

COPY

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Emerson Middle School
318 18th Street
Union City, New Jersey

Tuesday, September 26, 2017
Commencing at 7:02 p.m.

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

LUCIO P. FERNANDEZ, COMMISSIONER
MARYURY A. MARTINETTI, COMMISSIONER
CELIN J. VALDIVIA, COMMISSIONER
TILO E. RIVAS, COMMISSIONER
BRIAN P. STACK, MAYOR

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

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

ERIN KNOEDLER, DEPUTY CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

SUSAN COLDITZ, Director of Finance

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1 DEPUTY CITY CLERK: This is a Regular
2 Public Meeting of the Union City Board of
3 Commissioners being held on Tuesday, September
4 26th, 2017, at seven p.m. at Emerson Middle
5 School, 318 18th Street, Union City, New Jersey.

6 Please stand for the --

7
8 (Whereupon the Pledge of Allegiance was
9 said by all.)

10
11 DEPUTY CITY CLERK: This meeting has been
12 called in accordance with the Open Public
13 Meetings Act.

14 Adequate notice of the meeting has been
15 provided to The Jersey Journal, The Record, The
16 Hudson Reporter, and has been posted on the
17 bulletin board in City Hall and made available to
18 the public in the Office of the Municipal Clerk.

19

20 **ROLL CALL:**

21

22 DEPUTY CITY CLERK: Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Here.

24 DEPUTY CITY CLERK: Commissioner Rivas?

25 COMMISSIONER RIVAS: Here.

1 DEPUTY CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Here.

3 DEPUTY CITY CLERK: Commissioner
4 Martinetti?

5 COMMISSIONER MARTINETTI: Here.

6 DEPUTY CITY CLERK: Mayor Stack?

7 MAYOR STACK: Here.

8

9 (Whereupon, the Board discussed and took
10 action on the following item:

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

12 1. AN ORDINANCE AMENDING CHAPTER 366, ARTICLE
13 IV OF THE CODE OF THE CITY OF UNION CITY ENTITLED
14 "STREETS AND SIDEWALKS-EXCAVATIONS AND
15 OPENINGS".)

16

17 DEPUTY CITY CLERK: We have four Ordinances
18 on for Introduction tonight.

19 If approved they will be advertised and
20 considered for public hearing and adoption at the
21 meeting of October 10th, 2017, at Bella Vista
22 Apartments, 522 22nd Street, Union City, New
23 Jersey.

24 The first is an Ordinance Amending Chapter
25 366, Article IV of the Code of Union City

1 Entitled Streets and Sidewalks, Excavations and
2 Openings.

3 May I have a motion to introduce?

4 MAYOR STACK: Motion.

5 DEPUTY CITY CLERK: Motion by Mayor Stack.
6 Second by Commissioner Valdivia.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yes.

9 DEPUTY CITY CLERK: Commissioner Rivas?

10 COMMISSIONER RIVAS: Yes.

11 DEPUTY CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Yes.

13 DEPUTY CITY CLERK: Commissioner
14 Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 DEPUTY CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18 Just -- just before we --

19 I'm sorry.

20 Go right ahead, Erin; I'm sorry.

21

22 (Whereupon, the Board discussed and took
23 action on the following item:

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

25 2. AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET

1 APPROPRIATION LIMITS AND TO ESTABLISH A CAP
2 BANK.)

3

4 DEPUTY CITY CLERK: The second is an
5 Ordinance to Exceed the Municipal Budget
6 Appropriation Limits and to Establish a Cap Bank.

7 May I have a motion to introduce?

8 MAYOR STACK: Motion.

9 DEPUTY CITY CLERK: Motion by Mayor Stack.

10 COMMISSIONER MARTINETTI: Second.

11 DEPUTY CITY CLERK: Second by Commissioner
12 Martinetti.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: Yes.

15 DEPUTY CITY CLERK: Commissioner Rivas?

16 COMMISSIONER RIVAS: Yes.

17 DEPUTY CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 DEPUTY CITY CLERK: Commissioner
20 Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 DEPUTY CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24

25 (Whereupon, the Board discussed and took

1 action on the following item:

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

3 3. AN ORDINANCE AMENDING CHAPTER 334, RENT
4 CONTROL.)

5
6 DEPUTY CITY CLERK: The third is an
7 Ordinance Amending Chapter 334 of the Rent
8 Control.

9 May I have an Ordinance (sic) -- or may I
10 have a motion to introduce?

11 COMMISSIONER MARTINETTI: Motion.

12 DEPUTY CITY CLERK: Motion by
13 Commissioner --

14 COMMISSIONER VALDIVIA: Second.

15 DEPUTY CITY CLERK: -- Martinetti.

16 Second by Commissioner Valdivia.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 DEPUTY CITY CLERK: Commissioner Rivas?

20 COMMISSIONER RIVAS: Yes.

21 DEPUTY CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 DEPUTY CITY CLERK: Commissioner
24 Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 DEPUTY CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3

4 (Whereupon, the Board discussed and took
5 action on the following item:

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

7 4. AN ORDINANCE AMENDING CHAPTER 155, FEES.)

8

9 DEPUTY CITY CLERK: The fourth is an
10 Ordinance Amending Chapter 155, Fees.

11 May I have a motion to introduce?

12 COMMISSIONER VALDIVIA: Motion.

13 DEPUTY CITY CLERK: Motion by Commissioner
14 Valdivia.

15 COMMISSIONER RIVAS: Second.

16 DEPUTY CITY CLERK: Second by Commissioner
17 Rivas.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 DEPUTY CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4

5 (Whereupon, the Board discussed and took
6 action on the following items in total:

7 **CONSENT AGENDA:**

8 (1) Resolution Approving the Payment of Claims

9 (2) Resolution Approving the Payment of
10 Concurring Claims

11 (3) Resolution Approving the Payment of Escrow
12 Refunds

13 (4) Resolution Approving the City Payroll for
14 the Period of September 16, 2017 through
15 September 29, 2017

16 (5) Resolution Approving the Library Payroll
17 for the Period of September 16, 2017 through
18 September 29, 2017

19 (6) Resolution Re-Appointing Carlos Vallejo to
20 the Union City Redevelopment Agency

21 (7) Resolution Authorizing an Award of a
22 Contract for Hunter Technologies for a Telephone
23 System

24 (8) Resolution Authorizing the Deputy Clerk to
25 Solicit Bids for Roadway Pavement Repairs

1 (9) Resolution Authorizing the Award of a
2 Contract to Municipal Equipment Enterprises for
3 Various Motorcycle Equipment for the Union City
4 Police Department

5 (10) Resolution Authorizing the Award of a
6 Contract with SHI for Police Officer Scheduling
7 System for the Union City Police Department

8 (11) Resolution Approving the 2017-2018 Renewal
9 of Munoz Manolo R (T/A Downtown Liquors), Located
10 at 401 5th Street, Liquor License No.
11 0910-44-124-005

12 (12) Resolution Approving the 2017-2018 Renewal
13 of Chandi and Madhu LLC (T/A Vale Thapas by the
14 Cuban) Located at 3417 Park Avenue, Liquor
15 License No. 0910-33-119-005

16 (13) Resolution Approving the 2016-2017 Renewal
17 of Agustin Penton (T/A La Criolla Grocery)
18 Located at 606 22nd Street, Liquor License No.
19 0910-43-158-001

20 (14) Resolution Appointing Tammy Zucca as the
21 Chief Financial Officer

22 (15) Resolution Authorizing the Refund of
23 Premium Monies Collected at the Tax Sale

24 (16) Resolution Authorizing the Refund of
25 Payment

1 (17) Resolution Authorizing the Refund of a
2 Duplicate Payment

3 (18) Resolution Authorizing Refund of Redemption
4 Monies to Outside Lienholders

5 (19) Resolution Authorizing the Refund of a
6 Duplicate Abatement Payment

7 (20) Resolution Authorizing Tax Refund in Tax
8 Appeal Decisions by the Tax Court of New Jersey

9 (21) Resolution Authorizing the Awarding Raffles
10 License to Sts. Joseph and Michael Church

11 (22) Amended Resolution Approving the 2017-2018
12 Renewal of El Idolo, LLC (T/A Angelo's Café)
13 Located at 4215 Park Avenue, Liquor License No.
14 0910-33-111-008.)

15

16 DEPUTY CITY CLERK: We have 22 items on the
17 Consent Agenda.

18 The first is a Resolution Approving the
19 Payment of Claims.

20 The second is a Resolution Approving the
21 Payment of Concurring Claims.

22 The third is a Resolution Approving the
23 Payment of Escrow Refunds.

24 The fourth is a Resolution Approving the
25 City Payroll for the Period of September 16th,

1 2017 through September 29th, 2017.

2 The fifth is a Resolution Approving the
3 Library Payroll for the Period of September 16th,
4 2017 through September 29th, 2017.

5 The sixth is a Resolution Re-Appointing
6 Carlos Vallejo to the Union City Redevelopment
7 Agency.

8 The seventh is a Resolution Authorizing the
9 Award of a Contract for Hunter Technologies for a
10 Telephone System.

11 The eighth is a Resolution Authorizing the
12 Deputy Clerk to Solicit Bids for Roadway Pavement
13 Repairs.

14 The ninth is a Resolution Authorizing Award
15 of a Contract to Municipal Equipment Enterprises
16 for Various Motorcycle Equipment for the Union
17 City Police Department.

18 The tenth is a Resolution Authorizing the
19 Award of a Contract to SHI for Police Officer
20 Scheduling System for the Union City Police
21 Department.

22 The eleventh is a Resolution Approving the
23 2017-2018 Renewal of Munoz Manolo R, trading as
24 Downtown Liquors, Located at 401 5th Street,
25 Liquor License Number 0910-44-124-005.

1 The twelfth is a Resolution Approving the
2 2017-2018 Renewal of Chandi and Madhu LLC,
3 trading as Vale Thapas by the Cuban, Located at
4 3417 Park Avenue, Liquor License Number
5 0910-33-119-005.

6 The thirteenth is a Resolution Approving
7 the 2016-2017 Renewal of Agustin Penton, trading
8 as La Criolla Grocery, Located at 606 22nd Street,
9 Liquor License Number 0910-43-158-001.

10 The fourteenth is a Resolution Appointing
11 Tammy Zucca as the Chief Financial Officer.

12 The fifteenth is a Resolution Authorizing
13 the Refund of Premium Monies Collected at the Tax
14 Sale.

15 The sixteenth is a Resolution Authorizing
16 the Refund of a Payment.

17 The seventeenth is a Resolution Authorizing
18 the Refund of a Duplicate Payment.

19 The eighteenth is a Resolution Authorizing
20 Refund of Redemption Monies to Outside
21 Lienholders.

22 The nineteenth is a Resolution Authorizing
23 the Refund of a Duplicate Abatement Payment.

24 The twentieth is a Resolution Authorizing
25 Tax Refund in Tax Appeal Decision by the Tax

1 Court of New Jersey.

2 The twenty-first is a Resolution
3 Authorizing the Awarding Raffles License to
4 Saints Joseph and Michael Church.

5 The twenty-second is an Amend -- Amending
6 Resolution Approving the 2017-2018 Renewal of El
7 Idolo, LLC, trading as Angelo's Café, Located at
8 4215 Park Avenue, Liquor License Number
9 0910-33-111-008.

10 Mayor, at this time would you like to take
11 public comment on the Consent Agenda?

12 MAYOR STACK: Sure.

13 Anyone wishing to comment on the Consent
14 Agenda, please step forward, state your name and
15 address for the record.

16 Seeing none.

17 DEPUTY CITY CLERK: May I have a motion to
18 close public comment.

19 COMMISSIONER VALDIVIA: Motion.

20 DEPUTY CITY CLERK: Motion by Commissioner
21 Valdivia.

22 COMMISSIONER FERNANDEZ: Second.

23 DEPUTY CITY CLERK: Second by Commissioner
24 Fernandez.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes.

2 DEPUTY CITY CLERK: Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 DEPUTY CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 DEPUTY CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 DEPUTY CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11 DEPUTY CITY CLERK: May I have a motion to

12 approve all items on the Consent Agenda?

13 COMMISSIONER RIVAS: Motion.

14 COMMISSIONER VALDIVIA: Motion.

15 DEPUTY CITY CLERK: Motion by Commissioner

16 Valdivia.

17 COMMISSIONER RIVAS: Second.

18 DEPUTY CITY CLERK: Second?

19 COMMISSIONER RIVAS: Second.

20 DEPUTY CITY CLERK: Second --

21 I'm sorry, Commissioner Rivas, I didn't

22 hear you.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes with the

25 exception on number 6 as it pertains to the Union

1 City Redevelopment Agency.

2 DEPUTY CITY CLERK: And Commissioner Rivas?

3 COMMISSIONER RIVAS: Yes.

4 DEPUTY CITY CLERK: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 DEPUTY CITY CLERK: Commissioner

7 Martinetti?

8 COMMISSIONER MARTINETTI: Yes.

9 DEPUTY CITY CLERK: Mayor Stack?

10 MAYOR STACK: Yes.

11 DEPUTY CITY CLERK: We have --

12 MS. DILLON: Who are you recognizing as the

13 seconder?

14 I'm unclear.

15 DEPUTY CITY CLERK: I'm sorry. It was

16 Commissioner Rivas.

17 MS. DILLON: Okay.

18 Thank you.

19 DEPUTY CITY CLERK: I apologize.

20 MS. DILLON: No problem.

21

22 (Whereupon, the Board discussed and took
23 action on the following item:

24 **REGULAR AGENDA:**

25 1. Resolution Re-Appointing Lucio Fernandez to

1 the Union City Redevelopment Agency.)

2

3 DEPUTY CITY CLERK: We have three items on
4 the Regular Agenda.

5 The first is a Resolution to Reappoint
6 Lucio Fernandez to the Union City Redevelopment
7 Agency.

8 May I have a motion to approve?

9 COMMISSIONER MARTINETTI: Motion.

10 DEPUTY CITY CLERK: Motion by
11 Commissioner --

12 COMMISSIONER VALDIVIA: Second.

13 DEPUTY CITY CLERK: -- Martinetti.

14 Second by Commissioner Valdivia.

15 Commissioner Fernandez is recusing.

16 Commissioner Rivas?

17 COMMISSIONER RIVAS: Yes.

18 DEPUTY CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 DEPUTY CITY CLERK: Commissioner
21 Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 DEPUTY CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25

1 (Whereupon, the Board discussed and took
2 action on the following item:

3 **REGULAR AGENDA:**

4 2. Resolution to Introduce and Approve SFY2018
5 Budget.)

6

7 DEPUTY CITY CLERK: The second is a
8 Resolution to Introduce and Approve the State
9 Fiscal Year Budget of 2018.

10 May I have a motion to approve item --

11 COMMISSIONER MARTINETTI: Motion.

12 DEPUTY CITY CLERK: -- number 2.

13 MAYOR STACK: Motion.

14 DEPUTY CITY CLERK: Motion by

15 Commissioner --

16 Motion by Mayor Stack.

17 Second by Commissioner Martinetti.

18 Commissioner Fernandez?

19 COMMISSIONER FERNANDEZ: Yes.

20 DEPUTY CITY CLERK: Commissioner Rivas?

21 COMMISSIONER RIVAS: Yes.

22 DEPUTY CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 DEPUTY CITY CLERK: Commissioner

25 Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 DEPUTY CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4 I would also just like to take this
5 opportunity to -- to thank Susan Colditz and
6 Tammy Zucca for the great job they do, along with
7 the entire Finance Department in City Hall.

8 In my years as Mayor this is the best
9 Financial Department we've ever had. I'm very
10 proud of that and I thank them for all the work
11 that they do throughout the whole year.

12 Thank you very much.

13 DEPUTY CITY CLERK: Thank you.

14

15 (Whereupon, the Board discussed and took
16 action on the following item:

17 **REGULAR AGENDA:**

18 3. Resolution Approving a Payment of Claims to
19 the Union City Board of Education.)

20

21 DEPUTY CITY CLERK: The third is a
22 Resolution Approving a Payment of Claims to the
23 Union City Board of Education.

24 MR. AUTERI: Normally Commissioner Valdivia
25 wouldn't vote on Board of Education matters.

1 However tonight we will invoke the doctrine
2 of necessity.

3 DEPUTY CITY CLERK: May I have a motion to
4 approve?

5 COMMISSIONER RIVAS: Motion.

6 DEPUTY CITY CLERK: Motion by Commissioner
7 Rivas.

8 Second?

9 COMMISSIONER VALDIVIA: Second.

10 DEPUTY CITY CLERK: Second by Commissioner
11 Valdivia.

12 Commissioner Fernandez is recusing.

13 Commissioner Rivas?

14 COMMISSIONER RIVAS: Yes.

15 DEPUTY CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 DEPUTY CITY CLERK: Commissioner Martinetti
18 is recusing.

19 Mayor Stack?

20 MAYOR STACK: Yes.

21

22 (Whereupon, the Board discussed and took
23 action on the following item:

24 **ORDINANCES FOR HEARING AND ADOPTION**

25 **CONSIDERATION:**

1 1. AN ORDINANCE AMENDING CHAPTER 334, RENT
2 STABILIZATION.)

3

4 DEPUTY CITY CLERK: At this time we have
5 one Ordinance on for Adoption and Hearing.

6 It's the Ordinance Amending Chapter 334 of
7 the Rent Stabilization.

8 MAYOR STACK: Sure.

9 DEPUTY CITY CLERK: Mayor, at --

10 MAYOR STACK: Neil, why don't -- why -- why
11 don't you come up and -- and just give us -- keep
12 your voice up and just give an overview to the
13 public and to the Board of Commissioners exactly
14 what we're doing.

15 I mean you and I have spoken about this a
16 dozen times --

17 MR. MAROTTA: Yes.

18 MAYOR STACK: -- but just to give everybody
19 some knowledge about what's happening.

20 MR. MAROTTA: Okay.

21 Thank you, Mayor.

22 The --

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

25 MAYOR STACK: Okay, Neil.

1 MR. MAROTTA: Thank you.

2 MAYOR STACK: Very good.

3 Big difference.

4 MR. MAROTTA: Much better.

5 COMMISSIONER MARTINETTI: Wow.

6 MR. MAROTTA: Thank you, Mayor,
7 Commissioners.

8 Thank you for the opportunity to work on
9 this Ordinance.

10 It is an extremely important Ordinance.

11 There -- one of the main focuses of rent
12 control is to protect the residents of the City.
13 And recently there have been substantial impacts
14 on the rents and the citizens of the City,
15 through increased rents, lack of available
16 housing.

17 So this Ordinance goes ahead to now be
18 revised somewhat -- it is a living and breathing
19 document. It's being revised somewhat to
20 strengthen the Rent Control Ordinance and protect
21 the people that live in the City.

22 The -- some of the -- some of the instances
23 that I'm talking about, when there is new
24 construction we must follow the -- the statute
25 provides that these units are exempt from rent

1 control.

2 Now, --

3 MAYOR STACK: That's the State Statute --

4 MR. MAROTTA: That --

5 State's --

6 MAYOR STACK: -- we're talking about, State
7 law.

8 Thank you.

9 MR. MAROTTA: State law provides that it's
10 exempt from rent control.

11 The Ordinance requires that --

12 MAYOR STACK: Thank you, Danny.

13 MR. MAROTTA: -- the property owners, when
14 they construct those properties, follow the --
15 that statute; put the construc-- the construction
16 official, Building Department, on notice; and
17 follow all the requirements. This way when time
18 comes that that building comes back onto rent
19 control, it -- that will take place, it won't
20 slip through the cracks, and the burden is on the
21 property owner to make sure that it takes place.

22 The -- one main factor is -- and the Mayor
23 imparted this -- all people should be able to
24 live in Union City. Okay? It's extremely
25 important. The -- and the increased rents that

1 we've been seeing is preventing that.

2 Another factor we have are condominium
3 conversions. These are a major impact on the
4 ability for people to find affordable rentals in
5 Union City because it takes that rental out of
6 the housing market.

7 This Ordinance addresses that while being
8 compliant with the State statute permitting condo
9 conversion.

10 The -- one another factor, owner occupancy.

11 Currently owners -- there are situations
12 where owner will -- will state that they live in
13 a four unit or less property. That unit would
14 then be -- they -- that building would then be
15 exempt from rent control.

16 This puts a requirement that the owner
17 really prove that they live and really live in
18 that --

19 MAYOR STACK: That's right.

20 MR. MAROTTA: -- property. Not that
21 they're there once a week, once a month.

22 Under the old law that was possible. This
23 requires that they really -- they are a resident
24 of Union City; they're there taking care of their
25 property.

1 Another major factor is the rental
2 statement and notification to the tenants.

3 The Mayor wanted the tenants to know what
4 rent control is about. What their protections
5 are. This Ordinance puts the burden on the
6 property owner to advise, when a new tenant comes
7 in, that there is rent control in effect, what
8 the proper rent calculation is for their unit,
9 and of the myriad other items that are required,
10 such as the Tenant Protection Act, and so forth.

11 So, -- for example, one item, corporations
12 -- a lot of time a property will be owned by a
13 corporation. Nobody knows who that corporation
14 is. So this gives them an opportunity to put a
15 name that they can -- a tenant, if something goes
16 wrong, they could reach out for that person.

17 Another item are rebates.

18 Unfortunately, there are situations where
19 property owners have increased rentals beyond
20 what is permitted by the Ordinance. So they've
21 had the benefit of those rents coming in for
22 numerous years. This gives the --

23 Previously a tenant can only receive a rent
24 rebate going back three years; this permits it
25 going back as -- as far as possible.

1 Another major factor the Mayor made sure we
2 put in -- senior citizens. We do not want our
3 senior citizens not to be able to live in the
4 home they grew up in.

5 This Ordinance provides that when they --
6 instead of 65, which it was previously, at 62
7 years old, as long as they have the income
8 eligibility, they will be able to -- they -- they
9 will have a lesser increase on their unit
10 permitted.

11 MAYOR STACK: Two percent.

12 Right?

13 MR. MAROTTA: Two percent.

14 MAYOR STACK: Two percent.

15 MR. MAROTTA: Correct.

16 Or less if the CPI is less. But no more
17 than two percent.

18 MAYOR STACK: And all other tenants are
19 three percent or what's ever less -- the CPI.

20 MR. MAROTTA: That's correct.

21 And -- so there again helping out seniors
22 be able to, you know, live in the city they love.

23 As you know, -- well, my father's not a
24 tenant but he loves Union City. So, --

25 Going on. The -- a couple of other small

1 items but important.

2 When there's a newly created unit,
3 sometimes a property owner will legalize a -- a
4 unit that wasn't legal before. You know, they'll
5 fix it up, they'll -- whatever's required. Well,
6 in the past they'd be able to put market rent for
7 that unit.

8 Now it has to be in line with the average
9 of what the rents are -- the rent controlled
10 units are and -- and charge that rent at that
11 time. Again, creating affordable housing for the
12 City.

13 And, again, the property owners have their
14 ability to have increases, so they're protected.
15 They can have a hardship increase, they can have
16 a capital improvement increase.

17 Although the capital improvement increase
18 is in the -- in line of a surcharge that pays for
19 that. Still, these are opportunities for the
20 property owner to still get a fair return on
21 their investment.

22 And then -- and then there was additional
23 penalties that were created for those situations
24 where property owners improperly increase the
25 rents.

1 Another item --

2 And -- and just a couple more.

3 Another item, the -- sometimes a property
4 owner would go ahead -- if a unit was vacant,
5 they'll go ahead and they will put a separate
6 utility on that unit.

7 We already correct-- the Mayor already
8 corrected in the past that if somebody's living
9 there you can't do that.

10 Now it prohibits them from doing so. If
11 they do put a -- a new unit, either they have to
12 pay the -- the utility --

13 Because there's nothing to prevent a
14 property owner from upgrading the utilities in
15 that unit but they can't pass that cost on to the
16 tenant.

17 Again, it's rent control. The idea is to
18 keep it affordable for the person to live there.

19 And that includes new tenants coming in.

20 And then finally one item and very
21 important item, when a purchaser buys a new
22 property in Union City, they will be required to
23 go to the Building Department and to the Rent
24 Control Office and conduct a rent calculation to
25 find out what the legal rent is for those units.

1 This protects the tenants; it also protects
2 the new property owner.

3 Too many times we hear a property owner
4 come in and say but wait a second, they gave me a
5 -- you know, a -- the -- the former owner gave me
6 -- the seller gave me a rent registration
7 statement, showed me the rent. Well those rents
8 may not have been proper.

9 So this way they have to go get a
10 calculation from the Rent Control Office and that
11 will be the legal rent for that unit. Protects
12 the new purchaser and protects the tenants as
13 well.

14 So, if -- if there are any questions?

15 MAYOR STACK: No.

16 First I'd just like to make a comment,
17 Neil.

18 You did a great job working on this. I
19 know that there were several people, you, --

20 MR. MAROTTA: Yes.

21 MAYOR STACK: -- Willie Ortiz, --

22 MR. MAROTTA: Alan, Willie, --

23 MAYOR STACK: -- Alan Peyrouton.

24 MR. MAROTTA: Yup.

25 MAYOR STACK: I know we --

1 MR. MAROTTA: Angelo.

2 MAYOR STACK: -- consulted with Greg
3 Diebold from North Jersey Legal Services, who's
4 an institution in itself.

5 It's been no secret that myself and this
6 Administration -- and even long before I became
7 the Mayor I was a tenant advocate and believed in
8 rent control. But I see now the more -- the need
9 is even more than ever in Union City.

10 When you look at the level of construction
11 that's taken place, even in cities around us, the
12 people that don't have the means are being forced
13 out. It's not fair.

14 People who have lived in Union City,
15 whether it's year, whether they've lived here all
16 their life, deserve to stay here if they want to.
17 We want to encourage that.

18 So that's the reason we took the steps that
19 we've taken. I seen landlords where they are
20 very abuse to tenants where I've seen rents go
21 from \$500.00 rent or a \$600.00 rent to a \$1700.00
22 rent. And very little or nothing done in that
23 apartment except painting and maybe putting in a
24 new toilet bowl.

25 These are not landlords that live in Union

1 City. These are not two family or three family
2 homeowners. Those are not -- those people aren't
3 even included in this Ordinance; everything stays
4 the same for them.

5 But these are people that come from outside
6 Union City, who will come in and buy ten
7 buildings in one day -- most times never even see
8 the building. Never even see the property that
9 they bought. They buy it as an investment
10 property. Come in here take as much as they can
11 out of the property and then they sell it. And
12 in most times leaving the building in disrepair
13 to the next person coming in.

14 So we want to stop that in Union City.
15 We've always had a strong Rent Control Ordinance,
16 probably the strongest in the State; this
17 definitely makes it the strongest in the State by
18 far. And we're very proud of that to protect the
19 tenants in Union City.

20 This is not political in any way.
21 Everybody knows where we've always stood. We
22 have a Tenant Advocate in City Hall that
23 represents tenants when they have to go to court.

24 If the tenants aren't protected by the
25 governing body, just who will protect them then?

1 Most times these are residents that can't
2 speak the language wherever they're coming from.
3 Union City is a melting pot; we're very proud of
4 that. They can't speak the language and need
5 somebody to look out for their rights.

6 Thankfully we have people like Neil, Alan
7 Peyrouton, Willie Ortiz, my staff in my office
8 that do that on a daily basis. But if you've
9 seen what I've seen when it comes to unscrupulous
10 landlords, you'd be shocked, believe me when I
11 tell you. Nothing surprises me any longer.

12 So the protections that we're putting in
13 place, even when the building gets converted to a
14 condo, the tenants that are living in those units
15 stay under rent control. Stays under rent
16 control going forward.

17 We're not going to have these tricks where
18 because we don't have the RPA in the Ordinance --

19 Years ago you can go in and renovate an
20 apartment and spend a few dollars and jack the
21 rent up a thousand dollars. We eliminated that.
22 But now the landlords -- some of these
23 unscrupulous landlords are coming in, paying a
24 hundred and fifty thousand dollars an apartment
25 for a rent control building, --

1 Which seems awfully high to me.

2 -- paying a hundred and fifty thousand
3 dollars per unit for let's say a 40-unit
4 building, coming in and trying to convert the
5 building to a condo, force all of those poor
6 people out of the building. Where do they go?
7 Just where do they go?

8 If you're forced out of your apartment -- I
9 always say, we're all just a couple paychecks
10 away from being homeless ourself.

11 If we're going to allow that as a governing
12 body, shame on us. That should not happen.

13 Other municipalities in Union City (sic)
14 should tighten up -- in Hudson County should
15 tighten up their rent control also. But that's
16 not my business. I'm not -- I'm not the Mayor of
17 those towns.

18 Where you see all this new, fancy
19 construction going up and skyscrapers going up
20 30, 40 stories high and there's no rent control,
21 that's just going to artificially jack up the
22 rents in that area and force people out.

23 So hopefully the steps that we're taking in
24 Union City save a lot of good, hardworking
25 people. Not only now, ten years from now, 15

1 years from now, 20 years from now.

2 Housing is not a luxury; it's a necessity.

3 And I think sometimes landlords come in and
4 forget that.

5 When I get a large landlord come in and cry
6 the blues to me about his expenses, he'll get no
7 tears from me. I tell them nobody put a gun to
8 your head to buy that property. You bought the
9 property knowing full well what the rents were in
10 that building. Because you can't gouge people
11 and overcharge them is not our issue. Then don't
12 buy the building. If it's that bad, don't buy
13 the building.

14 Real estate is the only thing, when it
15 comes to -- even in Union City -- where you're
16 guaranteed a return --

17 Am I right or wrong?

18 -- on your investment.

19 You invest a million dollars in the stock
20 market tomorrow, you could lose it. There's no
21 guarantee.

22 But when it comes to real estate they have
23 a guarantee of a -- of a return on their
24 investment. They just don't want the two or
25 three or four percent return. They want the 50

1 or 60 percent return. And that's sad.

2 So, just we want to make a strong sense --
3 strong stand with this Ordinance in Union City
4 and make sure that they know when they buy
5 properties in Union City we're looking out for
6 the people who live in these buildings.

7 So thank you for your work, Neil.

8 Does anyone have any questions, any
9 comments at this time?

10 Please step forward.

11 MR. MAROTTA: I just -- if I may, one thing
12 you put me in mind of is, you know, everybody
13 thinks Hoboken's beautiful, their waterfront and
14 everything and all the building.

15 Well gentrification took place in Hoboken.

16 MAYOR STACK: Yup.

17 MR. MAROTTA: And the poor people that
18 should have been able to live and enjoy the --

19 MAYOR STACK: They were forced out.

20 MR. MAROTTA: -- beauty of Hoboken can no
21 longer do so.

22 MAYOR STACK: True.

23 MR. MAROTTA: That can't happen here.

24 MAYOR STACK: Absolutely.

25 COMMISSIONER VALDIVIA: Even burned out.

1 MR. MAROTTA: So, I look forward to working
2 more on that.

3 MAYOR STACK: Thank you very much.

4 MR. MAROTTA: Thank you.

5 MAYOR STACK: Even -- even when it comes to
6 tenants being displaced by fire, we even covered
7 that in the Ordinance also. We want to make sure
8 we get them back into their apartments.

9 We have a building in the City right now,
10 -- we're going to probably wind up in litigation
11 so I don't want to give out the address -- where
12 there was a fire several years ago and the
13 building was flipped.

14 What they'll do is they'll flip it from ABC
15 Corporation to XYZ Corporation two years later.
16 And then try to get the building to be completely
17 empty so they can rent out the 40 units in the
18 building at a much higher rent.

19 We track the owners over the years. We
20 told each owner who bought the building or each
21 corporation that bought the building, you're
22 going to be responsible to get these people back
23 into the building at the rent that they were
24 paying when the fire happened.

25 Now they're coming up with figures, 10,000,

1 \$15,000.00, to buy the tenants out of the
2 building.

3 I tell the tenants it may seem like a lot
4 of money now but when you start paying rent and
5 you start paying double or triple what you were
6 paying before, you're going to regret taking that
7 money.

8 So we'll probably wind up in litigation
9 because I think they're seeing the handwriting on
10 the wall, the property owner, that most of the
11 tenants want to return to the building, which
12 was-- wasn't what they were anticipating.

13 Could you imagine if we allow them to go in
14 and charge more money after a fire; imagine what
15 message we're sending in Union City? Just think
16 about that.

17 So, hopefully this -- this really puts the
18 muscle where it should be.

19 Neil, thank you again.

20 MR. MAROTTA: Thank you, Mayor.

21 MAYOR STACK: Again, anyone --

22 MR. MAROTTA: Thank you.

23 MAYOR STACK: -- wishing to comment at this
24 time, please step forward.

25 Seeing none.

1 DEPUTY CITY CLERK: May --

2 MAYOR STACK: I'll make a motion to
3 approve.

4 DEPUTY CITY CLERK: Motion to close public
5 comment by Mayor Stack.

6 COMMISSIONER VALDIVIA: Second.

7 DEPUTY CITY CLERK: Second by Commissioner
8 Valdivia.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 DEPUTY CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 DEPUTY CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 DEPUTY CITY CLERK: Commissioner
16 Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 DEPUTY CITY CLERK: Mayor Stack?

19 MAYOR STACK: Yes.

20 DEPUTY CITY CLERK: May I have a motion to
21 adopt?

22 COMMISSIONER VALDIVIA: Motion.

23 DEPUTY CITY CLERK: Motion by

24 Commissioner --

25 COMMISSIONER MARTINETTI: Second.

1 DEPUTY CITY CLERK: -- Valdivia.

2 Second by Commissioner Martinetti.

3 Commissioner Fernandez?

4 COMMISSIONER FERNANDEZ: Yes.

5 DEPUTY CITY CLERK: Commissioner Rivas?

6 COMMISSIONER RIVAS: Yes.

7 DEPUTY CITY CLERK: Commissioner Valdivia?

8 COMMISSIONER VALDIVIA: Yes.

9 DEPUTY CITY CLERK: Commissioner

10 Martinetti?

11 COMMISSIONER MARTINETTI: Yes.

12 DEPUTY CITY CLERK: Mayor Stack?

13 MAYOR STACK: Yes.

14

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

16

17 DEPUTY CITY CLERK: Mayor, at this time,
18 would you like to open public comment for any --

19 MAYOR STACK: Sure.

20 DEPUTY CITY CLERK: -- item concerning
21 government in the City of Union City?

22 MAYOR STACK: Sure.

23 Anyone wishing to comment on this matter --
24 on any matter concerning municipality -- City of
25 Union City, please step forward, state your name

1 and address for the record.

2 Seeing none.

3 DEPUTY CITY CLERK: May I have a motion to
4 close public comment?

5 COMMISSIONER MARTINETTI: Motion.

6 COMMISSIONER FERNANDEZ: Motion.

7 DEPUTY CITY CLERK: Motion by Commissioner
8 Martinetti.

9 Second by Commissioner Fernandez.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 DEPUTY CITY CLERK: Commissioner Rivas?

13 COMMISSIONER RIVAS: Yes.

14 DEPUTY CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 DEPUTY CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21

22 **ADJOURNMENT:**

23

24 DEPUTY CITY CLERK: Mayor, at this time we
25 have no other items on the agenda.

1 May I have a motion to adjourn?

2 COMMISSIONER MARTINETTI: Motion.

3 DEPUTY CITY CLERK: Motion --

4 MAYOR STACK: Motion.

5 DEPUTY CITY CLERK: -- by Commissioner
6 Martinetti.

7 Second by Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Yeah.

9 DEPUTY CITY CLERK: Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 DEPUTY CITY CLERK: Commissioner Rivas?

12 COMMISSIONER RIVAS: Yes.

13 DEPUTY CITY CLERK: Commissioner Valdivia?
14 Commissioner Martinetti?

15 COMMISSIONER VALDIVIA: Yeah. Yeah.

16 DEPUTY CITY CLERK: Commissioner
17 Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 DEPUTY CITY CLERK: Mayor Stack?

20 COMMISSIONER MARTINETTI: Mayor Stack?

21 MAYOR STACK: Yes.

22 DEPUTY CITY CLERK: Yes.

23 Thank you.

24 MAYOR STACK: Thank you very much,
25 everyone.

1 Have a good evening.

2

3 (Whereupon, the proceedings were concluded
4 at 7:27 p.m.)

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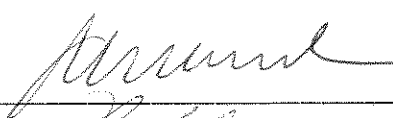
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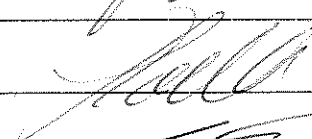
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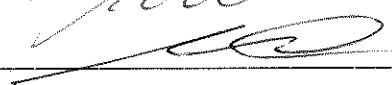
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Brian P. Stack

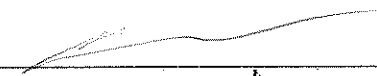
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Lucio P. Fernandez

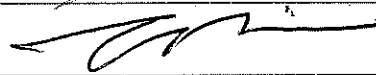
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Maryury A. Martinetti

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Celin J. Valdivia

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Tilo E. Rivas

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Board of Commissioners

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Attest: 

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Erin Knoedler,

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Deputy City Clerk

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

4

5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Tuesday, September 26, 2017 and
10 digitally recorded.

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Karen A. Marino

AOC 493

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25 Monitored and Proofread by: Deborah Dillon