City.

6 But I think it would only enhance the
7 property values in that area.

8 I agree on the parking situation and I
9 never once -- you'll never hear me kick the can
10 to another administration before me. I don't
11 believe in doing that. But you had a lot of
12 apartment buildings and two family houses that
13 many of us live in that didn't have parking. And
14 today, instead of having one car, each -- each
15 family has two and three cars.

16 It wasn't like we -- listen, am I proud of
17 the Board of Adjustment, the Planning Board,
18 every decision that's made? Do I disagree?
19 Disagree with some of them; I do.

20 But the parking situation that was created
21 was created many, many years ago.

22 You have apartment buildings with not one
23 parking spot. You got two and three family
24 houses that don't have any parking. Today that
25 wouldn't happen. But it happened a lot back then

1 | because it was a different time that we were in.
2 | People didn't have as much as in the way of
3 | vehicles. But I know in my family, there's two
4 | cars. Mostly -- most families I know there's two
5 | or three cars. When there's children, could be
6 | four cars.

7 | So I mean it's -- you know, that's why we
8 | created the bus stops where you can park in in
9 | the evening hours. You have to -- you know, you
10 | could park after nine and be out by six in the
11 | morning. We try very hard to work with the
12 | residents.

13 | But I'll tell you something. In the area
14 | of 35th Street, it's very interesting, when I look
15 | at the parking lots, if the vans didn't park in
16 | the parking lot on 35th Street, all of us know
17 | those parking lots would be wide open at night.
18 | If those vans weren't renting in the Parking
19 | Authority lots on 35th, 36th and 37th Street, there
20 | would be no one parked in those parking lots.
21 | It's amazing to me.

22 | I drive down Bergenline Avenue some nights
23 | between 33rd and 37th the parking is wide open.
24 | Even on some of the side streets, not over toward
25 | Park Avenue, not over toward Palisade Avenue

1 | where you are, -- not so much New York Avenue but
2 | west of that going over, it's open.

3 | I'm not saying that those parking lots
4 | should -- should be the parking mechanism for
5 | this building.

6 | I agree with Mr. Marotta, we should replace
7 | the parking that's there. If you want to build
8 | something, you should have to replace the parking
9 | that's there. And I'm in firm -- I'm in firm
10 | agreement with that.

11 | I mean I drive around -- listen, I don't
12 | have a parking spot. I drive around at night.
13 | Sometimes it takes me a half an hour, 40 minutes
14 | to find a parking spot. I live downtown. I've
15 | lived there all my life. But the six unit
16 | building I live in doesn't have parking. And
17 | that's what's led to a lot of these problems.

18 | We're trying to -- and I -- the parking is
19 | a main element of everyone's concern, I think,
20 | here tonight and in most of the meetings that we
21 | have. And we're trying to address that. And I
22 | think we have a golden opportunity now, if they
23 | want to have affordable housing there, let's have
24 | the parking.

25 | MR. MARTIN: Thank you, Mayor.

1 But -- you know, one -- one more question.

2 MAYOR STACK: Sure.

3 MR. MARTIN: I -- my main concern is also
4 residential value. You said it would not drop
5 or --

6 MAYOR STACK: I don't --

7 MR. MARTIN: -- I mean how --

8 MAYOR STACK: I don't think it would drop,
9 no. I think it would increase. I think it would
10 -- I think it would increase, not drop.

11 MR. MARTIN: And in the other areas has it
12 increased -- that you mentioned?

13 MAYOR STACK: I think overall it has, yes.
14 We haven't seen a decrease in the market value,
15 no.

16 And I could even get back to you further --
17 if you give me a ring tomorrow, give me a call
18 tomorrow, I'll have the assessor sit down with
19 you and show you what we saw.

20 MR. MARTIN: Now, if you do build
21 affordable housing would it be given to Union
22 City residents -- preference?

23 MAYOR STACK: You know, I got to be honest
24 with you. I don't -- I don't control the
25 affordable housing. I don't control who gets

1 Section 8 or housing in the City. I think the
2 preference is to give it to Union City residents
3 first and then go to the outside.

4 I know that there's federal guidelines
5 though that the developer -- or the church in
6 this case, would have to follow.

7 But I agree with you, it should go to Union
8 City residents first. Absolutely.

9 MR. MARTIN: Yes, sir.

10 One more question.

11 If an affordable housing is built, who
12 would be charge -- in charge of maintaining it?

13 Would it be the church? Because the church
14 would still own the land. Or would it be the,
15 you know, the -- the people --

16 MAYOR STACK: No, it would have to -- they
17 would have to appoint a managing agent that would
18 run the building.

19 MR. MARTIN: Yes, sir.

20 MAYOR STACK: Similar to what's been done
21 in the other buildings.

22 MR. MARTIN: Yes, sir.

23 All right.

24 Thank --

25 MAYOR STACK: And in the experience I

1 found --

2 I have to say this.

3 In fact the owner -- the owner and
4 developer are --

5 And I don't want to put him on the spot but
6 he's actually here this evening -- he's not
7 involved in this project, I just want to state
8 that to the record. He's here on 1901 West
9 Street tonight.

10 And I point him out as one of the best, I
11 think, that's been out there. And he has 4906
12 Broadway, which they've done a tremendous job in.

13 And really, I'll be honest with you, in my
14 time as the Mayor -- I can only speak for my time
15 -- I've never received any complaints. And the
16 building is up kept, we don't have to contact him
17 about shoveling or anything like that.

18 MR. MARTIN: Would the affordable housing
19 also contain a parking lot or, you know, --

20 MAYOR STACK: Oh, we would -- a parking lot
21 for the residents in the building?

22 MR. MARTIN: Right.

23 MAYOR STACK: Similar to what you see at
24 3900 where the parking is under the building, I
25 think that's what the thinking would be.

1 Am I correct, Mr. Spatz?

2 MR. SPATZ: Yes. That -- we haven't gotten
3 to that part of the development --

4 MAYOR STACK: Right.

5 MR. SPATZ: -- but we'll ensure that
6 there's parking for the residents, as well as
7 parking -- there'll be some neighborhood parking
8 to replace what might be lost on that property as
9 well.

10 The sort of idea for it are seniors and
11 developmentally disabled persons in a few units,
12 so there will be limited amount of cars for the
13 residents of the building. Obviously, there'll
14 be space for employees, if -- if necessary, for
15 visitors but also neighborhood parking. But that
16 will factor into it.

17 MAYOR STACK: And you'll be contacted about
18 the -- whenever they propose the project, to --
19 to come to the meeting. I'm sure it won't be one
20 meeting, maybe two or three meetings.

21 MR. MARTIN: Thank you, Mayor.

22 MAYOR STACK: Thank you very much. Thanks
23 for your questions.

24 Next question or comment?

25 MR. MAROTTA: Yeah, I have --

1 MAYOR STACK: Just -- let me just see, Mr.
2 Marotta, real quick, if somebody else just has a
3 comment. Real quick.

4 Does anyone else have a comment at this
5 time or like to ask a question?

6 MR. SOMMA: I just --

7 MAYOR STACK: Sure.

8 Sir? Sure. Please.

9 MR. SOMMA: Yes.

10 MAYOR STACK: Just state your name and
11 address just for the record.

12 MR. SOMMA: Name is Michael Somma, 122 35th
13 Street.

14 MS. DILLON: Can you spell your last name?

15 MR. SOMMA: S-O-M-M-A.

16 MS. DILLON: And I'm sorry, I didn't catch
17 the address.

18 MR. SOMMA: 122 35th Street.

19 MS. DILLON: Thank you.

20 MR. SOMMA: I do know the area pretty good.
21 I lived there my whole life. So I know the lot
22 and if you go by there in the morning when the
23 school's open, not this week, the lot is jam
24 packed. I mean the teachers use the lot. I see
25 them using they it; they have no place to go.

1 Most of the teachers come from out of town and
2 they go use that lot.

3 When people are dropping off kids there,
4 there's traffic all the way around the corner.
5 Without that lot there it would be impossible.

6 We can't park anywhere from Park Avenue all
7 the way to New York as it is now. And if you
8 were to take that lot away, where would the
9 teachers now going to park, let alone the
10 residents. You know?

11 And when the bar was open on the corner at
12 night it was just -- it was just the same thing.
13 They were supposed to be required to have off the
14 street valet parking, which they never did.

15 So if you take that whole area away, you
16 know, it would be a pretty stressful -- of the
17 area.

18 I mean it's -- if you're building a
19 building on 4th Street and Palisade Avenue where
20 there's an empty lot right now, which I don't
21 understand why that lot's been empty for 20 years
22 or more, you know, there's a perfect place to --

23 MAYOR STACK: Longer.

24 MR. SOMMA: -- build something in an open
25 area. But --

1 MAYOR STACK: Longer.

2 MR. SOMMA: -- you know the reason more
3 than I do.

4 MAYOR STACK: The reason is is the
5 developer really -- he proposed a project years
6 ago. People came -- I think he proposed a 22
7 story building. People came out against the
8 building. I think the building ultimately got
9 approved. He never built the building.

10 When I came in as the Mayor we reached out
11 for him and asked him would he come back in and
12 propose something, looking for a ratable to bring
13 into the City and there was just no interest on
14 their part, they just continue to keep the
15 property.

16 MR. SOMMA: I mean that could be a
17 humongous affordable housing in an area like that
18 where it's not stressing the whole neighborhood.
19 But that area on 35th Street it is pretty tight.

20 I mean the Police use the parking lot
21 across the street that belongs to Verizon and,
22 you know, that -- that lot is empty the rest of
23 the night. Now, why we've never been able to
24 work out a deal as residents to use that lot, --
25 I mean it's not only just the parking, --

1 MAYOR STACK: Mike, -- Mike, with all due
2 respect, I can't even get Verizon to use calcium
3 chloride. They throw rock salt on the brand new
4 sidewalk that we just put in and destroyed the
5 sidewalk.

6 MR. SOMMA: On that side.

7 MAYOR STACK: We just summonsed them.
8 They're just --

9 Let me tell you something, when you deal
10 with Verizon, they're you know, Verizon -- I
11 don't want to pick on PSE&G like I always do but
12 PSE&G and the water company are very, very hard
13 to deal with. Verizon's not a good neighbor.
14 Believe me. We've posted -- Alex is here from
15 the Health Department tonight; he'll tell you, we
16 posted the building, we've tried -- I reached out
17 for them many times but possibly -- and the
18 residents in the area. In fact, after the times
19 that you and I had spoken, --

20 MR. SOMMA: I had spoken to you about it.

21 MAYOR STACK: I -- yeah. I reached out for
22 them, wrote letters to their corporate, wrote
23 letters -- they just don't even get back to you.

24 MR. SOMMA: And I've even tried to talk to
25 somebody that worked there just to see --

1 MAYOR STACK: Yeah, --

2 MR. SOMMA: -- but --

3 MAYOR STACK: -- me, too. Me, too.

4 MR. SOMMA: -- you can't get in the lot.

5 MAYOR STACK: The only time I got their
6 attention, we told them we were going to take the
7 building possibly for a school and they contacted
8 Homeland Security --

9 MR. SOMMA: Right. Right.

10 MAYOR STACK: -- and everybody else and
11 said you can't do that because that's the main
12 trunk line for Manhattan.

13 MR. SOMMA: Right.

14 MAYOR STACK: And we just never --

15 MR. SOMMA: You were going to build on top
16 of the --

17 MAYOR STACK: -- went through with the
18 project.

19 MR. SOMMA: -- lot, they were going to
20 build there.

21 MAYOR STACK: Exactly.

22 MR. SOMMA: I remember that.

23 MAYOR STACK: Yes. Exactly.

24 MR. SOMMA: But, you know, I -- we also
25 think about the area. You know you're saying

1 redevelopment. Isn't somebody still living in
2 the church property?

3 MAYOR STACK: Let me -- let me just double
4 check on that for you.

5 David?

6 MR. SPATZ: Yes. The pastor's still --

7 MR. SOMMA: Gary Kugler.

8 MR. SPATZ: -- the pastor still lives there
9 but he is intending on moving out. There is a
10 building on 36th, behind the church, that I
11 believe that is going to be renovated and he's
12 planning on moving into that and vacating the
13 parish house.

14 MR. SOMMA: Mmm.

15 MAYOR STACK: And the church would not be
16 touched you said.

17 Right?

18 It would only be the parish house would --

19 MR. SPATZ: The parish house and the
20 parking lot. The church will not be touched.
21 The structure behind it is actually going to be
22 improved to that provide that housing.

23 MAYOR STACK: Okay.

24 Next question?

25 Mr. -- Mr. Price?

1 MR. PRICE: Larry Price, 1006 Palisade.

2 First, -- first, to the deterioration or
3 the alleged deterioration here, the parking lot.

4 It's 10,000 square feet. It could probably
5 contain 40 cars. I'll bet it does contain 40
6 cars at times during the day. The parking lot is
7 not striped but the surface is in condition. It
8 has a fence around it, which is in good
9 condition. It's partially lighted. There's a
10 gate, which is never closed that I can see but
11 the gate is in good condition. It is not a
12 deteriorated --

13 The night of March 12th at the time of the
14 meeting I stopped by the parking -- it was ten
15 minutes after five. There was 17 cars in the
16 parking lot at ten minutes after five in the
17 afternoon.

18 By the way, -- any case, it's not a
19 deteriorated property. And -- and the whole idea
20 behind the redevelopment law is to take stagnant
21 or deteriorated properties. That is not.

22 Okay. As -- as to the building, it's
23 described as a parish house but it seems to be a
24 combination parish house and manse, because
25 Reverend Kugler lives there.

1 MR. SPATZ: Um-hum.

2 MR. PRICE: And lives there quite --

3 Much was made of the fact that it's an old
4 property. Well, 30 percent of the properties in
5 Union City were built before 1940. So, you know,
6 that hardly makes it unique.

7 There's much made of -- there's a crack in
8 the -- in the basement in the wall and there's
9 some water leaking as a result of that. That
10 probably qualifies about half the properties in
11 Union City that have basements. This is not a
12 deter --

13 The property is lived in. It's used. It
14 is not in great condition but it's described as
15 being in fair condition. It's not a dilapidated
16 property.

17 Back to the parking lot, Reverend Kugler
18 was at the meeting and testified. And he
19 testified as to a couple --

20 One was the use of the lot. The lot
21 actually gets an enormous amount of use because
22 it cycles through the day. During the day the
23 teachers at Jefferson School use that lot. Then
24 they leave and the residents come in; and they
25 park school buses there, whatever. So there are

1 shifts in that parking lot. It's a well-utilized
2 facility. And, you know, walking four blocks for
3 a replacement is not really a good alternative.

4 The other thing that Reverend Kugler -- I
5 -- granted there is no project on the -- Reverend
6 Kugler testified as to what he would like to have
7 there. Four story building. I think 30 units;
8 ten on the first floor for developmental --
9 developmentally handicap people who would not
10 require parking, affordable housing above that,
11 which would.

12 If you had proper parking for that building
13 it would involve -- depending on how -- what the
14 size of the units are, whatever, 40 parking
15 spots. And if you -- you can put 40 -- if you
16 try to replace the parking, then you've got to
17 replace 40 spots. So you've got a parking
18 requirement of 80. You can't -- you can't do
19 that in a 10,000 square foot space economically.

20 So, you -- any project goes in there, the
21 neighborhood is -- and the teachers are going to
22 lose their parking. That's a -- that's a tough
23 choice in that neighborhood.

24 Reverend Kugler's very enthusiastic about
25 moving ahead but I'm not sure that -- whatever.

1 Last thing I would note, I have a letter of
2 objection under the Local Housing and
3 Redevelopment Law -- whatever -- I should be in
4 -- your decision I'm supposed to be formally
5 informed. And I make that note for the record.

6 Thank you.

7 MAYOR STACK: Thank you.

8 Mr. Marotta?

9 MR. MAROTTA: Mayor, I must comment on the
10 response you gave to the gentleman who asked you
11 a question and your comment relative to families
12 today have more than one car, which has increased
13 the problem with the parking situation. And also
14 that years ago buildings did not have parking.

15 Yes, I'm old enough to remember when we did
16 not have a master plan in Union City. In fact,
17 in 1970 I was instrumental in this City adopting
18 its first master plan. All right? And this
19 Board of Commissioners set policy, set good
20 policy, because two years ago you adopted an
21 ordinance -- a zoning ordinance.

22 And it says the purposes of the zoning
23 ordinance, to establish a pattern for the use of
24 land and buildings based on the land use element
25 of the master plan, to implement the master plan,

1 to encourage municipal action, regulate the use
2 of land within zoning districts, provide adequate
3 light, --

4 This is all beautiful stuff. This is your
5 policy.

6 -- promote the conservation of open space
7 and valuable natural resources.

8 And then what you adopted also,
9 considerations in making a decision. Your zoning
10 ordinance says these rules and regulations and
11 standards shall be considered the minimum
12 requirements for the protection of the public,
13 health, safety and welfare of the citizens of
14 Union City.

15 And then it goes on to say any action taken
16 by the Planning Board and the Zoning Board of
17 Adjustment, under the terms of this Chapter shall
18 give the primary consideration to the
19 requirements of this chapter.

20 Because of the fact that we have non-
21 conforming preexisting uses in the City, we have
22 apartment buildings where people living in there
23 have automobiles but because they were built 50,
24 60, 70 years ago there was no parking required.

25 Because of the fact that now we have

1 families that have two and three automobiles, the
2 Planning Board and the Zoning Board should be
3 more vigilant. They can't do what they did last
4 week where you require 54 off-street parking and
5 they grant a variance for 24. That's 34 cars in
6 one building.

7 So, I'm still persistent and I will
8 continue to say that the Zoning Board, if they
9 don't change their ways then they should all
10 resign and let's get new members on the Board,
11 let's get a new chairman, let's get new
12 professionals because I've been at those meetings
13 and they don't ask a question.

14 You know, Mayor, when -- if I'm going to
15 put an application in to the Zoning Board or
16 Planning Board, I have to submit maybe an
17 original and ten copies. The reason for that is
18 so that the members get the copies.

19 Do you know when they get them? When the
20 case is called.

21 I'm sitting there as a member and a case is
22 called and then I'm handed the application.

23 They should get that -- you know it's ten
24 days -- you have to give ten days notice for a
25 hearing. These members should get that

1 application ten days before, eight days before,
2 so they could study it and read it.

3 I don't believe the --

4 MAYOR STACK: Dominick, make sure --

5 MR. MAROTTA: -- members of our Board --

6 MAYOR STACK: -- make sure Carlos gets that
7 done.

8 MR. MAROTTA: -- ever -- this ordinance.

9 ACTING CITY CLERK: What's that?

10 MR. MAROTTA: I think they're very
11 deficient, Mayor.

12 MAYOR STACK: Make sure he gets that done.

13 MR. MAROTTA: I'm sorry but --

14 MAYOR STACK: Seven days before.

15 MR. MAROTTA: -- I've seen too much.

16 MAYOR STACK: Thank you, Mr. Marotta.

17 Anyone else wishing to comment at this time
18 on this matter?

19 Okay, seeing -- seeing no other, we'll --
20 we'll hold this until our next meeting of the
21 Board of Commissioners to further review and
22 study this, along with Mr. Spatz.

23 David, if you can reach out for me possibly
24 tomorrow, --

25 MR. SPATZ: Absolutely.

1 MAYOR STACK: -- we can go over this a
2 little further and take into account the
3 suggestions and the comments that were made this
4 evening.

5 MR. SPATZ: Absolutely.

6 MAYOR STACK: So, I'm going to table this
7 till the next meeting and we'll keep the public
8 hearing still open.

9 ACTING CITY CLERK: This is tabled for the
10 next meeting.

11 MAYOR STACK: Everyone who attended for the
12 3501-3511 project --

13 Not project; I'm sorry.

14 -- for the study this evening, thank you
15 very much for showing up. Everyone, just for
16 clarity, we're going to hold this till the
17 Commission Meeting. We're going to keep the
18 public comment still open.

19 Thank you very much, everyone, for being
20 here.

21 ACTING CITY CLERK: Is --

22 MAYOR STACK: Motion to table --

23 ACTING CITY CLERK: Motion to table --

24 MAYOR STACK: -- till the next meeting.

25 ACTING CITY CLERK: -- to April 21st

1 meeting.

2 COMMISSIONER MARTINETTI: Second.

3 ACTING CITY CLERK: Mayor Stack.

4 Second by Commissioner Martinetti.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas
9 left.

10 COMMISSIONER FERNANDEZ: Commissioner Rivas
11 was feeling ill --

12 MAYOR STACK: He's not feeling well.

13 COMMISSIONER FERNANDEZ: -- so he had to
14 step away.

15 MAYOR STACK: Not feeling well.

16 ACTING CITY CLERK: Okay.

17 Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 ACTING CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 ACTING CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 Anyone who would like to contact me also on
25 this project -- on this study that we just spoke

1 about over the next couple days or week, please
2 do so. If I need to put you in contact with Mr.
3 Spatz or anyone else involved or the attorney,
4 I'll be more than happy to do so.

5 Thank you again, everyone, for taking time
6 out of your evening.

7 ACTING CITY CLERK: Mayor, the next item is
8 the -- for the Purchase and Sale of 1901 West
9 Street.

10 MAYOR STACK: Thank you very much. Thank
11 you, everyone.

12 MS. de los RIOS: Mayor, for the record, I
13 just wanted to state that --

14 MAYOR STACK: Why don't we do --

15 MS. de los RIOS: -- Commissioner Rivas --

16 MAYOR STACK: -- 4800 Bergenline Avenue
17 first?

18 No?

19 New Business?

20 Or, no, should I do the Public Hearing?

21 New Business was first.

22 Can we do that?

23 ACTING CITY CLERK: You want to go back --
24 you want to go back to --

25 MS. de los RIOS: You can go back.

1 ACTING CITY CLERK: We still have --

2 MAYOR STACK: I know. We still have 1901.

3 Could we go up though to 4800?

4 ACTING CITY CLERK: Absolutely. You want
5 to do New Business?

6 MAYOR STACK: All right, let's do 4800
7 Bergenline Avenue, Bank of America, on the ADA
8 ramp.

9 MS. de los RIOS: Mayor, for -- for the
10 record, I just wanted to state that --

11 MS. DILLON: Can you just speak up please?

12 MS. de los RIOS: -- that Commissioner
13 Rivas left at approximately 7:50. Just for the
14 record to be clear.

15 MS. DILLON: Yes. I have it.

16 MAYOR STACK: You got it, right?

17 MS. DILLON: Yes, I do.

18 MS. de los RIOS: Thank you.

19 MAYOR STACK: Thank you very much.

20

21 **NEW BUSINESS**

22

23 4800 Bergenline Avenue (Bank of America) ADA RAMP

24

25 ACTING CITY CLERK: The next item is New

1 Business, 4800 Bergenline Avenue, Bank of
2 America.

3 MAYOR STACK: Okay, Bank of America. If
4 you could please step forward. Just come right
5 up to the table.

6 Kara, you're also involved on this matter;
7 right?

8 MS. KACZYNSKI: Yes, Mayor.

9 MAYOR STACK: Great.

10 MS. KACZYNSKI: Commissioners, again, Kara
11 Kaczynski, Scarinci Hollenbeck.

12 We have here this evening before you a
13 request of Bank of America, located at 4800
14 Bergenline Avenue for a expansion of their
15 existing ADA ramp in order to comply with the
16 current Uniform Construction Code requirements.

17 The ramp currently encroaches into the
18 City's right-of-way. I don't believe at the time
19 this was constructed there was any sort of
20 easement that was actually recorded and
21 documenting this.

22 Now that they're looking to expand it, we
23 figured we'd correct some of those errors and
24 actually record an easement agreement with the
25 City and make sure that everything is taken care

1 of properly.

2 Here this evening there is the engineer
3 from Stonefield Engineering. I believe you have
4 copies of the plans in front of you. And also
5 Project Expeditors, a company hired by Bank of
6 America, and they're here to answer any questions
7 you have.

8 I just want to note also that the City
9 Engineer, Ralph Tango, from Maser, did prepare a
10 memo with regard to this. It's dated April 3rd,
11 2015. You should have that in front of you as
12 well. And he did review these plans and had some
13 comments for your consideration.

14 (Whereupon, there was a pause in the
15 proceedings.)

16 MAYOR STACK: If you could just enter your
17 appearance for the record, sir.

18 MR. WELCH: Sure.

19 Matthew Welch, W-E-L-C-H. I'm a Senior
20 Project Manager with Stonefield Engineering and
21 Design, 75 Orient Way in Rutherford.

22 MS. SCHAPPELL: Kerri Schappell, S--

23 MS. DILLON: Spell that please.

24 MS. SCHAPPELL: S-C-H-A-P-P-E-L-L. And the
25 first name is Kerri, K-E-R-R-I. I'm with Project

1 Expeditors, 28 Station Street, Manalapan, New
2 Jersey.

3 MAYOR STACK: You could proceed.

4 MR. WELCH: Certainly.

5 This project is part of the Bank of America
6 ADA Upgrade Program. We're currently working on
7 approximately a hundred projects for Bank of
8 America throughout the northeast.

9 Essentially our involvement in this project
10 is an initial site visit where we evaluate the
11 current site. What we -- the biggest deficiency
12 we notice is the existing ramp. It currently
13 encroaches about three and a half feet into the
14 public right-of-way. It does not meet the
15 federal ADA regulations, both for slope, as well
16 as the size of the ramp.

17 In order to upgrade the ramp to comply with
18 the latest federal regulations, we have to widen
19 the ramp an additional foot and a half.

20 I will note the ramp itself is three and a
21 half feet but there's an additional step and the
22 handrails that extend another foot and a half
23 into the right-of-way.

24 So, the total encroachment today at its
25 widest point is about five feet, which is what we

1 have -- would have after our design. The total
2 ramp width would be five feet into the right-of-
3 way and we are -- in order to mitigate that we're
4 shifting the steps to be on the southerly side of
5 the ramp so the -- the total encroachment would
6 stay the same.

7 We have discussed this project with your
8 engineer. And one of the issues that he had was
9 at the base of the ramp there's an existing tree
10 and so you have a little pinch point in the
11 public sidewalk.

12 What we've agreed to do in order to
13 mitigate that and accommodate an accessible path
14 on the right-of-way is install an accessible
15 landscape grate around that tree. So you would
16 have effectively approximately four and a half
17 feet of accessible travel. We wouldn't have to
18 move the tree or result in an insufficient ramp.

19 MAYOR STACK: Great. Okay.

20 And according to Mr. Tango's memo dated
21 April 3rd, stating what the gentleman just stated,
22 he did talk about the right-of-way and the
23 sidewalk. He mentions the tree grate would
24 expand the sidewalk area avail of pedestrian
25 traffic increasing the aforesaid 3.2 feet to a

1 distance of over four feet, which complies with
2 the ADA regulation.

3 Is that the only modification you're
4 looking to make on this property right now? Just
5 the ADA?

6 MR. WELCH: The other -- we're upgrading.
7 The parking lot's currently --

8 MAYOR STACK: Okay.

9 MR. WELCH: -- in pretty bad condition, so
10 we're going to repave it. The drain system is in
11 disrepair, we're going to upgrade that as well.

12 MAYOR STACK: Okay.

13 MR. WELCH: Put new striping in. Currently
14 the cars park over the sidewalk; we're going to
15 put some bollards in.

16 MAYOR STACK: Great.

17 MR. WELCH: The rest of it's more
18 remediation --

19 MAYOR STACK: Great.

20 MR. WELCH: -- of the project.

21 MAYOR STACK: Does anyone have any
22 questions on this application that's before us
23 this evening on Bank of America and expansion of
24 the ADA ramp?

25 Seeing none.

1 MS. KACZYNSKI: Mayor, if I just comment
2 for the record?

3 MAYOR STACK: Sure.

4 MS. KACZYNSKI: There are some additional
5 improvements as he indicated. We've been working
6 with them to determine which may require
7 Construction Code permits, which may require
8 Planning Board applications and approvals and
9 we're working through that and we'll do that.

10 They wanted this to be the first step so
11 that if this wasn't approved by the Commissioners
12 there would obviously be no need to go any
13 further.

14 I'd recommend to the Commissioners that
15 should you decide to approve this easement that
16 it be subject to the execution of an easement
17 agreement and the preparation of a -- execution
18 and recording of an easement agreement and the
19 preparation of a metes and bounds description by
20 the engineering office to attach to it so it's
21 very clear as to what exactly you're granting.

22 MAYOR STACK: Great.

23 Thank you for your investment in staying in
24 Union City.

25 ACTING CITY CLERK: Is there a --

1 MAYOR STACK: Motion.

2 ACTING CITY CLERK: -- motion to approve?

3 MAYOR STACK: Motion.

4 ACTING CITY CLERK: Motion --

5 COMMISSIONER VALDIVIA: Second.

6 ACTING CITY CLERK: -- made by Mayor Stack.

7 Second by Commissioner Valdivia.

8 Roll call.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 ACTING CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 ACTING CITY CLERK: Commissioner

14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 ACTING CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18 Thank you very much.

19 MR. WELCH: Thank you.

20 MAYOR STACK: Thank you. Have a good
21 evening.

22

23 **PUBLIC HEARING:**

24

25 1. Purchase and Sale of 1901 West Street,

1 Union City, Block 108, Lots 4.01 and 4.01X

2

3 ACTING CITY CLERK: We have -- you want to
4 go back to Public Hearing for Purchase and Sale
5 of 1901?

6 MAYOR STACK: Yes, 1901 -- Purchase and
7 Sale of 1901 West Street, Union City, Block 108,
8 Lot 4.01 and 4.01X.

9 (Whereupon, there was a pause in the
10 proceedings.)

11 MAYOR STACK: Kara, you could begin. Sure.

12 MS. KACZYNSKI: Yes, Mayor.

13 Next matter, this is 1901 West Street.

14 The Commissioners may recall that sometime
15 ago there was a purchase and sale agreement that
16 was authorized by you. The property was sold by
17 the City to Greater Newark Housing Partnership.
18 This is a non-profit developer who has undertaken
19 to make significant improvements to the property
20 for the betterment of the City's residents and to
21 make it habitable again after years upon years of
22 problems.

23 The statute that authorized the sale from
24 the City to the developer required that there be
25 a right of reverter in the event that the

1 property's not utilized for affordable housing in
2 connection with HUD and -- and other requirements
3 that are far beyond me to describe, which is why
4 the actual developer is here this evening to do
5 that.

6 HUD, in connection with its funding that
7 they're providing for the project, has requested
8 that this right of reverter be subordinated and
9 be subsequent to HUD's right to, basically the
10 same thing, to take the property in the event,
11 again, the property's not utilized in the way
12 it's intended.

13 The developer is here. I've been told that
14 HUD rarely does that. This, obviously, is a
15 project that the City has approved and is happy
16 with, so it's here before you. I will note that
17 I am told that the project is basically unable to
18 go forward without this approval and then HUD
19 will basically walk away from it.

20 But I'll turn this over to Larry Regan to
21 answer any questions.

22 MAYOR STACK: Sure.

23 Mr. Regan, you could step forward, please.

24 MR. REGAN: Sure.

25 MAYOR STACK: Thank you.

1 MR. REGAN: Good evening. My name is Larry
2 Regan, --

3 MS. DILLON: Just in front of the
4 microphone.

5 MR. REGAN: -- Developer with Regan
6 Development Corp.

7 We're the developers that -- not the
8 owners. We're -- we're assisting the ownership
9 entity, which as Kara indicated, is a not-for-
10 profit entity that entered into a contract and
11 purchased the property from the City. The City
12 took it back in a deed in lieu of foreclosure
13 from the existing owners for lack of payment of
14 over a -- of a million dollars in taxes.

15 We're turnkeying the development and we're
16 helping the not-for-profit with the construction,
17 the reconstruction of the building and the
18 refinancing of the building because they're not
19 -- that's not their expertise and we're helping
20 them do that.

21 As Kara indicated, what we're doing is
22 we're refinancing the building to work with the
23 County of Hudson with Home Funds that were
24 provided from HUD, as well as financing from the
25 State of New Jersey Housing and Mortgage Finance

1 Agency.

2 What Kara stated was we currently have an
3 application which been approved, were in their
4 bond sale for the sale of -- for the permanent
5 bonds for the refinance of the property, for the
6 upgrades to the property.

7 I don't know if any of you've seen but
8 we're stripping the whole exterior façade with
9 general contractors. They're taking off what was
10 a very bad coating of stucco, which is that faux
11 stone on the building that has been leaking for
12 well over 20 years of the building, 15 years of
13 the building. And that caused many of the units
14 to go vacant.

15 When those units went vacant, they couldn't
16 be reoccupied and there was no funding -- there
17 was no rent, we couldn't -- they -- the previous
18 owner couldn't rent those apartments because they
19 were always being flooded.

20 So we were chosen in a short request for
21 proposals between the City and the County to come
22 in through the not-for-profit and assist in the
23 redevelopment of the property.

24 We're taking off all the existing --
25 existing stucco, replacing it with a waterproof

1 coating, which has been approved by the Building
2 Department. We're proud to say we're about 25
3 percent done with the building.

4 We had to stop for the winter because of
5 the cold weather. You can't apply this
6 waterproof material when it's below 40 degrees.
7 So, we're about ready to ramp up for the -- this
8 -- at the end of this week.

9 We're also taking off the roof and putting
10 on a new roof, upgrading the interiors with new
11 carpeting and new hallways and upgrading a lot of
12 the existing parts of the building on behalf of
13 the not-for-profit.

14 The key reason why we're here tonight is
15 because the HMFA, which is our first mortgage
16 lender, has a rule that they need to be in first
17 position for any mortgage. And the City, when --
18 and rightfully so, passed in -- in their -- in
19 the ordinance or in the resolution when they
20 passed the resolution with the development
21 agreement to the not-for-profit, had a right of
22 reverter.

23 The right of reverter gives the City the
24 right to take the property back if the property
25 isn't being used for its essential purpose that

1 the City had foreseen, which is affordable
2 housing.

3 What the Commissioners and the public need
4 to understand is that the HMFA, even though they
5 need to be in first position as the mortgage
6 holder, have the same exact interest in mind that
7 the City has.

8 We are signing on to a 30 plus year
9 agreement with the HMFA on behalf of the not-for-
10 profit to keep it affordable. Our goal is to
11 keep it affordable in perpetuity -- the not-for-
12 profit.

13 We're not here to change that in any way
14 but the HMFA as a -- as a bank has their rules.
15 They sell bonds and they need to be in first
16 position and in first control.

17 They have indicated to the corporation
18 counsel that their position is is that they work
19 with the City and if anything ever occurs,
20 there'll be a joint understanding between the
21 City and the HMFA on how to proceed, God forbid
22 there's an issue with the existing not-for-
23 profit.

24 If that not-for-profit needs to be taken
25 out and replaced with another owner, that --

1 | which won't be us but it will be someone -- some
2 | other entity that will serve the public purpose
3 | of keeping the ownership and -- and the goal of
4 | the affordability of -- for the residents.
5 | That's what this is all about.

6 | But we -- we've already been included in
7 | the bond sale. We're closing in June.
8 | Everything is done. We're working on the
9 | building. We've got the funding from the County.
10 | We've gotten over \$2 million in funds to rehab
11 | the building. We're well with -- we're well on
12 | the way. We're going to re-rent those vacant
13 | apartments.

14 | The building will be cash flowing for the
15 | benefit of replacing the reserve and replacement
16 | accounts. And when we refinance with the City
17 | off on day one we'll be refinancing with over a
18 | hundred and eighty thousand dollars of reserves
19 | for the building, which goes for any future
20 | improvements. Because though we're doing a lot
21 | of improvements on the building, there's still
22 | more that will be needing to be done as the
23 | building ages because it's -- it's over 15 years
24 | in the rehab now.

25 | So we need to refinance to have this

1 funding to keep monies in the R&R and then the
2 monies will continue to flow into the R&R through
3 the operations of the building. We've put aside
4 over \$40,000.00 a year into an R&R to keep monies
5 in an account to benefit the tenants when -- when
6 the units and the overall public areas need
7 rehabbing.

8 So the purpose for tonight is to allow us
9 to refinance, allow us to continue on the work on
10 behalf of the not-for-profit and it's just this
11 one change in the agreement with the City that
12 has to be carried forth to allow us to proceed
13 under the Guidelines of the New Jersey and
14 Housing Mortgage Finance Agency.

15 MAYOR STACK: Mr. Regan, I -- I would just
16 like to thank you on behalf of the Board of
17 Commissioners.

18 I know myself, Kara -- before Kara,
19 Christine Vanek, then Monica involved, all of us
20 worked for a long time to make this happen.

21 I've always wanted you to be the guy that
22 came in and did this for us. I'm very happy
23 you're here. Your track record is excellent, not
24 only in Union City but throughout the County. I
25 only hear great things about you.

1 I know what you've done at the buildings --
2 other buildings you're involved with and I -- I
3 can only praise you for what you've done.

4 Thank you for coming in and saving these
5 units. I know it's about 70 units, right, --

6 MR. REGAN: Seventy units.

7 MAYOR STACK: -- of affordable housing.

8 MR. REGAN: Right.

9 MAYOR STACK: Thank you for the work you're
10 doing. I see the amount of work you're doing.
11 I've been by the property a couple times last
12 week. I see the work that's going on. The
13 tenants couldn't be happier.

14 So thank you for what you're doing there.

15 MR. REGAN: Thank you, Mayor.

16 MAYOR STACK: Hopefully you'll come back
17 and do much more; we can get you involved much
18 more in the future.

19 MR. REGAN: We would -- we would love the
20 opportunity.

21 MAYOR STACK: Thank you.

22 MR. REGAN: Thank you.

23 MS. KACZYNSKI: Mayor, if I can just
24 reiterate, Mr. Regan was correct. HUD did
25 indicate to me that in the event that they should

1 have to exercise this right they would work
2 directly with you, directly with the City to make
3 sure that whoever they did select to come in and
4 replace the non-profit was acceptable to the City
5 and everybody work together.

6 The other thing I think you should know is
7 while the statute that you sold the property to
8 the non-profit under required this -- this right
9 of reverter, the statute also requires and allows
10 for relief from this right upon notice and a
11 public hearing, which is what you're doing
12 tonight.

13 MAYOR STACK: Right.

14 MS. KACZYNSKI: The developer has
15 graciously paid for and taken care of all the
16 notice requirements at no cost to the City, since
17 this is their request.

18 So that's why you're here tonight. You're
19 perfectly in -- within your right to do this
20 should you decide to do so. And like I said,
21 it's provided for right in the statute.

22 MAYOR STACK: Absolutely.

23 The only thing also I would like to request
24 on -- just behalf of the Commissioners and
25 myself, Mr. Regan, if you could take pictures as

1 | you're doing the work, before and after, just so
2 | we have something to look back at and show
3 | residents of the City what was -- what was done
4 | at the property.

5 | MR. REGAN: The general contractors are
6 | doing that --

7 | MS. DILLON: Can you just come forward.

8 | MR. REGAN: -- so we have a record.

9 | I'm sorry.

10 | MAYOR STACK: Great.

11 | MS. DILLON: I can't get you from there.

12 | MR. REGAN: Mayor, that -- that's being
13 | done as a matter of course that -- that -- and we
14 | have a full record -- we have a full record of --
15 | of the samples that we've done and -- and every
16 | step of the stage of it.

17 | MAYOR STACK: Thank you --

18 | MR. REGAN: Thank you.

19 | MAYOR STACK: -- for your level of
20 | commitment and the involvement that you take in
21 | the buildings that you're involved with.

22 | Thank you.

23 | Anyone have any questions at this time on
24 | anything on 1901 West Street on what's been
25 | explained by Mr. Regan and also by Kara?

1 Seeing none.

2 ACTING CITY CLERK: Is there a motion to
3 approve?

4 MAYOR STACK: Motion.

5 ACTING CITY CLERK: Motion by Mayor Stack.

6 COMMISSIONER MARTINETTI: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Martinetti.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 ACTING CITY CLERK: Commissioner
15 Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 ACTING CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19

20 **LIQUOR LICENSE TRANSFER:**

21

22 APPLICATION OF LIQUOR LICENSE NO. 0910-33-163-008

23 FOR A PERSON TO PERSON TRANSFER FROM PARK AVENUE

24 LIQUORS, LLC TO POLLOS DON MARIO CORPORATION AND

25 PLACE TO PLACE TRANSFER TO 4215 BERGENLINE AVENUE

1

2 ACTING CITY CLERK: The next item is a
3 Liquor License Transfer.

4 MAYOR STACK: Thank you very much.

5 MR. REGAN: Thank you very much.

6 ACTING CITY CLERK: Liquor License
7 Transfer.

8 MAYOR STACK: Yeah, why don't we do --
9 Okay.

10 The transfer we'll do right now.

11 ACTING CITY CLERK: Yes.

12 MAYOR STACK: Then we'll take five minutes
13 and then we'll do the Liquor License Disciplinary
14 Action.

15 ACTING CITY CLERK: Right.

16 MAYOR STACK: The transfer. Sure.

17 ACTING CITY CLERK: We have an --

18 MAYOR STACK: Mr. Diaz?

19 ACTING CITY CLERK: We have an Application
20 of Liquor License Number 0910-33-163-008 for a
21 Person to Person Transfer from Park Avenue
22 Liquors, LLC to Pollos Don Mario Corporation and
23 Place to Place Transfer to 4215 Bergenline
24 Avenue.

25 MR. DIAZ: Good evening, Board members,

1 Mayor.

2 Luis Diaz from Ledesma, Diaz, Lopez and
3 Noris on the transfer.

4 This is a transfer of pocket license, which
5 is inactive at this time into the restaurant
6 Pollos Mario on 4215 Bergenline Avenue. That is
7 the southwest corner of Bergenline Avenue.

8 The -- the restaurant has been in that
9 location for a long, long time. It's known by
10 the -- the community.

11 And would like to have the license transfer
12 in order to accommodate the dinners that is
13 served.

14 There is no change in the composition of
15 the restaurant. It's all tables for dinner.
16 There will be no serving of -- of any liquor to
17 any customer that is not having dinner. It will
18 not be a bar-type of situation. There's no
19 change in the format of the restaurant. And the
20 -- the license will be used only in conjunction
21 with the dinner that is being served.

22 MAYOR STACK: I know that your client has
23 always done a good job in running the business.
24 I see firsthand they're always out there.
25 They'll be also hands-on now with this -- with

1 the license that's coming in; they run the
2 establishment.

3 Is that correct, Mr. Diaz?

4 MR. DIAZ: That's correct.

5 MAYOR STACK: I know they've always done a
6 good job.

7 I just ask them to continue doing the good
8 job you've been doing. Just make sure now with
9 the license you run the same type of a business
10 as you've been doing.

11 A VOICE: Thank you.

12 MAYOR STACK: Thank you for your -- thank
13 you for your commitment to Union City.

14 A VOICE: Thank you.

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

17 ACTING CITY CLERK: Motion --

18 MR. DIAZ: Thank you.

19 COMMISSIONER VALDIVIA: Second.

20 ACTING CITY CLERK: Motion by Mayor Stack.

21 MAYOR STACK: Thank you for waiting.

22 ACTING CITY CLERK: Second by Commissioner
23 Valdivia.

24 Roll call.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 ACTING CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 ACTING CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: I'm recusing.

7 ACTING CITY CLERK: Commissioner Martinetti
8 recusing.

9 Mayor Stack?

10 MAYOR STACK: Yes.

11 ACTING CITY CLERK: Mayor, there are no
12 other items on the agenda.

13 MS. de los RIOS: Dominick?

14 Actually, --

15 MAYOR STACK: Well, let's take public
16 comment --

17 ACTING CITY CLERK: Yeah, yeah.

18 MAYOR STACK: -- on any matter for public
19 comment. And then we'll go to the Liquor
20 License. We'll take five minutes and then we'll
21 go to the Liquor License Disciplinary Hearing.

22 MS. de los RIOS: Mayor?

23 Excuse me?

24 There is one -- one more piece to this.

25 There is going to be an application for renewal

1 of the license as well, which --

2 MR. DIAZ: That's correct.

3 We need two --

4 MS. de los RIOS: -- counsel's going to
5 speak to now.

6 MAYOR STACK: Okay.

7 MR. DIAZ: -- two approvals.

8 We have -- and I show counsel, the license
9 had not been renewed. We have a special ruling
10 which allows the renewal for the years 2014/2015
11 and for next year, 2015/2016 if necessary.
12 Hopefully with this approval that later renewal
13 would not be necessary -- the special ruling
14 controlling it.

15 At this time we need an approval by the
16 Board of the renewal of this liquor license for
17 the year 2014/2015, based on the special ruling
18 that the State ABC granted and thereafter, once
19 that is approved, then the -- the transfer of the
20 liquor license.

21 You have to put the horses before the
22 carriage in order to --

23 MAYOR STACK: I'll make a motion.

24 ACTING CITY CLERK: Motion to renew.

25 COMMISSIONER VALDIVIA: Second.

1 ACTING CITY CLERK: Motion by Mayor Stack.
2 Second by Commissioner Valdivia.
3 Roll call.
4 Commissioner Fernandez?
5 COMMISSIONER FERNANDEZ: Yes.
6 ACTING CITY CLERK: Commissioner Valdivia?
7 COMMISSIONER VALDIVIA: Yes.
8 ACTING CITY CLERK: Commissioner
9 Martinetti?
10 COMMISSIONER MARTINETTI: Recusing.
11 ACTING CITY CLERK: Recusing.
12 Mayor Stack?
13 MAYOR STACK: Yes.
14 Good luck with the business.
15 A VOICE: Thank you.
16 MAYOR STACK: Thank you.
17 MR. DIAZ: Thank you very much.
18 MAYOR STACK: We're just going to take five
19 minutes at this time.
20
21 (Whereupon, the Board recessed from 8:47
22 p.m. to 8:55 p.m.)
23
24 MAYOR STACK: Ready to go everyone?
25 MS. DILLON: Okay.

1 On the record.

2 MS. de los RIOS: No, these are going to be
3 pleas.

4 (Whereupon, there was a pause in the
5 proceedings.)

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 1. R.G. Miranda Corp. t/a El Cuco, 516 Kennedy
4 Boulevard, Liquor License No. 0910-33-141-005

5 2. RG Enterprise Entertainment t/a Therapy
6 Lounge, 2803 Bergenline Avenue, Liquor License
7 No. 0910-33-134-006

8 MR. FARMER: Good evening, Mayor and Board.

9 With respect to the liquor licenses, there
10 are two on your agenda.

11 * * *

12

13 **R.G. MIRANDA CORP. t/a EL CUCO, 516 Kennedy**
14 **Boulevard**
15 **Liquor License No. 0910-33-141-005**

16

17 MR. FARMER: First one is El Cuco. That's
18 going to be carried to the 21st, only because Mr.
19 Alonso had called me; he had a conflict with
20 respect to it.

21 But, parenthetically, I might point that I
22 had a conversation with Mr. Alonso and also with
23 Detective Lieutenant Loaces and Sergeant Dunlay
24 with respect to a plea and we've worked out a
25 plea. And the Police Department is in accordance

1 with that plea or in approval with that plea, so
2 we'll be able to put that in on the 21st.

3 The next one is --

4 So I'd ask that that be just carried to the
5 21st.

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1 **RG ENTERPRISE ENTERTAINMENT t/a THERAPY LOUNGE,**
2 **2803 Bergenline Avenue**
3 **Liquor License No. 0910-33-134-006**
4

5 MR. FARMER: The next one is Therapy
6 Lounge.

7 And if I might say with both Therapy Lounge
8 and El Cuco, they -- they deal with paper
9 violations and we're going to take care of that
10 but they also deal with allegations of a fight.
11 And as a result of being able to view at the
12 state-of-the-art equipment that we now have,
13 being able to look at the video in these bars
14 being operated by the experienced personnel of
15 the Union City Police Department, we're able to
16 see exactly what happened.

17 And basically what happened is, similar --
18 they're both similar -- in a situation that a
19 flash incident occurred. They had security; they
20 escorted the people right out.

21 And that's why we've been able to work out
22 a plea and the police officers are satisfied with
23 the resolution of the case. And they also thank
24 you and I thank you for creating the state-of-
25 the-art equipment that we have.

1 And I also would like to thank the Clerk
2 for being able to transport it physically from
3 the Police Department to here and take
4 responsibility for its safety. And he's done a
5 very good job up until now.

6 Let's go.

7 The next one on your agenda is Therapy
8 Lounge. This has two charges. One is a paper
9 violation and one is the -- the fight, which I
10 had indicated and the Police had seen on the
11 video this evening was a flash thing quelled by
12 the security people and the people were escorted
13 out and the matter was taken care of; however,
14 there was a paper violation.

15 And I'd ask that the fight be dismissed but
16 the paper violation, as we've always used for
17 years is a three day suspension. And we've
18 agreed to a three day suspension with respect to
19 Therapy Lounge. And recommend that you accept
20 that.

21 MAYOR STACK: Mr. Guzman, --

22 MS. DILLON: Your name for the record?

23 MAYOR STACK: Just if you could state --

24 MR. GUZMAN: Robert Guzman, Therapy Lounge.

25 MAYOR STACK: Do you agree with what Mr.

1 Farmer has just stated, Mr. Guzman?

2 MR. GUZMAN: Yes, sir.

3 MAYOR STACK: Great. Okay.

4 Motion.

5 ACTING CITY CLERK: Motion to approve

6 suspension.

7 Motion by Mayor Stack.

8 COMMISSIONER FERNANDEZ: Second.

9 ACTING CITY CLERK: Second by Commissioner

10 Fernandez.

11 Roll call.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: Yes.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner

17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21 * * *

22

23 ACTING CITY CLERK: Mayor, --

24 MR. FARMER: That's it.

25 Good night. Thank you.

1 ACTING CITY CLERK: -- there are no other
2 items on the agenda.

3 Is there a motion to adjourn?

4 MS. DILLON: Public comment.

5 MAYOR STACK: Did we -- did we take any
6 public comment?

7 Did we do that already?

8 ACTING CITY CLERK: No, that's it.

9 MAYOR STACK: No, we have to; right?

10 ACTING CITY CLERK: Not yet. No.

11 MAYOR STACK: No.

12

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

14

15 MAYOR STACK: At this time anyone wishing
16 to address the Board on any matter concerning
17 municipal government in the City of Union City,
18 please step forward, state your name and address
19 for the record.

20 Danny Lazaro (phonetic) you have anything,
21 man?

22 No?

23 All right.

24 ACTING CITY CLERK: Is there -- is there a
25 motion to close the public comment portion of

1 this meeting?

2 COMMISSIONER FERNANDEZ: Motion.

3 COMMISSIONER MARTINETTI: Motion.

4 MAYOR STACK: I --

5 ACTING CITY CLERK: Motion by --

6 COMMISSIONER FERNANDEZ: Motion.

7 ACTING CITY CLERK: -- Commissioner

8 Martinetti.

9 COMMISSIONER FERNANDEZ: Motion.

10 Second.

11 ACTING CITY CLERK: Motion by Commissioner

12 Fernandez.

13 Roll call.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 ACTING CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 ACTING CITY CLERK: Commissioner

19 Martinetti?

20 COMMISSIONER MARTINETTI: Yes.

21 ACTING CITY CLERK: Mayor Stack?

22 MAYOR STACK: Yes.

23

24 **ADJOURNMENT:**

25

1 ACTING CITY CLERK: Motion to adjourn?

2 MAYOR STACK: Motion.

3 ACTING CITY CLERK: Motion made by Mayor
4 Stack.

5 COMMISSIONER VALDIVIA: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Valdivia.

8 All in favor?

9

10 (Whereupon, there was a chorus of ayes.)

11

12 ACTING CITY CLERK: Long meeting.

13

14 (Whereupon, the proceedings were concluded
15 at 9:00 p.m.)

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1	_____	Brian P. Stack
2	_____	Lucio P. Fernandez
3	_____	Maryury A. Martinetti
4	_____	Celin J. Valdivia
5	_____	Tilo E. Rivas

6 **Board of Commissioners**

7

8 **Attest:**

9 **Dominick Cantatore,**

10 **Acting City Clerk**

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, April 7, 2015 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon