

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

REGULAR MEETING :
: TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

Colin Powell Elementary School
1500 New York Avenue
Union City, New Jersey

Tuesday, September 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: KRYSTLE NOVA, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Alcohol Beverage Control Commission

ERIN KNOEDLER, Director of Operations

DAVID SPATZ, Planing Consultant,
Community Housing & Planning Associates,
(Left at 8:36 p.m.)

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1 ACTING CITY CLERK: This is a Regular
2 Public --

3 MAYOR STACK: Everyone? If we could have
4 everyone's attention, please?

5 ACTING CITY CLERK: This is a Regular
6 Public Meeting of the Union City Board of
7 Commissioners being held on Tuesday, September
8 1st, 2015, at seven p.m., at the Colin Powell
9 Elementary School, 1500 New York Avenue, Union
10 City, New Jersey.

11 Everyone please rise for Pledge of
12 Allegiance.

13
14 (Whereupon, the Pledge of Allegiance was
15 said.)

16
17 ACTING CITY CLERK: This meeting has been
18 called in accordance with Chapter 231, Public Law
19 1975, the Open Public Meeting Act.

20 Adequate notice of this meeting has been
21 provided as follows:

22 Notice of this meeting setting forth the
23 time, the date, location, the agenda to the
24 extent known was forwarded to The Jersey Journal,
25 The Record and The Hudson Reporter, has been

1 posted on the bulletin board in City Hall, and
2 has been made available to the public in the
3 Office of Municipal Clerk.

4

5 **ROLL CALL:**

6

7 ACTING CITY CLERK: Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Here.

10 ACTING CITY CLERK: Commissioner Rivas?

11 COMMISSIONER RIVAS: Here.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Here.

14 ACTING CITY CLERK: Commissioner

15 Martinetti?

16 COMMISSIONER MARTINETTI: Here.

17 ACTING CITY CLERK: Mayor Stack?

18 MAYOR STACK: Here.

19

20 **APPROVAL OF PREVIOUS MEETING MINUTES FROM**
21 **JULY 1, 2015:**

22

23 ACTING CITY CLERK: First item is Approval
24 of Previous Meeting Minutes. Meeting Minutes
25 held on July 1st, 2015 be approved and recorded.

1 MAYOR STACK: I'll move it.

2 COMMISSIONER VALDIVIA: Second.

3 ACTING CITY CLERK: Motion by Mayor Stack.

4 Second by Commissioner Valdivia.

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Abstain.

8 ACTING CITY CLERK: Commissioner Fernandez,
9 abstain.

10 Commissioner Rivas?

11 COMMISSIONER RIVAS: Yes.

12 ACTING CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 ACTING CITY CLERK: Commissioner
15 Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 ACTING CITY CLERK: Mayor Stack?

18 MAYOR STACK: Yes.

19

20 **ORDINANCES FOR HEARING AND ADOPTION**

21 **CONSIDERATION:**

22

23 () An Ordinance Amending Chapter 386 of the
24 Code of the City of Union City Entitled
25 "Taxicabs"

1
2 ACTING CITY CLERK: Next item is an
3 Ordinance for Hearing and Adoption Consideration.

4 First Ordinance, Amending Chapter 386 of
5 the Code of the City of Union City Entitled
6 Taxicabs.

7 Mayor, you wish to --

8 MAYOR STACK: Yes. Anyone wishing to
9 comment on this Ordinance concerning taxicabs in
10 the City of Union City?

11 This is on their insurance requirement.

12 Seeing none.

13 Seeing none.

14 I'll move it.

15 ACTING CITY CLERK: Is there a motion to
16 close the public hearing?

17 Motion made by Mayor --

18 COMMISSIONER RIVAS: Second.

19 ACTING CITY CLERK: -- Stack.

20 COMMISSIONER RIVAS: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Rivas.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?

2 COMMISSIONER RIVAS: Yes.

3 ACTING CITY CLERK: Commissioner Valdivia?

4 COMMISSIONER VALDIVIA: Yes.

5 ACTING CITY CLERK: Commissioner

6 Martinetti?

7 COMMISSIONER MARTINETTI: Yes.

8 ACTING CITY CLERK: Mayor Stack?

9 MAYOR STACK: Yes.

10 ACTING CITY CLERK: Is there a motion to

11 adopt --

12 COMMISSIONER VALDIVIA: Move it.

13 ACTING CITY CLERK: -- an Ordinance

14 Amending Chapter 386 of the Code of the City of

15 Union City Entitled Taxicabs?

16 COMMISSIONER VALDIVIA: Motion.

17 ACTING CITY CLERK: Motion by Commissioner

18 Valdivia.

19 COMMISSIONER FERNANDEZ: Second.

20 ACTING CITY CLERK: Second by Commissioner

21 Fernandez.

22 Roll call.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 ACTING CITY CLERK: Commissioner Rivas?

1 COMMISSIONER RIVAS: Yes.

2 ACTING CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 ACTING CITY CLERK: Commissioner

5 Martinetti?

6 COMMISSIONER MARTINETTI: Yes.

7 ACTING CITY CLERK: Mayor Stack?

8 MAYOR STACK: Yes.

9 Just -- just for the public's knowledge,
10 Ms. Nova will explain the Taxicab Ordinance that
11 we just voted on. It's basically on their
12 insurance requirements.

13 MS. NOVA: This Ordinance amends the
14 requirements of insurance. Originally, it was
15 \$300,000.00. That was proved to be too much, and
16 the insurance companies were not giving the
17 insurance -- the taxicab companies that kind of
18 insurance.

19 This will make it a hundred thousand
20 dollars, to satisfy all claims for damages. So,
21 that's what the Ordinance is going to do.

22 MAYOR STACK: And this is still higher --
23 the State of New Jersey requires 35,000, and this
24 is still much higher than what the State
25 requires.

1 The \$300,000.00 requirement that we had
2 left the taxi companies not being able to get
3 insured with any insurance company in New Jersey.

4 We felt we were doing the right thing at
5 the time with the taxicab companies. It came
6 back to us that they weren't able to get
7 insurance. There were major insurers in New
8 Jersey who submitted letters to the Corporation
9 Counsel saying that they weren't able to get
10 insurance.

11 So, we're still keeping a strong insurance,
12 basically, almost triple what the State requires.
13 The State requires around 35,000. This will be
14 at a hundred thousand.

15 It will still protect the public, which is
16 what our goal was from the beginning.

17 Thank you.

18 Thank you very much.

19

20 **ORDINANCES FOR HEARING AND ADOPTION**

21 **CONSIDERATION:**

22

23 () An Ordinance Amending Chapter 16 of the
24 Code of the City of Union City Entitled "Vehicles
25 and Traffic"

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ACTING CITY CLERK: The next Ordinance Amending Chapter 16 of the Code of the City of Union City Entitled Vehicles and Traffic.

MAYOR STACK: This basically raises, due to the parking situation that we have in the City, any commercial vehicles that park on the street, this will raise it.

Commercial vehicles are any type of -- any mini-buses that park on the street, any -- any type of commercial vehicles. Work vehicles that people have, construction company vehicles that people have, trucks that have been parked on the street. The Police Department's been treating this very serious for a number of years, issuing summons. This will raise it to \$150.00.

Anyone wishing to comment on this Ordinance at this time? Please step forward. State your name and address for the record.

Seeing none.

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

MAYOR STACK: Motion.

COMMISSIONER MARTINETTI: Second.

ACTING CITY CLERK: Motion by Mayor Stack.

1 Second by Commissioner Martinetti.
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 ACTING CITY CLERK: Is there a motion to
15 adopt an Ordinance Amending Chapter 16 of the
16 Code of the City of Union City Entitled Vehicles
17 and Traffic?
18 COMMISSIONER VALDIVIA: Motion.
19 ACTING CITY CLERK: Motion by Commissioner
20 Valdivia.
21 COMMISSIONER FERNANDEZ: Second.
22 ACTING CITY CLERK: Second by Commissioner
23 Fernandez.
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: Yes.

9 ACTING CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11

12 **ORDINANCES FOR HEARING AND ADOPTION**

13 **CONSIDERATION:**

14

15 () An Ordinance Amending Chapter 351-7 of the
16 Code of the City of Union City to Prohibit the
17 Sale of Tobacco and Nicotine to Person Under the
18 Age of Twenty-One (21)

19

20 ACTING CITY CLERK: Next Ordinance Amending
21 Chapter 351-7 of the Code of the City of Union
22 City to Prohibit the Sale of Tobacco and Nicotine
23 to Person Under the Age of 21.

24 MAYOR STACK: This Ordinance is self-
25 explanatory. We're raising the age to purchase

1 tobacco products, cigarettes and the like, to the
2 age of 21.

3 Anyone wishing to comment on this Ordinance
4 at this time? Please step forward. State your
5 name and address for the record.

6 Seeing none.

7 ACTING CITY CLERK: Is there a motion?

8 MAYOR STACK: Motion.

9 COMMISSIONER MARTINETTI: Second.

10 ACTING CITY CLERK: Motion by Mayor Stack.
11 Second by Commissioner Martinetti.

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 ACTING CITY CLERK: Is there a motion to
25 adopt an Ordinance Amending Chapter 351-7 of the

1 Code of the City of Union City to Prohibit the
2 Sale of Tobacco and Nicotine to Person Under the
3 Age of 21?

4 COMMISSIONER VALDIVIA: Motion.

5 ACTING CITY CLERK: Motion by Commissioner
6 Valdivia.

7 COMMISSIONER FERNANDEZ: Second.

8 ACTING CITY CLERK: Second by Commissioner
9 Fernandez.

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 **CONSENT AGENDA:**

24

25 (1) Resolution Approving the Payment of Claims

- 1 (2) Resolution Approving the Payment of
- 2 Concurring Claims
- 3 (3) Resolution Approving the City Payroll for
- 4 the Period of August 8, 2015 through August 21,
- 5 2015
- 6 (4) Resolution Approving the Library Payroll for
- 7 the Period of August 8, 2015 through August 21,
- 8 2015
- 9 (5) Resolution Approving Disciplinary
- 10 Proceedings Against La Plaza Espana Bar &
- 11 Restaurant t/a Plaza Espana, Inc., Located at
- 12 2506 Bergenline Avenue, Liquor License No. 0910-
- 13 33-136-020
- 14 (6) Amending Resolution Concerning Appointments
- 15 of Members Miguel Ortiz and Victor M. Grullon to
- 16 the Zoning Board of Adjustments
- 17 (7) Resolution Appointing Michelle Pena to the
- 18 Public Library's Board of Trustees
- 19 (8) Resolution Appointing Member Bolivar
- 20 Cardenas to the Rent Stabilization Board
- 21 (9) Resolution Authorizing the Clerk to
- 22 Advertise Bids for the Cleaning Equipment &
- 23 Supplies - 2015
- 24 (10) Resolution Authorizing the Clerk to
- 25 Advertise Bids for the HVAC Maintenance Service

1 Agreement - 2015

2 (11) Resolution Authorizing the Clerk to

3 Advertise Bids for the Horticulture Supplies -

4 2015

5 (12) Resolution Approving 2015 CDA City Wide Tree

6 Planting Program to Pat Scalan (sic) Landscaping,

7 Inc.

8 (13) Resolution Approving 2015 CDA City Wide

9 Sidewalk Replacement Program to Adamo Brothers

10 Construction, Inc.

11 (14) Resolution to Award Contract for Repair Work

12 to the William V. Musto Cultural Center to SH

13 Dimitrakis Construction

14 (15) Resolution to Award Contract for Soccer

15 Equipment & Supplies to Universal Sporting Goods,

16 Inc.

17 (16) Resolution Authorizing the Award of

18 Contracts for Special Counsels to (Chasan Leyner

19 & Lamparello, LLC; Adams Guitierrez &

20 Lattiboudere, LLC; Ulysses Isa, LLC; & Florio

21 *Kenny* Raval LLP)

22 (17) Resolution Authorizing the Award of

23 Contracts for Conflict Counsels to (Chasan Leyner

24 & Lamparello, LLC; Ulysses Isa, LLC; & Florio

25 *Kenny* Raval LLP & Whipple Azarello, LLC)

- 1 (18) Resolution Authorizing Purchases Under State
2 Contracts
- 3 (19) Resolution Awarding Raffle License to St.
4 Joseph Michael Church, Located at 1314 Central
5 Avenue
- 6 (20) Resolution Awarding Raffles License to Holy
7 Cross Armenian Church, Located at 318-27th Street
- 8 (21) Resolution Approving Water Main Extension
9 for 207-209 Manhattan Avenue LLC with United
10 Water New Jersey
- 11 (22) Resolution Approving Easement for Bank of
12 America ADA Ramp at 4800 Bergenline Avenue
- 13 (23) Resolution Urging the State Government to
14 Enact Legislation Allowing the Motor Vehicle
15 Commission to Issue Driver Licenses to
16 Individuals who Cannot Provide Proof of Lawful
17 Presence in the United States
- 18 (24) Resolution Authorizing Settlement(s) in
19 Workers' Compensation Matters Claim Petition Nos.
20 2007-9180; 2207-9178 and 2007-13805 Entitled
21 Octavio Orozco
- 22 (25) Resolution Authorizing Refund of Redemption
23 Monies to Outside Lienholders
- 24 (26) Resolution Authorizing the Refund of Premium
25 Monies Collected at the Tax Sale

- 1 (27) Resolution Cancelling Taxes on Property
2 Located at 1901 West Street Also Known as Block
3 108, Lot 4.01 Deemed Exempt Due to a Pilot
4 Program
- 5 (28) Resolution Cancelling Erroneously Assessed
6 Taxes on Property of Block 221, Lot 6 Also Known
7 as 320-37th Street
- 8 (29) Any Other Matter of City Business that May
9 Arise

10

11 ACTING CITY CLERK: Next item is Consent
12 Agenda.

13 The first item, Resolution Approving the
14 Payment of Claims.

15 Item 2.

16 Resolution Approving the Payment of
17 Concurring Claims.

18 Item 3.

19 Resolution Approving the City Payroll of
20 the Period August 8th, 2015 through August 21st,
21 2015.

22 Item 4.

23 Resolution Approving the Library Payroll
24 for the Period August 8th, 2015 through August
25 21st, 2015.

1 Item 5.

2 Resolution Approving Disciplinary
3 Proceedings Against La Plaza Espana Bar and
4 Restaurant, also known as Plaza Espana, Inc.,
5 Located at 2506 Bergenline Avenue, Liquor License
6 number 0910-33-136-020.

7 Item 6.

8 Amending Resolution Concerning Appointments
9 of Members Miguel Ortiz and Victor Grullon to the
10 Zoning Board of Adjustment.

11 Item 7.

12 Resolution Appointing Michelle Pena to the
13 Public Library Board of Trustee.

14 Item 8.

15 Resolution Appointing Member Bolivar
16 Cardenas to the Rent Stabilization Board.

17 Item 9.

18 Resolution Authorizing the Clerk to
19 Advertise Bids for the Cleaning Equipment and
20 Supplies.

21 Item 10.

22 Resolution Authorizing the Clerk to
23 Advertise Bids for the HVAC Maintenance Service
24 Agreement.

25 Item 11.

1 Resolution Authorizing the Clerk to
2 Advertise Bids for the Horticulture Supplies,
3 2015.

4 Item 12.

5 Resolution Approving 2015 CDA City Wide
6 Tree Planting Program to Pat Scanlan Landscaping,
7 Inc.

8 Item 13.

9 Resolution Approving 2015 CDA City Wide
10 Sidewalk Replacement Program to Adamo Brothers
11 Construction, Inc.

12 Item 14.

13 Resolution to Award Contract for Repair
14 Work to the William V. Musto Cultural Center to
15 SH Dimitrakis Construction.

16 Item 15.

17 Resolution to Award Contract for Soccer
18 Equipment and Supplies to Universal Sporting
19 Goods, Inc.

20 Item 16.

21 Resolution Authorizing the Award of
22 Contract for Special Counsels to Chasan Leyner &
23 Lamparello, LLC, Adam Gutierrez & Lattiboudere,
24 LLC, Ulysses Isa, LLC and Florio Kenny Raval,
25 LLP.

1 Item 17.

2 Resolution Authorizing the Award of
3 Contract for Conflict Counsels to Chasan Leyner &
4 Lamparello, LLC, Ulysses Isa, LLC, Florio Kenny
5 Raval LLP, Whipple Azarello, LLC.

6 Item 18.

7 Resolution Authorizing Purchases Under
8 State Contract.

9 Item 19.

10 Resolution Awarding Raffle License to Saint
11 Joseph -- Saint Joseph Michael Church, Located at
12 1314 Central Avenue.

13 Item 20.

14 Resolution Awarding Raffle License to Holy
15 Cross Armenian Church, Located 318 27th Street.

16 Item 21.

17 Resolution Approving Water Main Extension
18 for 207-209 Manhattan Avenue LLC with United
19 Water -- Water New Jersey.

20 Item 22.

21 Resolution Approving Easement for Bank of
22 America ADA Ramp at 4800 Bergenline Avenue.

23 Item 23.

24 Resolution Urging the State Government to
25 Enact Legislation Allowing the Motor Vehicle

1 Commission to Issue Driver Licenses to
2 Individuals who Cannot Provide Proof of Lawful
3 Presence in the United States.

4 Item 24.

5 Resolution Authorizing Settlements in
6 Workers' Compensation Matters Claim Petition
7 Numbers 2007-9180, 2207-9178 and 2007-13805
8 Entitled Octavio Orozco -- Orozco.

9 Item 25.

10 Resolution Authorizing Refund of Redemption
11 Monies to Outside Lienholders.

12 Item 26.

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

15 Item 27.

16 Resolution Cancelling Taxes on Property
17 Located at 1901 West Street, Also Known as Block
18 108, Lot 4.01 Deemed Exempt Due to the PILOT
19 Program.

20 Item 28.

21 Resolution Cancelling Erroneously Assessed
22 Taxes on Property of Block 221, Lot 6, Also Known
23 as 320 37th Street.

24 Mayor, there are no other items on the
25 Consent Agenda.

1 You wish to take public comment on any item
2 on the Consent Agenda at this time?

3 MAYOR STACK: Sure.

4 Just before we do, Mr. Clerk, I would just
5 like to thank those residents that have come
6 forward and asked to serve on a board. Everyone
7 that has come forward, we have appointed up until
8 this date.

9 We still have several people that are
10 waiting for openings on various boards. Tonight,
11 we're appointing to the -- re-appointing members
12 that are on the Board of Adjustment, the Library
13 Board, the Rent Stabilization Board -- a new
14 member on the Rent Stabilization Board.

15 Also, just with our City Wide Tree Planting
16 Program, this year, we should probably plant
17 close to a thousand trees again in the City of
18 Union City. Hopefully, next year, we should be
19 able to reach that number again.

20 We've been trying to do between 500 and a
21 thousand trees a year, and the Commissioners and
22 myself are very proud of that.

23 Also, the purchase of sporting goods
24 equipment. I'd just like to thank the
25 Commissioners, specifically, our Commissioner of

1 Recreation and Parks, Commissioner Valdivia.
2 We've expanded all of our recreation programs.
3 We've kept the kids busy, and even adults busy
4 during the summer months, and we'll continue that
5 now, into the fall and winter months.

6 We feel it's very, very important, all
7 around, for their health, and also for just
8 keeping everyone busy and active in our
9 community.

10 Okay. Having said that, anyone who would
11 like to comment on the Consent Agenda, what's
12 been announced so far?

13 Okay. Seeing none, Mr. Clerk.

14 ACTING CITY CLERK: None.

15 Is there a motion to close the public
16 comment on the -- on the Consent Agenda?

17 COMMISSIONER VALDIVIA: Motion.

18 ACTING CITY CLERK: Motion by Commissioner
19 Valdivia.

20 COMMISSIONER RIVAS: Second.

21 ACTING CITY CLERK: Second by Commissioner
22 Rivas.

23 Roll call.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 ACTING CITY CLERK: Commissioner Rivas?
2 COMMISSIONER RIVAS: Yes.
3 ACTING CITY CLERK: Commissioner Valdivia?
4 COMMISSIONER VALDIVIA: Yes.
5 ACTING CITY CLERK: Commissioner
6 Martinetti?
7 COMMISSIONER MARTINETTI: Yes. Yes.
8 ACTING CITY CLERK: Mayor Stack?
9 MAYOR STACK: Yes.
10 ACTING CITY CLERK: Is there a motion to
11 approve all items on the Consent Agenda?
12 MAYOR STACK: Motion.
13 ACTING CITY CLERK: Motion by Mayor Stack.
14 COMMISSIONER FERNANDEZ: Second.
15 ACTING CITY CLERK: Second by Commissioner
16 Fernandez.
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: I'm recusing from
2 item 1, payments to Adolfo Lopez and Diaz
3 Esquire. Also, number 6.

4 Aye on the rest.

5 ACTING CITY CLERK: Okay. Recusing on 1
6 and 6, aye on the rest.

7 Mayor Stack?

8 MAYOR STACK: Yes.

9

10 **REGULAR AGENDA**

11

12 1. Resolution Approving the Redevelopment
13 Agency Payroll for the Period of August 8, 2015
14 through August 21, 2015

15

16 ACTING CITY CLERK: Next item is the
17 Regular Agenda.

18 First item is Resolution Approving the
19 Redevelopment Agency Payroll for the Period
20 August 8, 2015 through August 21st, 2015.

21 MAYOR STACK: I'll move it.

22 ACTING CITY CLERK: Motion by Mayor Stack.

23 COMMISSIONER RIVAS: Second.

24 ACTING CITY CLERK: Second by Commissioner
25 Rivas.

1 Roll call.

2 Commissioner Fernandez; recusing.

3 Commissioner Rivas?

4 COMMISSIONER RIVAS: Yes.

5 ACTING CITY CLERK: Commissioner Valdivia?

6 COMMISSIONER VALDIVIA: Yes.

7 ACTING CITY CLERK: Commissioner

8 Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 ACTING CITY CLERK: Mayor Stack?

11 MAYOR STACK: Yes.

12

13 **PRESENTATION:**

14

15 *** Proposed Non-Condensation Redevelopment Area

16 Determination City of Union City ***

17

18 ACTING CITY CLERK: Mayor, the next item is

19 a hearing, Proposed Non-Condensation

20 Redevelopment Area Determination City of Union

21 City.

22 MAYOR STACK: Yes.

23 I believe Mr. Spatz will be making that

24 presentation.

25 This portion of the meeting concerns the --

1 | the Redevelopment Area Determination by the City
2 | of Union City, in which the Commissioners and
3 | myself will be taking a vote on this evening.

4 | Mr. Spatz will be making that presentation.

5 | And David, maybe, if you want to cite the
6 | properties that are in question to start off,
7 | just so everyone -- and maybe keep your voice up
8 | as loud as possible.

9 | MR. SPATZ: Certainly. I'll -- I'll use
10 | the -- the mic here.

11 | Just for a bit of background. This is a
12 | redevelopment area report.

13 | Is it on?

14 | MAYOR STACK: Is that on? I don't think
15 | that's on.

16 | (Whereupon, there was a pause in the
17 | proceedings.)

18 | MR. SPATZ: This is a redevelopment area
19 | report.

20 | Am I coming through?

21 | MAYOR STACK: No.

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

24 | MAYOR STACK: Maybe, then, what we could
25 | do, maybe if you could stand in front, or maybe

1 | even come up here, and maybe come up here, just
2 | so everyone can hear you --

3 | MR. SPATZ: Sure.

4 | MAYOR STACK: -- speaking to them --

5 | MR. SPATZ: Sure.

6 | MAYOR STACK: -- as opposed to standing
7 | over here.

8 | MR. SPATZ: Sure. I'll be happy to.

9 | MAYOR STACK: Maybe if you want to stand
10 | over here or --

11 | MR. SPATZ: Yeah.

12 | MAYOR STACK: I can move down. The
13 | Commissioners and I can move down.

14 | Maybe stand right here. Put him in the
15 | middle.

16 | Just keep your voice up.

17 | (Whereupon, there was a pause in the
18 | proceedings.)

19 | MR. SPATZ: I'll try to speak louder. If
20 | I'm not clear, please let me know.

21 | This is --

22 | MAYOR STACK: If there's anyone in the back
23 | that cannot hear, if you want to move closer,
24 | bring your chair up, or if you want to move
25 | closer, that's fine, also.

1 MR. SPATZ: This is a redevelopment area
2 report that was done as -- by Resolution of the
3 Board of Commissioners. And then, it was before
4 the Planning Board, and now it is back at the
5 Board of Commissioners.

6 The purpose of the report is to determine
7 whether an area in Union City, and its properties
8 on Manhattan Avenue and Mountain Road, whether
9 they meet the State's criteria for the
10 determination whether they are areas in need of
11 redevelopment.

12 We are classifying them as not, what the
13 State is considering as non-condemnation areas in
14 need of redevelopment, which means that the City,
15 if this process continues, will not be expending
16 any City funds in order to acquire this property.
17 It will be done solely through private
18 development.

19 The way the process works is initially, the
20 Board of Commissioners requests that the Planning
21 Board, through myself, as the Planning Board's
22 Consultant, prepare a study following the State's
23 guidelines and criteria for whether it meets the
24 need of redevelopment.

25 The Planning Board held several meetings

1 over the past several years. The last one was in
2 February of this year.

3 At that meeting, the Planning Board voted
4 to recommend to the Board of Commissioners that
5 this particular area be considered a non-
6 condemnation area in need of redevelopment.

7 The part of the process we are at today is
8 the Board of Commissioners have to formally
9 accept that designation.

10 Obviously, they can say no, but the process
11 to continue would be for them to formally declare
12 an area of need of redevelopment, and then that
13 triggers the next step of the process, which is a
14 review and a preparation of a redevelopment plan,
15 which would be how the City envisions that
16 property being developed.

17 It's sort of a mini-zoning ordinance for
18 this particular area.

19 At this point, that plan has not been drawn
20 up or considered. No plans have been developed.
21 There is nothing that I can discuss this evening,
22 because there's no information, as to what is
23 going to be built on this property.

24 This is simply that these properties meet
25 the State criteria to be declared an area in

1 need.

2 So, I'll go through the report. It's been
3 on file in the Clerk's Office, off and on, for
4 the last three or four years. We've started this
5 process in 2011, and there's been -- this is
6 actually the fifth time I've been making this
7 presentation.

8 I think many of you here have heard me say
9 it many times.

10 So, I will go through the report. I'll try
11 to do it a little bit streamlined, because it's
12 been on file, so that there's plenty of time
13 available for public question and comment, as
14 well as comment and questions from the Board.

15 So, I'll just go through the report.

16 The introduction to the report sets forth
17 the State guidelines as to what a plan needs to
18 include, what the report needs to include, sets
19 forth the history of the Resolutions by the Board
20 of Commissioners and the Planning Board, which
21 gets us to this evening.

22 The next set is the technical definition of
23 the study area, and we've listed the lot and
24 block designations, as well as the street address
25 of this area.

1 It is from approximately 286 Mountain Road,
2 to 1518 Manhattan Avenue; from 16th Street,
3 approximately, down the hill. It's the area that
4 -- that is currently enclosed in -- in the
5 fencing. And I think everybody's familiar with
6 that -- that area.

7 It also includes parts of the steep slopes
8 of the Palisades, which is behind the developed
9 properties.

10 The next and the main part of the report is
11 the study area investigation, where we went
12 through each lot and each building, and in great
13 detail, discussed the uses on the property, the
14 conditions of the buildings, the conditions of
15 the lot.

16 To go along with this, and again, this is
17 on the report that's on file, the report contains
18 a series of photographs, both the exteriors and
19 interiors of these buildings, as well as some
20 other documentation from the Building Department,
21 where several of the buildings were -- were given
22 notices of unsafe structure.

23 And, in fact, one of the buildings within
24 the area is actually, through the New Jersey
25 Department of Environmental Protection, there is

1 a -- it has a case oversight report for
2 environmental hazardous conditions on the
3 property.

4 So, I'll just -- and briefly, just go
5 through the properties, and then continue on with
6 the report.

7 There are 13 parcels within the area. Some
8 of them contain multiple lots. Those are
9 primarily the -- the properties that have the
10 structures in the lot. The structures are on
11 Mountain or Manhattan, but they very often have a
12 lot behind them that includes the steep slope of
13 the cliffs, and they go down to the border with
14 Weehawken.

15 So the first property, and this is starting
16 north and heading south, is 302-304 Mountain
17 Road. The parcel contains a two and a half
18 story, three family building that is in poor
19 condition. It has been vacant for approximately
20 seven years.

21 Inspection reports, as well as field
22 investigations by myself and others, and these
23 are shown on the photographs, show that the
24 building itself is in very poor condition, and in
25 and of itself, meets the standards for being

1 declared a redevelopment property.

2 The next property, 300 Mountain Road. This
3 property contains a one and a half story, single
4 family dwelling in poor condition. It's been
5 vacant as of the writing of this report, back in
6 February, for eight or nine years.

7 Again, inspection reports and photographs
8 and a field investigation shows numerous
9 conditions of the building and the property that
10 show it in a deteriorated condition.

11 292 Mountain Road. This parcel contains a
12 three story, three family dwelling, also in poor
13 condition. It's been vacant, at this point, for
14 approximately five and a half years.

15 Likewise, the building, through inspection
16 reports and field investigations, is in
17 significant damage.

18 290 Mountain Road. This parcel contains a
19 parking lot. As part of the criteria, and I'll
20 discuss this later on, vacant parcels within a
21 development area can be included, if they've been
22 vacant for a number of years, but also to make a
23 -- an entire redevelopment area so that it
24 doesn't skip over various parcels. And this has
25 been included in that.

1 It's a small, vacant parking lot that
2 itself cannot be developed.

3 286 Mountain Road. This parcel is
4 developed with a four story, multi-family
5 building. It contains 16 units. That building
6 is now completely vacant.

7 Inspection reports and photographs, and a
8 field investigation indicates many cases of
9 significant deterioration of the building.

10 Going now onto Manhattan Avenue, 1518
11 Manhattan Avenue. The parcel contains a one and
12 a half story, single family dwelling in poor
13 condition. It's been vacant for approximately
14 six years. Likewise, it has many condition
15 issues that would consider it as deteriorated.

16 1512-1516 Manhattan Avenue. There's a two
17 story, three family building on that property.
18 Also in poor condition. Vacant for approximately
19 eight years.

20 Inspection reports have indicated, again,
21 many conditions on the -- the property and the
22 building which puts it in a significantly
23 deteriorated condition.

24 1506 to 1510 Manhattan Avenue. There's a
25 one story commercial building that formerly

1 contained a construction establishment office.

2 Building's been vacant for nine years.

3 This is the property that has the DEP case
4 management issues. There were environmental
5 conditions and concerns on that property. The
6 building itself is in extremely poor condition.

7 1502 to 1504 Manhattan Avenue is the ninth
8 parcel in this. This contains a two story
9 building. This is the building that had the fire
10 in it. The building has been vacant for eight to
11 nine years.

12 And due to the fire, and other conditions,
13 it -- there is significant damage that puts this
14 in the deteriorated condition.

15 And the report contains a much more
16 detailed description of the actual deficiencies
17 in -- in the building.

18 1416 Manhattan Avenue contains a two story,
19 two family building in poor condition. It's been
20 vacant for approximately seven years. The
21 building itself and the property have significant
22 deteriorating conditions that meet the State
23 standards.

24 Further, many of the properties, we also
25 went through police reports. There have been

1 significant number of police reports in the
2 vicinity, mainly caused by vandals in the
3 property, people getting into the building.

4 From an interior inspection, we found that
5 many of the copper piping and wiring have been
6 pulled out of the buildings, to be sold for
7 scrap. So, they're -- the buildings have
8 continued to deteriorate over the years.

9 Next property, 1414 Manhattan Avenue.
10 Parcel contains a two story, single family
11 building in poor condition, that has been vacant
12 for approximately seven years. And that building
13 has a significant amount of deteriorating
14 conditions.

15 1410 to 1412 Manhattan Avenue is a -- a
16 parcel that contains a parking lot. There had
17 been an approved site plan, but no -- back in
18 2007, nearly ten years. Nothing has been
19 developed on that property.

20 The gravel parking lot is itself in poor
21 condition, and this also meets the conditions of
22 being a vacant piece of property to be included
23 in an entire redevelopment area.

24 And then, the last property is -- there is
25 no street number designation. It's just titled

1 Mountain Road. This is a parcel that's owned by
2 the City of Union City. And it is a vacant, land
3 locked, remote parcel that does not have access
4 to any street frontage. It is approximately .12
5 acres in size, and is not possible to be
6 developed because of the size and the topography.

7 So, that describes the parcels.

8 We have some summary of property conditions
9 on it, is the next section, indicating the age of
10 the structures, where available, and the
11 conditions of the properties.

12 The property ownership information is
13 provided. It is all in -- outside of the City
14 property, it is all -- there are a couple of
15 different ownerships, but they are all owned by
16 one entity.

17 The next section is the zoning controls for
18 this property. It is in the R low density
19 residential zone, under our newer Zoning
20 Ordinance, which permits one, two, and three
21 family dwellings, multiple uses and parks. There
22 are some conditional uses permitted on that
23 property, as well. It is also located within the
24 City's Palisades Preservation Overlay District,
25 and that helps reduce density by allowing

1 building on only the buildable portions of the
2 lot.

3 The next section of the report lists the
4 criteria that the State sets forth for the
5 establishment of the need to redevelop -- for
6 redevelopment. This is in the State Statute
7 which governs redevelopment throughout the State.
8 They list a series of criteria.

9 A property has to meet, in order to be --
10 to fit the criteria, has to meet one of the
11 criteria. There are approximately eight or nine
12 separate criteria. A property only has to meet
13 one of those in order to be included in a
14 redevelopment area.

15 The next section is we went through a
16 detailed evaluation and indicated which
17 properties meet which of the State criteria.

18 Criteria A is general -- a generality of
19 buildings in substandard, unsafe, unsanitary or
20 dilapidated conditions.

21 Criteria B is for commercial properties
22 that have been abandoned for such use, and fallen
23 into disrepair.

24 We have one property that fits that.

25 Criteria C is that small landlocked parcel.

1 Includes that.

2 And Criteria D is also by reason of
3 dilapidation, or deleterious land uses, or other
4 factors, buildings can be included.

5 Criteria H is where properties are included
6 within a redevelopment area in order to meet the
7 State Smart Growth Guidelines of their -- of the
8 State's Master Plan process.

9 And that is again -- that would include
10 some of the parking areas that, in and of itself,
11 can't be developed, but if included within a
12 redevelopment area, they would make one larger
13 redevelopment parcel.

14 And then, the final conclusion of the
15 report, where we've gone through each parcel and
16 indicated which of the criteria are met. Again,
17 they just need to meet one of them.

18 Except for only one of the parcels, all of
19 the others meet multiple criteria. And I'll just
20 briefly go through that.

21 302-304 Mountain Road meets Criteria A --
22 three of the criteria, A, D, H.

23 300 Mountain Road meets the same.

24 1410-1412 Manhattan Avenue meets two
25 criteria, D and H.

1 Manhattan Avenue, 1414 and a next parcel,
2 1416, they both meet three criteria, A, D, and H,
3 as does 1502-1504 Manhattan Avenue.

4 1506-1510 Manhattan Avenue is A, B, C, D,
5 and H. That's the commercial parcel.

6 1514 and -- to 16, and 1518 Manhattan
7 Avenue meets criteria A, C, D, and H.

8 286 Mountain Road is D and H.

9 290 Mountain Road just meets Criteria H,
10 that's the inclusion, if it meets the Smart
11 Growth standards.

12 292 Mountain Road is D and H.

13 And then, the small City parcel meets
14 Criteria C and H.

15 The conclusions of our report were
16 presented to the Planning Board, was that, all of
17 the parcels within the proposed redevelopment
18 area meet the State's criteria. Most of them
19 meet more than one of the criteria.

20 The Planning Board reviewed that report
21 back in February, and then made a recommendation
22 to the Board of Commissioners that this entire
23 area be declared an area -- a non-condemnation
24 area in need of redevelopment.

25 So, that goes to the report. If there's

1 questions of the --

2 MAYOR STACK: Maybe you just want to
3 explain --

4 MR. SPATZ: -- Board --

5 MAYOR STACK: -- if we vote -- yeah, if we
6 vote in the affirmative on this tonight, what
7 takes place.

8 MR. SPATZ: Certainly.

9 If the Board of Commissioners votes yes,
10 and determines that this is -- is an area, a non-
11 condemnation area in need of redevelopment, they
12 would also, as part of that Resolution, recommend
13 that the Planning Board develop a redevelopment
14 plan.

15 That would be sort of the Zoning Ordinance
16 and Master Plan for the development of this area,
17 would be the zoning controls, it would be design
18 standards that need to be met, it would be
19 recommendations for off-site and on-site
20 infrastructure improvements, how the buildings
21 were to be designed, what materials they are.
22 It's very, very detailed.

23 The Board -- the Planning Board would do
24 that. There would be a presentation at at least
25 one public hearing. Again, so there would be

1 review for the public.

2 If the Planning Board, at that point,
3 recommends that a redevelopment plan would be --
4 to be adopted, it would come back to the Board of
5 Commissioners. There would be another public
6 hearing on that. And then, the Board,
7 theoretically, would act on that.

8 So, there still are a minimum of two
9 opportunities for the public to involve
10 themselves in the process.

11 If the Board were to act favorably tonight,
12 it just really starts the planning process from
13 this point on. And that, again, is done at
14 public hearings.

15 MAYOR STACK: And we're not voting on any
16 project this evening.

17 MR. SPATZ: That's correct. There has been
18 no project submitted. There are no design
19 controls, no zoning ordinance for this area.

20 This is just simply that it meets the State
21 standards to be declared a redevelopment area.
22 And then, that triggers the next process.

23 This is really the very beginning of the
24 process.

25 MAYOR STACK: And the same as we're doing

1 | this evening, that we're holding the meeting
2 | here, in the neighborhood.

3 | We would either hold the meeting here, or
4 | now in the new Hudson School, which is right
5 | exactly in the area, also.

6 | So, it'd either be one location or the
7 | other. Just so everybody's -- everyone's benefit
8 | in the neighborhood.

9 | MR. SPATZ: Right. The Planning Board
10 | could hold their meeting --

11 | MAYOR STACK: Exactly.

12 | MR. SPATZ: -- off-site, as well, and do
13 | that. So, again, there would be --

14 | MAYOR STACK: Make sure of that.

15 | MR. SPATZ: -- opportunities. And it's a
16 | time consuming process to get that. It's not --
17 | to develop that plan. It's not happening
18 | overnight.

19 | MAYOR STACK: Good.

20 | Does anyone have any questions or comments
21 | at this time?

22 | If you could just please step forward? Mr.
23 | Spatz is going to stay up here.

24 | MR. SPATZ: Right.

25 | MAYOR STACK: Want me to get you a chair,

1 David?

2 MR. SPATZ: Yeah.

3 MS. DILLON: Just right here at the podium.

4 MAYOR STACK: Let's grab -- go grab David a
5 chair real quick.

6 MS. DILLON: Sir --

7 ACTING CITY CLERK: I don't think this will
8 work, but --

9 MR. DAVIS: Doesn't work?

10 MS. DILLON: If you recall, I need you to
11 state your name, spell it for the record, and
12 give your address.

13 MR. DAVIS: My name is Glen Davis. I live
14 at 1406 Manhattan Avenue.

15 And you wanted me to spell something?

16 MS. DILLON: Davis, D-A-V-I-S?

17 MR. DAVIS: D-A-V-I-S.

18 MS. DILLON: Okay.

19 MR. DAVIS: Could you elaborate on the
20 timeline that's -- assuming this gets approved
21 tonight, the timeline till there is actually a
22 plan in place.

23 MR. SPATZ: Okay.

24 The -- there's really no specific mandated
25 timeline. It could take six months. It could

1 take a year to develop a plan. It's not a simple
2 site. And it's not a simple process.

3 So, this really just starts that process.
4 The Planning Board, there's no time limit on how
5 long they need to take to get to that point.

6 So -- you know, as I said, it could be six
7 months, it could be a year. You know, clearly,
8 with holidays, New Years, Thanksgiving, those are
9 times that things are not going to get done.

10 My guess is that the Planning Board
11 wouldn't have a plan to present to the public
12 until the spring of next year.

13 I -- I wouldn't -- I'd be surprised if it
14 was earlier than that.

15 MR. DAVIS: Thank you.

16 MAYOR STACK: Next question or comment,
17 sir?

18 Please.

19 Just again, if you could just state your
20 name and address for the record.

21 MR. SPARKMAN: Yes.

22 John Sparkman.

23 MS. DILLON: Spell your last name.

24 MR. SPARKMAN: S-P-A-R-K-M-A-N.

25 MS. DILLON: And your address?

1 MR. SPARKMAN: 1620 Manhattan Avenue.

2 MS. DILLON: Thank you.

3 MR. SPARKMAN: Good evening, Mayor Stack.

4 MAYOR STACK: Good evening, sir.

5 MR. SPARKMAN: Good evening.

6 I just have a couple of questions. Will I
7 have a chance to make comments --

8 MAYOR STACK: Sure.

9 MR. SPARKMAN: -- later? Or questions?

10 MAYOR STACK: Absolutely.

11 MR. SPARKMAN: Okay. What was the date,
12 Mr. -- I'm sorry. Mr. Spatz?

13 MR. SPATZ: Spatz. Yes.

14 MR. SPARKMAN: The original date of your
15 report?

16 MR. SPATZ: The original --

17 MR. SPARKMAN: Original date.

18 MR. SPATZ: -- report was November 10th of
19 2009. It was updated September 5th of 2014.

20 MR. SPARKMAN: Okay. Okay.

21 MR. SPATZ: And then, presented to the
22 Planning Board, and they acted in February of
23 2015.

24 MR. SPARKMAN: Okay. That's -- one more
25 question.

1 If the developer -- I'm not sure how he's
2 being taxed, if he took down all those
3 properties, would he be taxed at a lower rate?
4 Is he being taxed on developments?

5 MAYOR STACK: He's being --

6 MR. SPARKMAN: If he just demolished
7 everything --

8 MAYOR STACK: He's being taxed on -- on the
9 -- well, the improvement, they call it.

10 MR. SPARKMAN: He is?

11 MAYOR STACK: But he's being taxed on the
12 buildings. Yes.

13 MR. SPARKMAN: So, if he --

14 MAYOR STACK: As far as I know, yes, he is.

15 MR. SPARKMAN: He went in and tore them
16 down, he would be taxed less.

17 MAYOR STACK: I would assume. Yes.

18 MR. SPARKMAN: Okay. That's -- that's my
19 only question for now.

20 Thank you.

21 MAYOR STACK: As far as -- as far as I'm
22 concerned, right now, and from what I know, up
23 until this point, he's taxed just on exactly
24 what's there right now.

25 MR. SPARKMAN: Okay.

1 MAYOR STACK: Yes.

2 MR. SPARKMAN: Okay.

3 MAYOR STACK: Thank you.

4 MR. SPARKMAN: Thank you.

5 MAYOR STACK: Thank you very much.

6 Next question? Sure.

7 MR. PRICE: Larry Price, 1006 Palisade
8 Avenue.

9 Like Mr. Sparkman, I would like to ask
10 questions now and make comments later.

11 MAYOR STACK: Absolutely.

12 MR. PRICE: On page 28 of your report, you
13 list on 1410 Manhattan Avenue, the criteria met
14 are D and H.

15 And the -- the D criteria, by reason of
16 deter -- dilapidation, faulty arrangements,
17 whatever, okay.

18 1410 Manhattan Avenue is a vacant lot.

19 MR. SPATZ: Right.

20 MR. PRICE: How can it qualify for criteria
21 D?

22 MR. SPATZ: Because it is a property that,
23 as far as faulty -- we found as far as faulty
24 arrangement or design, it is a small parking lot
25 in the middle of a deteriorated area.

1 The parking lot itself is not in very good
2 condition. I know the courts have held that that
3 meets it. So, we felt that it met criteria D.

4 MR. PRICE: Okay.

5 Then, on 1502 -- sorry -- 1506-1510
6 Manhattan Avenue, 1514-1516 Manhattan Avenue and
7 1518 Manhattan Avenue, they all meet criteria C.

8 And -- which is that -- oops. Sorry.

9 C is land that is owned by the
10 municipality, the county, local housing
11 authority, redevelopment agency, so forth, or
12 unimproved vacant land which has remained so for
13 a period of ten years.

14 Okay.

15 Now that parcel which consists of a lot in
16 front and a lot going down the slope, but it's
17 one parcel, and it's listed by you as one parcel,
18 is already developed. They have houses on the
19 front -- front lot.

20 So, how can -- it's already been developed,
21 so how can it possibly --

22 MR. SPATZ: The --

23 MR. PRICE: -- qualify?

24 MR. SPATZ: The front parts of those
25 properties have been developed. The back parts

1 of those lots are lots that are totally
2 landlocked and is part of the steep slope. And
3 we treat it, for purposes of -- of the review, we
4 treated them, the various components of their
5 lot.

6 There are significant portions of all of
7 those parcels that have land that, if treated as
8 a separate lot, would not be able to be
9 developed. Not simply because there was
10 development in front of them, but because of
11 their topographical conditions, as well as being
12 landlocked. The bottom of them doesn't meet
13 streets either.

14 MR. PRICE: But when you list 1514-1516
15 Manhattan Avenue, for example, and you say that
16 doesn't apply to that address, it just applies to
17 the back lot that's at that address.

18 Correct?

19 MR. SPATZ: Right. Portions of -- of each
20 property meet -- could meet different criteria,
21 which is the case here.

22 The structures meet certain criteria
23 because of their condition. And the other parts
24 of the lot meet other criteria, based on their
25 location, their topographical conditions, as

1 well. And that's why we included them in there.

2 MR. PRICE: Okay.

3 Isn't that a rather odd definition of
4 landlocked? And you have one parcel which
5 consists of two -- two lots. A front lot on the
6 road, and a back lot. But to describe the back
7 lot -- it's all one parcel. So, to describe it
8 as landlocked, it's part of a parcel that -- you
9 know, fronts on the road.

10 MR. SPATZ: We felt that it met -- met the
11 definition of landlocked, and that -- and that's
12 why we included it.

13 You know, those parcels do meet other
14 criteria that -- that in and of themselves would
15 support the designation.

16 But -- but that was why we included those
17 parcels, because if the front parcels were
18 subdivided off, which they could be, the back
19 would not be developable but --

20 MR. PRICE: Would not be developable --

21 MR. SPATZ: Right.

22 MR. PRICE: -- at that point.

23 MR. SPATZ: Right.

24 MR. PRICE: Agreed. But --

25 MR. SPATZ: Right.

1 MR. PRICE: But they are one, part of one
2 parcel. Okay.

3 Thank you.

4 MR. SPATZ: Again, we felt that it did.

5 MR. PRICE: Yes.

6 MAYOR STACK: Sure.

7 MS. DILLON: Right here.

8 MAYOR STACK: Just again, if you could
9 state your name and address for the record, sir.

10 MR. FUENTES: Yes.

11 My name is Hector Fuentes, and I reside on
12 -- I'm sorry -- H-E-C-T-O-R, and F-U-E-N-T-E-S.

13 I reside on 216 47th Street.

14 MS. DILLON: Thank you.

15 MR. FUENTES: Good evening, Mr. Mayor and
16 Commissioners.

17 MAYOR STACK: Good evening.

18 MR. FUENTES: My name is Hector Fuentes.

19 And I'm very happy to be here tonight, right
20 along with my brothers and sisters from the
21 Laborers International Union, here with us more
22 than 50 individuals. I guess 60 by now. We
23 should have more than that.

24 I'm here to speak -- I'm here to speak
25 tonight about the area in need of development

1 here, but before I do that, I'd like to
2 congratulate the -- the Planning Board -- you
3 know, back in February, for actually -- you know,
4 for assigning this property in need of
5 redevelopment, development or redevelopment.

6 We do think it's the right thing to do for
7 all the residents of Union City.

8 For years, we've seen the issues piling up
9 on these property, and not only this is an
10 eyesore for our community, but it's also a safety
11 issue for all.

12 As the Business Manager of the Laborers
13 International Union, and a representative of more
14 than 280 members and residents of Union City,
15 which are a good part -- a good part of them are
16 here tonight -- you know, we urge all of you to
17 consider -- to consider -- you know, this area --
18 you know, for development.

19 And obviously, we appreciate the great work
20 you all have done in developing and redeveloping
21 our city.

22 We want to make sure -- you know, that
23 anything that's done on these properties, in
24 these areas -- you know, bring benefits to all of
25 our community -- to the community.

1 In terms of creating job opportunities,
2 good living wage, and benefit job opportunities
3 for all of the residents, and obviously housing
4 opportunities.

5 The members -- the members of the Laborers
6 International Union, as I said, is having a very
7 strong constituency in Union City, will
8 appreciate the opportunity to -- for all of us to
9 create jobs in here.

10 So, if you look around in this room -- you
11 know, we have many of them, men and women, that
12 are part of this International Union, that also
13 own houses, rent houses, and -- and stimulate our
14 economy here.

15 So, we thank you for all the opportunity,
16 and thank -- thank you all -- you know, for
17 moving our city forward.

18 So, have a good night.

19 MAYOR STACK: Thank you very much, sir.
20 Thank you for your testimony.

21 (Applause.)

22 MAYOR STACK: Anyone else wishing to
23 comment?

24 Please step forward.

25 Mr. Marotta?

1 Just again, if you could just state your
2 name and address for the record?

3 MR. MAROTTA: Libero Marotta, 311 9th
4 Street, Union City.

5 I have no questions, some comments.

6 As a lifelong resident of the city, and
7 considering -- and recognizing the employment
8 that would come from such a project here, but
9 still as a lifelong resident in Union City, I
10 have to say this is a negative project. Okay?
11 And in the long run, will be detrimental to the
12 people who live in Union City.

13 What I find really unusual and very
14 difficult to believe is that property on -- with
15 the best view you could ever have is vacant for
16 six, seven and eight years.

17 Why would people move from that property,
18 with the best view in the world, probably.

19 And -- and I heard from the comments made
20 by Mr. Spatz that there was probably one owner, I
21 could conclude only one thing, this owner bought
22 this property five, six or seven years ago, and
23 created the conditions to make it vacant so that
24 he could build 20 and 30 story high rises.

25 What we're going to do here is what's

1 | happening in Jersey City. You got the golden
2 | coast in Jersey City on the river. You got two
3 | cities in Jersey City. The wealthy and the poor.

4 | And what you're going to do with this is
5 | you're going to create two cities in Union City.
6 | The wealthy on the cliff, and the poor who now
7 | enjoy the benefits of the view of New York City,
8 | will lose that view.

9 | I find it disgraceful that we would do this
10 | to the people of Union City. And I speak as a
11 | lifelong resident of this City, in spite of --

12 | (Applause.)

13 | MR. MAROTTA: -- the fact that -- I could
14 | recognize the work that these people will get
15 | temporary. It's a Band-Aid. It's not permanent.
16 | Let's think of the people who live in this city.
17 | Let's not think of the extreme wealthy.

18 | MAYOR STACK: Mr. Marotta, just to respond
19 | go your comment.

20 | I think of the people of Union City every
21 | day of my life.

22 | MR. MAROTTA: I know you do.

23 | MAYOR STACK: No, no, no. Let me finish.

24 | I let you speak and I didn't interrupt you.

25 | I -- some of the comments that you make are

1 | very hurtful, and I'm going to tell you why
2 | they're hurtful to me.

3 | I spend every breathing day, every single
4 | minute of the day thinking about the people of
5 | Union City. Okay? I do it because I love the
6 | city and I love the job that I do as Mayor of
7 | Union City, and serving as a State Senator.

8 | I enhance the Rent Control in Union City.
9 | I do everything.

10 | I don't talk about it, Mr. Marotta. I
11 | practice every day helping the poor people in
12 | Union City, and helping all the people in Union
13 | City.

14 | And this Board of Commissioners has taken
15 | every step, whether it's in recreation, whether
16 | it's in parks, whether it's enhancement of
17 | bringing grants into the city, and benefiting the
18 | people who live here.

19 | Not bring -- not doing it for people
20 | looking -- that we're looking to bring into here.
21 | That's the difference with other cities. We
22 | don't do that.

23 | We've done it for the people who live here.

24 | MR. MAROTTA: Mayor, I've worked with you
25 | since --

1 MAYOR STACK: Okay.

2 MR. MAROTTA: -- 1998.

3 MAYOR STACK: I just want to clear that up
4 now.

5 MR. MAROTTA: Clear it up.

6 MAYOR STACK: Good.

7 MR. MAROTTA: I worked with you since --

8 MAYOR STACK: Good.

9 MR. MAROTTA: -- 1998 to develop --

10 MAYOR STACK: I don't want
11 misrepresentations.

12 MR. MAROTTA: No. Let me finish now.
13 Don't interrupt me.

14 With all due respect, I worked with you
15 since 1998 through every election to put you in
16 the position where you are, to help you.

17 I know what you're doing for the people of
18 the City. I respect what you and the
19 Commissioners have done for the people in Union
20 City.

21 But let's not put 20 and 30 story buildings
22 on the cliffs. That view belongs to the people,
23 not to the wealthy.

24 MAYOR STACK: There's no project --

25 MR. MAROTTA: Not to --

1 MAYOR STACK: Mr. Marotta, there's no --

2 MR. MAROTTA: Well --

3 MAYOR STACK: -- project in front of us.

4 MR. MAROTTA: Now, wait a minute. Wait a
5 minute, Mayor. Come on.

6 There have been -- I spoke to attorneys who
7 presented plans two years ago for 20 and 30 story
8 buildings. Five of them. They wanted to build
9 five 30 story buildings on the cliffs.

10 Let's not kid each other. You know where
11 this is coming from. It's coming from Brooklyn.

12 MAYOR STACK: Mr. Marotta, no one --

13 MR. MAROTTA: Let's -- right there, and the
14 people in the city --

15 MAYOR STACK: No one has presented --

16 MR. MAROTTA: All of Barclays --

17 MAYOR STACK: -- a project to me.

18 MR. MAROTTA: -- is buying this.

19 MAYOR STACK: Next? Next person to
20 comment? Any questions? Any -- please.

21 MR. SPARKMAN: Comment.

22 MAYOR STACK: Sure.

23 MS. DILLON: Name again for the record.

24 MR. SPARKMAN: John Sparkman.

25 MS. DILLON: Thank you.

1 MR. SPARKMAN: 1620 Manhattan Avenue.

2 Good evening, again.

3 So, I -- I live on Manhattan Avenue and I
4 look out onto Mountain Road every day. I like to
5 look out the window. Always looking out the
6 window, my wife will tell you.

7 A couple of things. I find it strange --
8 well, I don't -- that the developer who bought
9 all these properties for this huge sum of money
10 and he -- by just simply taking down the
11 buildings, he would make the neighborhood nicer.
12 He would eliminate all these dangers that are --
13 supposed dangers that are in Mr. Spatz's report.
14 And he would save money.

15 But he leaves them there. Why? I guess
16 the obvious answer is he's trying to engage in
17 create your own blighted area.

18 And I assume that's not the purpose of this
19 -- what's it called, the non-condemnation
20 redevelopment zone law. And it's -- it's being a
21 bad neighbor.

22 Again, I look out onto Mountain Road every
23 day. I've lived there for one year. And just in
24 this one year, it has -- it has changed for the
25 better.

1 I look out there now and every day I see
2 baby strollers, kids on skateboards, joggers,
3 walkers, bicyclers. I'm out there. I've met
4 several of my neighbors out on the road, walking
5 dogs, walking around.

6 It's a -- it's a lovely neighborhood.

7 Just our building. We have a 19 unit
8 condo. When I moved in a year ago, there was one
9 child in the building. And since then, it's
10 turned over and we have ten children. Little
11 children in the building.

12 So, it's -- it's the opposite of blighted.

13 Right across the street, the corner of 16th
14 and Manhattan Avenue, where that garage is,
15 they're going to put a really nice, I think, nine
16 unit condo there. And they're going to be
17 upscale.

18 That's only probably 40 feet from this --
19 from the area in question, one of these
20 properties.

21 No one's going -- that's not what happens
22 in a blighted area, I would assume.

23 In terms of crowding, I've also noticed in
24 a year, kind of the bailout parking is down
25 Manhattan Avenue. You can't find anything, you

1 go down Manhattan -- Manhattan Avenue.

2 It's -- it's getting longer and longer.
3 I'm not sure why. Maybe it's because there are
4 more people moving into that neighborhood that
5 have an extra car, or something. That doesn't
6 seem to be a blighted area also.

7 But I just wanted everyone to know, it's a
8 nice neighborhood. It's diverse. Neighbors are
9 lovely. And I don't think it's meet the criteria
10 for redevelopment zone. Certainly not the one
11 the -- the one that said that it's so cancerous
12 that it affects -- what was it -- the safety,
13 health, and the morals of the community.

14 That's -- that's absurd.

15 And in terms of like crime and so forth --
16 Mr. Spatz, right?

17 MR. SPATZ: Yes.

18 MR. SPARKMAN: Your original report was
19 2009. So, six years ago and as I understand it,
20 you didn't -- you didn't update the crime
21 statistics when you updated the report in 2014.

22 Correct?

23 MR. SPATZ: That's correct. Yes.

24 MR. SPARKMAN: So, it's six years old. And
25 from -- I know a lot of people in the town now.

1 I love the town. And they told me, they said,
2 oh, eight, ten years ago, the town was much more
3 dangerous. They said Mayor Stack's done such a
4 great job. He's cleaned it up, it's so nice.

5 So, I wouldn't put a lot of weight in those
6 crime statistics.

7 Thank you --

8 MAYOR STACK: Thank you --

9 MR. SPARKMAN: -- for listening.

10 MAYOR STACK: -- very much, sir.

11 MR. SPARKMAN: Thank you.

12 MAYOR STACK: Thank you.

13 (Applause.)

14 MAYOR STACK: Just, Mr. Price, if I could
15 just give somebody a chance who hasn't --

16 Would you like to go, sir?

17 Yes. Sure.

18 Just if you could state your name and
19 address --

20 MR. ELSHAMI: Sure.

21 MAYOR STACK: -- for the record.

22 MR. ELSHAMI: Hi. Good evening.

23 My name is Ahmed Elshami. I reside at 130
24 18th Street.

25 MS. DILLON: Spell it for me.

1 MR. ELSHAMI: A-H-M-E-D, last name is
2 E-L-S-H-A-M-I.

3 MS. DILLON: E-L-S --

4 MR. ELSHAMI: H-A-M-I. And it's --

5 MS. DILLON: And your address, sir.

6 MR. ELSHAMI: 130 18th Street.

7 MS. DILLON: Thank you.

8 MR. ELSHAMI: I just wanted to thank Mayor
9 Stack and the Commissioners, and everyone here.
10 I -- I appreciate due process and opportunity for
11 -- for the community to opine on projects like
12 this.

13 I think, as a lifelong resident of Union
14 City, I've -- I've see you, Mayor Stack, come in
15 and redevelop the whole area, for the better, and
16 always with the consideration of the local
17 community and an interest of the local community.

18 I do somehow have to take sort of a step
19 back when looking at this project. This project,
20 unfortunately, the motivation for this project is
21 somewhat skewed by virtue of the amount of the
22 initial investment that went into this project.

23 I think when you consider sort of potential
24 projects that come onto the -- the space, you --
25 your -- the consideration has to be something

1 quite grand in order to compensate this investor
2 for taking on such a significant project for this
3 -- this many years.

4 I think -- all I ask is in terms of the
5 Board of Commissioners, and you, Mayor, is to
6 really allow the opportunity for the community to
7 opine. And I mean really opine and really have
8 their -- their fingerprint on this opportunity,
9 because this is one of the most unique spaces in
10 all of Union City.

11 And it's -- the benefit, really, of it is
12 when you actually, as -- as this gentleman was
13 talking, you see everyone walk around this area.
14 And the distinction is when you -- you can't walk
15 in front of Troy Towers. You have to walk across
16 the street from Troy Towers.

17 I don't want this to happen to this area,
18 with a new building coming up. I want this to be
19 the area for all Union City residents.

20 For me, growing up here, it was a great
21 vantage point to check out the city. And I would
22 love that the community and the public still has
23 access and it's not sort of given up to other --
24 others to come only enjoy, not for the rest of
25 Union City residents.

1 So, I appreciate all you've done. I trust
2 that you will do what's in the best interest of
3 -- of Union City. And I ask you to commit to
4 your due process as you've done, and allow us to
5 have a real say in this development.

6 It -- there's multiple interests here.
7 Everyone's interest should -- should be weighed
8 in. And I think in order to have this really be
9 a fruitful endeavor, everyone should have a voice
10 in this opportunity.

11 MAYOR STACK: I appreciate your comments.
12 And whether we vote in favor -- well, if we vote
13 in favor of this, the opportunity to comment
14 would be -- would be great.

15 We would hold multiple public hearings,
16 even in addition to what Mr. Spatz said. We
17 would hold them right here in the neighborhood.

18 And we would demand that there would be
19 open space at this site for the residents to
20 enjoy, that they don't have right now.

21 That's something I would push very strongly
22 for.

23 MR. ELSHAMI: I do have one -- one
24 question, in terms of the -- the classification
25 of --

1 I remember this being cited as being
2 blighted. I -- I would like to sort of say
3 that's -- that's a far departure from the
4 reality. The area's really not blighted.

5 But that's fine. I can -- I can understand
6 the qualification to do so.

7 The other -- the other understanding is, in
8 terms of this being cited as a redevelopment
9 area, this is going to be a departure from Union
10 City's Master Plan.

11 Is that correct, in terms of the potential
12 variance request in order to develop this area?

13 MR. SPATZ: The redevelopment -- it's --
14 the Master Plan that was done as the precursor to
15 the Zoning Ordinance recommended that this area
16 be moderate height residential.

17 MR. ELSHAMI: Moderate.

18 MR. SPATZ: Right.

19 So, the redevelopment statute allows -- it
20 is -- you have the process where you have the
21 Zoning Ordinance, and if somebody wants to build,
22 and they don't meet those standards, they come to
23 the Board of Adjustment or the Planning Board,
24 they ask for variances.

25 MR. ELSHAMI: Um hum.

1 MR. SPATZ: What the redevelopment plan
2 does is it creates a plan that a developer has to
3 meet.

4 So, if you have a height limitation or
5 density limitations, the developer has to meet
6 that. There are not allowed to ask for variances
7 for anything other than some small --

8 MR. ELSHAMI: So, you're --

9 MR. SPATZ: -- small item. So --

10 MR. ELSHAMI: So, you're -- you're trying
11 to say that with this redevelopment
12 classification, they still have to commit to sort
13 of the moderate height, in --

14 MR. SPATZ: To --

15 MR. ELSHAMI: -- in the Master Plan.

16 MR. SPATZ: To what the -- we haven't come
17 up with a plan yet, but they have to come --

18 MR. ELSHAMI: So --

19 MR. SPATZ: They have to meet that plan.

20 The plan allows the municipality to request
21 off-site improvements, that couldn't be done
22 under -- under zoning.

23 MR. ELSHAMI: Yeah. I --

24 MR. SPATZ: To provide areas that would
25 remain for public open space, whether it be a

1 park, whether it be a walkway at the edge of the
2 cliffs, sort of a mirror of the Hudson River
3 waterfront walkway.

4 There are a variety of things that can be
5 done in a redevelopment plan.

6 MAYOR STACK: Would actually give us more
7 control. It would give the community a little
8 more control.

9 MR. SPATZ: Right.

10 MR. ELSHAMI: Yeah. I think -- I think
11 it's really for the edification of much of the
12 community here --

13 MR. SPATZ: Right.

14 MR. ELSHAMI: -- to understand what are the
15 -- the levers that they can pull, and what levers
16 the City has to serve the interests of its
17 constituency.

18 MR. SPATZ: Right.

19 MR. ELSHAMI: I think there's obviously
20 here, as Mayor, you're trying to weigh two
21 interests. Interests of redeveloping and -- and
22 improving the community, obviously, without --
23 without the -- and not at the expense of the rest
24 of the community.

25 And I think in terms of meetings like this,

1 and the continued edification of much of the
2 people to understand what levers and what
3 opportunities are presented to them, with the
4 consideration that we -- that this
5 reclassification will still allow Union City and
6 yourself and the Planning Board to really have
7 the ability to enforce Master Plan objectives,
8 which are to keep this at moderate height and to
9 -- and to continue to preserve some of the public
10 space, particularly from such unique vantage
11 point that Union City has there.

12 The -- the one thing -- other question I
13 have is in terms of such -- would this
14 redevelopment provide any tax abatements, or tax
15 concessions to this developer on -- on this
16 property?

17 MR. SPATZ: The redevelopment statutes
18 allow for a municipality to enter in a -- a
19 P.I.L.O.T. plan, payment in lieu of taxes or
20 abatements.

21 That is allowed in the statute. But
22 nothing has been decided or -- or met. And --

23 MR. ELSHAMI: And so the -- so the --

24 MR. SPATZ: -- so we can't speak to that.

25 MR. ELSHAMI: So the concessions that the

1 City -- that the City has would be sort of
2 somewhat in payment -- so, in terms of say,
3 potentially, acquiring some public space or some
4 public facility or some public walkway, it would
5 be in lieu of sort of tax payments to -- for this
6 -- for this property.

7 MR. SPATZ: It wouldn't be in -- it
8 wouldn't be to eliminate taxes. I mean the
9 municipality, and I think the City, because of
10 their status, would not be able to do that
11 anyway.

12 But the State law allows that, but since
13 there's been no discussions of what's going to be
14 there, I can't say it is or isn't.

15 But as the Mayor had indicated, there will
16 be multiple public hearings to develop the plan
17 before the plan is ready to be formally presented
18 --

19 MR. ELSHAMI: The --

20 MR. SPATZ: -- to --

21 MR. ELSHAMI: The other thing is, as we go
22 down this process, I just want to understand, the
23 community is, unfortunately, not as well prepared
24 to say the developer may be and sort of proposing
25 projects.

1 Most of these projects are essentially
2 being driven by the developer proposing, and with
3 us sort of subject to the developer's ideas.

4 Is the City going to hire any sort of
5 consultancy, to sort of represent the interest
6 purely of what these -- what these community
7 boards are hearing?

8 The thing is, you have these great
9 community boards, and these great opportunities
10 for us to opine, but what about, sort of, the
11 follow through aspect representing, sort of, some
12 of the comments that are coming from this.

13 We have great -- we're recording all this
14 and we're keeping this. But in terms of
15 representing a very qualified developer and their
16 interest, who's representing, sort of, some of
17 the -- the interests of us?

18 Are we going to retain a consultant?

19 MR. SPATZ: As part of the process, once we
20 get to -- to that point, and a redeveloper has
21 been formally selected, they are required to put
22 an amount of funds in an escrow account, which is
23 used to pay for the City's review of the project,
24 and for hiring of experts, whether it be
25 structural engineers, civil engineers, landscape

1 architects, traffic consultants, --

2 MR. ELSHAMI: Who would be --

3 MR. SPATZ: -- planners.

4 MR. ELSHAMI: -- working on behalf of -- of
5 the City.

6 MR. SPATZ: Who would -- who would be the
7 City's reviewers and support staff to review and
8 develop the plan. And then, review, ultimately,
9 the plan that the --

10 MR. ELSHAMI: Okay.

11 MR. SPATZ: -- developer comes in.

12 So yes. It's so that the developer
13 actually pays for the City's team to --

14 MR. ELSHAMI: To --

15 MR. SPATZ: -- to --

16 MR. ELSHAMI: -- to serve --

17 MR. SPATZ: -- represent the City --

18 MR. ELSHAMI: -- the City's interest.

19 MR. SPATZ: -- and the residents. Yes.

20 MR. ELSHAMI: Sure.

21 MAYOR STACK: Absolutely.

22 This would not be something that would be
23 rushed through. It wouldn't be two hearings. It
24 would be multiple hearings, right here in the
25 neighborhood.

1 I mean, this is something that was actually
2 started in 2009, so I think --

3 MR. ELSHAMI: Yeah. I commend you.

4 MAYOR STACK: And is still the same Board
5 of Commissioners. It's not something we would
6 push through.

7 Also, when it comes to any type of tax
8 abatements, I haven't been big on giving out tax
9 abatements.

10 MR. ELSHAMI: I know that.

11 MAYOR STACK: Yes. And the State of New
12 Jersey would have to have a seat at the table,
13 because we do receive special municipal aid.

14 MR. ELSHAMI: Um hum.

15 MAYOR STACK: They would not allow us to
16 give out abatements and then, in turn, give us
17 aid that they've been giving us.

18 MR. ELSHAMI: Um hum.

19 MAYOR STACK: They would have to have a
20 seat at the table and have final say on that.

21 MR. ELSHAMI: Okay.

22 MAYOR STACK: On the abatement, they would
23 have the final say.

24 MR. ELSHAMI: And just -- I know you have
25 your own vision for Union City, and -- and it's

1 -- and I appreciate it.

2 What would you personally -- I mean, I'm
3 not trying to put you on the spot, Mayor, but
4 what would you envision as sort of something
5 there in that area?

6 We've cited it as -- as blighted. We know
7 it needs some sort of redevelopment, whether that
8 be artificially created, or whether it be
9 organic. The reality is, there's something that
10 needs to go up to match the -- the growth and the
11 thriving of that area.

12 What would you like to see, because you can
13 have anything from single family homes again, all
14 the way up to the mega-buildings that you see in
15 --

16 MAYOR STACK: Sure.

17 MR. ELSHAMI: -- Cliffside Park.

18 MAYOR STACK: Sure.

19 I'm not exactly sure if -- if I had my way,
20 and we would have the funding, it would have been
21 a park.

22 MR. ELSHAMI: That's what --

23 MAYOR STACK: I think --

24 MR. ELSHAMI: That's what I hoped we would
25 have had.

1 MAYOR STACK: I think people know how I am
2 with parks and -- and with recreational
3 facilities, but we just don't have that type of
4 funding.

5 We were able to get the reservoir, which is
6 just a couple blocks away.

7 MR. ELSHAMI: Um hum.

8 MAYOR STACK: It's actually on the other
9 side of -- you talk about the neighborhood,
10 that's actually -- and that was a big win for us.

11 We don't really hear a lot about that, any
12 -- any positive comments about getting the
13 reservoir, but that was something that was very
14 difficult to get.

15 We secured it through Green Acres funding
16 --

17 MR. ELSHAMI: Yes.

18 MAYOR STACK: -- actually. And hopefully,
19 in fact, will be open some time this month, in
20 September, we'll get our first glimpse up there.

21 MR. ELSHAMI: I think -- I think the
22 consideration of the space is -- is quite
23 significant because it's -- it's, as many said,
24 it has many economic opportunities for its
25 development, whether it be solely for this

1 developer to build something residential, or
2 even, as you potentially suggested, I know it may
3 be beyond the scope financially of Union City, at
4 this point, but the consideration of this as a
5 public space could potentially have a greater
6 effect, in terms of economic drivers, in terms of
7 -- such as what you see in comparison towards the
8 piers that you see down in Hoboken, with such
9 unique vantage point that they're now sort of
10 driving much of the growth behind the cliff, as
11 opposed to this solely being a residence, the
12 growth really stops at that cliff, as opposed to
13 -- as you propose.

14 The hope for me, and I think for many of us
15 would have been that this be a public space. It
16 would drive, basically, growth through the entire
17 already developed area behind Manhattan, behind
18 Palisade, and potentially, push the tale of two
19 city story of Union City from -- you know, the
20 south of -- you know, east of -- of New York
21 Avenue to west of New York Avenue, and possibly
22 drive --

23 But that's just my own comment.

24 Thank you again everyone.

25 MAYOR STACK: Thank you.

1 MR. ELSHAMI: I appreciate it.

2 MAYOR STACK: Thank you very much.

3 Thank you, sir.

4 Thank you for your comments.

5 (Applause.)

6 MAYOR STACK: Sure.

7 Just if you could state your name and
8 address, sir, for the record.

9 Thank you.

10 MR. MILLS: Hello.

11 Heath Mills, H-E-A-T-H.

12 MS. DILLON: H-E --

13 MR. MILLS: A-T-H.

14 MS. DILLON: And your --

15 MR. MILLS: Last name? M-I-L-L-S.

16 MS. DILLON: M-I-L-L-S?

17 MR. MILLS: Yes.

18 MS. DILLON: Okay. And your address, Mr.
19 Mills?

20 MR. MILLS: 100 Manhattan Avenue.

21 MS. DILLON: Okay. You got to keep your
22 voice up so everyone can hear you.

23 MR. MILLS: I got you.

24 MAYOR STACK: Sir, can you just state your
25 name and address for the -- just so that we could

1 hear it?

2 MR. MILLS: Oh.

3 Hello.

4 My name is Heath Mills. I'm a resident of
5 Union City. I live at 100 Manhattan Avenue.

6 MAYOR STACK: Sure.

7 MR. MILLS: I'm here as a member of the
8 Laborers International Union of North America.

9 And I was -- wanted to get up and leave a
10 comment rather that we should support and accept
11 the recommendation of our Planning Board, and
12 approve the area as need of redevelopment.

13 As residents of Union City, we should
14 support the improvement efforts for Union City.

15 That's all I wanted to say.

16 MAYOR STACK: Thank you very much, sir.
17 Thank you for your comments.

18 (Applause.)

19 MS. DILLON: Hi.

20 MAYOR STACK: Ms. Leavy?

21 MS. LEAVY: Hi.

22 MS. DILLON: Your name?

23 MS. LEAVY: Hannelore Leavy.

24 MS. DILLON: You got to speak up for me.

25 MS. LEAVY: Yeah. Hannelore Leavy.

1 MS. DILLON: Okay. Spell it.

2 MS. LEAVY: L-E-A-V-Y, H-R.

3 MS. DILLON: And your address?

4 MS. LEAVY: 310 17th Street.

5 MS. DILLON: You got to speak up because of
6 the room.

7 MS. LEAVY: 310 17th Street.

8 MS. DILLON: Thank you.

9 MS. LEAVY: Good evening.

10 MAYOR STACK: Good evening.

11 MS. LEAVY: Mayor Stack, Commissioner.

12 I just wanted to comment. I was part of
13 the Master Plan, the new one. And if anybody
14 read it, we agreed, and the Master Plan also said
15 so, no high rises on the cliff. Period.

16 I am really very, very happy to hear that
17 all of these rules and regulations are going to
18 prevent that, and that we will have low -- high
19 -- low --

20 A VOICE: Low buildings.

21 MS. LEAVY: -- low buildings, so the -- the
22 neighborhood will be as it is now.

23 The only thing I'm concerned of the
24 timeline.

25 When you enter Union City from -- from

1 | Manhattan Avenue, from Hoboken, the first thing
2 | you see is abandoned houses. And this really
3 | makes such a bad impression for anybody who comes
4 | into Union City.

5 | It looks like -- you know, we have all
6 | these abandoned homes, and it's now eight, nine
7 | years, ten years.

8 | I live on a -- on a street where I have an
9 | empty lot that's there now for eight years.

10 | And you know, I don't understand how
11 | developers can buy lots and not do anything with
12 | them.

13 | And as long as they pay taxes -- you know,
14 | if I were mayor -- sorry -- I would say you have
15 | to do something, otherwise we take your property,
16 | which --

17 | MAYOR STACK: That's not that easy.

18 | MS. LEAVY: You know, I mean, I don't know.
19 | That's my --

20 | MAYOR STACK: I wish -- I wish that --

21 | MS. LEAVY: That's --

22 | MAYOR STACK: -- was the case sometimes.

23 | MS. LEAVY: That's my European, that's my
24 | German upbringing, you know?

25 | But I just like -- I cannot understand

1 | that. So, but I do want to commend -- you know,
2 | the Mayor especially. He returns every single
3 | call.

4 | MAYOR STACK: Thank you.

5 | MS. LEAVY: He really does help people
6 | anywhere that he can, if he knows about it.

7 | And I do love the reservoir. Please open
8 | it before the summer is over.

9 | MAYOR STACK: I'm fighting with Mayor
10 | Turner every day on that. Believe me.

11 | MS. LEAVY: Okay.

12 | MAYOR STACK: Believe me.

13 | MS. LEAVY: And --

14 | MAYOR STACK: Literally fighting with him.

15 | MS. LEAVY: And leave it open. You know, I
16 | -- I talked to the guys there, and they said,
17 | well, we -- we need somebody there to watch that
18 | nobody drowns.

19 | Well, but people jog at six in the morning,
20 | at ten o'clock at night. How -- how can you --
21 | how can you do that?

22 | MAYOR STACK: We --

23 | MS. LEAVY: I don't --

24 | MAYOR STACK: We agreed.

25 | MS. LEAVY: I don't understand.

1 MAYOR STACK: We agreed. Even though it's
2 -- it's deviating from where we're talking about
3 tonight, we have agreed to split the security at
4 -- at that facility, and we will.

5 MS. LEAVY: Um hum.

6 MAYOR STACK: We will.

7 MS. LEAVY: At ten o'clock at night?

8 MAYOR STACK: I'm hoping to get it open
9 this month, though, Ms. Leavy. I am, too.
10 Believe me.

11 MS. LEAVY: And I need the dog run that you
12 promised me.

13 MAYOR STACK: We looked at -- we looked at
14 a portion -- we're looking at a portion of that
15 property right now, possibly, for a dog run.

16 MS. LEAVY: Okay.

17 MAYOR STACK: Possibly.

18 MS. LEAVY: All right. Well, thank you
19 very much.

20 MAYOR STACK: Thank you very much. Thank
21 you.

22 (Applause.)

23 MAYOR STACK: Sure.

24 MR. PRICE: Larry Price, 1006 Palisade
25 Avenue.

1 A couple of comments.

2 These proceedings are under the auspices of
3 the Local Housing and Redevelopment Law. And at
4 the very beginning of that statute, it states one
5 of the purposes, which is without this public
6 effort, conditions of deterioration are not
7 likely to be corrected or ameliorated by private
8 effort.

9 I don't think this qualifies for that.
10 Okay.

11 The first fact that I would point out, in
12 the last ten years, in this redevelopment area,
13 no less than four projects have been proposed
14 within the area. Not around the area, within the
15 area.

16 Two were approved. One was denied by the
17 Board, and one was reversed by the courts.

18 But private capital is intensely interested
19 in this area. And private efforts will -- will
20 take care of the matter.

21 The second thing I would point out is that
22 Sky Pointe gets -- all these -- all these
23 properties, with the exception of the City
24 property, are owned by one entity. Under various
25 names, but it's one entity.

1 And the -- they purchased these properties
2 at various times, but for very high prices.
3 Their total purchase price, for all of the
4 properties that they have, slightly, according to
5 the Registrar's Office, slightly less than \$50
6 million.

7 They have a lot of money invested there.
8 They were -- you know, consenting adults. They
9 put it in.

10 And again, it -- this is not an area that
11 lacks for -- you know, private capital making
12 private efforts. It does not meet the basic
13 criteria of the redevelopment law.

14 The second thing that I would address is
15 there's a lot of talk here of dilapidation,
16 deterioration, whatever.

17 Well, I would point out most of these homes
18 -- these homes were among the loveliest homes in
19 Union City. Not only because they had a stunning
20 view of the city and of the river, but because
21 they were nice homes, and they were well taken
22 care of.

23 Okay. They have no doubt deteriorated.
24 You take any structure and do no maintenance and
25 no upkeep and no utilities and no heat for nine

1 | years, it will deteriorate.

2 | Are we surprised? Not at all.

3 | But that is a deliberate neglect, as an
4 | earlier speaker said, I guess, in the hope of --
5 | you know, instant blight neighborhood.

6 | But you know, deliberate activities like
7 | that should not be rewarded. And to designate
8 | this as an area in need of redevelopment would be
9 | to reward that kind of activity.

10 | The last thing I would point out, Kate
11 | Sparrow, who lives in this neighborhood,
12 | petitioned this Board, a few weeks back, to have
13 | these structures demolished, being eyesores.

14 | And that -- that petition was denied on the
15 | premise that these structures were not
16 | structurally unsound.

17 | Well, that's a very delicate kind of thing,
18 | because we're saying they're deteriorated, but
19 | enough to justify redevelopment, or it -- a
20 | designation as in need of redevelopment, but not
21 | so deteriorated that they could be -- they would
22 | be so structurally unsound as to be demolished.

23 | That's a very fine -- fine line. And I
24 | don't think a particularly successful one.

25 | Thank you.

1 MAYOR STACK: Thank you.

2 Anyone else wishing to speak at this time?

3 Okay. Sure. Sure. Please.

4 MS. HUDDY: Mine will be very quick.

5 MAYOR STACK: Sure. No problem. Sure.

6 MS. HUDDY: I'm Erica Huddy, 1304 Manhattan
7 Avenue.

8 MS. DILLON: Spell your first name.

9 MS. HUDDY: E-R-I-C-A.

10 MS. DILLON: Last name.

11 MS. HUDDY: H-U-D-D-Y.

12 MS. DILLON: Thank you.

13 MS. HUDDY: I just got a comment, Mayor, --

14 MAYOR STACK: Sure.

15 MS. HUDDY: -- Commissioners.

16 I live on Manhattan Avenue, and as John had
17 mentioned, the parking is now becoming heavy
18 duty. People are walking I know from as far over
19 as 23rd Street and New York Avenue trying to find
20 a place to park, and they are ending up parking
21 on Manhattan Avenue.

22 And when I first moved there, I noticed
23 there was hardly anybody parking on the street.
24 Now, it's going down the hillside, almost in --
25 down to the 14th Street viaduct.

1 And I just hope that when we go through
2 this redevelopment, that we're going to take into
3 consideration the problem that we've got right
4 now with parking, because I know those people who
5 are parking there and the people who are going to
6 be parking there in the future, are still going
7 to be needing that spot.

8 So, how is this redevelopment going to take
9 in the parking?

10 I'm thinking, well, if it's going to be low
11 rises, you're going to have to have parking for
12 these structures, as well.

13 Are you going to do what the Troy Towers is
14 doing and have it out on cliff side, is it going
15 to go down the hill, are the buildings going to
16 go down the hill, and the structures going to add
17 height --

18 MAYOR STACK: Can you answer that?

19 MS. HUDDY: -- to the buildings?

20 That's my concern and --

21 MAYOR STACK: Sure.

22 MS. HUDDY: -- question, basically.

23 MAYOR STACK: Mr. Spatz?

24 MR. SPATZ: Right.

25 The -- the Master Plan, the Zoning

1 Ordinance prohibit development on the Palisades
2 cliffs to -- this was created after the Doric and
3 the Troy Towers were built, and as well as the
4 ones up and down the Palisades.

5 Our Ordinance and our Master Plan prohibit
6 development within that area, and that will be
7 continued within the redevelopment plan that
8 comes through this.

9 Obviously, they'll -- they'll have to
10 provide a sufficient amount of parking. You
11 know, there are different ways of doing it. The
12 -- you know, we'll have to see how that -- how
13 that turns out.

14 MS. HUDDY: We'll have buses running up and
15 down.

16 MAYOR STACK: We would never -- we would --

17 MS. HUDDY: Parking buses.

18 MAYOR STACK: We would never support any
19 defacing of the cliff, or anything going into the
20 cliff face at all.

21 Just -- Mr. Marotta, just before I could, I
22 think there might be one or two other people just
23 that didn't make a comment yet.

24 Sure.

25 MS. DILLON: Hi.

1 Your name?

2 MS. GOMEZ: Lucia, last name is Gomez,
3 G-O-M-E-Z.

4 MS. DILLON: I'm sorry. I didn't hear your
5 first name.

6 MS. GOMEZ: Lucia, L-U-C-I-A. Last name,
7 G-O-M-E-Z.

8 MS. DILLON: And your address?

9 MS. GOMEZ: 1506 Palisade Avenue.

10 MS. DILLON: Thank you.

11 MS. GOMEZ: So, first, I want to say I'm a
12 lifetime -- lifelong resident of Union City, and
13 so you got me may -- a little emotional, Mr.
14 Marotti (sic), because I'm like, I want to be Mr.
15 Marotti (sic) standing here before you a couple
16 of decades from now, basically, saying the same
17 thing. I'm a lifelong resident.

18 So, I'm proud to say I'm a 37 year old
19 resident of Union City. I'm only 40, so I have
20 some ways to go, Mr. Marotti (sic). No offense.

21 You know, I've been living on 15th Street
22 for about 11 years, and this is the first time
23 that I think I'm before this -- you know, the
24 Commissioners actually speaking. And I have to
25 say -- you know, the fact that the room is full

1 is really heart -- it's really heartfelt for me,
2 because it's Union City.

3 And at the same time, I have to thank all
4 the members of my LiUNA who are here. Thank you
5 very much for being here.

6 (Applause.)

7 MS. GOMEZ: I am actually now a member of
8 LiUNA Local 78. So, I'm actually really proud to
9 be a part of such a large amazing family in Union
10 City, that has such an amazing contingent in the
11 City of Union City, and throughout Hudson County.

12 So, I have to say thank you, and I'm sure
13 they're going to be participating, as the time
14 goes on.

15 I totally support any kind of development
16 on Manhattan Avenue, and anything around --

17 I mean, I've been living on 15th Street for
18 the past, I would say five years. And then,
19 before that, an additional five years. And then,
20 some time, I was on 24th Street.

21 And I will admit that there's nothing like
22 living downtown. I'm an uptown girl, living on
23 Lincoln Street for 37 years. And I have to park
24 -- I park in -- in front of my house. And
25 sometimes, when we have to park, we park down

1 | Manhattan Ave. And my dad has to come pick me up
2 | because there's no way I'm walking up Manhattan
3 | Ave by myself.

4 | So, I don't know about blight, but it is a
5 | blighted community. I mean, the fact that
6 | there's abandoned properties; the fact that
7 | there's weeds growing off the buildings; the fact
8 | that there's weeds growing off the Palisades; the
9 | fact that I don't want to walk down that block
10 | with my daughter, whether it's morning, I have to
11 | pass by the garage. Across the street, the
12 | abandoned property.

13 | I don't know what's going to come out of
14 | the -- you know, the garages in that area.

15 | I would have to say that there's a lot of
16 | stuff that needs to be done in that area.

17 | I totally support anything that's going to
18 | allow our communities to have more. Right?
19 | Anything in terms of access.

20 | I kind of feel a little bit more confident,
21 | Mr. Marotti (sic), than perhaps you do. And I --
22 | I would have to say that I want to be one of
23 | those people that perhaps can buy, or be one of
24 | the residents in the new developed property,
25 | because I want to be a longtime resident in Union

1 City, and I want my daughter to have a longtime
2 residence in this area.

3 It doesn't mean that people from Brooklyn
4 -- I was born in Brooklyn, many moons ago --
5 doesn't mean people from Brooklyn have to be the
6 ones to purchase.

7 It means people like me, who want to give
8 back to Union City, and people like our members,
9 who can afford to live in some of these
10 properties, will be able to, in fact, be a part
11 of this community and give back.

12 Let's not get it twisted. We don't need to
13 bring outside people to give back to Union City.

14 We need Union City residents to be able to
15 want to stay here, not move to Bergen County, not
16 move to southern Jersey. They need to want to
17 live here and be a part of here, and at the same
18 time, buy these properties up themselves, so that
19 they can be a part of a community that continues
20 to develop.

21 And so, I -- I tell it not only as a LiUNA
22 Local 78 member, but as a resident of Union City
23 my whole life, and I expect to be here for many
24 more years, as well as my daughter.

25 Want to see this community be redeveloped;

1 want to see prosperity for all of our residents,
2 and us be a part of what it becomes.

3 Not necessarily an afterthought, or just
4 recommending what other people are going to
5 enjoy, but I want to be part of the enjoyment.

6 So, whatever you can do, and I recommend to
7 anybody who wants to be a part of it, do what you
8 have to do to talk to each other before these
9 meetings.

10 All right? We can organize ourselves.
11 We're part of this community. We can knock on
12 some of our doors and just have a conversation
13 about what we want and come together on these
14 terms, before these meetings. Right?

15 I mean, I don't think there's anything that
16 precludes us having our own conversation. That
17 doesn't require high priced consultants. So, we
18 can have a real conversation about what we want
19 to see. Rec centers are amazing. Parks are
20 amazing.

21 You did it in terms of the view over by --
22 you know, the pool that I enjoy all the time, as
23 many times as I can.

24 So, I have some level of confidence. But
25 one thing that I always say, if you get hit by a

1 bus, what is the master plan? Who's going to
2 carry that forward?

3 And so, for that, I say that the residents
4 in Union City, the multitudes that exist, can be
5 a part of developing that with you guys.

6 And I think if anything, there's many of my
7 friends that live right on Manhattan Ave, Union
8 Hill graduates, that I know that live there now,
9 that will be able to say, I want my four boys to
10 be able to be a part of Union City, and buy,
11 perhaps, and go a little bit further. I don't
12 want to leave my parents who live on 15th Street,
13 and I live right on top. I want to be able to
14 buy and be right around the corner. That's very
15 convenient.

16 So, let's do whatever we need to do to kind
17 of get together as residents, but at the same
18 time, support the development.

19 And I'm more than happy to be at your
20 disposal.

21 Thank you.

22 MAYOR STACK: Thank you very much. Thank
23 you.

24 Thank you, Lucia.

25 (Applause.)

1 MS. DILLON: Hi.

2 MR. CUEBAS: First name Albert.

3 MS. DILLON: Okay.

4 MR. CUEBAS: Last name, C-U-E --

5 MS. DILLON: C-U-E --

6 MR. CUEBAS: -- B as in boy --

7 MS. DILLON: B as --

8 MR. CUEBAS: -- A-S.

9 MS. DILLON: And your address?

10 MR. CUEBAS: 311 41st Street.

11 MS. DILLON: Okay.

12 MR. CUEBAS: Well, my name is Albert

13 Cuebas. I live at 311 41st Street.

14 I am a longtime resident of Union City
15 myself. I went to Gilmore School those years
16 ago. Left, Jersey City. Came back.

17 My kids are going to school right now.
18 They go to Washington School. My daughters
19 graduated from Emerson High School.

20 I'm a member of the Laborers Union -- the
21 Laborers International Union of North America.
22 I'm a veteran, and if I had anything to hold it
23 against anybody, Mayor Stack married me 14 -- 15
24 years ago.

25 So, if you can get me out of that, I would

1 appreciate it.

2 But I'm here -- I'm here to ask you guys to
3 accept this recommendation for the planning and
4 to approve the -- redevelopment -- excuse me.

5 I'm not good at speaking out loud.

6 MAYOR STACK: No. You're doing great.

7 MR. CUEBAS: It's been a long time since I
8 was in the Army, so that's the last time --

9 MAYOR STACK: Doing great.

10 MR. CUEBAS: -- I spoke out.

11 But I'm asking you guys to support this and
12 pass the recommendation.

13 MAYOR STACK: Great.

14 Thank you very much.

15 MR. CUEBAS: All right?

16 MAYOR STACK: Thank you for your comments.

17 MR. CUEBAS: That's all.

18 (Applause.)

19 MR. MAROTTA: I have a question, but before
20 the question for the young lady, development is
21 not limited, whether it be Union City or any
22 municipality, development is not limited to
23 building buildings.

24 Development includes parking lots for
25 people to park when you have congestion; it

1 includes parks and open space. It's not limited
2 to -- to building buildings.

3 And as far as the -- the jobs that building
4 buildings provides, great. That's great.

5 However, that's another economic situation.
6 Okay. Like I said before, the jobs that are
7 created are just Band-Aids. We need them.
8 That's a different problem. There's other ways
9 that I have my thoughts of correcting that.

10 My question is this, you mentioned a
11 meeting in the future where the public will be
12 invited to discuss the plans for this area.

13 I -- I believe those plans that will be
14 presented to the public will be the result of
15 meetings with the City and the developer, an
16 agreement between the developer and the City.
17 And then they'll present the plans.

18 Am I correct or not?

19 MAYOR STACK: Mr. Spatz?

20 MR. SPATZ: No.

21 MR. MAROTTA: No?

22 MR. SPATZ: You're not correct.

23 MR. MAROTTA: The developer will not be
24 involved?

25 You make that statement now. The developer

1 will not be involved.

2 MR. SPATZ: The developer will be involved
3 as -- as the property owner, as well as the
4 public. But the plans are not going to be
5 finalized and completed prior to the meeting with
6 the public.

7 MR. MAROTTA: Will the developer -- will
8 there be any private meetings between the
9 developer and the City?

10 MAYOR STACK: Mr. Spatz, go ahead.

11 MR. SPATZ: Yes.

12 MR. MAROTTA: Yes or no?

13 MR. SPATZ: Like -- like all other
14 developers have the ability to request a
15 presentation to present the plans, and then
16 they're discussed.

17 But they are presented to the Planning
18 Board or the Board of Adjustment, or the
19 Redevelopment Agency.

20 That's another level of review that will
21 take place --

22 MR. MAROTTA: And --

23 MR. SPATZ: -- any plans that a --

24 Let me finish.

25 Any plans that are developed will have to

1 | be reviewed by the Redevelopment Agency, as well.

2 | MR. MAROTTA: And when these --

3 | MR. SPATZ: But they will not be finalized
4 | certainly before the plan itself is developed.

5 | And -- and that will be done at public meetings.

6 | MR. MORTTA: And when these plans are
7 | presented by the developer, to that section of
8 | the City, then there's a give and take on each
9 | side as to why we come to an agreement with --
10 | and that's the final thing that goes to the
11 | public.

12 | Let's not kid each other.

13 | MR. SPATZ: That's not true.

14 | MR. MAROTTA: No? Well, I disagree with
15 | you.

16 | And I'll tell you something, people, we're
17 | going to have high rises on the cliff and traffic
18 | and -- and parking will get worse.

19 | MAYOR STACK: Next person wishing to
20 | comment? Question?

21 | Sure. Sure. Come right up, sir.

22 | MR. ELSHAMI: One question.

23 | MS. DILLON: Just -- just state your name
24 | again for the record.

25 | MR. ELSHAMI: Ahmed Elshami again.

1 I know we cited this area as being
2 blighted. I just have some questions.

3 Similar areas who have been underdeveloped
4 in Union City, just right around the area --

5 MAYOR STACK: Sure.

6 MR. ELSHAMI: -- how come they haven't been
7 qualified as blighted? Particularly, 17th Street,
8 Palisade Avenue?

9 Are the -- the Yardley under much of these
10 qual -- criteria that you described couldn't even
11 qualify as --

12 MAYOR STACK: They're in.

13 MR. ELSHAMI: -- being blighted.

14 MR. SPATZ: Yardley is actually further
15 along in the process. That was many years ago
16 declared an area in need of redevelopment and a
17 redevelopment plan was proposed and adopted by
18 the Board of Commissioners.

19 There is a redeveloper now who is in the
20 process of preparing plans, which will be then,
21 ultimately, submitted to the City.

22 So, the Yardley property, and they also own
23 a couple of other properties further south of
24 them.

25 MR. ELSHAMI: Yeah. The --

1 MR. SPATZ: I think that was -- the church
2 was there. It is a multi-family --

3 MR. ELSHAMI: The church was there.

4 MR. SPATZ: -- building.

5 MR. ELSHAMI: It was demolished.

6 MR. SPATZ: Right.

7 MR. ELSHAMI: And then there's the -- they
8 have the -- they own the property also to the
9 other side. They're only missing the contiguous
10 piece, which is that --

11 MR. SPATZ: They don't --

12 MR. ELSHAMI: -- building --

13 MR. SPATZ: -- own the property that's
14 further down, like towards 3rd or 4th.

15 MR. ELSHAMI: Exactly.

16 MR. SPATZ: They don't own that.

17 MR. ELSHAMI: Okay. That's a separate
18 owner?

19 MR. SPATZ: That's -- that's a separate
20 owner and that one --

21 MR. ELSHAMI: That's been empty for ages.
22 I -- that --

23 MAYOR STACK: That's empty since some --

24 MR. ELSHAMI: Since I was --

25 MAYOR STACK: -- probably -- probably since

1 --

2 MR. SPATZ: Well --

3 MR. ELSHAMI: I know.

4 MAYOR STACK: -- I'm in grammar school.

5 Probably over 40 -- I'm 49, so probably over 40
6 years.

7 MR. SPATZ: Yeah. I started here in -- in
8 1981, with the City, and the first project I
9 reviewed was a project to develop that property
10 and obviously --

11 MR. ELSHAMI: May I ask why -- why that's
12 so --

13 MR. SPATZ: -- nothing has developed since
14 then.

15 MR. ELSHAMI: -- so held up and why that's
16 never been developed, because I've always -- I
17 thought that when you think of the opportunity to
18 really develop in Union City, and I imagine that
19 that would be the place most ideal for
20 redevelopment, as opposed to the cliff. The
21 cliff has -- the cliff has always been inhabited
22 and always been a nice quaint area.

23 This is, my entire existence here in Union
24 City, has always been the underdeveloped and
25 blighted area. That's why I was astonished that

1 | this would be blighted over that.

2 | But I appreciate it.

3 | MR. SPATZ: Yeah. Yardley was --

4 | MR. ELSHAMI: Thank you for clarifying.

5 | MR. SPATZ: -- and that one -- you know, at
6 | some future point, could -- you know --

7 | MR. ELSHAMI: Okay.

8 | MR. SPATZ: Potentially.

9 | MR. ELSHAMI: Okay.

10 | MR. SPATZ: And there are other
11 | redevelopment areas in the City as well, that
12 | have been also designated. Where the high school
13 | is. That area around there was designated as a
14 | redevelopment area.

15 | MR. ELSHAMI: Around which high -- around
16 | the high school the new Union City?

17 | MR. SPATZ: On Kennedy.

18 | MAYOR STACK: Union City High School. Yes.

19 | MR. ELSHAMI: Okay. What -- what about --

20 | MAYOR STACK: The property --

21 | MR. ELSHAMI: What about the --

22 | MAYOR STACK: Not to interrupt you, the
23 | property on 4th and Palisade Avenue, years ago, I
24 | mean, and Mr. Marotta might be able to give you
25 | more history, or David on that, years ago, there

1 | was a project that came up, and I don't know
2 | whatever happened.

3 | Was it approved?

4 | MR. SPATZ: It was never approved.

5 | MAYOR STACK: It was never approved.

6 | MR. SPATZ: It was never approved. It was
7 | --

8 | MAYOR STACK: But that was --

9 | MR. ELSHAMI: So, the owner just continues
10 | to hold the property.

11 | MAYOR STACK: I'm talking like the early
12 | '80s.

13 | MR. SPATZ: Right.

14 | MR. ELSHAMI: As -- as --

15 | MAYOR STACK: Yeah.

16 | MR. SPATZ: Right.

17 | MR. ELSHAMI: What is -- what is sort of
18 | some of the tools that the City has to compel
19 | some of these developers to -- these are --
20 | these are beautiful properties that are so
21 | underdeveloped that -- you know, I mean you said
22 | for your entire life, I mean, why -- why hasn't
23 | the City pursued an opportunity to try to enforce
24 | --

25 | If we're going to propose this campaign of

1 redevelopment, as we look at this holistically
2 with these -- with these pieces of opportunities
3 to develop, have sort of a cohesive plan, that --
4 that still adheres to the Master Plan, but also
5 has sort of a -- a on par, in terms of -- like
6 the push for redevelopment.

7 Let's -- let's create sort of a cohesive
8 plan, as opposed to these small swaths of
9 redevelopment, and then, you remain, you find
10 yourself go up to Palisade and 17th Street. You
11 have a huge corner lot that's been either an
12 abandoned building for -- for most of my exist --
13 for -- for the last 30 years, or now it's just an
14 empty lot.

15 MAYOR STACK: I believe somebody came in.
16 I believe there was a project.

17 MR. SPATZ: Project was approved.

18 MR. ELSHAMI: Oh.

19 MAYOR STACK: On that lot.

20 MR. SPATZ: About a month or so ago.

21 MR. ELSHAMI: Okay. Do we know what's
22 going to come up in Yardley's?

23 MR. PRICE: Published August 5th.

24 MR. SPATZ: August 5th. Okay.

25 MR. ELSHAMI: Do we know what's -- what's

1 going to happen with Yardley's? Or is -- is the
2 plan yet to be proposed?

3 MR. SPATZ: They haven't made a
4 presentation yet to the Redevelopment Agency.
5 That will be done at a public meeting, as well.

6 MAYOR STACK: That was approved for
7 redevelopment, how many years ago?

8 MR. SPATZ: Probably about 12 or more years
9 ago, a redevelopment plan was developed and
10 approved by the Board of Commissioners.

11 So, that has been in place for --

12 MR. ELSHAMI: Wow.

13 MR. SPATZ: -- probably ten or 12 years,
14 and it just takes a lot of time for a big
15 project.

16 MR. ELSHAMI: Okay. All right.

17 Thank you again, Commissioners.

18 MAYOR STACK: Thank you very much.

19 MR. ELSHAMI: Thank you.

20 MAYOR STACK: Thank you.

21 Yes?

22 MR. SIVO: Joe Sivo, 14 --

23 MS. DILLON: Your address?

24 MR. SIVO: -- 04 Manhattan Avenue.

25 MS. DILLON: I'm sorry. I didn't get the

1 address.

2 MR. ELSHAMI: Thank you, Mayor.

3 MR. SIVO: Joe Sivo.

4 MAYOR STACK: Thank you very much.

5 MS. DILLON: I got that.

6 MR. SIVO: 1404 Manhattan Avenue --

7 MS. DILLON: Okay.

8 MR. SIVO: -- Union City.

9 MS. DILLON: Keep your voice up, Mr. Sivo.

10 MR. SIVO: I'm sorry?

11 MS. DILLON: Just keep your voice up.

12 MR. SIVO: I don't --

13 MAYOR STACK: If you could just keep your
14 voice up, Mr. Sivo.

15 MS. DILLON: You have to speak loud.

16 MR. SIVO: Well, don't worry about that. I
17 always like to speak loud, especially after not
18 hearing these people who come here and seem to
19 whisper to me, because I do have a problem.

20 But what must be said, though, is that the
21 Mayor and the Commissioners have really enhanced
22 the City. Nobody seems to appreciate the fact
23 that there's progress being made in the City.

24 You could see it all over. I mean, I could
25 see it all over. I've been here a long time, and

1 I've never seen such improvement as under Mayor
2 Stack's watch -- watch and his Commissioners.

3 I think I tell you that, Glen. All right.
4 And everybody else.

5 I've been here a long time, and I don't
6 quite understand the purpose of this meeting. I
7 really don't.

8 It seems to me there's a lot of speculation
9 or develop -- the development doing -- the
10 developer doing one thing or some -- some other
11 laws and all these picayune things. There's
12 nothing concrete, in my estimation, or nothing
13 concrete that I can estimate, or I could
14 understand.

15 I don't -- I have a problem hearing, so I
16 don't know what people really were saying. Okay?
17 But if the purpose of this meeting is to improve
18 our section of the City, then I welcome with well
19 -- with open arms, because I've been waiting a
20 very long time for that to happen. All right?
21 Like 57 years. All right?

22 (Applause.)

23 MR. SIVO: All right?

24 A lot of the City -- much of the City has
25 been improved. And the poor people -- counting

1 all the poor people have been taken care of.

2 It's the middle class that doesn't seem to
3 be taken care of. Just like the country, in
4 general.

5 Our part of the City, where we live, is a
6 great area. All right? Everybody knows it.
7 Everybody wants to get their hands on it. And it
8 has to be thought of in a way that, well, what's
9 best for the City?

10 I don't know. Do we have any specific
11 plans? Has anybody come up with anything
12 concrete? What -- what's the plan? What are we
13 doing? We're just going to -- we're going to
14 enhance the area.

15 Okay. What's next? What's next?

16 Bring in the developers? See who has the
17 best plan? What? What's -- what's the plan?

18 MAYOR STACK: Do you want to explain that?

19 MR. SPATZ: Sure.

20 After -- if the Board of Commissioners
21 declare this an area in need of redevelopment,
22 then the next step would be for the creation of a
23 redevelopment plan, which would set the -- the
24 framework for development there. It would --

25 MR. SIVO: Yeah.

1 MR. SPATZ: -- create the zoning controls

2 --

3 MR. SIVO: Well, from what I understand
4 from the past, there were some plans submitted.

5 MR. SPATZ: Nothing has been submitted.

6 MR. SIVO: And -- and they weren't approved
7 or something.

8 MR. SPATZ: Nothing has been submitted for
9 the development of -- of this redevelopment area.
10 Nothing has --

11 MR. SIVO: Oh, okay.

12 MR. SPATZ: -- been submitted to the --

13 MR. SIVO: So, then, what are --

14 MR. SPATZ: -- to the City or any of the
15 agencies.

16 MR. SIVO: What are we doing here? Just --

17 MR. SPATZ: The first --

18 MR. SIVO: -- picking out of the air.

19 MR. SPATZ: No. The --

20 MR. SIVO: What are we doing?

21 MR. SPATZ: -- first step -- the first step
22 is --

23 MR. SIVO: Huh?

24 MR. SPATZ: The first step is to declare an
25 area in need of redevelopment. Without that step

1 --

2 MR. SIVO: Okay.

3 MR. SPATZ: -- you can't go forward with
4 creating a redevelopment plan.

5 MR. SIVO: Well, thank you.

6 That is a -- a step forward and a step in
7 the right direction the Mayor's taking, because
8 he's continuing to enhance the City and improve
9 the --

10 MAYOR STACK: Thank you.

11 MR. SIVO: -- City, as I said before.

12 Thank you.

13 MAYOR STACK: Thank you, Mr. Sivo. Thank
14 you.

15 (Applause.)

16 MAYOR STACK: Thank you.

17 Yes?

18 MS. DILLON: Hi.

19 MR. BAYAS: Good evening, everybody.

20 MS. DILLON: What is your name?

21 MR. BAYAS: My name is Ivan Bayas.

22 MS. DILLON: Spell your first name.

23 MR. BAYAS: Ivan, I-V-A-N. Bayas, B in
24 boy, A-Y-A-S.

25 MS. DILLON: And your address?

1 MR. BAYAS: 509 24th Street.

2 MS. DILLON: Okay.

3 MR. BAYAS: Okay.

4 I am member of the International Labor of
5 America UNA.

6 This project is good for our community. Be
7 more work for our residents who need to support
8 the first for Union City.

9 Thank you.

10 MAYOR STACK: Thank you very much, sir.

11 Thank you.

12 (Applause.)

13 MAYOR STACK: Anyone else wishing to
14 comment? Please step forward.

15 Anyone else wishing to comment at this
16 time, on the redevelopment?

17 Yes, ma'am?

18 MS. DILLON: Right here.

19 Your name, ma'am?

20 MS. AGRESTI: Joanne Agresti.

21 MS. DILLON: I'm sorry?

22 MS. AGRESTI: Joanne Agresti, 356 Mountain
23 Road.

24 MS. DILLON: And just spell your last name.

25 MS. AGRESTI: A-G-R-E-S-T-I.

1 MS. DILLON: Okay.

2 MS. AGRESTI: If we look at this project as
3 just a means of creating jobs, that's like two
4 years, and then it's been -- you know, that's not
5 the focus of this meeting.

6 And the fact that the union is here -- you
7 know, I appreciate that everybody's looking for
8 work, but there's big projects all over the --
9 the County. And we're looking at seven lots that
10 could permanently change the flavor of that
11 neighborhood.

12 If we put in another Doric and another Troy
13 Towers, that was what you voted against when the
14 Steep Slope Ordinance came in. That was
15 something that no one wanted to see happen again.

16 And we're talking about the developers.
17 It's a developer. He's owned this property. He
18 bought all these parcels. He's owned them for
19 nine years, and now we're going through this
20 process.

21 Why? So that he can get what he wants, and
22 we underwrite the Master Plan? He can develop it
23 right now.

24 He bought it knowing what the zoning was.
25 So, if he gives -- you know, mid-rise or low

1 rise, or whatever, what everybody's concerned
2 about is they don't want another monstrosity on
3 the cliff, which was what everybody agreed to in
4 the Master Plan.

5 So, you know, yes, lot -- lot of good has
6 happened and like the reservoir, and like that,
7 we just don't want to see this permanently
8 damaged in the short term -- you know, because
9 there's no long term benefit there for that.

10 MAYOR STACK: Thank you.

11 (Applause.)

12 MAYOR STACK: Anyone else at this time
13 wishing to comment?

14 Anyone else before we close up the portion
15 -- this portion of the meeting?

16 Last call for anyone else wishing to
17 comment.

18 Okay. Seeing none, I'll make a motion to
19 close.

20 MAYOR STACK: Then we'll take --

21 COMMISSIONER RIVAS: And I'll second.

22 ACTING CITY CLERK: Is there a motion to --

23 MAYOR STACK: And then we'll take a vote on
24 --

25 ACTING CITY CLERK: Okay.

1 Is there a motion to close?
2 Motion by Mayor Stack.
3 Second by Commissioner Rivas.
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 COMMISSIONER RIVAS: Mayor?
16 ACTING CITY CLERK: Mayor Stack?
17 MAYOR STACK: Okay.
18 I'll make a motion to declare it.
19 MS. DILLON: He didn't vote.
20 ACTING CITY CLERK: No, no. You have to
21 vote.
22 MAYOR STACK: Yes.
23 ACTING CITY CLERK: Mayor Stack? Yes.
24 Is there a motion to declare?
25 MAYOR STACK: Motion.

1 ACTING CITY CLERK: Motion by Mayor Stack.

2 COMMISSIONER VALDIVIA: Second.

3 ACTING CITY CLERK: Second by Commissioner
4 Valdivia?

5 Roll call.

6 Commissioner Fernandez?

7 COMMISSIONER FERNANDEZ: Yes.

8 ACTING CITY CLERK: Commissioner Rivas?

9 COMMISSIONER RIVAS: Yes.

10 ACTING CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 ACTING CITY CLERK: Commissioner
13 Martinetti?

14 COMMISSIONER MARTINETTI: Yes.

15 ACTING CITY CLERK: Mayor Stack?

16 MAYOR STACK: Yes.

17 I would like to thank those residents and
18 everyone who came out to the meeting this
19 evening. I appreciate it very much.

20 We'll have many more meetings. Like Mr.
21 Spatz said, we don't expect any plan to come
22 forward or even meetings, I believe, right, until
23 the spring?

24 MR. SPATZ: Probably.

25 MAYOR STACK: Until the springtime. I

1 think with the winter months, it's difficult for
2 people to get out. The weather is unpredictable.
3 We will hold meetings in the area, whether it's
4 here at Colin Powell School, or at the new Hudson
5 School.

6 They'll be in the area. Everyone will be
7 notified of the meetings also, in the entire
8 neighborhood.

9 I would like to thank everyone for coming
10 out. Everyone will be a part of this, in
11 developing, coming out with a plan for this area,
12 as we try to do with everything that we do in the
13 City of Union City. And I'd like to thank
14 everyone for coming out.

15 The portion of the meeting we'll be going
16 into right now will be for liquor hearings.

17 Thank you very much, everyone. Have a
18 great night.

19 A VOICE: Thank you, Mayor.

20 MAYOR STACK: Thank you.

21 Thank you.

22 (Applause.)

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

25 ACTING CITY CLERK: We'll be off the record

1 for five minutes.

2

3 (Whereupon, the proceedings recessed from
4 8:39 p.m. to 8:41 p.m.)

5

6 ACTING CITY CLERK: Back on.

7 Roll call.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 MAYOR STACK: Okay.

11 ACTING CITY CLERK: Commissioner Rivas?

12 MAYOR STACK: Commissioner Rivas is in the
13 men's room.

14 ACTING CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Here.

16 ACTING CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Here.

19 ACTING CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yeah. Here.

21 ACTING CITY CLERK: We're back on record.

22 MAYOR STACK: Okay.

23

24

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 (1) Variedad Latina, Inc., t/a Variedad Latina
4 Restaurant Bar, Located at 4417 Bergenline
5 Avenue, Liquor License No. 0910-33-012

6

7 ACTING CITY CLERK: Next item is Liquor
8 License Disciplinary Proceeding.

9 MAYOR STACK: Everyone? If I could just
10 have everyone's attention?

11 The portion of the meeting we're going into
12 right now is liquor license hearings.

13 ACTING CITY CLERK: Mr. Farmer?

14 MR. FARMER: Yes.

15 Good evening, Mayor and Board.

16 We have five matters on your schedule --

17 MAYOR STACK: Just, Mr. Farmer, if you
18 could just keep your --

19 Everyone?

20 MR. FARMER: Yeah. All right. I can do
21 that.

22 Good evening.

23 MAYOR STACK: Good evening.

24 MR. FARMER: We have five matters on your
25 agenda today.

1 The first one is Variedad Latino (sic), who
2 is represented by Mr. Gonzalez, who is to my
3 right.

4 This is a situation where two women did not
5 have -- were not listed on the E141 and did not
6 have bar cards.

7 I've spoken to Mr. Gonzalez, who's agreed
8 that on a recommendation of a five day
9 suspension, with respect to concerning the two
10 women who did not -- were not on the E141.

11 MAYOR STACK: Okay. Let the record reflect
12 Commissioner Rivas has joined the meeting again.

13 MR. FARMER: Is your client here?

14 MR. GONZALEZ: Yes.

15 MAYOR STACK: Mr. Gonzalez?

16 MR. GONZALEZ: Thank you.

17 For the record, Ramon Gonzalez, firm of
18 Gonzalez and Caride, on behalf of Variedad
19 Latina, the owner.

20 Mr. Cortez (phonetic) is here. His English
21 is -- is good enough. He understands. I did
22 explain to him in Spanish.

23 We have consented to the five days. We
24 have given Mr. Farmer the days that he will be
25 closed.

1 And the people that did not have the
2 information do have it now. Everything's up-to-
3 date.

4 And so the Board is aware, I don't think
5 there's been a violation since he's actually been
6 an owner in this location so --

7 MAYOR STACK: Good.

8 MR. GONZALEZ: He did have an inspection
9 two weeks prior to this. Everything was there.
10 He just was not aware of these two employees not
11 having it.

12 MAYOR STACK: Thank you very much.

13 I'll make a motion.

14 ACTING CITY CLERK: Motion by Mayor Stack.

15 COMMISSIONER FERNANDEZ: Second.

16 ACTING CITY CLERK: Second by Commissioner
17 Fernandez.

18 Roll call.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 ACTING CITY CLERK: Commissioner Rivas?

22 Commissioner --

23 Commissioner Rivas?

24 COMMISSIONER RIVAS: Which one is this one?
25 I'm sorry.

1 COMMISSIONER FERNANDEZ: Variedad Latina.
2 ACTING CITY CLERK: This is item 1.
3 COMMISSIONER RIVAS: Okay.
4 Thank you.
5 ACTING CITY CLERK: This is --
6 MAYOR STACK: 4417 Bergenline.
7 COMMISSIONER RIVAS: Yes. Yes.
8 MAYOR STACK: The first one.
9 COMMISSIONER RIVAS: Yes.
10 MAYOR STACK: I'm sorry.
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 MR. FARMER: Okay, Ray.
19 MR. GONZALEZ: Thank you.
20 MAYOR STACK: Thank you, Mr. Gonzalez.
21 Have a good night.
22
23
24
25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 (2) El Papaturro t/a El Papaturro, Located at
4 1018 Summit Avenue, Liquor License No. 0910-33-
5 137-005

6

7 MR. FARMER: The next one is El Papaturro.

8 El Papaturro is represented by Mr. Faro,
9 who is here today, to my right and his client is
10 here.

11 This is a situation that I would like to
12 propose to the Board as a way of resolving this.

13 The incident occurred when, apparently,
14 there was an argument and -- and somebody picked
15 up a beer bottle and threw it at somebody, and
16 didn't hit anybody, and beer spilt on -- on a
17 person.

18 The owner of El Papaturro, and as the Board
19 knows, we have been for a month or two, debating
20 about the possibility of passing a resolution, I
21 should say an ordinance, dealing with the sale of
22 bottled beer, because the police feel that
23 bottled beer can be a cause of a problem.

24 And if you look at the reports that come
25 in, maybe people don't get hit with bottles, but

1 | there always seem to be the remnants and the
2 | consequences of disturbances either on the
3 | sidewalk and all over.

4 | We had identified maybe about four, five
5 | bars that we wanted to at least initiate a
6 | conversation about not selling bottled beer, but
7 | selling beer in a container.

8 | Of those five, only El Papaturro agreed to
9 | that, and they have been not selling beer --
10 | bottled beer for a couple months now.

11 | And the episode with it was -- you know,
12 | somewhat minor, but I've spoken to Mr. Faro, and
13 | we have agreed, with the Board's consent, that
14 | they would enter a plea of non vult, we would
15 | place them on probation.

16 | Huh?

17 | MR. FARO: We were going to do the
18 | dismissal.

19 | MR. FARMER: Okay. All right.

20 | What we were going to do is this. We're
21 | going to have the bar agree not to sell bottled
22 | beer for the rest of the year, and sell beer only
23 | in containers.

24 | And -- and if that were approved by the
25 | Board, I would agree to dismiss this charge,

1 | because really all it was was the spraying of
2 | beer from a bottle that was thrown.

3 | MAYOR STACK: Okay.

4 | MR. FARO: Mayor, Jeffrey M. Faro, Faro and
5 | Portanova, appearing for the licensee.

6 | My client has voluntarily done this, Mayor,
7 | at the request of the Police Department, and has
8 | found it to be helpful, in terms of stopping any
9 | violence in the premises. So, it is good. It's
10 | positive.

11 | The negative is, it's cost him a lot of
12 | money. It's costing him about a thousand dollars
13 | a week to maintain this scenario.

14 | He's willing to continue it, in the -- as a
15 | test. Actually, we maybe encourage the City to
16 | consider changing the ordinance.

17 | MAYOR STACK: Why -- Mr. Faro, not to
18 | interrupt you, why does it cost him a thousand a
19 | week, though? I don't understand.

20 | MR. FARO: Because he's lost patrons, who
21 | refuse to drink --

22 | MAYOR STACK: Really?

23 | MR. FARO: -- out of the containers. They
24 | insist on bottles. He tells them he will not
25 | serve in bottles. They go to another

1 establishment.

2 MAYOR STACK: I see.

3 MR. FARO: He's done this in good faith.
4 He's willing to continue this to the end of the
5 year, and he encourages the Board to consider
6 changing the ordinance, to make it a level
7 playing field.

8 MAYOR STACK: Right.

9 MR. FARO: Because he's -- he's suffering
10 now, and he's doing it for the benefit of his
11 patrons, his employees, and for the City.

12 MR. FARMER: I -- I think the agreement not
13 to sell bottled beer for the rest of the year is
14 a fair resolution to what really is a minor
15 incident that occurred.

16 MR. FARO: I concur.

17 MAYOR STACK: Okay.

18 MR. FARMER: I would --

19 MAYOR STACK: Great.

20 MR. FARMER: -- recommend that.

21 MAYOR STACK: Great.

22 I'll make a motion to approve --

23 ACTING CITY CLERK: Motion --

24 MAYOR STACK: -- the recommendation --

25 ACTING CITY CLERK: -- on item 2 by Mayor

1 Stack.

2 MAYOR STACK: -- that was stated.

3 COMMISSIONER FERNANDEZ: Second.

4 ACTING CITY CLERK: Second by Commissioner
5 Fernandez.

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 MR. FARMER: I'll send you a copy of the
19 Resolution. Okay?

20 MR. FARO: Thank you, Mr. Mayor.

21 MAYOR STACK: Thank you very much, Mr.
22 Faro.

23 MR. FARO: Thank you.

24 MAYOR STACK: Thank you, again.

25

1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 (3) El Chapin Corp. t/a El Cuscatleco (El
4 Rincon), Located at 2118 Bergenline Avenue,
5 Liquor License No. 0910-33-075-009

6

7 MR. FARMER: The next one on your list --

8 MAYOR STACK: Thank you very much.

9 MR. FARMER: -- is El Rincon. This
10 evening, the licensee came in -- the licensee
11 came in with a letter from his attorney, Mr.
12 Alum, indicating that he had just been retained
13 by the licensee, and asked that the matter be
14 adjourned because it interfered -- conflicted
15 with something that he was having.

16 I am sure that I'll be able to negotiate a
17 plea on this with Mr. Alum, because it deals
18 with, again, some women, three in particular, who
19 did not have badges or were on the E141.

20 So, I think it would be a rather routine
21 thing, once this is back on. Mr. Alum couldn't
22 make it, so I would ask that it just be carried
23 to the next meeting.

24 MAYOR STACK: We'll carry it to the
25 meeting, I believe, that's on the 15th?

1 Correct?

2 MR. FARMER: Right.

3 MAYOR STACK: September 15th.

4 MR. FARMER: Right.

5 MAYOR STACK: Where is that meeting held?

6 ACTING CITY CLERK: That's at Roosevelt.

7 MAYOR STACK: It's at Roosevelt?

8 ACTING CITY CLERK: Yup.

9 MAYOR STACK: Okay. Wait. Let's be
10 certain.

11 ACTING CITY CLERK: Oh, I'm sorry,
12 Veteran's.

13 MAYOR STACK: Yeah. Veteran's. That's why
14 I got confused.

15 ACTING CITY CLERK: Right.

16 MAYOR STACK: The next meeting is at -- on
17 September the 15th, at Veteran's School, 1401
18 Central Avenue.

19 A VOICE: Okay.

20 MAYOR STACK: That's at seven p.m.

21 Thank you, sir.

22 A VOICE: Thank you.

23 MAYOR STACK: Mr. Farmer, maybe you can get
24 out notification in writing.

25 MR. FARMER: Oh, yes.

1 MAYOR STACK: Thank you very much.

2 MR. FARMER: We do that all the time.

3 MAYOR STACK: Great.

4 Thank you.

5 A VOICE: Have a good night.

6 MAYOR STACK: Thank you very much. You,
7 too, now.

8 A VOICE: Thank you.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

2

3 (4) Wendy C. Diaz t/a Tropical Bar &
4 Restaurant, Located at 4100C Bergenline Avenue,
5 Liquor License No. 0910-33-060-003

6

7 MR. FARMER: The next one is Wendy Diaz,
8 trading as Tropical Bar and Restaurant.

9 This is a situation, I've spoken to
10 Detective Dunlay, I've spoken to Lieutenant
11 Loaces about the matter, and I've spoken to the
12 police officer who arrived on the scene.

13 It appears that there was an altercation --
14 verbal altercation inside the bar, but what
15 happened was, somebody picked up a cue ball and
16 threw it at somebody, and hit him in the head.
17 And he suffered a bad injury. Nothing permanent,
18 from what we can understand. And the police
19 officer indicated that when he spoke to him, that
20 he was pretty well recovered.

21 Doesn't appear that there was any over-
22 intoxication, and it also appears that the people
23 who threw the cue ball at the person had left the
24 scene, and were long gone by the time the police
25 arrived.

1 I have spoken with Mr. Crossin about
2 resolving this, and what we've agreed to is, and
3 what I recommend to the Board is a five day
4 suspension, but it will cover a weekend. And
5 that's it.

6 I've also spoken to Mr. Crossin about his
7 client should maybe think about placing some
8 better security, maybe cameras in the
9 establishment.

10 And I also indicated to him, as always, the
11 Board is willing to purchase the liquor license,
12 if somebody feels that they no longer want to
13 continue the business there. And I've
14 communicated that with Mr. -- to Mr. Crossin.
15 And maybe that will happen down the road.

16 MAYOR STACK: Mr. Crossin?

17 MR. CROSSIN: Altamura and Crossin, by
18 Richard Crossin, Union City.

19 First, I'd like to thank the Board and Mr.
20 Farmer for permitting the time to review the
21 police records, and to go out and interview the
22 witnesses myself.

23 Based on what I learned, over the last two
24 weeks, there was simply no way to anticipate or
25 prevent what -- what was really a pretty terrible

1 crime.

2 These patrons were in opposite parts of the
3 restaurant. One was drinking, one was eating.
4 One fellow come by. There was, perhaps, two
5 words spoken. And just as quick as a thought,
6 the fellow picked up a cue ball and threw it,
7 injured the victim, a Mr. Fuentes (phonetic).

8 On behalf of the restaurant, I can offer
9 the Board that -- that the staff did cooperate.
10 They -- they provided first aid for the
11 individual. They called the police immediately.

12 One of the witnesses is -- is with me
13 tonight. She actually went down to the Police
14 Department, made a recorded statement, and was
15 able to identify the perpetrator by going through
16 -- laboriously, through the mug books, until --
17 until the individual was identified.

18 And as Mr. Farmer pointed out, the -- the
19 assailant escaped through the back.

20 I wish that the Board would -- would
21 consider their complete cooperation in deciding
22 whether to endorse the penalty recommended by Mr.
23 Farmer.

24 And that's all I have.

25 MR. FARMER: Okay.

1 We've picked out the dates and everything
2 for the five days. They're October 5th, 6th, 7th,
3 8th, and 9th.

4 MAYOR STACK: Okay. I make a motion to
5 approve.

6 MR. CROSSIN: I'm sorry.
7 October 7th, 8th, 9th, 10th, and 11th.

8 MR. FARMER: Okay.

9 MR. CROSSIN: That's the -- you wanted it
10 to start on a Wednesday.

11 Right?

12 MR. FARMER: Wednesday, Thursday, Friday,
13 Saturday, Sunday.

14 MR. CROSSIN: Correct.

15 MR. FARMER: Okay.

16 ACTING CITY CLERK: Motion by Mayor Stack.

17 COMMISSIONER VALDIVIA: Second.

18 ACTING CITY CLERK: Second by Commissioner
19 Valdivia.

20 ACTING CITY CLERK: Roll call.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 ACTING CITY CLERK: Commissioner Rivas?

24 COMMISSIONER RIVAS: Yes.

25 ACTING CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.

2 ACTING CITY CLERK: Commissioner

3 Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 ACTING CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

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1 **LIQUOR LICENSE DISCIPLINARY PROCEEDINGS:**

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3 (5) Dolores Castro t/a Uno Bar, Located at 3607
4 New York Avenue, Liquor License No. 0910-33-108-
5 004

6

7 MR. FARMER: The last one is Dolores Castro
8 of --

9 MR. CROSSIN: Thank you, Board, Mr. Mayor.

10 MR. FARMER: -- Dolores Castro, Uno Bar.

11 As -- as I was waiting here today, a woman
12 by the name of Rodriguez (phonetic) came up to
13 me, to indicate to me, and tell me that Dolores
14 Castro couldn't possibly come here tonight,
15 because she was gravely ill, and had sent Ms.
16 Rodriguez as a surrogate, to ask for an
17 adjournment.

18 When I suggested that Ms. Rodriguez stay
19 around so that she could personally give that
20 request to the Board, she had indicated that she
21 had an emergency and she had to get home, but
22 Mrs. Castro was still very, very sick.

23 Interesting to note that in past dealings,
24 Mrs. Castro sometime showed up, but generally, a
25 gentleman would show up representing the Board,

1 and he was not here today.

2 We've had problems with Uno Bar. I've
3 spoken to Detective Dunlay. He is reaching out
4 for the State to see whether or not the State can
5 start an investigation as to trying to identify
6 who really owns this bar, and who the person in
7 interest is at this bar.

8 So, she's not here. I'd ask that it be
9 continued to the next meeting. And hopefully,
10 between now and then, we'll be able to get some
11 development concerning the details of the bar, or
12 the ownership of the bar.

13 I've contacted Detective Ocasio and asked
14 him to have them submit what's known as a 12 page
15 application that has more detail as to who owns
16 it; if it's a corporation, who are the members of
17 the corporation; whether or not they own the
18 building, lease the building, copy of the lease.

19 So, let's see what information came up.

20 When the woman had indicated to me that
21 Rodriguez -- and she showed Ms. Rodriguez'
22 drivers license, and the drivers license
23 indicated that she had an address of 3605 New
24 York Avenue.

25 When I pointed out that I have sent

1 numerous letters to 35 -- 3607, which presumably
2 would be the next building, all come back like
3 this one, says not deliverable.

4 So, there's more to it than meets the eye
5 here, and hopefully, we'll be able to have an
6 investigation, get the truth out, and --

7 MAYOR STACK: Was this the first hearing?
8 The first hearing that she --

9 MR. FARMER: I think it's the second.

10 MAYOR STACK: The second?

11 Let -- let's do this, though, let's have
12 the police department, let's have Lieutenant
13 Loaces and -- and Sergeant Dunlay go there again
14 with notices. Send it out certified mail.

15 MR. FARMER: Yeah.

16 MAYOR STACK: And if she doesn't show up on
17 the 15th, we'll have the hearing without her and
18 then, we'll have a decision on that evening.

19 MR. FARMER: As a practical -- and we'll --
20 we'll do that. And I've spoken to Detective
21 Loaces -- Lieutenant Loaces and Sergeant Dunlay.

22 Also, just the other day, new charges came
23 in. So, I'm going to be incorporating them onto
24 the 15th.

25 MAYOR STACK: If we could, and if she's not

1 here, then we'll just have the hearing without
2 her. But she's got to know that she's got to
3 come in. If she's the owner of this
4 establishment she's got to be here, and she's got
5 to show a level of responsibility.

6 Does she open on a -- on a daily basis?
7 I'm not even sure. I pass there every day. I'm
8 not sure if it's ever open.

9 MR. FARMER: Is it open?

10 MAYOR STACK: Maybe, if we could get -- if
11 we could get Sergeant Dunlay to come up?

12 Sergeant, it's good to see you. I haven't
13 seen you in quite some time.

14 SERGEANT DUNLAY: Likewise, Mayor. I've
15 been waiting for you.

16 MS. DILLON: Just name, for the record.

17 SERGEANT DUNLAY: Sergeant David Dunlay,
18 383, Union City Police.

19 MS. DILLON: Thank you.

20 SERGEANT DUNLAY: We've been to the bar
21 several times. The last incident was the one
22 that Mr. Farmer's talking about, where there was
23 a huge melee in the street, bottles being thrown
24 onto the street, damaging some cars, et cetera.

25 Since that day, though, I believe they've

1 | been open maybe three times. And that's about a
2 | month ago.

3 | So, they usually open either a Friday, or
4 | Saturday. It's usually one or two days, which is
5 | odd, how you're supposed to run a business, pay
6 | rent.

7 | MAYOR STACK: It's a small establishment.
8 | Right?

9 | SERGEANT DUNLAY: Correct.

10 | MAYOR STACK: Very small.

11 | SERGEANT DUNLAY: Very small.

12 | MAYOR STACK: Did you ever know her to live
13 | -- live in that -- in that location or no?

14 | SERGEANT DUNLAY: No. Actually, she lived
15 | -- I went to her residence in North Bergen
16 | several --

17 | MAYOR STACK: Okay.

18 | SERGEANT DUNLAY: -- times, when I used to
19 | deliver mail. But she lost that to a
20 | foreclosure.

21 | MAYOR STACK: I see.

22 | SERGEANT DUNLAY: That residence.

23 | MAYOR STACK: And she's not represented by
24 | an attorney?

25 | MR. FARMER: She -- she told me --

1 MAYOR STACK: Because we told her, a few
2 times, when she was here, that she should come
3 back with an attorney.

4 MR. FARMER: Right.

5 The -- the woman said that Luis Diaz
6 represents her.

7 MAYOR STACK: Okay.

8 MR. FARMER: Two things. First of all, Mr.
9 Diaz, I know, personally, is on vacation. Okay?

10 But number two, I think that that may not
11 be accurate. If -- I'm sure you don't recall,
12 but we had a meeting a few months ago, where she
13 appeared without a lawyer, and Mr. Diaz happened
14 to be there --

15 MAYOR STACK: Right.

16 MR. FARMER: -- and volunteered his
17 services. And it's my understanding that they
18 did --

19 MAYOR STACK: That was awhile back.

20 MR. FARMER: Exactly. And they had some
21 communication and conversation. Mr. Diaz said I
22 do not wish to represent you.

23 So, I'd be surprised if he represents her,
24 and he's never told me he has.

25 So, we -- I think we just got to keep

1 pushing this --

2 MAYOR STACK: Okay.

3 MR. FARMER: -- to try and get some clarity
4 as to ownership, and --

5 MAYOR STACK: I know that this is not the
6 hearing, but I'm just curious. Is she --
7 Sergeant, is she at the location when you arrived
8 there?

9 SERGEANT DUNLAY: No. That's where the --
10 the question comes in, as who is exactly the
11 owner of this establishment? Is it a front? Is
12 it -- is -- because I -- we never see her
13 anymore.

14 MAYOR STACK: Right.

15 SERGEANT DUNLAY: The license is under her
16 name. You know, she's technically the person who
17 runs the day-to-day operations, but she's --

18 MAYOR STACK: She's not there.

19 SERGEANT DUNLAY: -- nowhere to be found.

20 COMMISSIONER MARTINETTI: Mayor? Mayor?

21 MAYOR STACK: Okay.

22 COMMISSIONER MARTINETTI: Mayor?

23 MAYOR STACK: All right. We'll put it on
24 -- we'll put it on for the 15th then at Veteran's
25 School.

1 MR. FARMER: Yes. Okay.

2 MAYOR STACK: And you'll send out, notify

3 --

4 MR. FARMER: Yes, I will.

5 MAYOR STACK: -- and a notification.

6 MR. FARMER: And sergeant --

7 MAYOR STACK: Sergeant, you'll deliver it,
8 also?

9 MR. FARMER: -- he's going to deliver it.

10 SERGEANT DUNLAY: If they're open.

11 MR. FARMER: Okay.

12 Thank you.

13 MAYOR STACK: If not, we'll post it, and
14 stuff like that, too. All right?

15 MR. FARMER: Okay.

16 ACTING CITY CLERK: Mr. Farmer, is that
17 all?

18 MR. FARMER: Yes.

19 MAYOR STACK: Anything further, Mr. Farmer?

20 MR. FARMER: No. That's it.

21 Thank you.

22 MAYOR STACK: Okay.

23

24 **ADJOURNMENT:**

25

1 ACTING CITY CLERK: Mayor, there are no
2 other items on the -- on the agenda, is there a
3 motion to adjourn?

4 COMMISSIONER MARTINETTI: Motion.

5 ACTING CITY CLERK: Motion by Commissioner
6 --

7 COMMISSIONER VALDIVIA: Second.

8 ACTING CITY CLERK: -- Martinetti.

9 Second by Commissioner Valdivia.

10 All in favor?

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

12

13 (Whereupon, the proceedings were concluded
14 at 8:59 p.m.)

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

6 **Board of Commissioners**

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Attest:

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Dominick Cantatore,

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Acting City Clerk

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 held on Tuesday, September 1, 2015 and digitally
10 recorded.

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25 Monitored and Proofread by: Deborah Dillon