

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

City Hall
3715 Palisade Avenue
Union City, New Jersey

Thursday, April 6, 2017
Commencing at 6:13 p.m.

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

MARGARITA GUTIERREZ
MIGUEL ORTIZ, (Arrived at 6:50 p.m.)
JOHN MEDINA, Alternate No. 1
JOSEPH D. BONACCI, Alternate No. 2
LIBERO MAROTTA, Alternate No. 3
PETER C. DOUMAS, Alternate No. 4
VICTOR M. GRULLON, Vice Chairman

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

KHALED DARDIR
HARLENNY E. JAVIER
DAVID W. PRESSEY
ANDRES GARCIA, Chairman

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

CARLOS VALLEJO, Secretary to the Board

TOMAS R. PANEQUE, ESQ., Board Attorney

DAVID SPATZ, Consultant
Community Housing and Planning Associates

A P P E A R A N C E S:

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Paula Escobar

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Reino Magico

EUGENE P. O'CONNELL, ESQ.,
Attorney for Applicant,
Palisade Emergency Residence Corporation

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	6
APPROVAL OF PREVIOUS MEETING MINUTES	8
RESOLUTIONS	10/12
HEARINGS	
DDIS Union City, LLC	14
Paula Escobar	16
Reino Magico	30
Palisade Emergency Residence Corporation	35
ADJOURNMENT	60

I N D E X

Palisade Emergency Residence Corporation
108 36th Street

WITNESSPAGE

Tom Harrigan

40

1 THE SECRETARY: May I have your attention,
2 please?

3 Thank you.

4 Please take notice --

5 Ready?

6 MS. DILLON: Yes.

7 THE SECRETARY: All right.

8 Please take notice that on Thursday, April
9 6, 2017, at six p.m., Regular Meeting is
10 scheduled for the Union City Board of Adjustment
11 to be held in the Municipal Chamber, located on
12 the Second Floor, 3715 Palisade Avenue, Union
13 City, New Jersey.

14 Can everybody kindly rise to salute the
15 flag, please?

16

17 (Whereupon, the Pledge of Allegiance was
18 said by all.)

19

20 THE SECRETARY: Thank you.

21 Notice of this meeting has been provided as
22 follow:

23 Notice of this meeting, setting forth the
24 time, date, location and the agenda, to the
25 extent known, was forward to The Jersey Journal,

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

5

6 **ROLL CALL:**

7

8 THE SECRETARY: Roll call for tonight's
9 meeting.

10 Andres Garcia? Absent.

11 Victor Grullon?

12 VICE CHAIRMAN GRULLON: Here.

13 THE SECRETARY: Margarita Gutierrez?

14 MS. GUTIERREZ: Here.

15 THE SECRETARY: Miguel Ortiz? Absent.

16 David Pressey? Absent.

17 Harlenny Javier? Absent.

18 Khaled Dardir? Absent.

19 John Medina?

20 MR. MEDINA: Here.

21 THE SECRETARY: Joseph Bonacci?

22 MR. BONACCI: Here.

23 THE SECRETARY: Libero Marotta?

24 MR. MAROTTA: Here.

25 THE SECRETARY: Peter Doumas?

1 MR. DOUMAS: Here.

2 THE SECRETARY: Let the record indicate
3 that six members present.

4 So, we have a Board made up of six members,
5 which constitute a full quorum to establish any
6 decision.

7 * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **APPROVAL OF PREVIOUS MEETING MINUTES:**

2

3 (1) Approval of previous meeting minutes from
4 March 9, 2017.

5

6 THE SECRETARY: All right.

7 Approval of Previous Meeting Minutes from
8 March 9, 2017.

9 Can I have a motion to adopt these
10 meetings?

11 VICE CHAIRMAN GRULLON: Make a motion to
12 adopt the minutes.

13 THE SECRETARY: Motion by --

14 MS. GUTIERREZ: Second.

15 THE SECRETARY: -- Mr. Grullon.

16 Second by Mrs. Gutierrez.

17 Roll call on the motion.

18 Mr. Grullon?

19 VICE CHAIRMAN GRULLON: Yes.

20 THE SECRETARY: Mrs. Gutierrez?

21 MS. GUTIERREZ: Yes.

22 THE SECRETARY: Mr. Medina?

23 MR. MEDINA: Yes.

24 THE SECRETARY: Mr. Bonacci?

25 MR. BONACCI: Yes.

1 THE SECRETARY: Mr. Marotta?

2 MR. MAROTTA: Yes.

3 THE SECRETARY: Mr. Doumas?

4 MR. DOUMAS: Yes.

5 THE SECRETARY: Six in favor. Motion
6 carries.

7 * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **RESOLUTIONS:**

2

3 (1) 4415-4421 New York Avenue, LLC, 4415-4421
4 New York Avenue, Block 256, Lot 29. Add one new
5 apartment, and altering and renovating seven
6 already existing units. (There will be a total
7 of eight units.)

8

9 THE SECRETARY: Okay.

10 First Resolution on tonight -- tonight's
11 agenda, 4415-4421 New York Avenue, LLC.

12 Okay. The members eligible to vote on this
13 Resolution is Mr. Grullon, Mr. Bonacci, Mr.
14 Doumas, Mr. Ortiz and Mr. Pressey.

15 Can I have a motion to adopt this
16 Resolution?

17 VICE CHAIRMAN GRULLON: Make a motion to --

18 THE SECRETARY: Motion by --

19 VICE CHAIRMAN GRULLON: -- adopt the
20 Resolution.

21 THE SECRETARY: -- Mr. Grullon.

22 Second by?

23 Mr. Doumas.

24 Roll call on the motion.

25 Mr. Grullon?

1 VICE CHAIRMAN GRULLON: Yes.

2 THE SECRETARY: Mr. Ortiz? Absent.

3 Mr. Pressey? Absent.

4 Mr. Bonacci?

5 MR. BONACCI: Yes.

6 THE SECRETARY: Mr. Doumas?

7 MR. DOUMAS: Yes.

8 THE SECRETARY: Three in favor. Motion
9 carries.

10 Thank you.

11 * * *

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **RESOLUTIONS:**

2

3 (2) Baruch Hashem, LLC, 308-308A 35th Street,
4 Block 210, Lots 9 and 10. Legalization of an
5 existing apartment. To go from a two family to a
6 three family and ground floor commercial space.

7 (3) 25th Central Avenue, LLC, 2513 Central
8 Avenue, Block 144.01, Lot 9. Legalize two
9 bedroom apartments located on the second floor of
10 the building.

11

12 THE SECRETARY: Next Resolution, Baruch
13 Hashem, LLC, 308-308A 35th Street.

14 This application was approved at the
15 previous meeting.

16 Next Resolution, 25 Central Avenue, LLC,
17 2513 Central Avenue.

18 This application was approved at the
19 previous meeting.

20 Members who are eligible to vote, Mr. --
21 Mrs. Gutierrez, Mr. Grullon, Mr. Ortiz, Mr.
22 Medina, Mr. Bonacci, Mr. Marotta, and Mr. Doumas.

23 Can I have a motion to adopt these
24 Resolutions?

25 VICE CHAIRMAN GRULLON: Move the motion.

1 MS. GUTIERREZ: Second.

2 THE SECRETARY: Motion by Mr. Grullon.

3 Second by Mrs. Gutierrez.

4 Roll call on the motion.

5 Mr. Grullon?

6 VICE CHAIRMAN GRULLON: Yes.

7 THE SECRETARY: Mrs. Gutierrez?

8 MS. GUTIERREZ: Yes.

9 THE SECRETARY: Mr. Ortiz is absent.

10 Mr. Medina?

11 MR. MEDINA: Yes.

12 THE SECRETARY: Mr. Bonacci?

13 MR. BONACCI: Yes.

14 THE SECRETARY: Mr. Marotta?

15 MR. MAROTTA: Yes.

16 THE SECRETARY: Say yes?

17 MR. SPATZ: Um hum.

18 THE SECRETARY: Mr. Doumas?

19 MR. DOUMAS: Yes.

20 THE SECRETARY: Six in favor. Motion
21 carries.

22 All right. It's going move quick.

23 * * *

24

25

1 **DDIS Union City, LLC - 717-719 Bergenline Avenue:**

2

3 THE SECRETARY: Okay.

4 The first hearing in tonight's agenda, DDIS
5 Union City, LLC.

6 Mr. Paneque, please?

7 MR. PANEQUE: Members of the Board, I was
8 provided with a letter dated March 30th from the
9 attorney for the applicant, Mr. Santo Alampi,
10 indicating that they were requesting that the
11 matter be carried until May 11, due to the fact
12 that they did not have the time to provide the
13 revised plans that were requested by the Board
14 within the ten day period.

15 As such, this matter is being carried to
16 the May 11th meeting, with no further need for
17 either advertising or notices to the public.

18 THE SECRETARY: Can -- can I have a motion
19 to carry this application for May 11?

20 VICE CHAIRMAN GRULLON: I make the motion.

21 THE SECRETARY: Motion by --

22 MS. GUTIERREZ: I'm seconding.

23 THE SECRETARY: -- by Mr. Grullon.

24 Seconded by Mrs. Gutierrez.

25 Roll call on the motion.

1 Mr. Grullon?

2 VICE CHAIRMAN GRULLON: Yes.

3 THE SECRETARY: Mrs. Gutierrez?

4 MS. GUTIERREZ: Yes.

5 THE SECRETARY: Mr. Medina?

6 MR. MEDINA: Yes.

7 THE SECRETARY: Mr. Bonacci?

8 MR. BONACCI: Yes.

9 THE SECRETARY: Mr. Marotta?

10 MR. MAROTTA: Yes.

11 THE SECRETARY: Mr. Doumas?

12 MR. DOUMAS: Yes.

13 THE SECRETARY: Six in favor. Motion
14 carries.

15 No new notice require.

16 Thank you.

17 * * *

18

19

20

21

22

23

24

25

1 **Paula Escobar - 2404 Summit Avenue:**

2

3 THE SECRETARY: Next application, Paula
4 Escobar, 2404 Summit Avenue.

5 Mrs. Pereiras, please?

6 (Whereupon, there was a pause in the
7 proceedings.)

8 MS. PEREIRAS: Recorded.

9 MR. PANEQUE: It's recorded?

10 MS. PEREIRAS: Yes.

11 (Whereupon, there was a pause in the
12 proceedings.)

13 MS. PEREIRAS: Good evening, members of the
14 Board.

15 May it please the Board, Bianca Pereiras on
16 behalf of Paula Escobar.

17 Counsel, this is a continuation for
18 purposes of obtaining an easement, which I have
19 provided. However, I don't see all the members
20 that had previously heard this matter present
21 here this evening.

22 I believe Mr. Ortiz and Mr. Pressey were
23 two of the members, and I -- I don't see them
24 here and I don't know if they're coming.

25 MR. PANEQUE: For the record, I've been

1 provided by Ms. Pereiras with a recorded ingress
2 and egress easement agreement, which I had
3 previously reviewed. And the matter was not
4 voted on at the last meeting, due to the fact
5 that the easement, which is the right-of-way for
6 the rear exit to the property, exiting onto 24th
7 Street, did not have the proper legal
8 description.

9 I've now been provided with a recorded
10 agreement, with a Schedule D attached. And
11 looking at the legal description, the legal
12 description describes an easement with a -- which
13 is 50 feet in length by 3.9 -- 90 feet in width,
14 which is approximately a 50 by four foot
15 easement. And attached to it is a survey with
16 the easement clearly marked.

17 It appears that the easement is properly
18 recorded, and the daycare now has access, both
19 for ingress and egress, onto 24th Street, which
20 was one of the concern of -- concerns of the
21 Board that they didn't want kids being dropped
22 off and picked up on Summit Avenue, which is a
23 busier thoroughfare.

24 So, Ms. Pereiras, the agreement is now
25 acceptable from the legal --

1 MS. PEREIRAS: Thank you very much, --

2 MR. PANEQUE: -- side.

3 MS. PEREIRAS: -- counsel.

4 VICE CHAIRMAN GRULLON: I have a question,
5 Mr. Paneque.

6 MR. PANEQUE: Yes.

7 VICE CHAIRMAN GRULLON: And with that
8 easement, would that keep the daycare owner, the
9 ownership of that -- of the easement? Is that
10 what it say on the easement?

11 MR. PANEQUE: The easement, and this was
12 something that went back and forth, has a clause
13 in it which was placed at my request, and I'm
14 looking for it, because it's been about 30 days
15 since I read it, that as long as the daycare is
16 in operation, this easement cannot be in any way
17 revoked.

18 Let me just look for it, and I can read it
19 onto the record.

20 VICE CHAIRMAN GRULLON: Just to make sure
21 that there is no way they can put a construction
22 there, or close --

23 MR. PANEQUE: Correct.

24 VICE CHAIRMAN GRULLON: -- the -- the --
25 what we going to call the drop off zone.

1 MS. PEREIRAS: Counsel, paragraph one, the
2 last sentence.

3 MR. PANEQUE: Okay. Thank you, --

4 MS. PEREIRAS: Says --

5 Sure.

6 MR. PANEQUE: -- Ms. Pereiras.

7 Okay. Paragraph one states, grant of
8 easement.

9 The grantor hereby grants and conveys to
10 the grantee, and to the grantee's successors and
11 assigns, heirs and legal representatives, and to
12 any future owner of the property of the grantee
13 described in Schedule B, a non-exclusive easement
14 over the easement area, which is described in the
15 following paragraph.

16 On the property of the grantor, as may be
17 necessary for the purpose of ingress and egress,
18 for as long as the property is used as a daycare
19 facility.

20 So, as long as that property is being used
21 as a daycare facility on the adjacent property,
22 which has the easement running through it, they
23 cannot revoke it, take it away, or build on it.
24 They have to remain open for ingress and egress
25 to the daycare facility.

1 Okay? And it's -- for the record, I did
2 state it was recorded, but I'll read the
3 recording information.

4 It's been recorded as of April 6, 2017;
5 today.

6 MS. PEREIRAS: That's correct.

7 MR. PANEQUE: On Hudson County Register
8 Book 9191, Page 924.

9 It's got the Register's receipt on it.

10 Any other questions?

11 VICE CHAIRMAN GRULLON: No.

12 MR. MAROTTA: Yeah. I have comments. We
13 reserved my comments from last time until
14 tonight.

15 Right?

16 MR. PANEQUE: That is correct, Mr. Marotta.

17 MR. MAROTTA: Mr. Chairman and fellow
18 members of the Board and counsel, I've had an
19 opportunity to review the transcript in this
20 matter of the initial hearing, and I paid
21 particular attention to the testimony of the
22 planner.

23 And the reason is because it's the
24 testimony of the planner upon which an
25 application survives or goes down. Not the

1 architect, but the planner. Because this
2 application is for a use variance.

3 The planner -- let me say this at the
4 beginning.

5 When a witness testifies and qualifies to
6 testify as an expert witness, that's all it
7 means; that that person is qualified to testify
8 as an expert. It does not mean that the
9 testimony that person gives is accurate, is
10 truthful, and it doesn't mean that the opinion
11 that that expert might give is binding.

12 That function is our function as the trier
13 of the fact.

14 MR. PANEQUE: Mr. Marotta, may I interrupt
15 you a second?

16 MR. MAROTTA: Go ahead.

17 MR. PANEQUE: I was just taking a view of
18 the composition of the Board, and I think Ms.
19 Pereiras alluded to it at the beginning of her
20 opening statement, but I wasn't quite focused on
21 it.

22 Eligible to vote on this application is
23 Chairman -- Vice Chairman Grullon, Ms. Gutierrez,
24 Mr. Ortiz who's not here tonight, Mr. Pressey
25 who's not here tonight, Mr. Medina, and Mr.

1 Marotta, because you've signed an Affidavit.

2 MR. MAROTTA: Right.

3 MR. PANEQUE: Right now, we have one, two,
4 three, four members.

5 MR. MAROTTA: Right.

6 MR. PANEQUE: So, we don't have --

7 MR. MAROTTA: Let's take a vote.

8 MR. PANEQUE: We don't have the ability to
9 take a vote.

10 MR. MAROTTA: Oh, we do have.

11 MR. PANEQUE: Well, we don't have enough
12 members who are eligible to vote on a use
13 variance.

14 MR. MAROTTA: Oh, no. What you're saying
15 is that there aren't five votes to adopt the --
16 the application.

17 MR. PANEQUE: We don't have five members to
18 have the opportunity to have a vote.

19 So, I think before you go into --

20 MR. MAROTTA: Okay.

21 MR. PANEQUE: -- into your -- your
22 statement, which you have the right to do, since
23 we don't have five members who can vote, I think
24 the applicant is at a disadvantage here, because
25 right off the bat, they -- they wouldn't get this

1 application in any --

2 MR. MAROTTA: You want to put it off, then
3 until we get that.

4 MR. PANEQUE: Well, I'm -- I'm going to
5 allow Ms. Pereiras --

6 MR. MAROTTA: All right.

7 MR. PANEQUE: -- to make an application and
8 I -- and if --

9 Mr. Vallejo, is anybody else coming in; Mr.
10 Ortiz or Mr. Pressey?

11 THE SECRETARY: I just text Mr. Ortiz.

12 Let me check if he replied back to me.

13 MR. MAROTTA: I -- I would not object --

14 MR. PANEQUE: Okay.

15 MR. MAROTTA: As a member of the Board, I
16 would not object to this --

17 MR. PANEQUE: Yeah.

18 MR. MAROTTA: -- going to the next meeting
19 --

20 MR. PANEQUE: All right. I just -- I'm
21 just --

22 MR. MAROTTA: -- so whatever members could
23 be here.

24 MR. PANEQUE: As the attorney for the
25 Board, I don't think it's --

1 THE SECRETARY: I don't have any answer --

2 MR. PANEQUE: -- fair to the applicant --

3 THE SECRETARY: -- from Mr. Ortiz.

4 MR. MAROTTA: Right.

5 MR. PANEQUE: -- to even attempt to take a
6 vote, when we know what the outcome --

7 MR. MAROTTA: Okay.

8 MR. PANEQUE: -- of that vote is.

9 MR. MAROTTA: All right.

10 MR. PANEQUE: Okay.

11 We're waiting on Mr. Vallejo to see if we
12 have any other members coming in.

13 Also, I would like for you to be able to
14 give your statement when we have enough members
15 --

16 MR. MAROTTA: Yeah.

17 MR. PANEQUE: -- here to vote.

18 MR. MAROTTA: Absolutely. Absolutely.

19 (Whereupon, there was a pause in the
20 proceedings.)

21 MR. PANEQUE: No?

22 MR. MAROTTA: Counsel, I think all the
23 members who should vote on this, who have the
24 right to vote should be here. I think that will
25 be the fairest thing, that all the members.

1 MR. PANEQUE: That would be. I agree.

2 THE SECRETARY: He's not picking up --

3 MR. PANEQUE: Not picking up?

4 THE SECRETARY: -- phone. Yup.

5 MR. PANEQUE: All right.

6 Ms. Pereiras --

7 THE SECRETARY: I sent a text message

8 earlier, too. I didn't get an answer.

9 MR. PANEQUE: Based on what I've just --

10 THE SECRETARY: Oh, I got a -- one second,
11 please.

12 Hi, Miguel.

13 Are you coming to the meeting?

14 Thank you.

15 You know how long, more or less?

16 Fifteen.

17 Thank you.

18 Miguel -- Mr. Miguel called me back.

19 VICE CHAIRMAN GRULLON: But I agree that --

20 THE SECRETARY: He's going to get here by
21 -- in the next 15 minutes.

22 MR. PANEQUE: And have we heard from Mr.
23 Pressey?

24 VICE CHAIRMAN GRULLON: Okay.

25 THE SECRETARY: Huh?

1 MR. PANEQUE: Mr. Pressey?

2 THE SECRETARY: Oh, he didn't call -- he
3 didn't answer.

4 MR. PANEQUE: He didn't answer. Okay.

5 THE SECRETARY: Want me to try one more
6 time?

7 MR. PANEQUE: I mean --

8 THE SECRETARY: I try, that very simple.

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

11 MR. MAROTTA: Are we going to wait or carry
12 it?

13 MR. PANEQUE: Ms. Pereiras, it's -- it's
14 your application.

15 Do you want to carry it till the next
16 meeting, which will be May 11?

17 MS. PEREIRAS: I would not proceed unless
18 all members that were here to hear the case
19 before --

20 MR. PANEQUE: All right.

21 MS. PEREIRAS: -- would be present.

22 MR. PANEQUE: So --

23 MS. PEREIRAS: So, unless Mr. Pressey is
24 also on his way, I would have this matter
25 adjourned.

1 MR. PANEQUE: Okay.

2 Do you have any other applications tonight?

3 MS. PEREIRAS: I have one, which is a small
4 extension request.

5 MR. PANEQUE: Okay.

6 THE SECRETARY: No answer.

7 MR. PANEQUE: No answer?

8 All right.

9 MS. PEREIRAS: Okay.

10 MR. PANEQUE: Make your application, and
11 then the Board will decide.

12 MS. PEREIRAS: Counsel, I would ask that
13 this matter be carried till the next meeting, so
14 that all members that had heard testimony on this
15 matter could actually be here to -- to vote on
16 this matter.

17 MR. PANEQUE: And that's with the
18 understanding that Mr. Marotta is reserving his
19 rights to make the statement that he was about to
20 make when other members are here.

21 MS. PEREIRAS: Not a problem. I will
22 address that at that meeting, as well.

23 VICE CHAIRMAN GRULLON: Do we have to bring
24 the planner, in case he has --

25 MR. PANEQUE: No. Her case is done. We're

1 just voting on it now.

2 VICE CHAIRMAN GRULLON: Okay.

3 MR. PANEQUE: I think, at this stage, we're
4 just at the stage where we take the vote. Mr.
5 Marotta wants to make a statement.

6 VICE CHAIRMAN GRULLON: Sure.

7 MR. PANEQUE: I -- I think her application
8 is closed. It was only carried for purposes of
9 presenting the recorded agreement.

10 Okay?

11 VICE CHAIRMAN GRULLON: With that, I make a
12 motion to adjourn this application to May 11.

13 MS. GUTIERREZ: And I'm seconding.

14 THE SECRETARY: Motion to carry over to May
15 11 by Mr. Grullon.

16 Second by Mr. -- Mrs. Gutierrez.

17 Roll call on the motion.

18 Mr. Grullon?

19 VICE CHAIRMAN GRULLON: Yes.

20 THE SECRETARY: Mrs. Gutierrez?

21 MS. GUTIERREZ: Yes.

22 THE SECRETARY: Should I call everybody?

23 MR. SPATZ: Just those that are here.

24 Yeah. Everyone that's here.

25 THE SECRETARY: Everybody who's here?

1 MR. SPATZ: Yeah.

2 THE SECRETARY: Mr. Medina?

3 MR. MEDINA: Yes.

4 THE SECRETARY: Mr. Marotta?

5 MR. MAROTTA: Yes.

6 THE SECRETARY: Mr. Doumas?

7 MR. DOUMAS: Yes.

8 THE SECRETARY: Mr. Bonacci?

9 MR. BONACCI: Yes.

10 THE SECRETARY: Motion carries. Six in
11 favor.

12 Thank you.

13 MS. PEREIRAS: Thank you very much.

14 MR. PANEQUE: Thank you.

15 * * *

16

17

18

19

20

21

22

23

24

25

1 **Reino Magico - 701 Bergenline Avenue:**

2

3 THE SECRETARY: Okay.

4 Next application is Reino Magico, 701
5 Bergenline Avenue.

6 Resolution was memorialized on April 9,
7 2015. Applicants are seeking for one year
8 extension.

9 Mrs. Pereiras, please?

10 MS. PEREIRAS: Thank you very much.

11 Again, Bianca Pereiras on behalf of Reino
12 Magico.

13 This is an application that was heard by
14 this Board back in March of 2015, and a
15 Resolution was adopted in April of that same
16 year.

17 This is a daycare facility that's located
18 at 701 Bergenline Avenue. Actually, run in Union
19 City since the 1960s by two sisters that started
20 this daycare, and now it's being run by one of
21 their daughters.

22 When we got the approval, it was to expand
23 the daycare because they really had a long wait
24 list, and needed additional space to accommodate
25 their children.

1 Unfortunately, one of the original sisters,
2 who had started this business, she passed away
3 last year. So, while the family was grieving,
4 obviously, the construction kind of went to the
5 back burner.

6 They are now prepared to go forward.
7 They've actually already hired a contractor, and
8 he's prepared to go before the Building
9 Department and request permits.

10 But at this time, we are asking for a one
11 year extension from this Board.

12 VICE CHAIRMAN GRULLON: You say they are
13 ready to proceed to the construction.

14 MS. PEREIRAS: They're ready to go.

15 VICE CHAIRMAN GRULLON: I don't have any
16 question.

17 I will make a motion to grant this request.

18 MR. PANEQUE: Any questions from the Board
19 members?

20 VICE CHAIRMAN GRULLON: Any -- anyone has
21 any question regarding to --

22 MR. BONACCI: I remember --

23 VICE CHAIRMAN GRULLON: -- to the extension
24 of this?

25 MR. MAROTTA: I wasn't here at the time --

1 MR. BONACCI: I remember the application a
2 year ago.

3 MR. MAROTTA: -- so I don't vote on this.

4 MS. GUTIERREZ: Yeah. Um hum.

5 MR. BONACCI: I remember --

6 MS. GUTIERREZ: I remember that, too.

7 VICE CHAIRMAN GRULLON: Yes. Yes.

8 MS. GUTIERREZ: Yeah. Yeah.

9 MR. BONACCI: So --

10 VICE CHAIRMAN GRULLON: But the case here
11 is because --

12 MR. BONACCI: Death in the family.

13 VICE CHAIRMAN GRULLON: -- one of the --
14 one of the owners --

15 MR. BONACCI: Got it.

16 VICE CHAIRMAN GRULLON: -- passing away and
17 they stopped construction because of that, and
18 now they're extending.

19 MR. BONACCI: No problem.

20 VICE CHAIRMAN GRULLON: I don't see any
21 objection --

22 MS. GUTIERREZ: No problem.

23 VICE CHAIRMAN GRULLON: -- with that.

24 I make a motion to grant the extension for
25 one year.

1 MS. GUTIERREZ: And I'm seconding.

2 THE SECRETARY: Motion by Mr. Grullon.

3 Second by Mrs. Gutierrez.

4 Roll call on the motion.

5 Mr. Grullon?

6 VICE CHAIRMAN GRULLON: Yes.

7 THE SECRETARY: Mrs. Gutierrez?

8 MS. GUTIERREZ: Yes.

9 THE SECRETARY: Mr. Medina?

10 MR. MEDINA: Yes.

11 THE SECRETARY: Mr. Bonacci?

12 MR. BONACCI: Yes.

13 THE SECRETARY: Mr. Marotta?

14 MR. MAROTTA: I don't vote on this. I
15 wasn't here at the time.

16 THE SECRETARY: You abstain?

17 Thank you.

18 Mr. Doumas?

19 MR. DOUMAS: Yes.

20 THE SECRETARY: Five in favor, one abstain.
21 Motion carries.

22 MS. PEREIRAS: Thank you all very much.
23 Good night.

24 Have a Happy Easter.

25 MR. BONACCI: You, too.

1 MS. GUTIERREZ: Thank you.

2 You, too.

3 MR. BONACCI: You, too.

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

6 * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **Palisade Emergency Residence Corporation -**
2 **108 36th Street:**

3

4 THE SECRETARY: Next application on
5 tonight's agenda, Palisade Emergency Residence
6 Corporation, 108 36th Street.

7 Proposing a residential homeless shelter
8 dormitory.

9 Thank you.

10 Mrs. -- Mr. O'Connell, please?

11 MR. O'CONNELL: Hi. Good evening.

12 My name is Eugene O'Connell. I'm appearing
13 for PERC.

14 Just a little bit of history on this. I
15 think the Board's pretty aware of it, but I
16 thought I should just go over it.

17 MS. GUTIERREZ: I remember that.

18 MR. O'CONNELL: Our initial --

19 MR. PANEQUE: Mr. O'Connell?

20 MR. O'CONNELL: -- application was approved
21 in --

22 VICE CHAIRMAN GRULLON: Mr. O'Connell?

23 MR. PANEQUE: Mr. O'Connell, one second,
24 please.

25 MR. O'CONNELL: Sorry.

1 MR. PANEQUE: Sorry to interrupt, but we
2 need to establish jurisdiction.

3 Do you have the proof of mailing and --

4 MR. O'CONNELL: I hand delivered everything
5 to --

6 MR. PANEQUE: Okay, to Mr. Vallejo?

7 MR. O'CONNELL: So, it should be in the
8 package. Your --

9 MR. PANEQUE: Just give me one second. I
10 have to review it.

11 MR. O'CONNELL: No problem.

12 (Whereupon, there was a pause in the
13 proceedings.)

14 MR. PANEQUE: Mr. Vallejo?

15 THE SECRETARY: Yes, sir.

16 MR. PANEQUE: You have the certified mail
17 and the proof of publication?

18 MR. O'CONNELL: It was hand delivered by
19 Melida (phonetic), I think on Monday.

20 THE SECRETARY: Oh, it's right here.

21 Mr. Paneque, please.

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

24 MR. PANEQUE: Let the record reflect that
25 I've been provided by Mr. Vallejo, Secretary to

1 the Board, with the following documentation that
2 had been provided to him by Mr. O'Connell's
3 office.

4 I have a tax list from the City of Union
5 City, Office of the Tax Assessor, dated February
6 10th, 2017, listing all property owners within the
7 200 foot radius of 108 36th Street.

8 I also have been provided with an Affidavit
9 of Publication from The Jersey Journal, with a
10 date of March 27, 2017, indicating that notice of
11 tonight's hearing on April 6, 2017, for property
12 located at 108 36th Street was published in The
13 Jersey Journal, on March 27.

14 I've also been provided with the certified
15 mail receipts, with a stamp date of March 24th,
16 2017.

17 Was there an Affidavit of Mailing from your
18 office, or one of your secretaries?

19 MR. O'CONNELL: I believe --

20 MR. PANEQUE: I don't see that.

21 MR. O'CONNELL: -- it may be that -- I can
22 provide that.

23 MR. PANEQUE: Okay.

24 MR. O'CONNELL: But it was definitely --
25 I'll provide that.

1 MR. PANEQUE: Thank you, Mr. O'Connell.

2 The record will reflect that Mr. O'Connell
3 is to provide an Affidavit of Publication.

4 I have the proof that the notices went out,
5 I just need to have that --

6 MR. O'CONNELL: The Affidavit of Mailing.

7 MR. PANEQUE: -- in the file. Okay.

8 Based on the documentation that's been
9 provided, this Board has jurisdiction to proceed
10 and hear this matter.

11 VICE CHAIRMAN GRULLON: You may proceed,
12 Mr. O'Connell.

13 MR. O'CONNELL: All right.

14 Thank you so much.

15 So, as I started, I thought I should go
16 over the history -- the procedural history, just
17 so we're all aware of what we did.

18 So, back on October 15th of 2015, I
19 appeared before the Board of Adjustment for
20 approval to -- to provide 21 units of beds in the
21 shelter for homeless individuals.

22 That was approved, and it was approved with
23 a six month term, so that we could check to make
24 sure that during the winter months, the shelter
25 was operating properly, smoothly, without any

1 problems.

2 So, with that approval, we went to the --
3 the Building Department and obtained our building
4 permits. It took quite awhile to get everything
5 rolling.

6 So, we did not get our -- we did not get
7 our Certificate of Occupancy until March 24th of
8 2016.

9 Because the Board wanted to make sure that
10 the shelter was operating properly during the
11 winter months, we then got an extension, another
12 six month extension. That brought us up to
13 November of -- of last year.

14 And then, in November of last year, we got
15 an extension, so now we can operate during the
16 winter months of 2016 to March of 2017, to make
17 sure that the shelter was operating properly.

18 So, I'm happy to report that we've been in
19 operation. PERC has partnered up with Garden
20 State Episcopal Community Development Corp.
21 That's done two things.

22 It's brought social services into the
23 project, and it's brought extra income and money
24 granted to the project, so they can provide a
25 little bit more security, and do a lot more work.

1 And since that is really the purpose of
2 this hearing, I thought I'd bring Tom Harrigan up
3 to testify about how the shelter's been operating
4 the last six months for the Board.

5 VICE CHAIRMAN GRULLON: Okay. You can
6 continue.

7 MR. O'CONNELL: Okay. So, Mr. Harrigan?

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

10 MS. DILLON: Just right in front the
11 microphone, please.

12 Right there. That's perfect.

13 MR. HARRIGAN: Oh, speak into the --

14 MS. DILLON: Yes.

15 MR. HARRIGAN: -- microphone?

16 MS. DILLON: Yup.

17 Please raise your right hand.

18 Do you affirm the testimony you're about to
19 give this Board is the whole truth?

20 MR. HARRIGAN: I do.

21 MS. DILLON: Please state your name and
22 spell it for the record.

23 MR. HARRIGAN: Tom, T-O-M, Harrigan,
24 H-A-R-R-I-G-A-N.

25 MS. DILLON: I'm sorry. H-A --

1 MR. HARRIGAN: R-R-I-G-A-N.

2 MS. DILLON: Thank you.

3 MR. O'CONNELL: Tom, the purpose of this is
4 to inform the Board about how PERC has been
5 operating for the winter months in 2016 and 2017.

6 So, I think the best way to do it is maybe
7 just go through a normal day at PERC, and then,
8 we'll go over the whole six month period, to say
9 how everything's been operating.

10 So, give the Board an idea what -- how you
11 operate on a daily basis.

12 MR. HARRIGAN: Well, on -- on a daily
13 basis, we open -- since we added the beds, you're
14 talking?

15 MR. O'CONNELL: Yeah. Yeah.

16 MR. HARRIGAN: Okay.

17 MR. O'CONNELL: Yeah. They want to know,
18 for the six -- the purpose was during --

19 MR. HARRIGAN: The six months.

20 MR. O'CONNELL: -- the six month period --

21 MR. HARRIGAN: Okay.

22 MR. O'CONNELL: -- that everything's
23 operating properly.

24 MR. HARRIGAN: Oh, okay.

25 MR. O'CONNELL: What you think we should

1 know. How -- how it's operating; have there been
2 any problems; and then --

3 So, the first thing is, what's -- what is
4 it like to operate on a --

5 MR. HARRIGAN: Okay.

6 MR. O'CONNELL: -- regular day --

7 MR. HARRIGAN: Sure.

8 MR. O'CONNELL: -- at the shelter?

9 MR. HARRIGAN: Okay.

10 Well, since the additional 20 bed -- 21
11 beds were added, we're -- we're now under Garden
12 State, we're open all day, 24 hours a day. We
13 don't close.

14 We've also brought in -- we have a full
15 time social worker that's there from 7:30 a.m. to
16 3:30 p.m., every day. Those are the hours that
17 he is there, and we have a day program that
18 operates all day, from seven a.m. to three p.m.
19 Then, the evening shift goes from three p.m. to
20 11 p.m. Overnight shift is from 11 p.m. to 7:30
21 in the morning. So, it's around the clock.

22 We now provide a breakfast, lunch and
23 dinner. But we always had dinner. Now, we're
24 providing breakfast and lunch.

25 The social worker's on staff there as part

1 of the coordinated entry through Garden State.
2 And his function is to get people into housing.
3 That's -- that's his whole function is to speak
4 to the people and get them into housing.

5 And, of course, as we all know, that's a
6 real big problem, to find housing for people. I
7 mean, I would say 85 percent of our clients are
8 employed. Unfortunately, they're making minimum
9 wage and just a little bit above minimum wage.

10 So, the process is very long and very
11 difficult to move them out.

12 We added 21 beds -- prior to the 21 beds,
13 we operated the 40 bed shelter and we used our
14 dining hall as an overflow for people where there
15 weren't any beds.

16 We added the 21 beds. We opened them
17 August 15th. They were full that night.

18 Our overflow -- we were operating an
19 average of about 60 people per night. We figured
20 that would decrease the number, and we'd be able
21 to operate more efficiently.

22 However, that's just not the case. The 21
23 beds were full. Our 40 beds are full. And our
24 overflow, downstairs, the drop-in center is
25 averaging about anywhere between 65 and 70 people

1 per night.

2 MR. O'CONNELL: Tom, can I just go back --

3 MR. HARRIGAN: Sure.

4 MR. O'CONNELL: -- to one thing, because I
5 thought this was important.

6 You told me that some of the clients that
7 use this shelter actually have a job, employment.
8 They don't make enough money --

9 MR. HARRIGAN: Oh, no, they do.

10 MR. O'CONNELL: -- to afford housing.

11 MR. HARRIGAN: Absolutely.

12 MR. O'CONNELL: How many -- how many
13 elderly people are using the shelter?

14 MR. HARRIGAN: Well, that's another problem
15 that -- that we're having. We have several
16 people with wheelchairs. We have two people who
17 are -- one -- one is 80, one is 78, one is 72.

18 The only problem with them is their Social
19 Security checks aren't enough for them to have an
20 apartment or to move.

21 One guy is receiving -- I actually spoke to
22 him last night. He's getting 450 a month from
23 Social Security.

24 Now, prior to that, he was living with a
25 friend in a building he wasn't supposed to be in.

1 The friend died. He had to move. So, he's at
2 the shelter.

3 We have another 80 year old man, lost his
4 apartment because he went to the hospital. He
5 had a room he was renting in somebody's house.
6 Lost the -- lost the room. Went to the hospital,
7 came back. Two months later, they gave the room
8 to somebody else. He's at the shelter.

9 We have --

10 MR. O'CONNELL: Tom, how many women would
11 you say --

12 MR. HARRIGAN: Oh, now -- I was going to
13 get into that next.

14 We -- we used to average about maybe five
15 or six women a night in the overflow. Now, we're
16 doing -- with the bed -- even the beds, we're
17 averaging in the overflow alone, about 15 women.
18 Out of that, we have three of them that are
19 pregnant.

20 MS. GUTIERREZ: Oh, my God.

21 MR. HARRIGAN: And there's no --

22 MR. O'CONNELL: And --

23 MR. HARRIGAN: -- beds for them.

24 MR. O'CONNELL: And just to go back,
25 because have you had any -- over the last six

1 month period, have you had any complaints for --
2 for any of the occupants of your shelter, outside
3 -- from any outside source?

4 MR. HARRIGAN: No. No. No. There -- I
5 mean, we actually patrol the area, because people
6 live -- this is a residential area. So, we have
7 the outreach team that goes right there, just to
8 make sure that nobody's roaming around.

9 MR. O'CONNELL: How many people in that
10 outreach team do you have?

11 MR. HARRIGAN: Well, we have two operate --
12 well, actually, three during the winter and two
13 during the summer months.

14 MR. O'CONNELL: And they actually ride the
15 neighborhood --

16 MR. HARRIGAN: Yeah.

17 MR. O'CONNELL: -- to make sure there's --

18 MR. HARRIGAN: Yeah. Just make sure.

19 MR. O'CONNELL: -- not homeless people.

20 MR. HARRIGAN: And if there's somebody out
21 there, they'll approach them. But -- and tell
22 them to come into the shelter, or they'll call
23 me, or one of the other workers to go talk to
24 them, and bring them in.

25 You know, we go to the Acme parking lot. We

1 ride down Bergenline Avenue, 48th Street, the
2 whole area.

3 And they -- their goal is to get people to
4 come into the shelter.

5 MR. O'CONNELL: And --

6 All right. I think --

7 MR. HARRIGAN: And, again, unfortunately --

8 MR. O'CONNELL: -- that's it.

9 MR. HARRIGAN: -- they're -- I mean, they
10 are working. And we actually have a savings
11 program. And we require -- not force, we require
12 people to deposit 30 percent of their total
13 income.

14 Well, when you're making -- your net pay
15 coming home is 180, \$190.00 a week, and they're
16 saving 30 percent of that, where are they going
17 to move to?

18 The furnished rooms in Union City, the ones
19 on 30 -- at 36th -- what street is that -- 38th
20 Street, there's one and there's one on 30 -- 33rd
21 Street, \$200.00 a week, 225 a week for those
22 rooms. That's a problem.

23 And as far as housing, I do housing
24 searches almost every night with people. I have
25 not been able to find anything under \$900.00 a

1 month, 850, 675, maybe. That's rare.

2 So, that's where the problem is. Our
3 numbers really aren't going down. And that's why
4 we have the social worker there in the daytime.

5 He researches ever -- all through Hudson
6 County, and we -- we were able to move, actually,
7 two women out, both of them together. Actually,
8 they weren't even friends but one went to Jersey
9 City, and the other one's in Guttenberg. He
10 found some apartment, boom, boom, boom. They had
11 a little bit of money saved. He got them there
12 right away.

13 MR. O'CONNELL: All right. I -- I don't
14 have any further questions.

15 VICE CHAIRMAN GRULLON: I --

16 MR. HARRIGAN: Okay.

17 VICE CHAIRMAN GRULLON: I would like to ask
18 just to the -- to refresh our memory.

19 MR. HARRIGAN: Sure.

20 VICE CHAIRMAN GRULLON: When you first came
21 to the application, what was the capacity of the
22 shelter?

23 And what was the increase that you
24 requested?

25 Can you just give us overview of that?

1 MR. O'CONNELL: Yeah, it was 40 beds.

2 MR. HARRIGAN: Forty beds.

3 MR. O'CONNELL: And we asked --

4 VICE CHAIRMAN GRULLON: Forty bed?

5 MR. O'CONNELL: -- for 21.

6 MR. HARRIGAN: Twenty-one.

7 VICE CHAIRMAN GRULLON: And you're adding
8 21.

9 MR. O'CONNELL: Correct.

10 VICE CHAIRMAN GRULLON: And are those 21
11 operating now?

12 MR. O'CONNELL: Yes, and they've been
13 operating since --

14 MR. HARRIGAN: August --

15 MR. O'CONNELL: -- March --

16 VICE CHAIRMAN GRULLON: Yes.

17 MR. O'CONNELL: Actually from --

18 MR. HARRIGAN: August.

19 MR. O'CONNELL: -- from August.

20 VICE CHAIRMAN GRULLON: Because you say
21 that you had -- like in a common area.

22 MR. HARRIGAN: We have an overflow.

23 MR. O'CONNELL: Overflow. They used --
24 yeah. But now that -- there was no place else to
25 put the homeless people, but that's why we needed

1 the additional beds. And --

2 VICE CHAIRMAN GRULLON: And they all --

3 MR. O'CONNELL: We just wanted to make --

4 VICE CHAIRMAN GRULLON: They -- they are
5 always occupied. Those --

6 MR. O'CONNELL: Always occupied.

7 MR. HARRIGAN: Always occupied.

8 VICE CHAIRMAN GRULLON: Now you got 61
9 beds.

10 MR. O'CONNELL: Sixty-one beds.

11 MR. HARRIGAN: Sixty-one beds.

12 MR. O'CONNELL: Correct.

13 MR. HARRIGAN: They're never empty.

14 VICE CHAIRMAN GRULLON: And service --
15 service elderly people.

16 MR. HARRIGAN: Yup.

17 VICE CHAIRMAN GRULLON: Are there any
18 couples there?

19 MR. HARRIGAN: Oh, yes. We have husband
20 and wife, and we have mother and son. Mother and
21 daughter. Yeah. Sure.

22 These people who -- I have a -- I have a
23 mother and son. Mother's pregnant. Son's with
24 her.

25 Another pregnant woman and her husband is

1 | there.

2 | And I have a mother and daughter.

3 | MR. O'CONNELL: Yeah.

4 | MR. HARRIGAN: People have income. They
5 | have income.

6 | MR. O'CONNELL: Yeah.

7 | MR. HARRIGAN: That's our problem.

8 | MR. O'CONNELL: I know. And just to -- to
9 | show you how drastically tough the situation is,
10 | in the whole County of Hudson, there's only 170
11 | beds.

12 | So, it's just a -- it's a problem. You
13 | know, I came across a quote from Jan Schakowsky.
14 | And -- and this is what she said.

15 | There's a lot that happens around the world
16 | we cannot control. We cannot stop earthquakes.
17 | We cannot prevent droughts. And we cannot
18 | prevent all conflict. But when we know where
19 | they're hungry, the homeless and the sick -- sick
20 | exist, then we can help.

21 | I think -- I -- I applaud Union City for
22 | doing this. I applaud the Mayor. Mayor Turner's
23 | --

24 |

25 | (Whereupon, Miguel Ortiz arrived at 6:50

1 p.m.)

2

3 MR. O'CONNELL: -- been very helpful. And
4 I think -- you know, it's something we can do.

5 THE SECRETARY: May I have a second,
6 please?

7 Let the record indicate that Mr. Ortiz just
8 arrived to the meeting.

9 Now we have seven members.

10 VICE CHAIRMAN GRULLON: You have any other
11 witness?

12 MR. O'CONNELL: I have -- I have other
13 people with me, if there were any questions, but
14 I think that's really the issue that was before
15 the Board, so that's my case.

16 VICE CHAIRMAN GRULLON: And could you
17 explain again, please, the -- the reason why
18 you're here now?

19 MR. O'CONNELL: Yes. I will explain.

20 When we first received the approval, and we
21 did receive an approval to construct the beds,
22 and we did that. It was all approved by the
23 Building Department. And they have been being
24 used.

25 The Board asked the operator to make sure

1 | that, during the winter months, that it was
2 | operating properly, without a problem.

3 | We had to get the six month extensions to
4 | get into the winter months. So, that -- we're
5 | back here today to ask you to give us our final
6 | approval, and to -- so we can get our final CO.

7 | That's the only reason we're here tonight.

8 | And the reason that we had to come back was
9 | because the prior extensions you gave me didn't
10 | get us into the winter. Only got into -- into
11 | September.

12 | VICE CHAIRMAN GRULLON: Yes.

13 | MR. MAROTTA: I have no questions.

14 | VICE CHAIRMAN GRULLON: You have no
15 | question, Mr. --

16 | MR. MAROTTA: No.

17 | VICE CHAIRMAN GRULLON: -- Marotta?

18 | MR. MAROTTA: No questions.

19 | VICE CHAIRMAN GRULLON: For the record, I
20 | want to say that with all the extensions that we
21 | been giving, it also give us an opportunity to
22 | get information, to know whether this type of
23 | operation fits into the neighborhood.

24 | And as you mentioned before, with one of
25 | your witness, we haven't heard any complaints at

1 all. And this service that is very much needed
2 for the needy people and homeless people.

3 I don't see any problem with granting this
4 application.

5 Do you guys has any questions?

6 MR. BONACCI: I just have a -- something to
7 add.

8 VICE CHAIRMAN GRULLON: Yes, please.

9 MR. BONACCI: I recall when the applicant
10 sought approval originally. And I remember the
11 question at the time, for us, was, was there
12 going to be a need for this use?

13 I think that that's been established, based
14 on the testimony that's been given.

15 And I think the applicant's providing a
16 valuable service to the community, and it's very
17 beneficial.

18 Also, the applicant isn't seeking any kind
19 of parking, or something that usually would
20 divide the Board members.

21 MS. GUTIERREZ: Um hum.

22 MR. BONACCI: So, based on all that,
23 myself, personally, I would vote to grant the
24 application, based on all that being that all the
25 questions we originally had, seems like they've

1 | been answered.

2 | So, I feel comfortable granting the
3 | application, voting yes.

4 | VICE CHAIRMAN GRULLON: Any other member of
5 | the Board?

6 | MR. MAROTTA: If that's a motion, I'll
7 | second your motion.

8 | VICE CHAIRMAN GRULLON: With all that said,
9 | I will make a motion to grant this application.

10 | Thank you.

11 | MR. O'CONNELL: Thank you so much.

12 | VICE CHAIRMAN GRULLON: Good luck.

13 | THE SECRETARY: Motion to grant the
14 | application by Mr. Grullon.

15 | VICE CHAIRMAN GRULLON: Second by Mr.
16 | Marotta.

17 | MR. PANEQUE: Second by --

18 | VICE CHAIRMAN GRULLON: Mr. Marotta.

19 | THE SECRETARY: Second -- second by Mr.
20 | Bonacci.

21 | MS. GUTIERREZ: Bonacci.

22 | MR. BONACCI: Yes.

23 | VICE CHAIRMAN GRULLON: Thought it was
24 | Marotta.

25 | THE SECRETARY: Roll call on the motion.

1 Mr. Grullon?

2 VICE CHAIRMAN GRULLON: Yes.

3 THE SECRETARY: Mrs. Gutierrez?

4 MS. GUTIERREZ: Yes.

5 THE SECRETARY: Mr. Ortiz?

6 MR. ORTIZ: Since I didn't hear most of the
7 application, I'll abstain.

8 THE SECRETARY: Abstain.

9 Mr. Medina?

10 MR. MEDINA: Yes.

11 THE SECRETARY: Mr. Bonacci?

12 MR. BONACCI: Yes.

13 THE SECRETARY: Mr. Marotta?

14 MR. MAROTTA: Yes.

15 THE SECRETARY: Mr. Doumas?

16 MR. DOUMAS: Yes.

17 THE SECRETARY: Six in favor, one abstain.
18 Motion carries.

19 MR. O'CONNELL: Thanks very much. Thanks
20 for your time.

21 MS. GUTIERREZ: You're welcome.

22 MR. O'CONNELL: Appreciate it.

23 VICE CHAIRMAN GRULLON: Thank you.

24 THE SECRETARY: There being no other appli

25 --

1 MR. PANEQUE: Oh --

2 THE SECRETARY: Oh, I'm sorry. Mr.
3 Paneque?

4 MR. PANEQUE: Thank you, Mr. Vallejo.

5 VICE CHAIRMAN GRULLON: Oh, we're still on
6 the record?

7 MR. PANEQUE: Yeah.

8 Let's wait for Mr. Marotta to finish.

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

11 THE SECRETARY: May I have your attention,
12 please?

13 MR. PANEQUE: Ladies and gentlemen of the
14 Board, I've been asked to make the following
15 announcement for the Board members.

16 This is a reminder that all Board members
17 are required to file their financial disclosure
18 statement by no later than April 30th.

19 Okay?

20 Failure to do so can subject the Board
21 member to a penalty -- monetary penalty.

22 So, please make sure that you follow
23 through and you file your financial disclosure
24 statement.

25 It's on the computer. You go in, you fill

1 out the form, and submit it. And then you'll be
2 set for one year.

3 VICE CHAIRMAN GRULLON: Nobody will get
4 something in the mail.

5 Are we going to get a notification in the
6 mail?

7 MS. GUTIERREZ: Because I didn't get
8 anything.

9 MR. PANEQUE: If you --

10 VICE CHAIRMAN GRULLON: -- in the past.

11 MR. PANEQUE: Yes. The -- the application
12 is going to go -- the filing starts on April 7th,
13 which is tomorrow.

14 MS. GUTIERREZ: Okay.

15 MR. PANEQUE: So you should be receiving
16 something starting tomorrow.

17 If you haven't gotten it within a week or
18 so, follow up with the -- the officer from the
19 Union City Financial Office, so you can get that
20 filed.

21 MR. DOUMAS: Yeah. I remember getting it
22 last year.

23 Right?

24 MR. PANEQUE: Yeah.

25 MR. DOUMAS: Yeah.

1 MR. PANEQUE: You will get it, --

2 MR. DOUMAS: Okay.

3 MR. PANEQUE: -- but just a reminder, it's
4 due by the 30th. In case you don't get something,
5 follow through.

6 MR. DOUMAS: Okay.

7 MR. PANEQUE: Okay?

8 MS. GUTIERREZ: Every year, we have to do
9 it.

10 THE SECRETARY: Thank you, Mr. Paneque.

11 * * *

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **ADJOURNMENT:**

2

3 THE SECRETARY: Can I have a motion to end
4 tonight's meeting?

5 Motion by --

6 MS. GUTIERREZ: Make a motion.

7 THE SECRETARY: -- Mrs. Gutierrez.

8 Second by?

9 MR. DOUMAS: This has got to be a record
10 for me.

11 THE SECRETARY: Mr. Marotta.

12 All in favor say --

13

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

15

16 THE SECRETARY: The ayes have it.

17 Thank you.

18 Have a good night.

19 MR. SPATZ: All right.

20 THE SECRETARY: It's a record. Oh, my God.
21 Before seven.

22

23 (Whereupon, the proceedings were concluded
24 at 6:56 p.m.)

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

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 ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, April 6, 2017 and
10 digitally recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored and proofread by: Deborah Dillon