

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Holy Rosary Senior Residence
1509 Bergenline Avenue
Union City, New Jersey

Wednesday, July 1, 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

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

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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 Wednesday, July 1st,
4 2015, at seven p.m., at the Holy Rosary Senior
5 Residence, 1509 Bergenline Avenue, Union City,
6 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, the 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 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 **CONSENT AGENDA:**

17

18 (1) Resolution Approving the Payment of Claims

19 (2) Resolution Approving the Payment of

20 Concurring Claims

21 (3) Resolution Approving the City Payroll for
22 the Period of June 17, 2015 through June 30, 2015

23 (4) Resolution Approving the Library Payroll
24 for the Period of June 17, 2015 through June 30,

25 2015

- 1 (5) Resolution Approving Disciplinary
2 Proceedings Against Graciela's Cactus Bar &
3 Restaurant t/a Enrique DeLeon, 426 32nd Street,
4 Liquor License No. 0910-33-227-005
- 5 (6) Resolution Designating Loading Zone at 325
6 45th Street
- 7 (7) Resolution Relocating Loading Zone at 510
8 35th Street
- 9 (8) Resolution Appointing Dominick Cantatore as
10 Fund Commissioner to the New Jersey
11 Intergovernmental Insurance Fund (NJIIF)
- 12 (9) Resolution Appointing Erin Knoedler as
13 Acting Director of the Community Development
14 Block Grant
- 15 (10) Resolution Naming 49th Street from Hudson
16 Avenue to Broadway as "Manuel Suarez Way"
- 17 (11) Resolution Naming Central Avenue from 13th
18 to 14th Street as "Deacon Tom Barret(sic) Way"
- 19 (12) Resolution Consenting to the Treatment
20 Works Application by Barry Kantor for Rosie's
21 Laundromat Located at 709 Summit Avenue
- 22 (13) Resolution Authorizing the Clerk to
23 Advertise Bids for Window Repair and Door
24 Replacement Work at the William V. Musto Cultural
25 Center

- 1 (14) Resolution Authorizing Contract with G4S
- 2 Technology LLC for Maintenance Agreement for
- 3 Security Cameras
- 4 (15) Resolution Approving Contract for
- 5 Playground Safety Surface Replacement with
- 6 Picerno-Giordano Construction LLC
- 7 (16) Resolution Authorizing the Award of
- 8 Contracts for Architectural Services for the
- 9 Community Development Agency
- 10 (17) Resolution Authorizing the Award of a
- 11 Contract for Arborist with Richview Consulting
- 12 (18) Resolution Authorizing the Award of
- 13 Contracts for Architectural Services for the City
- 14 of Union City
- 15 (19) Resolution Authorizing the Award of a
- 16 Contract for ABC Prosecutor with Gregory T.
- 17 Farmer, Esq.
- 18 (20) Resolution Authorizing the Award of a
- 19 Contract for Planning Consultant for the Land Use
- 20 Ordinance with Maser Consulting
- 21 (21) Resolution Authorizing the Award of a
- 22 Contract for Accounting Services with Business
- 23 Accounting Services, LLC
- 24 (22) Resolution Authorizing the Award of
- 25 Contracts for Special Counsel Services

- 1 (23) Resolution Authorizing the Award of a
2 Contract for Substitute Public Defender
- 3 (24) Resolution Authorizing the Award of a
4 Contract for Substitute Municipal Court
5 Prosecutor
- 6 (25) Resolution Authorizing the Award of a
7 Contract for Special Hearing Services
- 8 (26) Resolution Authorizing the Award of a
9 Contract for Tenant Advocacy Attorney
- 10 (27) Resolution Authorizing the Award of a
11 Contract for General Counsel Services to Scarinci
12 Hollenbeck
- 13 (28) Resolution Authorizing the Award of a
14 Contract for Personnel Consultant with Jason
15 Michael Consultants
- 16 (29) Resolution Authorizing the Award of a
17 Contract for Transcription Services for Union
18 City Boards
- 19 (30) Resolution Authorizing the Award of a
20 Contract for Auditing and Accounting Services
21 with Donohue, Gironde, Doria & Tompkins, LLC
- 22 (31) Resolution Authorizing the Award of a
23 Contract for Legal Aide Services to Wilfredo
24 Ortiz, Esq.
- 25 (32) Resolution Authorizing the Award of a

1 Contract for Open Space and Green Acres Grants
2 Consultant with Community Housing and Planning
3 Associates Inc.

4 (33) Resolution Authorizing the Award of a
5 Contract for Chief Municipal Court Prosecutor
6 with James A. Coviello, Esq.

7 (34) Resolution Authorizing the Award of a
8 Contract for Police Physician Service with
9 Concentra

10 (35) Resolution Authorizing the Award of a
11 Contract for Recreation Physician to Carepoint
12 Health Medical Group

13 (36) Resolution Authorizing the Award of a
14 Contract for Medical Director Services for the
15 City of Union City with Dr. Howard Felderman

16 (37) Resolution Authorizing the Award of a
17 Contract for Engineering Services for the City of
18 Union City with Maser Consulting, P.A.

19 (38) Resolution Authorizing the Award of a
20 Contract for Planning and Zoning Board Consultant
21 Services with Community Housing & Planning
22 Associates, Inc.

23 (39) Resolution Authorizing the Award of a
24 Contract for Police Car Washing Services with
25 Martin Service Center Corp.

- 1 (40) Resolution Authorizing the Award of a
2 Contract for State and Federal Grants Consultant
3 with Millennium Strategies LLC
- 4 (41) Resolution Authorizing the Award of a
5 Contract for Animal Control Officer Animal
6 Shelter Cruelty Investigator Services with New
7 Jersey Animal Control and Rescue LLC
- 8 (42) Resolution Authorizing the Award of a
9 Contract for Special Construction Code Litigation
10 Counsel Services to Chasan Leyner & Lamparello
- 11 (43) Resolution Authorizing the Award of a
12 Contract for Administration of Tail Workers
13 Compensation Claims with Cannon Cochran
14 Management Services, Inc.
- 15 (44) Resolution Authorizing the Award of a
16 Contracts for Planning Consultant for Affordable
17 Housing Matters
- 18 (45) Resolution Authorizing the Award of a
19 Contract for Counsel for the Rent Stabilization
20 Board with Neil Marotta, Esq.
- 21 (46) Resolution Authorizing the Award of a
22 Contract for Tax Appeal Counsel with Neil Marotta
- 23 (47) Resolution Authorizing the Award of a
24 Contract for Labor Counsel with O'Toole Fernandez
- 25 (48) Resolution Authorizing the Award of a

1 Contract for Community Development Agency
2 Planning Consultant
3 (49) Resolution Authorizing the Award of a
4 Contract for Tax Appeal Expert Services with
5 Hallmark Real Estate Services Inc.
6 (50) Resolution Authorizing the Award of a
7 Contract for General Counsel Services for CDA
8 Agency to Scarinci Hollenbeck
9 (51) Resolution Authorizing the Award of a
10 Contract for Bond Counsel with Parker McCay
11 (52) Resolution Authorizing the Award of a
12 Contract for Community Development Agency
13 Engineering Services with Maser Consulting P.A.
14 (53) Resolution to Join the New Jersey
15 Intergovernmental Insurance Fund
16 (54) Resolution Authorizing Refund of Sewer
17 Charges to the North Hudson Sewage Authority
18 (55) Resolution Authorizing Refund of Redemption
19 Monies to Outside Lienholders
20 (56) Resolution Authorizing the Refund of
21 Premium Monies Collected at the Tax Sale
22 (57) Resolution Authorizing Cancellation of Tax
23 Sale Certificate 15-019 for Block 16, Lot 23,
24 also known as 518 4th Street
25 (58) Resolution Authorizing Cancellation of Tax

1 Sale Certificate 15-329 for Block 161, Lot 21,
2 also known as 539 30th Street
3 (59) Any other matter of City business that may
4 arise

5
6 ACTING CITY CLERK: First item is a Consent
7 Agenda. We have 58 items on the Consent Agenda.

8 First item is Resolution Approving the
9 Payments of Claim.

10 Item 2.

11 Resolution Approving the Payment of
12 Concurring Claims.

13 Item 3.

14 Resolution -- Resolution Approving the City
15 Payroll for the Period of June 17, 2015 through
16 June 30th, 2015.

17 Item 4.

18 Resolution Approving the Library Payroll
19 for the Period of June 17, 2015 through June 30th,
20 2015.

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23 Proceeding Against Graciela's Cactus Bar and
24 Restaurant also known as Enrique DeLeon, 426 32nd
25 Street, Liquor License Number 0910-33-227-005.

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3 45th Street.

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6 35th Street.

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9 Fund Commissioner to the New Jersey
10 Intergovernmental Insurance Fund, NJIIF.

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12 Resolution Appointing Erin Knoedler as
13 Acting Director of the Community Development
14 Block Grant.

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16 Resolution Naming 49th Street from Hudson
17 Avenue to Broadway as "Manuel Suarez Way".

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20 to 14th Street as "Deacon Tom Barrett Way".

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23 Treatment Works Application by Barry Kantor for
24 Rosie's Laundromat Located at 709 Summit Avenue.

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20 Premium Money Collected at Tax Sale.

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23 Sale Certificate 15-019 for Block 16, Lot 23,
24 also known as 518 4th Street.

25 Item 58.

1 Resolution Authorizing Cancellation of Tax
2 Sale Certificate 15-329 for Block 161, Lot 21,
3 also known as 539 30th Street.

4 Mayor, there are no other item on Consent
5 Agenda. Do you wish to take public comment on
6 any item on the Consent Agenda?

7 MAYOR STACK: Sure.

8 Just before we do, Mr. Clerk, just on
9 Resolution number 10, naming Hudson Avenue to
10 Broadway on 49th Street, Manuel Suarez Way.
11 Manuel has been a longtime resident of Union City
12 and a business owner. It's being named after him
13 a personal level. He's somebody who's very much
14 involved in the community.

15 Commissioner Fernandez could give a little
16 more detail on that.

17 Resolution naming Central Avenue from 13th
18 to 14th Street, Deacon Tom Barrett Way. Tom
19 passed away recently. Very active in the
20 neighborhood. Very active in the City. Helping
21 people -- very poor families in the City and very
22 active with the church and the community, in
23 general.

24 On the maintenance agreement for the
25 security cameras, that's something we continue

1 doing. The Chief, myself, and the Police
2 Department work very diligently to install more
3 cameras in the City. It's helped us to reduce
4 crime and fight crime in the City.

5 On the playground surface many of the parks
6 -- almost every park this summer in the City,
7 probably toward the end of the park (sic), the
8 rubber and the surface will be done in each park
9 to keep it safe for our children.

10 And we're very proud of the parks and where
11 we've taken the parks in Union City. A special
12 thank you to the Board of Commissioners but,
13 specifically, Commissioner Valdivia for working
14 diligently on that.

15 Also, on the Community Housing for Open
16 Space and Green Acres grants. The Community
17 Housing and Planning Associates, David Spatz;
18 he's done a wonderful job over the years in
19 working with us.

20 We just secured another grant for 1.1
21 million that Governor Christie awarded Union City
22 for the reservoir.

23 The reservoir was actually -- we now
24 actually own half of the reservoir with
25 Weehawken. A piece of property we never owned

1 before, 16 acres, we now own half. Had we not
2 done that I'm probably about 99 percent sure the
3 reservoir would have been developed with some
4 type of probably housing on the site Weehawken
5 would have done. We would have just incurred the
6 traffic and really reaped no benefit. We kept
7 this as open space.

8 I thank the Commissioners for their work on
9 that. You never really hear, many people come
10 forward and praise the Board of Commissioners --
11 not me but the Board of Commissioners -- on all
12 the different things that happen in this City.
13 You always hear criticism on a national level of
14 all elected officials but they worked diligently
15 to get that done. It wasn't easy in getting that
16 done.

17 Also, the contract for the Recreation
18 position. Just to make a comment that. We
19 probably have more recreation in Union City for
20 the kids than we've ever had.

21 As somebody who grew up in this City and
22 was born and raised here 49 years ago, -- I know
23 we played football in the street and did all our
24 activities on the sidewalk because there really
25 weren't parks to go to. If they were there, they

1 | were just basically a sandbox.

2 | So, once again I praise the Board and I
3 | praise the community for working together with us
4 | and really upgrading our parks.

5 | On the Police Car Washing Services, this is
6 | again a savings to the City; not hiring
7 | additional employees and getting very much of a
8 | reduced rate for cleaning the police cars and
9 | keeping our equipment in good shape.

10 | The award of the contract for State and
11 | Federal Grants Consultant.

12 | Hopefully this will be somebody that could
13 | help us more on the federal level in bringing
14 | grants back to the City, which has been basically
15 | non-existent.

16 | On the Animal Control Services, something
17 | we treat very seriously, with the cats and the
18 | dogs and the different animals in the community.
19 | Giving them proper care and hopefully finding
20 | many of them a proper home.

21 | On the Affordable Housing Planning
22 | Consultant, that's something that's very dear to
23 | the Commissioners and my heart. We're looking to
24 | build additional senior citizen buildings and
25 | affordable housing in the community.

1 Okay, at this time would anyone like to
2 make any public comment on any matter on the
3 Consent Agenda?

4 COMMISSIONER FERNANDEZ: Mayor, I'd also
5 like to speak on number 10, the Resolution Naming
6 49th Street from Hudson Avenue to Broadway as
7 Manuel Suarez Way.

8 Manuel Suarez has been a long life member
9 of this community.

10 His business is Las Brisas Restaurant sits
11 on the corner of 49th and Hudson, has been open
12 for 25 years. But most notably, Manuel, every
13 time there's a fire and the fire victims need
14 food or other -- other necessities, Manuel's the
15 first one to raise his hand and come to the aid
16 and in many, many ways.

17 So this is a way back to give him something
18 in return for all his services. All these years
19 of services, he never asked for anything in
20 return, which is remarkable on his part.

21 And, Mayor, I think I speak on behalf of
22 all the Commissioners to thank you for all the
23 great work you've done, with all the tree
24 plantings in the City; all the great parks. I,
25 like yourself, I grew up in Union City. I

1 | remember playing stickball and wiffle ball and
2 | then Nabisco parking -- on 28th and Kennedy
3 | Boulevard risking life and limb to play ball
4 | there because there was no park.

5 | So I thank you wholeheartedly on behalf of
6 | all of us --

7 | MAYOR STACK: Thank you.

8 | COMMISSIONER FERNANDEZ: -- for the work
9 | you do on behalf of the whole community.

10 | Thank you.

11 | COMMISSIONER VALDIVIA: I would like to
12 | comment on the Recreation programs.

13 | As someone who was born in Union City 54
14 | years ago on Monday, a little older -- Brian, I'd
15 | like to thank you for your support in our
16 | Recreation programs. Throughout your --
17 | throughout your Administration it's grown bigger
18 | and bigger every year. I want to thank the
19 | Commissioners.

20 | Right now we just finished our baseball
21 | season where we had over 600 children that
22 | participated in Recreation baseball.

23 | We also finished our soccer season about
24 | two weeks ago where we had over a thousand kids
25 | that participated in the soccer program, which

1 continues year-round but the league finished two
2 weeks ago.

3 So I want to thank you on your leadership,
4 for always saying yes whenever I ask you for
5 anything in our Recreation program.

6 MAYOR STACK: Thank you.

7 COMMISSIONER VALDIVIA: You never say no.
8 You might tell me wait a minute -- little while
9 but it's always there.

10 And thank you, Commissioners, for your
11 support.

12 MAYOR STACK: Thank you, Commissioner.

13 Anyone at this time that would like to make
14 public comment, please step forward. Maybe
15 standing right over here.

16 MR. PRICE: Larry Price, 1006 Palisade
17 Avenue.

18 Question about number 8.

19 It's appointing Mr. Cantatore here as a
20 Fund Commissioner to the New Jersey
21 Intergovernment Insurance Fund.

22 MAYOR STACK: Right, we belong to the JIIF
23 and we need to have an employee.

24 MR. PRICE: Oh, I'm well aware of that.

25 What are the duties of a Fund Commissioner?

1 MAYOR STACK: They actually --

2 Dominick, you want to answer that or --

3 ACTING CITY CLERK: Yeah, well, they

4 actually basically oversee the -- the fund and

5 the City -- there's -- there's claims against the

6 City that we have to review.

7 MAYOR STACK: And claims, in general,

8 against --

9 MR. PRICE: All cities, --

10 MAYOR STACK: -- the joint insurance fund.

11 ACTING CITY CLERK: Yeah, --

12 MR. PRICE: -- all --

13 MAYOR STACK: Exactly.

14 ACTING CITY CLERK: -- right. It's not

15 just Union City.

16 MR. PRICE: You're like one of the

17 director's of the fund.

18 ACTING CITY CLERK: Well, --

19 MAYOR STACK: Exactly.

20 ACTING CITY CLERK: Yeah.

21 MAYOR STACK: It is, yeah. Exactly.

22 ACTING CITY CLERK: If you look at it that

23 way, yeah.

24 MR. PRICE: In which case I'll have you cut

25 them off or whatever. But, okay

1 There are various contracts being awarded
2 for the Community Development Agency. I thought
3 they were out of business as a result --

4 MAYOR STACK: They're not out of business.
5 The Community Development Agency still exists.
6 Erin Knoedler, in fact, is -- is our new
7 Director. She's going to be overseeing the
8 Agency. Not specifically just the Agency but
9 part of her duties with the City of Union City.
10 We're lucky to have Erin.

11 Just to introduce everyone, Erin came over
12 from the State -- the State of New Jersey. She
13 has quite a bit of an impressive resume and I'm
14 very happy that we have her in Union City.

15 But the CDA still exists; it's just under
16 the Department of Finance right now.

17 MR. PRICE: Okay.

18 Does it -- other than Erin does it have any
19 employees now or --

20 MAYOR STACK: It has -- technically no
21 right now.

22 Right?

23 MS. KNOEDLER: No.

24 MAYOR STACK: No, it doesn't.

25 MS. KNOEDLER: Not at the moment.

1 MAYOR STACK: We're working with HUD on
2 just reorganizing the office and the entire
3 department.

4 MR. PRICE: Okay.

5 The last question, on number 20, it's
6 Authorizing the Award of a Contract for Planning
7 Consultant for the Land Use Ordinance with Maser.

8 MAYOR STACK: You want to answer that,
9 Monica?

10 ACTING CITY CLERK: Number 20.

11 MAYOR STACK: Number 20.

12 MS. de los RIOS: What's -- I'm sorry, what
13 is the question?

14 MR. PRICE: Oh. It's a Resolution
15 Authorizing the Award of a Contract for a
16 Planning Consultant for the Land Use Ordinance --

17 MS. de los RIOS: Yes.

18 MR. PRICE: -- with Maser Consultant.

19 We have a separate consultant for -- it's
20 actually called the Land Development Ordinance
21 but we have a separate for that, as opposed to
22 the consultants for the Planning Board --

23 MS. de los RIOS: That's -- yes, they're
24 separate contracts.

25 MAYOR STACK: With an engineering

1 background.

2 MS. de los RIOS: They're separate
3 contracts.

4 MAYOR STACK: That's why, it's an engineer
5 that's involved.

6 MR. PRICE: So that if -- if we make any
7 changes in the Land Development Ordinance, they
8 would be the consultants on the --

9 MS. de los RIOS: They may be, yes.

10 MAYOR STACK: And if there's also any
11 review of any technical plans, besides the
12 Construction Code Official he would also be
13 available to assist in reviewing the plans,
14 Larry.

15 MR. PRICE: Okay.

16 Thank you.

17 MAYOR STACK: Sure.

18 Anyone else who would like to comment on
19 the Consent Agenda?

20 Seeing no other.

21 MS. SPARROW: Um --

22 MAYOR STACK: Sure.

23 MS. SPARROW: I just had a question --

24 MR. DILLON: I need your name --

25 MS. SPARROW: Oh.

1 MR. DILLON: -- name on the record and
2 spelled.

3 MS. SPARROW: Katherine Sparrow. K-A-T-H-
4 E-R-I-N-E. Sparrow; like a bird.

5 MR. DILLON: Okay.

6 MS. SPARROW: For number 16 and 48, you're
7 awarding a contract for CDA but it doesn't say to
8 who. I was just wondering.

9 MS. de los RIOS: The Resolutions do
10 actually list the five or so entities.

11 Dominick, maybe you could read them?

12 ACTING CITY CLERK: Yeah, what -- what
13 number? I'm sorry?

14 What --

15 MS. SPARROW: Number 16 --

16 COMMISSIONER FERNANDEZ: Sixteen.

17 MAYOR STACK: Each of the firms that come
18 are awarded and then they're given work as
19 needed.

20 MS. SPARROW: Sixteen --

21 MS. de los RIOS: And 48.

22 MS. SPARROW: -- and 48.

23 It says awarding a contract, but it doesn't
24 say to who.

25 I was just wondering.

1 MAYOR STACK: There's -- I believe there's
2 five architectural firms.

3 ACTING CITY CLERK: Right.

4 MAYOR STACK: All that applied are put on
5 and are used as an as needed basis.

6 MS. SPARROW: Oh.

7 MAYOR STACK: Want the names of the firms?

8 ACTING CITY CLERK: Find it.

9 MAYOR STACK: Just make sure -- make sure
10 on the next one, next time you do that, put all
11 five names down on the -- on -- when we read it
12 into the record.

13 ACTING CITY CLERK: Make sure everybody --

14 MAYOR STACK: And just make sure, before
15 the end of the meeting, just read that into the
16 record, who they are on both. Okay?

17 ACTING CITY CLERK: Absolutely.

18 MAYOR STACK: Sure.

19 Anyone else wishing to comment on the
20 Consent Agenda?

21 Seeing no other.

22 ACTING CITY CLERK: Is there a motion to
23 close public comment?

24 MS. SPARROW: This --

25 COMMISSIONER MARTINETTI: Motion.

1 ACTING CITY CLERK: I'm sorry?

2 MS. SPARROW: This -- this is not number
3 59.

4 This is excluding number 59?

5 ACTING CITY CLERK: No, there's no --

6 MAYOR STACK: No, including.

7 ACTING CITY CLERK: Yeah.

8 MS. SPARROW: Oh. I have -- I'd like to
9 present a petition if I may?

10 MAYOR STACK: No. This is -- we're just
11 voting on the Consent Agenda right now, Ms.
12 Sparrow.

13 MS. SPARROW: Oh.

14 MAYOR STACK: There'll be an opportunity at
15 the end of the meeting to comment again.

16 MS. SPARROW: Okay. That's what I was
17 asking.

18 ACTING CITY CLERK: Yeah.

19 MS. SPARROW: Okay.

20 Thank you.

21 ACTING CITY CLERK: Is there a motion to
22 close public comment?

23 MAYOR STACK: Motion --

24 COMMISSIONER FERNANDEZ: Second.

25 MAYOR STACK: -- on the Consent Agenda.

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

1 COMMISSIONER FERNANDEZ: Yes.

2 ACTING CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: I would like to
9 recuse on number 42 and any items pertaining to
10 U.C. Construction Code.

11 Aye on the rest.

12 ACTING CITY CLERK: Okay. Abstain on 42.

13 Aye on the rest; Commissioner Martinetti.

14 Mayor Stack?

15 MAYOR STACK: Yes.

16

17 **ORDINANCE (S) FOR INTRODUCTION:**

18

19 () ORDINANCE APPROPRIATING FUNDS FOR SCHOOL
20 ADDITIONS AND RENOVATIONS IN THE CITY OF UNION
21 CITY, IN THE COUNTY OF HUDSON, NEW JERSEY, AND
22 AUTHORIZING THE ISSUANCE OF UP TO \$38,000,000 OF
23 SCHOOL BONDS OF THE CITY TO MEET SAID
24 APPROPRIATIONS
25

1 ACTING CITY CLERK: Next item is Ordinances
2 for Introduction. We have three Ordinance for
3 Introduction.

4 These Ordinances will be further considered
5 at a meeting of the Board of Commission to be
6 held on Tuesday, July 14, 2015, at seven p.m. at
7 the Academy of the Enrichment and Advancement,
8 2210 Kerrigan Avenue, Union City, New Jersey.

9 This Ordinance Appropriating Funds for
10 School Additions and Renovations in the City of
11 Union City, in the County of Hudson, New Jersey
12 and Authorizing the Issuance of Up to
13 \$38,000,000.00 of School Bonds of the City to
14 Meet Said Appropriation.

15 Is there a motion to introduce?

16 MAYOR STACK: Motion to introduce.

17 ACTING CITY CLERK: Motion by Mayor Stack.

18 COMMISSIONER RIVAS: Second.

19 ACTING CITY CLERK: Second by Commissioner
20 Rivas.

21 Roll call.

22 Commissioner Fernandez?

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

25 ACTING CITY CLERK: Commissioner Fernandez

1 recusing.

2 Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 Recusing.

9 Mayor Stack?

10 MAYOR STACK: Yes.

11 MS. de los RIOS: And we will be invoking

12 the doctrine of necessity to allow Commissioner

13 Rivas to vote.

14 COMMISSIONER RIVAS: Thank you.

15 ACTING CITY CLERK: Commissioner Valdivia.

16 MS. de los RIOS: That's what I meant. I'm

17 sorry.

18 Thank you.

19 ACTING CITY CLERK: Commissioner Valdivia.

20 Okay.

21 MS. de los RIOS: Sorry, Commissioner.

22

23 **ORDINANCE (S) FOR INTRODUCTION:**

24

25 () ORDINANCE AN ORDINANCE AMENDING CHAPTER 301

1 OF THE CODE OF THE CITY OF UNION CITY ENTITLED
2 "PEDDLING SOLICITING"

3

4 ACTING CITY CLERK: Second Ordinance.

5 An Ordinance Amending Chapter 301 of the
6 Code of the City of Union City Entitled Peddling
7 Soliciting.

8 Is there a motion to introduce?

9 MAYOR STACK: Motion.

10 COMMISSIONER MARTINETTI: Motion.

11 ACTING CITY CLERK: Motion by Mayor Stack.

12 COMMISSIONER MARTINETTI: Second.

13 ACTING CITY CLERK: Second by Commissioner
14 Martinetti.

15 Roll call.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 ACTING CITY CLERK: Commissioner Rivas?

19 COMMISSIONER RIVAS: Yes.

20 ACTING CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 ACTING CITY CLERK: Commissioner
23 Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 ACTING CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2

3 **ORDINANCE (S) FOR INTRODUCTION:**

4

5 () AN ORDINANCE AMENDING TRAFFIC CHAPTER XVI
6 OF THE "REVISED GENERAL ORDINANCES OF THE CITY OF
7 UNION CITY, 1996"

8

9 ACTING CITY CLERK: Next Ordinance is
10 Amending Traffic Chapter XVI of the Revised
11 General Ordinances of the City of Union City,
12 1996.

13 Is there a motion to introduce?

14 MAYOR STACK: Motion.

15 ACTING CITY CLERK: Motion by Mayor Stack.

16 COMMISSIONER VALDIVIA: Second.

17 ACTING CITY CLERK: Second by Commissioner
18 Valdivia.

19 Roll call.

20 Commissioner Fernandez?

21 COMMISSIONER FERNANDEZ: Yes.

22 ACTING CITY CLERK: Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 COMMISSIONER MARTINETTI: Yes.

4 ACTING CITY CLERK: Mayor Stack?

5 MAYOR STACK: Yes.

6

7 **REGULAR AGENDA:**

8

9 1. Resolution Approving the Redevelopment
10 Agency Payroll for the Period of June 17, 2015
11 through June 30, 2015

12

13 ACTING CITY CLERK: Next item is a Regular
14 Agenda.

15 First item is Resolution Approving the
16 Redevelopment Agency Payroll for the Period of
17 June 17, 2015 through June 30th, 2015.

18 COMMISSIONER MARTINETTI: Motion.

19 ACTING CITY CLERK: Motion by Commissioner
20 Martinetti.

21 COMMISSIONER VALDIVIA: Second.

22 ACTING CITY CLERK: Second by Commissioner
23 Valdivia.

24 Roll call.

25 Commissioner Fernandez?

1 Recusing.

2 Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 ACTING CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 ACTING CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 ACTING CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11

12 **REGULAR AGENDA:**

13

14 2. Resolution Authorizing Payment of Claim to
15 the North Hudson Regional Fire and Rescue

16

17 ACTING CITY CLERK: Item 2.

18 Resolution Authorizing Payment of Claim to
19 the North Hudson Regional Fire and Rescue.

20 COMMISSIONER VALDIVIA: Motion.

21 ACTING CITY CLERK: Motion by Commissioner
22 Valdivia.

23 COMMISSIONER RIVAS: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Rivas.

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 Recusing.

11 Mayor Stack?

12 MAYOR STACK: Yes.

13

14 **REGULAR AGENDA:**

15

16 3. Resolution Authorizing Payment of Claim to
17 the Union City Day Care Program

18

19 ACTING CITY CLERK: Item 3.

20 Resolution Authorizing Payment of Claim to
21 the Union City Day Care Program.

22 COMMISSIONER VALDIVIA: Motion.

23 ACTING CITY CLERK: Motion by Commissioner
24 Valdivia.

25 COMMISSIONER RIVAS: Second.

1 ACTING CITY CLERK: Second by Commissioner
2 Rivas.
3 Roll call.
4 Commissioner Fernandez?
5 Recusing.
6 Commissioner Rivas?
7 COMMISSIONER RIVAS: Yes.
8 ACTING CITY CLERK: Commissioner Valdivia?
9 COMMISSIONER VALDIVIA: Yes.
10 ACTING CITY CLERK: Commissioner
11 Martinetti?
12 MS. de los RIOS: Recuse.
13 ACTING CITY CLERK: Recusing.
14 Mayor Stack?
15 MAYOR STACK: Yes.
16 MS. de los RIOS: I'm sorry. Excuse me?
17 Commissioner (sic)? You're recusing.
18 MAYOR STACK: I'm sorry. On number 3, I'm
19 recusing. On the Union City Day Care Program,
20 I'm recusing on that one.
21 MS. de los RIOS: And for that reason we're
22 invoking, again, the doctrine of necessity to
23 allow Commissioner Valdivia to vote.
24 ACTING CITY CLERK: Commissioner Valdivia
25 will vote. Yes. Okay.

1

2 **REGULAR AGENDA:**

3

4 4. Resolution Approving Submission of the City
5 of Union City and Union City Board of Education
6 Joint Site Analysis for the New Middle School

7

8 ACTING CITY CLERK: Item 4.

9 Resolution Approving Submission of the City
10 of Union City and Union City Board of Education
11 Joint Site Analysis for the Middle School -- for
12 the New Middle School.

13 Is there a motion on item 4?

14 COMMISSIONER RIVAS: Motion.

15 MAYOR STACK: Second.

16 ACTING CITY CLERK: Motion by Commissioner
17 Rivas.

18 Second by Mayor Stack.

19 Roll call.

20 Commissioner Fernandez?

21 Recusing.

22 Commissioner Rivas?

23 COMMISSIONER RIVAS: Yes.

24 ACTING CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 ACTING CITY CLERK: Commissioner
2 Martinetti?

3 Recusing.

4 Mayor Stack?

5 MAYOR STACK: Yes.

6 ACTING CITY CLERK: Mayor, do you wish to
7 take public comment on any item on the Regular
8 Agenda?

9 MAYOR STACK: Sure.

10

11 **CONSENT AGENDA:**

12

13 (16) Resolution Authorizing the Award of
14 Contracts for Architectural Services for the
15 Community Development Agency

16 (48) Resolution Authorizing the Award of a
17 Contract for Community Development Agency
18 Planning Consultant

19

20 MAYOR STACK: Just before we do, just on
21 item number 16 that was questioned, the
22 architects -- the Resolution Awarding --
23 Authorizing the Award of Contracts for
24 Architectural Services for the Community
25 Development Agency, known as CDA.

1 Janine Glatt Architect.

2 Spiezle Architectural Group.

3 Netta Architects.

4 R as in Robert, S as in Sam, C as in

5 Charlie, Architects -- RSC.

6 And Ronald Schmidt and Associates.

7 For the record.

8 On the other matter, I believe that was

9 number 48, --

10 MS. de los RIOS: I have that one, Mayor.

11 MAYOR STACK: You have that one?

12 On number 48, that was a Resolution

13 Authorizing the Award of Contracts for services

14 again.

15 It's Janine Glatt, again.

16 Spiezle Architecture.

17 Mount Vernon Group Architects.

18 Netta Architects.

19 RSC.

20 USA Architects.

21 Ronald Schmidt and Associates.

22 Thank you.

23

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

25

1 MAYOR STACK: Anyone wishing to make public
2 comment at this time, please step forward, state
3 your name and address for the record.

4 Any further public comment by anyone?

5 MS. SPARROW: Oh. About -- about -- of
6 something else?

7 MAYOR STACK: Do you have any comment,
8 ma'am?

9 MS. SPARROW: I do. Yes.

10 MAYOR STACK: Okay.

11 MS. SPARROW: We would -- I'm representing
12 some people who would like to request under City
13 Code and Ordinances --

14 And, excuse me, I'm not a professional
15 politician but I can read and understand matters
16 and we do have a right to petition the Board of
17 Commissioners to order the immediate demolition
18 of the abandoned buildings, according to Union
19 City Building Code Chapter 107, Unfit Buildings.

20 So I have everything here. And it needs
21 five petitioners to request this and we have at
22 least 25 signatures on that.

23 MAYOR STACK: Okay. I'll take -- I'll take
24 the petition.

25 But in order to take a building down it has

1 to be structurally unsound.

2 MS. SPARROW: And that was deemed unsound
3 by your previous --

4 Let's see. And it was deemed unsound by
5 the Redevelopment Area Report by Mr. Spatz back
6 in '09.

7 And we have --

8 MAYOR STACK: They have to be -- they have
9 deem -- be deemed structurally unsafe by the
10 Construction Code Official. It would have be
11 after inspection that they're deemed unsafe.
12 That hasn't been done.

13 MS. SPARROW: It could be --

14 MAYOR STACK: I mean I don't like the
15 buildings; they're unsightly to me, too. But
16 there has be enough to knock it down.

17 MS. SPARROW: It's -- let's see, can find
18 fact -- unfit for human habitation, occupancy, or
19 use due to dilapidation of facts, increased
20 hazards of fire, accidents or other calamities,
21 lack of ventilation, light or sanitation or
22 other --

23 MAYOR STACK: Right.

24 MS. SPARROW: This is what they have.

25 MAYOR STACK: Kate, that can be cited --

1 | that can be cited for lack of electricity in a
2 | building or lack of a window. It doesn't mean
3 | that the building -- the buildings are
4 | structurally unsound. They have to be
5 | structurally unsound, deemed by the Construction
6 | Code Official or an engineer.

7 | MS. SPARROW: Could you show me where it
8 | says that?

9 | Because I don't see it says that here.

10 | MAYOR STACK: I'm telling you what -- what
11 | basically the law is.

12 | MS. SPARROW: Well, in the Code it says
13 | that if it's unfit for habitation, occupancy or
14 | use.

15 | MAYOR STACK: That could be -- that could
16 | be because of lack of heat. That would make it
17 | unfit for habitation. Lack of light, it would
18 | make -- lack of working utility.

19 | MS. SPARROW: Um-hum.

20 | So, -- but do we agree that they're unfit
21 | buildings?

22 | MS. de los RIOS: Mayor, we could look
23 | further into that.

24 | MAYOR STACK: It's not -- that's fine,
25 | Monica, but it's not -- it's unfit for people to

1 live in right now because there's no light,
2 there's no heat in there.

3 It's not enough to knock it down though,
4 Kate.

5 I would like to see them down, too. But
6 it's not enough to knock it down.

7 MS. SPARROW: Well, I think it's -- if he
8 determines it's --

9 If the condition determining unfit
10 buildings it says if the building is determined
11 to be unfit by the construction official, that
12 dangerous injuries to health and safety of
13 occupants or the neighboring building or other
14 residents of the City, --

15 And I think we have plenty of testimony of
16 people saying that it is very dangerous.

17 MAYOR STACK: I know. It --

18 MS. SPARROW: And it I think increases the
19 hazards of fire. Yes, there is, there's already
20 a burnt building there.

21 MAYOR STACK: I agree. That's why we make
22 them have them secured and boarded.

23 But we have that situation where you have a
24 foreclosed home that's boarded up in the City
25 right now that's unfit for habitation. It

1 | doesn't mean we can take the house down though.

2 | Has to be deemed structurally unsound.

3 | MS. SPARROW: Well, I -- I don't see that
4 | it says that here.

5 | And it says at least five residents of the
6 | City charging that this building is unfit and
7 | that we can come to the construction official and
8 | ask that and that we have a basis for this to
9 | request these buildings be demolished.

10 | MAYOR STACK: Okay.

11 | MS. SPARROW: And that if you can -- if can
12 | decide that then they have to pay to have it
13 | destroyed.

14 | MAYOR STACK: I know but I can't -- I can't
15 | do it myself. It has to be the Construction Code
16 | Official --

17 | MS. SPARROW: Right.

18 | MAYOR STACK: -- or a licensed civil
19 | engineer.

20 | MS. SPARROW: Okay. So I think based on
21 | what's in here that he can do that.

22 | So, I'll submit it --

23 | MAYOR STACK: Thank you. Thank you very
24 | much.

25 | We'll take it into consideration. Thank

1 you.

2 MS. SPARROW: -- very much.

3 MAYOR STACK: Anyone else wishing to
4 comment at this time?

5 Motion.

6 ACTING CITY CLERK: Anybody else?

7 Is there a motion to close public comment
8 portion of this meeting?

9 COMMISSIONER FERNANDEZ: Motion.

10 COMMISSIONER MARTINETTI: Second.

11 ACTING CITY CLERK: Motion by Commissioner
12 Fernandez.

13 Second by Commissioner Martinetti.

14 Roll call.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 ACTING CITY CLERK: Commissioner Rivas?

18 COMMISSIONER RIVAS: Yes.

19 ACTING CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner
22 Martinetti?

23 Mayor Stack?

24 MAYOR STACK: Yes.

25 COMMISSIONER MARTINETTI: Yes.

LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:

2. Plaza Espana, Inc. t/a Plaza Hispana, 2506
Bergenline Avenue, Liquor License No. 0910-33-136

Mr. Farmer?

* * *

MR. FARMER: The first one is Bambinas Bar and Restaurant. The charge is -- the licensee is present, as well as counsel.

And you going to -- Marlene, why don't you
put your --

1 MS. CARIDE: Yes. For the record, Marlene
2 Caride of Gonzalez and Caride. Good evening,
3 Mayor, Commissioners.

4 Their charge is for operating during the
5 suspension period. Apparently there was
6 confusion as to when the suspension period
7 started. My client left her place open and we're
8 back here again.

9 MR. FARMER: The situation is this is a
10 charge -- there was a three-day suspension and a
11 paper violation. The licensee was open. As you
12 know, we always, when we have paper violations
13 they're three days and the licensee picks the
14 days. Nevertheless, she was open during that
15 period of time.

16 I've spoken to Miss -- Miss Caride and
17 we've agreed on a seven-day suspension.

18 The recommended suspension is like ten days
19 but seven takes care of a weekend and it's a
20 small little operation. So, --

21 And we have the dates. The dates are
22 August 20th to 27th.

23 MAYOR STACK: Great.

24 I'll make a motion.

25 ACTING CITY CLERK: Motion by Mayor Stack.

1 COMMISSIONER FERNANDEZ: Second.

2 ACTING CITY CLERK: Second by Commissioner
3 Fernandez.

4 Roll call.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 ACTING CITY CLERK: Commissioner Rivas?

8 COMMISSIONER RIVAS: Yes.

9 ACTING CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 ACTING CITY CLERK: Commissioner
12 Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 ACTING CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 MR. FARMER: And, Marlene, there will be no
17 application to the State to convert it into a
18 fine --

19 MS. CARIDE: Absolutely not.

20 MR. FARMER: -- and no appeal.

21 MS. CARIDE: Absolutely not.

22 MR. FARMER: Thank you so much.

23 MAYOR STACK: Thank you.

24 MS. CARIDE: Thank you.

25 MAYOR STACK: Thank you. Thank you very

1 much.

2 MS. CARIDE: Have a good evening, everyone.

3 MAYOR STACK: You, too now.

4 Thank you.

5 MS. CARIDE: Actually, have a great Fourth
6 of July.

7 MAYOR STACK: You, too.

8 Thank you.

9 * * *

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1
2 **PLAZA ESPANA, INC. t/a PLAZA HISPANA, 2506**
3 **Bergenline Avenue**
4 **Liquor License No. 0910-33-136**
5

6 MR. FARMER: The next one is Plaza Espana.

7 I just had a call and a letter from Tony
8 Sarsano who's going to be representing them.

9 I'd ask that you carry it to the next
10 meeting since that only happened two weeks ago.

11 MAYOR STACK: Okay.

12 MR. FARMER: Okay?

13 And that's it.

14 MAYOR STACK: Thank you very much, Mr.
15 Farmer.

16 Thank you.

17
18 **ADJOURNMENT:**

19
20 MAYOR STACK: Just before we close, I'd
21 just like to wish everyone a happy July 4th, a
22 safe weekend.

23 ACTING CITY CLERK: Okay.

24 MAYOR STACK: Okay.

25 ACTING CITY CLERK: We have no other

1 matters on the agenda.

2 Is there a motion to adjourn?

3 MAYOR STACK: Motion.

4 COMMISSIONER RIVAS: Motion.

5 ACTING CITY CLERK: Motion by Mayor Stack.

6 COMMISSIONER RIVAS: Second.

7 ACTING CITY CLERK: Second by Commissioner
8 Rivas.

9 Roll --

10 All in favor?

11

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

13

14 (Whereupon, the proceedings were concluded
15 at 7:30 p.m.)

16

17

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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 Wednesday, July 1, 2015, and recorded on
10 tape.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon