

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Union Hill Middle School
3800 Hudson Avenue
Union City, New Jersey

Tuesday, June 30, 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

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.
Corporation Counsel

SUSAN COLDITZ, Chief Financial Officer

DAVID SPATZ, Consultant,
Community Housing & Planning Associates, Inc.

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1 ACTING CITY CLERK: This is a Regular
2 Meeting of the Union City Board of Commissioner,
3 being held on Tuesday, June 30th, 2015, at seven
4 p.m., at the Union Hill Middle School, 3800
5 Hudson Avenue, Union City, New Jersey.

6 Everyone please rise for the Pledge of
7 Allegiance.

8
9 (Whereupon the Pledge of Allegiance was
10 said.)

11
12 ACTING CITY CLERK: This meeting has been
13 called in accordance with Chapter 231, Public Law
14 of 1975, the Open Public Meeting Act. Adequate
15 notice of this meeting has been provided as
16 follows:

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

24
25 **ROLL CALL:**

1

2

ACTING CITY CLERK: Roll call.

3

Commissioner Fernandez?

4

COMMISSIONER FERNANDEZ: Here.

5

ACTING CITY CLERK: Commissioner Rivas?

6

COMMISSIONER RIVAS: Here.

7

ACTING CITY CLERK: Commissioner Valdivia?

8

COMMISSIONER VALDIVIA: Here.

9

ACTING CITY CLERK: Commissioner

10 Martinetti?

11

COMMISSIONER MARTINETTI: Here.

12

ACTING CITY CLERK: Mayor Stack?

13

MAYOR STACK: Here.

14

15 **ORDINANCES FOR HEARING AND ADOPTION**

16 **CONSIDERATION:**

17

18 () ORDINANCE AMENDING CHAPTER 366 OF THE CODE
19 OF THE CITY OF UNION CITY ENTITLED "STREETS AND
20 SIDEWALKS"

21

22

ACTING CITY CLERK: First item is an

23

Ordinance for -- for Hearing and Adoption

24

Consideration.

25

An Ordinance Amending Chapter 366 of the

1 Code of the City of Union City Entitled Streets
2 and Sidewalk.

3 COMMISSIONER VALDIVIA: Move it.

4 MAYOR STACK: Anyone wishing to comment on
5 this Ordinance at this time, please step forward,
6 state your name and address for the record.

7 COMMISSIONER RIVAS: I'll second.

8 MAYOR STACK: Seeing none.

9 ACTING CITY CLERK: Is there --

10 MAYOR STACK: Motion.

11 ACTING CITY CLERK: -- a motion to close
12 public hearing?

13 Motion by Mayor Stack.

14 COMMISSIONER VALDIVIA: Second.

15 ACTING CITY CLERK: Second by Commissioner
16 Valdivia.

17 Roll call.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 ACTING CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 ACTING CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 ACTING CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 ACTING CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 ACTING CITY CLERK: Is there a motion to
5 adopt?

6 MAYOR STACK: Motion.

7 COMMISSIONER VALDIVIA: Move it.

8 ACTING CITY CLERK: Motion; Mayor Stack.

9 Second by Commissioner Valdivia.

10 Roll call.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 ACTING CITY CLERK: Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 ACTING CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 ACTING CITY CLERK: Commissioner

18 Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 ACTING CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

22

23 **ORDINANCES FOR HEARING AND ADOPTION**

24 **CONSIDERATION:**

25

1 () ORDINANCE AMENDING CHAPTER 223 "LAND
2 DEVELOPMENT" OF THE CODE OF THE CITY OF UNION
3 CITY

4
5 ACTING CITY CLERK: Next Ordinance Amending
6 Chapter 223, Land Development of the Code of the
7 City of Union City.

8 MAYOR STACK: Anyone wishing to comment on
9 this Ordinance at this time, please step forward,
10 state your name and address for the record.

11 You could -- you could stand right over
12 here, Libero. Right behind the chair there; we
13 should be able to pick it up right here.

14 MR. MAROTTA: Thank you.

15 Libero Marotta, 311 9th Street.

16 I would like to know, Mayor, who prepared
17 this Ordinance?

18 MAYOR STACK: I believe -- it was prepared
19 by the Corporation Counsel's office, I believe.

20 MS. de los RIOS: That is correct, Mayor.

21 MAYOR STACK: Right?

22 MR. MAROTTA: How many people were involved
23 in preparing the Ordinance?

24 MAYOR STACK: I'll turn it to Monica at
25 this point.

1 Monica?

2 MR. MAROTTA: How many people were
3 involved?

4 MS. de los RIOS: It was counsel's office;
5 it was the office that was responsible --

6 MR. MAROTTA: How many lawyers were
7 involved in preparing it?

8 MS. de los RIOS: More --

9 MR. MAROTTA: In addition to yourself.

10 MS. de los RIOS: You presume that it was
11 me. It was -- it was not me. It was another
12 attorney in the office.

13 MAYOR STACK: What attorney was it though?

14 MR. MAROTTA: Okay. That's all right.

15 MAYOR STACK: What -- what attorney
16 prepared it?

17 MS. de los RIOS: It was Kara Kaczynski.

18 MAYOR STACK: Kara Kaczynski prepared it.

19 MR. MAROTTA: And she wasn't present at the
20 meeting of April 7th.

21 Is that correct?

22 MS. de los RIOS: That is not correct; she
23 was present for that meeting.

24 MR. MAROTTA: She was present?

25 MS. de los RIOS: Yes she was.

1 MR. MAROTTA: All right, the reason I ask
2 these questions is because the Ordinance, Mayor,
3 as published in The Journal, -- and it makes
4 reference to -- at the meeting of April 7th, 2015,
5 the Board of Commissioners further discussed the
6 proposed Ordinance and in response to comments
7 from the public determined to amend the language
8 of the proposed Ordinance.

9 The language in the Ordinance as published
10 is not the language that was used the night of
11 April 7th. Okay?

12 So my question is this. It says here,
13 amending the language to require that the
14 developers of properties within the City's public
15 P District, utilized their best efforts.

16 I'd like the definition of best efforts.

17 MS. de los RIOS: That term is not defined
18 in the Ordinance.

19 MR. MAROTTA: Excuse me?

20 MS. de los RIOS: That term is not defined
21 in the Ordinance.

22 MR. MAROTTA: Well, what's the definition?

23 You wrote the Ordinance or you took part in
24 it. What's the definition of best efforts?

25 MS. de los RIOS: That the -- the developer

1 must try to keep the number of parking spaces
2 that were -- were originally available, given
3 whatever that project is that -- that they are
4 putting forth.

5 MR. MAROTTA: Well why wasn't that put in
6 the Ordinance then?

7 Why didn't the Ordinance say that the
8 developer shall provide off-street parking for
9 the number of parking spaces that are already on
10 the lot and for those that are required for the
11 building?

12 MS. de los RIOS: Because that is -- that
13 is -- that is different, Mr. Marotta. What
14 you're saying is different.

15 MAYOR STACK: Just if you could keep your
16 --

17 MR. MAROTTA: I know what you're saying --

18 MAYOR STACK: -- voice up.

19 MR. MAROTTA: -- is different.

20 MS. de los RIOS: Okay. I'm sorry.

21 MR. MAROTTA: I know what you're saying is
22 different. What you're saying is not what we
23 discussed at the meeting of April 7th.

24 Mayor, there's a big difference.

25 Not only that if you're going to put that

1 in this Ordinance, the Union City Ordinance has
2 definitions, then you'll have to amend the
3 definition clause to put a definition for this
4 wordage.

5 This wordage appears --

6 I have it here.

7 -- one, two, three times in the Ordinance
8 and also in the summary.

9 If you go ahead with it -

10 Number one, question is this, who makes the
11 determination and the decision that the -- the
12 developer, whoever the developer is, provided
13 their best efforts?

14 Who makes that decision?

15 Could you tell me?

16 MS. de los RIOS: Mayor, may I?

17 MAYOR STACK: Sure.

18 MS. de los RIOS: Sure. There -- there
19 will be questions asked by both this Board when
20 that plan or that -- that project comes -- comes
21 up.

22 MR. MAROTTA: Well, who makes the decision?

23 MS. de los RIOS: It will be this Board.

24 MR. MAROTTA: The Commissioners?

25 MS. de los RIOS: To make those -- those

1 questions, --

2 MR. MAROTTA: Well, Commissioners --

3 MS. de los RIOS: -- they can.

4 MR. MAROTTA: -- don't make that decision.

5 MS. de los RIOS: They can make those
6 questions.

7 MR. MAROTTA: The developers go before a
8 Zoning Board or before a Planning Board; not
9 before the Commissioners.

10 So who makes the decision?

11 MS. de los RIOS: It would be the Board,
12 the Planning Board at that -- at that instance
13 who asks --

14 MR. MAROTTA: How come it's not in the
15 Ordinance?

16 MS. de los RIOS: It doesn't need to be in
17 the Ordinance.

18 MR. MAROTTA: Doesn't need to be?

19 MS. de los RIOS: No.

20 MR. MAROTTA: Why not?

21 MS. de los RIOS: It does not need to be in
22 there.

23 MR. MAROTTA: It should be there. Was it
24 more clarified?

25 MS. de los RIOS: I --

1 MAYOR STACK: I think -- I think what Mr.
2 Marotta's looking for, he's looking for a
3 guarantee that if the Board of Education, for
4 instance, develops the 35th Street parking lot, --

5 MS. de los RIOS: Um-hum.

6 MAYOR STACK: -- that there's going to be a
7 make up if the parking.

8 And I think where it becomes --

9 He brings up an interesting point. Because
10 where it becomes a little interesting is that we
11 make the Board of Education come up -- let's say
12 the Board of Education wants to build a school,
13 -- and this has been out there for a while -- on
14 the lot of 35th to 36th on -- from Bergenline to
15 Central Avenue. And they build on that lot and
16 we make the Board of Education supply the same
17 number of parking spaces and additional for the
18 teachers and the staff.

19 And then another piece of property, the 8
20 to 10 municipal lot, is done by another
21 developer. Let's say a developer and he's
22 building a senior building. Which is not a
23 secret, which is something I'd like to see built
24 there. And that developer is not required to
25 provide the same amount of parking he's taking

1 away. I think then we run into a little bit of a
2 problem here where it's at-will.

3 And I think -- I think what you're looking
4 for, correct me if I'm wrong, is you're looking
5 for a guarantee the number of spots that are
6 being taken will be made up.

7 MR. MAROTTA: Mayor, --

8 MAYOR STACK: You mentioned 9th and
9 Palisade, I think, last meeting.

10 Right?

11 MR. MAROTTA: Brian, at the last meeting I
12 gave an example and I gave 9th and Palisade.

13 MAYOR STACK: Yes, I remember.

14 MR. MAROTTA: And I said if there are 30
15 vehicles parked there and the -- and the Code
16 requires 10 for the building, then they must
17 provide 40.

18 And you -- and you said, yes, that's right,
19 we will do that.

20 MAYOR STACK: I did.

21 MR. MAROTTA: This Ordinance doesn't do
22 that.

23 MAYOR STACK: I did. I did say it at the
24 meeting.

25 MR. MAROTTA: This Ordinance doesn't

1 provide for that.

2 So I'm going to suggest that you table this
3 and it be reworded and I suggest the wording be
4 that the developer shall.

5 Doesn't hurt.

6 The developer shall provide off-street
7 parking to the number of cars that are already
8 parked there, plus the vehicles that are needed
9 for the building.

10 And if there's a lot without cars being
11 parked there, then the number of cars that would
12 have been parked in that lot.

13 We must protect off-street parking in this
14 City. We must.

15 MAYOR STACK: I -- I agree with you on that.

16 MR. MAROTTA: So we have to just reserve
17 that you make a motion to deny the Ordinance or
18 reject it or to table it or whatever but there's
19 got to be a change.

20 MAYOR STACK: I remember -- I remember at
21 the last meeting we spoke and I remember you
22 bringing up 9th and Palisade. And I did say
23 that's something I would want also, to preserve
24 the number of spots there.

25 Because it doesn't make sense to build

1 something on the site, especially in this case
2 where we're mentioning --

3 And this is something that the Board will
4 look at as a whole.

5 When we're mentioning the Board of
6 Education, the Parking Authority, the City of
7 Union City, we could at least -- we got to set
8 the example as the municipality. And I agree
9 with that. I -- I agree with that.

10 We'll go back and we'll look at it again.

11 MR. MAROTTA: And, Mayor, if I may also, I
12 -- you know I'm very much concerned, as you know,
13 with off-street parking. So I did speak to a
14 developer, for his entire professional life of
15 maybe more than 30 years, all he's done was
16 affordable housing.

17 And I asked him what's the percentage of
18 automobiles in affordable housing. And he said
19 to me, Libero, it's .5 per unit. In other words
20 a half a car per unit. You have ten units; five
21 off-street parking spaces.

22 I -- I heard through the grapevine that
23 we're thinking of .25. I'm going to insist or --
24 and ask that you insist that it be .5. And I'll
25 tell you why I say that.

1 These people who live in affordable
2 housing, like everyone else, they have visitors.
3 Visitors have cars.

4 So if there's one or two spots left open,
5 these visitors could use those spots. Okay?

6 Thank you.

7 MAYOR STACK: Thank you very much.

8 What we'll do is we'll make a -- we'll make
9 a motion to table -- table the Ordinance at this
10 time; go back, rework it.

11 And I did make a commitment at that
12 meeting, Monica. And earlier today we spoke on
13 this but I failed to mention that. I did make a
14 commitment at that meeting and I want to live up
15 to my commitment and the Board's commitment.

16 So rewrite it, using the word that the
17 developer shall. Especially on -- on these
18 properties; City-owned properties, Board of
19 Education, Parking Authority.

20 And also if the property is not parking
21 cars right now that we make up for whatever the
22 number of vehicles that could fit on that lot. I
23 think that's the least we could do giving back to
24 the people of the City when it's hard to find
25 parking.

1 Mr. Price, did you want to make a --

2 No?

3 MR. PRICE: Actually, I mostly have a
4 question.

5 The proposed Ordinance reads, --

6 Oh, Larry Price, 1006 Palisade.

7 MR. DILLON: Thank you.

8 MR. PRICE: Whatever.

9 Would be age-restricted housing, affordable
10 housing, and low or mid-rise apartment buildings,
11 subject to the standards of the RM District and
12 only on parking lots that are owned -- so on --
13 by a government entity.

14 Okay.

15 It says the standards of RM District.

16 Okay. Well, one of the -- one of the questions
17 that comes up then is the RM District requires,
18 among other things, for a low-rise building
19 10,000 square feet. And for a mid-rise building
20 12 and a half thousand square feet.

21 So, when you say subject to the standards
22 of the RM District, you mean that that parking
23 lot must be that size in order to have affordable
24 housing or age-restricted housing?

25 MAYOR STACK: I -- I don't think that was

1 the intent but, Mr. Spatz, could you -- could you
2 step forward, David, for a minute --

3 MR. SPATZ: Certainly.

4 MAYOR STACK: -- just to assist.

5 Did -- I don't know if you were able to
6 hear in the back.

7 MR. SPATZ: I did. I heard --

8 MAYOR STACK: Could you hear?

9 MR. SPATZ: I heard --

10 MAYOR STACK: Okay.

11 MR. SPATZ: -- the question.

12 That's what our Ordinance has for those
13 types of uses in that this area is -- is, you
14 know, akin to a redevelopment area. So we could
15 put different standards but I think we need to
16 look at what the size of that property is and --

17 MAYOR STACK: But what is your
18 recommendation though?

19 Just so we could try to get this Ordinance
20 done and get it done correctly. What's your --

21 MR. SPATZ: I have to look at the size of
22 that to see which fits in but I think that the
23 yard setbacks and the coverage standards, those
24 are the ones that really should apply, as opposed
25 to necessarily the lot size. Because the lots

1 are going to be different size -- the 9th Street
2 parking lot, as an example, is -- is probably
3 smaller than that.

4 But I think that the bulk standards, the
5 height standards, density, those should
6 definitely be the ones --

7 MR. PRICE: That's --

8 MR. SPATZ: -- that would be applied.

9 MR. PRICE: That's why I raise the
10 question.

11 Because I think the 9th Street and Palisade
12 lot is 10,000 square feet. So, as -- if this
13 thing as proposed would be restricted to a low-
14 rise apartment building; you couldn't put a mid-
15 rise apartment building because they require 12
16 and a half thousand.

17 MAYOR STACK: Right.

18 MR. PRICE: And, of course, there's a --
19 there's a lot -- parking lot at -- between 12th
20 and 13th Street, --

21 MAYOR STACK: Thirteen.

22 MR. PRICE: -- between New York and Pal --
23 which is 5,000 --

24 It's the old police garage.

25 MAYOR STACK: The old police garage, right.

1 MR. PRICE: And that's 5,000 square feet.

2 You couldn't put anything there because if --

3 MAYOR STACK: Can we address that so that
4 we're able to build affordable housing on these
5 properties?

6 MR. SPATZ: Sure.

7 MAYOR STACK: You know, having the setbacks
8 and stuff that we need.

9 MR. SPATZ: Right.

10 MAYOR STACK: If we could do that? I
11 appreciate that.

12 MR. SPATZ: Yeah, I think that that could
13 be included in the Ordinance or it certainly
14 could be included in any redevelopment plan that
15 was created from that.

16 But I understand Mr. --

17 MAYOR STACK: Okay.

18 MR. SPATZ: -- Price's --

19 MAYOR STACK: What I'd -- what I'd like to
20 do is work with Monica on the Ordinance.

21 MR. SPATZ: Absolutely.

22 MAYOR STACK: And then if you could, just
23 if both -- I know -- Mr. Marotta, I know you
24 would, and Mr. Price, if you would like to, if
25 you could take a look at the Ordinance, make sure

1 we're addressing everything that we're looking at
2 in this Ordinance, if you could take a look at it
3 and get back to us, I appreciate that.

4 You could deal directly if you want,
5 Libero, directly with David and -- and Monica or
6 reach out for me directly also.

7 MR. MAROTTA: Thank you.

8 MR. PRICE: Okay.

9 Now, the -- the last comment I'll make is
10 -- at least --

11 As you know I'm in the parking business, so
12 I'm quite sensitive to parking issues. I don't
13 know why but in the last three or four months
14 parking, at least in my area, has become much
15 tighter. I don't know where the cars came from.

16 I mean there are no lots that went out of
17 business. There are no buildings that -- just
18 for some reason, whatever -- and my -- my
19 thermometer, if you will, Manhattan Avenue.

20 Because Manhattan Ave has basically no
21 construction on it; it's everybody's overflow
22 area. So if you can't get a parking place any
23 place else, you go over to Manhattan Avenue and
24 you're guaranteed to get it.

25 In February the cars would start at 16th

1 Street; they'd be parked down to 15th Street and
2 that would be it.

3 They're down to my property, --

4 MAYOR STACK: I saw.

5 MR. PRICE: -- which is 11th Street now.

6 MAYOR STACK: I saw that.

7 MR. PRICE: I don't know why -- I don't
8 know why --

9 MAYOR STACK: I think -- I think,
10 personally, because I've noticed it, too, because
11 I travel down the roadway quite often down
12 Manhattan Avenue, I think, Mr. Price, if I was to
13 guess, a lot of that is coming out of the lofts
14 on 16th Street.

15 Because I've seen -- I've seen people --

16 MR. PRICE: They've got their own parking
17 lot --

18 MAYOR STACK: -- walking --

19 MR. PRICE: -- and it's not even full.

20 MAYOR STACK: Yeah, I don't know. I don't
21 know.

22 MR. PRICE: But in any -- any case, what I
23 would -- you know, this is one of those decision
24 of Solomon kind of things. I mean affordable
25 housing is great. Age-restricted housing is

1 wonderful.

2 Sorry for the commercial.

3 But -- anyway but parking is critical --

4 MAYOR STACK: Absolutely.

5 MR. PRICE: -- to our function as a City.

6 And, you know, you take -- you take away that 9th

7 Street and Palisade lot, 33 cars are looking for

8 a home. And that would -- that would have --

9 that would be a really lowered quality of life.

10 MAYOR STACK: Yeah, we're not looking to do
11 that at all, not at all.

12 MR. PRICE: So, could -- I would just urge
13 caution.

14 MAYOR STACK: Absolutely.

15 MR. PRICE: Okay.

16 MAYOR STACK: Thank you very much.

17 Okay, I'll make a motion to table.

18 ACTING CITY CLERK: Motion -- motion --

19 MAYOR STACK: And if we could try to have
20 something on -- I know we have a meeting tomorrow
21 night, --

22 MS. de los RIOS: Um-hum.

23 MAYOR STACK: -- try to have it on for the
24 next meeting, Monica. All right?

25 COMMISSIONER FERNANDEZ: Second.

1 ACTING CITY CLERK: Motion by Mayor Stack.

2 Second by Commissioner Fernandez.

3 Roll call.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 ACTING CITY CLERK: Commissioner Rivas?

7 COMMISSIONER RIVAS: Yes.

8 ACTING CITY CLERK: Commissioner Valdivia?

9 COMMISSIONER VALDIVIA: Yes.

10 ACTING CITY CLERK: Commissioner

11 Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 ACTING CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 ACTING CITY CLERK: So, Mayor, this

16 Ordinance will be put on the agenda for July 14.

17 MAYOR STACK: Great.

18

19 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21

22 () AN ORDINANCE PROVIDING FOR A SPECIAL

23 EMERGENCY APPROPRIATION FOR THE PAYMENT OF

24 CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES

25 RESULTING FROM THE LAYOFF OR RETIREMENT OF CITY

1 EMPLOYEES

2

3 ACTING CITY CLERK: Next Ordinance

4 Providing for a Special Emergency Appropriation

5 for the Payment of Contractually Required

6 Severance Liability Resulting from the Layoff or

7 Retirement of City Employees.

8 MAYOR STACK: Anyone wishing to comment on

9 this Ordinance at this time, please step forward,

10 state your name and address for the record.

11 Seeing none.

12 ACTING CITY CLERK: Seeing none.

13 MAYOR STACK: Motion.

14 ACTING CITY CLERK: Motion by Mayor Stack.

15 COMMISSIONER VALDIVIA: Second.

16 ACTING CITY CLERK: Second by Commissioner

17 Valdivia.

18 Roll call.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner Rivas?

22 COMMISSIONER RIVAS: Yes.

23 ACTING CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 ACTING CITY CLERK: Commissioner

1 Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 ACTING CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5 ACTING CITY CLERK: Is there a motion to
6 adopt this Ordinance?

7 MAYOR STACK: Motion.

8 ACTING CITY CLERK: Motion by Mayor Stack.

9 COMMISSIONER FERNANDEZ: Second.

10 ACTING CITY CLERK: Second by Commissioner
11 Fernandez.

12 Roll call.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 ACTING CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 ACTING CITY CLERK: 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

25 **ORDINANCES FOR HEARING AND ADOPTION**

1 **CONSIDERATION:**

2

3 () ORDINANCE ADOPTING THE 3501-3511 PALISADE
4 AVENUE REDEVELOPMENT PLAN

5

6 ACTING CITY CLERK: Next Ordinance Adopting
7 the 3501-3511 Palisade Avenue Redevelopment Plan.

8 MAYOR STACK: Anyone wishing to comment on
9 this Ordinance, please step forward.

10 MR. PRICE: Larry Price, 1006 Palisade
11 Avenue.

12 I just --

13 MAYOR STACK: David, maybe if you could
14 step forward at this time?

15 MR. SPATZ: Yeah --

16 MAYOR STACK: Maybe if you want to even
17 bring up a chair up over here it might be better?

18 MR. PRICE: Oh, no, this -- this -- this
19 won't be long.

20 Just to -- you know, the first step in
21 which the Board has always gone through is to
22 designate this area as an area in need of
23 redevelopment.

24 That decision has been challenged in court.
25 I think to proceed with the second step, which is

1 the adoption of a redevelopment plan without
2 clarification on the first step is premature.

3 MAYOR STACK: Did -- did you ask the court
4 for any type of injunction or any type of --

5 MR. PRICE: No.

6 MAYOR STACK: No.

7 MR. PRICE: No.

8 MAYOR STACK: Monica?

9 David?

10 MR. SPATZ: The City's not at any risk to
11 adopt a plan.

12 MAYOR STACK: Right.

13 MR. SPATZ: If the underlying blight report
14 is invalidated, then the plan has no value and,
15 you know, you're just taking up the time this
16 evening.

17 So, I don't think there's any risk involved
18 in -- in doing that.

19 MS. de los RIOS: I echo the sentiments,
20 Mayor.

21 MAYOR STACK: Okay.

22 MR. PRICE: Okay.

23 MAYOR STACK: Thank you, Mr. Price.

24 Anyone else wishing to comment on this at
25 this time?

1 Seeing no other, I'll make a motion.

2 ACTING CITY CLERK: Motion by Mayor Stack.

3 COMMISSIONER MARTINETTI: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Martinetti.

6 Roll call.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 ACTING CITY CLERK: Commissioner Rivas?

10 COMMISSIONER RIVAS: 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 ACTING CITY CLERK: Is there a motion to
19 adopt?

20 COMMISSIONER MARTINETTI: Motion.

21 COMMISSIONER VALDIVIA: Motion.

22 MAYOR STACK: Motion.

23 ACTING CITY CLERK: Motion by Commissioner
24 Valdivia.

25 Seconded by Commissioner Martinetti.

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

14 **CONSENT AGENDA:**

15

16 (1) Resolution Authorizing the Clerk to
17 Advertise Bids for Soccer Equipment and Uniforms
18 for 2015-2016

19 (2) Resolution Authorizing the Clerk to
20 Advertise Bids for Football Equipment Supplies
21 and Trophies 2015-2016

22 (3) Resolution Authorizing the Clerk to
23 Advertise Bids for Dog Waste Dispensers and Bags

24 (4) Resolution Authorizing the Clerk to
25 Advertise Bids for Garbage Bags

1 (5) Resolution Authorizing Change to City

2 Employees By-Weekly Pay from Tuesday to Friday

3 (6) Resolution Designating Apartments of Saint

4 John's Urban Renewal as Redeveloper for the 3501-

5 3511 Palisade Avenue Redevelopment Area

6 (7) Resolution Authorizing Corporate Counsel to

7 Provide Legal Services for the Union City Housing

8 Authority

9 (8) Any other matter of City business that may

10 arise

11

12 ACTING CITY CLERK: Next item is Consent

13 Agenda.

14 First item is Resolution Authorizing the

15 Clerk to Advertise Bids for Soccer Equipment and

16 Uniforms for 2015-2016.

17 Item 2.

18 Resolution Authorizing the Clerk to

19 Advertise Bids for Football Equipment, Supplies

20 and Trophies 2015-2016.

21 Item 3.

22 Resolution Authorizing the Clerk to

23 Advertise Bids for Dog Waste Dispenser and Bags.

24 Item 4.

25 Resolution Authorizing the Clerk to

1 Advertise Bids for Garbage Bags.

2 Item 5.

3 Resolution Authorizing Change to City
4 Employees Bi-Weekly Pay from Tuesday to Friday.

5 Item 6.

6 Resolution Designating Apartments of Saint
7 John Urban Renewal as Redeveloper for the 3501-
8 3511 Palisade Avenue Redevelopment Area.

9 Item 7.

10 Resolution Authorizing Corporate Counsel to
11 Provide Legal Service for the Union City Housing
12 Authority.

13 Mayor, do you wish to take public comment
14 on any item on the Consent Agenda?

15 MAYOR STACK: Sure.

16 Anyone wishing to comment at this time,
17 please step forward, state your name and address
18 for the record.

19 MR. MAROTTA: Libero Marotta, 311 9th
20 Street.

21 I have a question on number 7 with respect
22 to the Housing Authority.

23 Did the Housing Authority adopt a
24 Resolution Appointing the City Attorney to be the
25 attorney for the Housing Authority?

1 MAYOR STACK: I know that the Corporation
2 Counsel has been in much dialogue, Mr. Marotta,
3 on this. But I'm going to have Monica answer
4 that question.

5 MS. de los RIOS: Sure.

6 My understanding is that --

7 MR. MAROTTA: I can't hear you. I'll have
8 to walk down to you.

9 MS. de los RIOS: My understanding is that
10 that Resolution is on the calendar for tonight.
11 There is a --

12 MAYOR STACK: I think --

13 MS. de los RIOS: -- meeting going on right
14 now.

15 MAYOR STACK: I think they had a meeting --
16 I think, Libero, it was at six o'clock.

17 Right?

18 ACTING CITY CLERK: Six.

19 MS. de los RIOS: And I think it's still --

20 MAYOR STACK: Six o'clock?

21 ACTING CITY CLERK: Yeah.

22 MS. de los RIOS: -- it's still --

23 MAYOR STACK: Six o'clock tonight.

24 MS. de los RIOS: -- still going on.

25 MR. MAROTTA: Let me ask this.

1 Why is the City Attorney doing work for the
2 Housing Authority?

3 I mean, number one, I think they got enough
4 work out of the City. You know? They're getting
5 about a half a million dollars a year; do they
6 need more work?

7 MAYOR STACK: I believe, Libero, that there
8 was a -- there was an issue with the attorney
9 that's at the Housing Authority right now.

10 MR. MAROTTA: Right.

11 MS. de los RIOS: That is correct.

12 MAYOR STACK: I'll have -- I'll have Monica
13 go into a little more detail on it.

14 MS. de los RIOS: That is correct.

15 MAYOR STACK: Just if you could keep your
16 voice up.

17 MS. de los RIOS: Absolutely. Sorry,
18 Mayor.

19 Yes, there is an -- an ongoing
20 investigation happening right now. Counsel that
21 had been representing the Housing Authority is --
22 is no longer doing so. We are only representing
23 the Housing Authority on an emergency basis until
24 another attorney is assigned.

25 Pursuant to statute, the City Attorney may

1 step in to represent the Housing Authority.

2 MR. MAROTTA: In other words a temporary
3 situation?

4 MAYOR STACK: It's only a --

5 MS. de los RIOS: Exactly.

6 MAYOR STACK: -- temporary -- it's
7 temporary.

8 MS. de los RIOS: Exactly.

9 MR. MAROTTA: Yeah.

10 My recommendation now, because a little bit
11 familiar with the Housing Authority in Union
12 City. Now if there's a problem with the present
13 attorney, the present Board in Union City passed
14 a Resolution adopting that attorney to represent
15 the Housing Authority.

16 Did they do an investigation?

17 Did they check the background?

18 I happened to be at that meeting and I
19 heard one of the Board members -- I think it was
20 Governor Christie's appointment to the Board,
21 Dennis whatever his last name is, applaud the
22 credentials of this individual. In fact he came
23 in with a lowball figure of \$20,000.00 a year.

24 So I think maybe -- I think maybe, Mayor,
25 you start looking at the members of the Board.

1 | Because I have a couple of years over there.

2 | If you want to discuss it, I'd be happy to
3 | discuss it with you. Maybe there should be some
4 | changes in the members of the Board.

5 | MAYOR STACK: Mr. Marotta, I'm not -- I'm
6 | not really -- with the exception of appointing
7 | the Board members, I really don't get involved.

8 | And I'm sure you know from your years
9 | there, I don't really get involved in Housing --
10 | the Housing Authority.

11 | The only thing I have asked them to do --
12 | and this actually got them angry with me -- is to
13 | repair the buildings and keep them clean and they
14 | took that as a sense of harassment. So, I --

15 | MR. MAROTTA: Well, I'm going to tell you
16 | --

17 | MAYOR STACK: -- I guess that claim most
18 | landlords in the City could file -- against me
19 | then.

20 | MR. MAROTTA: I'm going to tell you
21 | something, Mayor.

22 | As a resident of the City all my life, and
23 | I'm been involved in City government for quite a
24 | long time, including the various agencies,
25 | including the Housing Authority -- and I've been

1 | there for two years, the Housing Authority's got
2 | to be cleaned up. Believe me when I tell you
3 | cleaned up.

4 | So maybe you should take a little more
5 | interest and see who's sitting on that Board and
6 | we get somebody over there to clean up that mess
7 | that's over there. Because that's what it is,
8 | one big mess.

9 | MAYOR STACK: I would even be willing, I
10 | mean -- not that I have a vote in the Housing
11 | Authority but if HUD wanted to appoint the
12 | attorney, if they wanted to appoint -- I know Mr.
13 | Cabello has interest -- has said that he's
14 | looking to retire at the end of the year, if they
15 | wanted to appoint the Director, I would allow HUD
16 | to appoint the Director and the attorney.

17 | As long as it runs well and the residents
18 | get what they need, that's all I'm out for.

19 | MR. MAROTTA: Well, I question -- I have a
20 | big question mark as to the way it's running.

21 | MAYOR STACK: Thank you.

22 | Anyone else wishing to comment at this time
23 | on the Consent Agenda?

24 | Seeing no other.

25 | ACTING CITY CLERK: There a motion to close

1 public comment on the Consent Agenda?

2 COMMISSIONER VALDIVIA Motion.

3 ACTING CITY CLERK: Motion by Commissioner
4 Valdivia.

5 COMMISSIONER FERNANDEZ: Second.

6 ACTING CITY CLERK: Second by Commissioner
7 Fernandez.

8 Roll call.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 ACTING CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 ACTING CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 ACTING CITY CLERK: Commissioner
16 Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 ACTING CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20 ACTING CITY CLERK: Is there a motion to
21 approve all items on the Consent Agenda?

22 COMMISSIONER MARTINETTI: Motion.

23 COMMISSIONER VALDIVIA: Second.

24 ACTING CITY CLERK: Motion by Commissioner
25 Martinetti.

1 Second by Commissioner Valdivia.

2 Roll call.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 ACTING CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

7 ACTING CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 ACTING CITY CLERK: Commissioner

10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 ACTING CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

15 **REGULAR AGENDA:**

16

17 1. Resolution Authorizing Shared Service
18 Agreement with Hudson County for Maintenance of
19 Traffic Signals and Repair and Service of City
20 Owned Vehicle

21

22 ACTING CITY CLERK: Next item the Regular
23 Agenda.

24 First item is Resolution Authorizing Shared
25 Service Agreement with Hudson County for

1 Maintenance of Traffic Signals and Repair and
2 Service of City Owned Vehicle.

3 MAYOR STACK: This agreement -- this
4 agreement that's on -- is self-explanatory but
5 it's worked well with the County Hudson in
6 servicing our traffic signals.

7 We've had less signals that have been down
8 for an extended period of time. They've done a
9 good job in coming out pretty quickly and
10 repairing for a very decent amount of money.

11 Also in repairing and servicing the City
12 vehicles. As everyone knows the DPW Garage on
13 27th Street is limited to probably three bays.
14 We'll probably be out of there some time probably
15 by the end of September. We looked for an
16 extension.

17 We now have 5th and Paterson Plank Road,
18 Summit Avenue, in that area, that we're using
19 part of our facility. We also have another site
20 in Jersey City on Academy Street that we've
21 worked out with the County. Both at no cost to
22 the taxpayers of Union City.

23 So this is actually a shared service that's
24 working well for the City of Union City, both on
25 signals and on maintenance of vehicles.

1 ACTING CITY CLERK: Is there a motion to
2 approve --

3 MAYOR STACK: Motion.

4 ACTING CITY CLERK: -- item 1?

5 MAYOR STACK: Motion.

6 COMMISSIONER VALDIVIA: Second.

7 ACTING CITY CLERK: Motion by Mayor Stack.
8 Second by Commissioner Valdivia.

9 Roll call.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 ACTING CITY CLERK: Commissioner Rivas?
13 Recusing.

14 Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 Recusing.

19 Mayor Stack?

20 MAYOR STACK: Yes.

21

22 **REGULAR AGENDA:**

23

24 2. Resolution to Establish Temporary

25 Appropriation to the Fiscal Year 2015-2016 Budget

1

2

ACTING CITY CLERK: Item 2.

3

Resolution to Establish Temporary

4

Appropriation to the Fiscal Year 2015-2016

5

Budget.

6

MAYOR STACK: Motion.

7

ACTING CITY CLERK: Motion by Mayor Stack.

8

COMMISSIONER VALDIVIA: Second.

9

ACTING CITY CLERK: Second by Commissioner

10

Valdivia.

11

Roll call.

12

Commissioner Fernandez?

13

COMMISSIONER FERNANDEZ: Yes.

14

ACTING CITY CLERK: Commissioner Rivas?

15

Recusing.

16

Commissioner Valdivia?

17

COMMISSIONER VALDIVIA: Yes.

18

ACTING CITY CLERK: Commissioner

19

Martinetti?

20

Recusing.

21

Mayor Stack?

22

MAYOR STACK: Yes.

23

24

REGULAR AGENDA:

25

1 3. Resolution Authorizing a Budget Transfer to
2 State Fiscal Year Budget 2015

3

4 ACTING CITY CLERK: Item 3.

5 Resolution Authorizing a Budget Transfer to
6 the State Fiscal Year Budget 2015.

7 MAYOR STACK: Motion.

8 ACTING CITY CLERK: Is there a motion?

9 Motion by Mayor Stack.

10 COMMISSIONER VALDIVIA: Second.

11 ACTING CITY CLERK: Second by Commissioner
12 Valdivia.

13 Roll call.

14 Commissioner Fernandez?

15 MAYOR STACK: I'm sorry; there's a
16 question.

17 MR. PRICE: Yeah. Larry Price.

18 Could I ask a question on number 3?

19 It sounds like we're transferring money to
20 the State?

21 MS. COLDITZ: No.

22 MS. de los RIOS: No.

23 MAYOR STACK: No.

24 No, it's the fiscal year budget.

25 MR. DILLON: Excuse me; --

1 MAYOR STACK: Go ahead, Sue.

2 MR. DILLON: -- you need to step forward
3 and give your name.

4 MAYOR STACK: Sue, if you -- Sue, if you
5 could just step forward; just state your name
6 and --

7 MS. COLDITZ: I didn't mean to interrupt.

8 MAYOR STACK: -- and your title for the --
9 Sure.

10 MS. COLDITZ: This is the end of the year
11 transfer --

12 MR. DILLON: Sorry, I need your --

13 MAYOR STACK: Just --

14 MR. DILLON: -- I need your name?

15 MAYOR STACK: Sue, if you could just move
16 closer; just state your name --

17 MS. COLDITZ: Okay.

18 MAYOR STACK: -- for the record.

19 MS. COLDITZ: Susan Colditz, CFO, City of
20 Union City.

21 This is a transfer resolution that takes
22 excess funds and we transfer where we need to
23 before the end of the year to cover expenditures
24 that we have to make going forward for the
25 reserve.

1 MR. PRICE: I thought that was number 2?

2 MS. COLDITZ: That's temporary
3 appropriations. That's the budget for the
4 subsequent year.

5 MAYOR STACK: Right.

6 MR. PRICE: Oh.

7 MS. COLDITZ: Because we have a two-year --
8 the budget --

9 MAYOR STACK: Right. Right.

10 MS. COLDITZ: -- goes over two years; not
11 just one year.

12 MR. PRICE: All right. Okay.

13 MAYOR STACK: Because of the way the fiscal
14 year runs.

15 MR. PRICE: Okay.

16 So basically number 3 is just --

17 MS. COLDITZ: It's just transferring money.

18 MR. PRICE: Transfer --

19 MR. COLDITZ: Within the lines. Yes.

20 MR. PRICE: -- shuffling money to where
21 it's needed --

22 MS. COLDITZ: Not going to the State.

23 MAYOR STACK: We don't give to the State.

24 MS. COLDITZ: We hope they give to us.

25 ACTING CITY CLERK: Is there a motion on

1 item 3?

2 MAYOR STACK: Motion.

3 ACTING CITY CLERK: Motion by Mayor Stack.

4 COMMISSIONER VALDIVIA: Second.

5 ACTING CITY CLERK: Second by Commissioner
6 Valdivia.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes with the
10 exception as it pertains to the Redevelopment
11 Agency. Otherwise, yes.

12 ACTING CITY CLERK: Okay.

13 Commissioner Rivas?

14 Recusing.

15 Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 ACTING CITY CLERK: Commissioner
18 Martinetti?

19 Recusing.

20 Mayor Stack?

21 MAYOR STACK: Yes.

22

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

24

25 ACTING CITY CLERK: Mayor, do you wish to

1 take public comment on any item --

2 MAYOR STACK: Sure.

3 Anyone --

4 ACTING CITY CLERK: -- on the agenda?

5 MAYOR STACK: Sure.

6 Anyone wishing to address the Board at this
7 time, please step forward -- on any matter
8 concerning municipal government in the City of
9 Union City.

10 Mr. Marotta?

11 MR. MAROTTA: Yes. Libero Marotta, 311 9th
12 Street.

13 Now I've attended various meetings of this
14 Board and you heard me express my position with
15 respect to the Zoning Board. And I'm not going
16 to go too much into my -- my opinion of the
17 Board; however, I'm here to get some
18 clarification.

19 Because several years ago, maybe two or
20 three years ago, the City spent quite a bit of
21 money in adopting a new zoning ordinance for the
22 City. My understanding is the zoning ordinance
23 reflects the feeling of the Board of
24 Commissioners as to how they want to see the City
25 developed.

1 That's the purpose of a zoning ordinance.

2 Okay?

3 And one of the things you have in your
4 ordinance is that you prohibit 100 percent lot
5 coverage and construction.

6 Another thing you have in your ordinance is
7 that you have a required setback, in most cases
8 ten feet. Okay?

9 Now I'm confused. Because I ride around
10 the City a lot and I find a hundred percent
11 coverage -- lot coverage.

12 I find no setbacks.

13 I'll give you a few examples.

14 On the northeast corner of 27th Street and
15 Summit Avenue, this is a 25 by 100 foot lot.

16 Okay? And it's in the R Zone, low-density. And
17 if you ride past there you'll find a multi-
18 family, hundred percent lot coverage. Okay?

19 How that got by I don't know.

20 MAYOR STACK: Liberio, just -- just to be
21 fair, wasn't that before we did the ordinance
22 that building went up?

23 MR. MAROTTA: I don't think so.

24 MAYOR STACK: Used to be --

25 MR. MAROTTA: Because the old ordinance --

1 MAYOR STACK: Used to be a bar on the
2 corner there.

3 MR. MAROTTA: That's right.

4 MAYOR STACK: Right.

5 MR. MAROTTA: The old ordinance also
6 prohibited a hundred percent coverage.

7 MAYOR STACK: Okay.

8 MR. MAROTTA: Okay?

9 MAYOR STACK: Okay.

10 MR. MAROTTA: Then we go to the southeast
11 corner of Palisade Avenue and 41st Street. Again,
12 it's a 25 by a hundred foot lot. And if you look
13 at it, there's no setback on Palisade Avenue.
14 And I feel sorry for the owner of the house next
15 door. Because every time they come out, instead
16 of being able to look up the block, they see this
17 brick wall in front of them, which is a disgrace
18 in my opinion.

19 And then you go to the southeast corner of
20 Bergenline Avenue and 25th Street. Again, 25 by a
21 hundred. Again, multi-family. Again, 100
22 percent coverage.

23 Now when you have a hundred percent
24 coverage, you're losing --

25 MAYOR STACK: But, Libero, --

1 MR. MAROTTA: -- open --

2 MAYOR STACK: But, Libero, not to interrupt
3 you but on that building on the corner, just my
4 best recollection, that building was existing
5 though and they did work to it.

6 MR. MAROTTA: Well, --

7 MAYOR STACK: I'm pretty sure. I mean I'm
8 pretty sure.

9 MR. MAROTTA: Okay.

10 MAYOR STACK: My memory -- I'm 99 percent
11 sure. I used to go over there all the time as a
12 kid with my mom. That building has been there --
13 it used to be a travel agency I think over the
14 years.

15 MR. MAROTTA: Well, --

16 MAYOR STACK: Right? Am I right?

17 COMMISSIONER VALDIVIA: It was a hundred
18 percent.

19 MR. MAROTTA: At one time there was a
20 travel agency on the -- on the first floor.

21 MAYOR STACK: Right. Right.

22 MR. MAROTTA: Then we go to the east side
23 of Palisade Avenue, between 3rd and 4th Street.
24 Now that's a beautiful area. That's right near
25 the park. Okay? And every house on the east

1 side of Palisade Avenue --

2 MAYOR STACK: I agree with you on that.

3 MR. MAROTTA: -- has a setback.

4 MAYOR STACK: I agree with you.

5 MR. MAROTTA: And there's a house that
6 stands out --

7 MAYOR STACK: I agree.

8 MR. MAROTTA: -- like a sore thumb.

9 MAYOR STACK: I agree.

10 MR. MAROTTA: Okay.

11 MAYOR STACK: I agree with you.

12 MR. MAROTTA: Now, --

13 MAYOR STACK: That -- that I agree with you
14 a thousand percent on. That bothered me.

15 It's in the middle -- and it's the middle
16 of the block, too.

17 MR. MAROTTA: It's right in the middle of --

18 See, my confusion is this, does this Board
19 agree to a hundred percent coverage of lots?

20 MAYOR STACK: No, I'd like us to follow the
21 ordinance.

22 MR. MAROTTA: All right.

23 Then if you disagree with it, then there's
24 got to be something done. Because the Zoning
25 Board lets it happen.

1 You know I'm in a case right now --

2 You know, the ordinance that was introduced
3 a few years ago reduced the size of a backyard to
4 25 feet. Okay?

5 I'm in a case right now where the backyard
6 is 15 feet. I mean it's ridiculous.

7 So, we got to -- you know, I don't -- I
8 don't like my City to be hypocritical. I don't
9 want to see a zoning ordinance that's pretty good
10 and pretty decent for construction to regulate
11 construction and then see a zoning board destroy
12 what you people are doing.

13 Because I'll tell you very honestly, all
14 the good you have done -- and you've done a hell
15 of a lot of good in the City -- it's negated by
16 this Zoning Board of Adjustment.

17 Unregulated construction cannot continue in
18 this City. Okay? And if they're not going to
19 listen, then get rid of them all. All of them.
20 Okay? They don't listen to anybody.

21 I brought with me tonight a memorandum that
22 Mr. Spatz prepared setting forth the law; they
23 don't follow it. Okay?

24 Now, the reason I said it's unregulated,
25 see I've been involved with the City for many,

1 many, many, many years as you know. Construction
2 is not going to solve our problems. Believe me.
3 It hasn't in the past; it's not in the future.

4 We have a beautiful City. And if we permit
5 this type of construction to go on, especially on
6 Palisade Avenue, we're going to destroy the
7 aesthetics of this City.

8 My answer, I think the first step, we need
9 consolidation.

10 From 20th Street and Palisade Avenue to 32nd
11 Street we share with Weehawken.

12 From 32nd Street and Park Avenue to 48th
13 Street we share with Weehawken.

14 I'm going to urge this Board to take the
15 position of consolidation with Weehawken and make
16 one city. We'll give ourselves a waterfront.
17 We'll benefit both the citizens of Weehawken and
18 the citizens of Union City.

19 Consolidating is the answer or the
20 beginning of the answer; new construction is not.

21 Thank you.

22 MAYOR STACK: Thank you.

23 Libero, if they consolidated the Fire
24 Department, why not consolidate the two cities?

25 MR. MAROTTA: Why not consolidate?

1 MAYOR STACK: I agree. I agree.

2 I don't disagree with you on that.

3 COMMISSIONER MARTINETTI: One mayor.

4 MR. MAROTTA: I'm ready to work on a
5 committee for consolidation.

6 I'll ask Richard Turner to be co-chair --
7 you know he's chairman of the fire --

8 I'll ask him to be co-chairman with me.

9 COMMISSIONER MARTINETTI: Co-chairman.

10 MAYOR STACK: He already approached me on
11 this.

12 MR. MAROTTA: He's going to hear more about
13 it, I'll you that.

14 COMMISSIONER MARTINETTI: Co-chairman, I
15 like that one.

16 MAYOR STACK: Anyone else wishing to
17 comment at this time?

18

19 **REGULAR AGENDA:**

20

21 3. Resolution Authorizing a Budget Transfer to
22 State Fiscal Year Budget 2015

23

24 ACTING CITY CLERK: Mayor, before we close,
25 we'd like to go back to number 3. I think

1 Counsel has --

2 MS. de los RIOS: A comment on number 3
3 just for the record to be clear.

4 Given Commissioner Fernandez's recusal, we
5 need to invoke the doctrine of necessity to allow
6 him to vote for that item -- the Redevelopment
7 Agency.

8 MAYOR STACK: I didn't hear -- I didn't
9 hear it; I'm sorry.

10 MS. de los RIOS: The doctrine of necessity
11 to allow him to vote on that --

12 MAYOR STACK: Commissioner Fernandez?

13 MS. de los RIOS: -- particular --

14 Yes. Exactly.

15 MAYOR STACK: Okay.

16 We're going to go back and revote on --

17 ACTING CITY CLERK: Right.

18 MAYOR STACK: -- item number 3.

19 ACTING CITY CLERK: Exactly.

20 MS. de los RIOS: Yes.

21 COMMISSIONER RIVAS: Regular Agenda?

22 COMMISSIONER VALDIVIA: Yeah.

23 COMMISSIONER FERNANDEZ: Yeah.

24 MS. de los RIOS: Yes.

25 ACTING CITY CLERK: So, --

1 MAYOR STACK: On the Regular Agenda, that's
2 the Resolution --

3 ACTING CITY CLERK: Yeah.

4 That was Regular Agenda, --

5 MAYOR STACK: -- Authorizing a Budget
6 Transfer.

7 ACTING CITY CLERK: -- item 3.

8 Resolution Authorizing a Budget Transfer to
9 State Fiscal Year 2015.

10 Is there a motion?

11 MAYOR STACK: Motion.

12 ACTING CITY CLERK: By Mayor Stack.

13 COMMISSIONER VALDIVIA: Second.

14 ACTING CITY CLERK: Second by Commissioner
15 Valdivia.

16 Roll call.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: I would otherwise
19 recuse on -- as it pertains to the Redevelopment
20 Agency but due to the doctrine of necessity, I
21 will vote on the entire item.

22 Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 Recusing.

25 COMMISSIONER RIVAS: I recuse.

1 ACTING CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER FERNANDEZ: Yes.

3 ACTING CITY CLERK: Commissioner

4 Martinetti?

5 Recusing.

6 Mayor Stack?

7 MAYOR STACK: Yes.

8

9 * * *

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11 **ADJOURNMENT:**

12

13 ACTING CITY CLERK: Mayor, there are no
14 other items on the agenda.

15 Is there a motion to adjourn?

16 MAYOR STACK: Sure. Motion.

17 ACTING CITY CLERK: Motion by Mayor Stack.

18 COMMISSIONER VALDIVIA: Second.

19 ACTING CITY CLERK: Second by Commissioner
20 Valdivia.

21 All in favor?

22

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

24

25 MAYOR STACK: Thank you very much.

1 Have a good night, everyone.

2 COMMISSIONER RIVAS: What's the meeting --

3 MAYOR STACK: Tomorrow night we have -- we
4 have a meeting -- a Commission meeting also --

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6 (Whereupon, the proceedings were
7 concluded.)

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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 :

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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 REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, June 30, 2015 and recorded on
10 tape.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon