

ORIGINAL

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

SPECIAL MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

William V. Musto
Cultural Center
420 15th Street
Union City, New Jersey

Friday, July 20, 2018
Commencing at 6:03 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
WENDY A. GRULLON, 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 M. KNOEDLER, CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

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1 MS. DILLON: Yes, on the record.

2 MAYOR STACK: We're ready.

3 CITY CLERK: Okay.

4 This is a Special Public Meeting of the
5 Union City Board of Commissioners being held on
6 Friday, July 20th, 2018, at six p.m., at the
7 William V. Musto Cultural Center, 420 15th Street,
8 Union City, New Jersey.

9 Please stand for the Pledge of Allegiance.

10

11 (Whereupon the Pledge of Allegiance was
12 said by all.)

13

14 CITY CLERK: If you can remain standing.

15 We're going to have a moment of silence for
16 the five children that passed away last Friday in
17 the devastating fire on 25th Street.

18

19 (Whereupon, there was a moment of silence.)

20

21 CITY CLERK: Thank you.

22 This meeting has been called in accordance
23 with the Open Public Meetings Act.

24 Adequate notice has been provided to The
25 Jersey Journal, The Record, and The Hudson

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

4

5 **ROLL CALL:**

6

7 CITY CLERK: Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: Here.

9 CITY CLERK: Commissioner Grullon?

10 COMMISSIONER GRULLON: Here.

11 CITY CLERK: Commissioner Valdivia?

12 COMMISSIONER VALDIVIA: Here.

13 CITY CLERK: Commissioner Martinetti?

14 COMMISSIONER MARTINETTI: Here.

15 CITY CLERK: Mayor Stack?

16 MAYOR STACK: Here.

17

18 (Whereupon, the Board discussed and took
19 action on the following items in total:

20 **CONSENT AGENDA:**

21 (1) Resolution Approving the Liquor License
22 Renewal for 2018-2019 Renewal of Nafpaktos Diner
23 Inc. (T/A Four Star Diner) Located at 542-32nd
24 Street, Union City, Liquor License No.
25 0910-33-067-004

1 (2) Resolution to Rescind The Opposition of
2 Construction of the North Bergen Liberty
3 Generating Gas-Fired Power Plant.)
4

5 CITY CLERK: We have two items on the
6 Consent Agenda.

7 The first is a Resolution Approving a
8 Liquor License Renewal for 2018-2019 Renewal of
9 Nafpaktos Diner Incorporated, trading as Four
10 Star Diner, Located at 542 32nd Street, Union
11 City, Liquor License Number 0910-33-067-004.

12 The second is a Resolution to Rescind the
13 Opposition of Construction of the North Bergen
14 Liberty Generating Gas-Fired Power Plant.

15 Mayor, at this time would you like to take
16 public comment on Consent?

17 MAYOR STACK: Sure.

18 Just before we do, on the Consent Agenda,
19 on the Resolution to Rescind Opposition to
20 Construction of North Bergen Liberty Generating
21 Power Plant.

22 We just felt it was something that the
23 residents of North Bergen and the Administration
24 of North Bergen should be handling on their own;
25 not having another municipality meddle into their

1 business.

2 Anyone wishing to comment on this time,
3 please step forward, state your name and address
4 for the record.

5 Seeing no one on the Consent Agenda.

6 CITY CLERK: May I have a motion to close
7 public comment?

8 COMMISSIONER FERNANDEZ: Motion.

9 COMMISSIONER VALDIVIA: Motion.

10 CITY CLERK: Motion by Mayor --
11 I'm sorry.

12 -- by Commissioner Fernandez.

13 Second by Commissioner Valdivia.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 CITY CLERK: Commissioner Grullon?

17 COMMISSIONER GRULLON: Yes.

18 CITY CLERK: Commissioner Valdivia?

19 COMMISSIONER VALDIVIA: Yes.

20 CITY CLERK: Commissioner Martinetti?

21 COMMISSIONER MARTINETTI: Yes.

22 CITY CLERK: Mayor Stack?

23 MAYOR STACK: Yes.

24 CITY CLERK: May I have a motion to approve
25 all items on Consent?

1 COMMISSIONER FERNANDEZ: Motion.

2 CITY CLERK: Motion by Commissioner
3 Fernandez.

4 Second?

5 COMMISSIONER VALDIVIA: Second.

6 CITY CLERK: Second by Commissioner
7 Valdivia.

8 Commissioner Fernandez?

9 COMMISSIONER FERNANDEZ: Yes.

10 CITY CLERK: Commissioner Grullon?

11 COMMISSIONER GRULLON: Yes.

12 CITY CLERK: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 CITY CLERK: Commissioner Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 CITY CLERK: Mayor Stack?

17 MAYOR STACK: Yes.

18

19 (Whereupon, the Board discussed and took
20 action on the following item:

21 **ORDINANCES FOR HEARING AND ADOPTION**

22 **CONSIDERATION:**

23 1. ORDINANCE OF THE CITY OF UNION CITY, COUNTY
24 OF HUDSON, APPROVING A FINANCIAL AGREEMENT WITH
25 RPM DEVELOPMENT URBAN RENEWAL, LLC.)

1

2 CITY CLERK: We have one Ordinance on for
3 Hearing and Adoption Consideration.

4

5 An Ordinance of the City of Union City,
6 County of Hudson, Approving a Financial Agreement
7 with RPM Development Urban Renewal, LLC.

7

8 Mayor, at this time would you like to take
9 public comment on this Ordinance?

9

MAYOR STACK: Sure.

10

11 Anyone wishing to comment on this Ordinance
12 at this time, please step forward, state your
13 name and address for the record.

13

MS. DILLON: Over here.

14

MAYOR STACK: Right on the left.

15

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

17

18 I think there's a problem with the
19 financial agreement.

19

20 It starts out, the Board of Commissioners
21 of the City of Union City designated the property
22 as an area in need of redevelopment, in
23 accordance with the Local Redevelopment Housing
24 Law.

24

25 It goes on to say, Board of Commissioners
adopted the Ordinance umppteump (phonetic, sic)

1 approving a redevelopment plan for the area
2 pursuant to, again, to law.

3 I don't think that was ever done. And I
4 don't think this is a redevelopment area.

5 And my understanding -- this is now above
6 my pay grade but it's my understanding that the
7 credits, which are key to the financing of this
8 project only apply if it's a redevelopment area.
9 And this agreement can only be entered into if
10 it's a rede-- redevelopment area. And I don't
11 think it is.

12 I mean designating it as redevelopment area
13 is a very complex process and it's a very long
14 paper trail.

15 And I attend every Board of Commission
16 meeting, every Planning Board meeting, and I read
17 the ads -- legal ads in The Jersey Journal and
18 something should have shown up. And I have no
19 recollection and no record of that being a
20 redevelopment zone.

21 MAYOR STACK: Mr. Auteri, any response to
22 that?

23 MR. AUTERI: Yes, Mayor.

24 Mr. Price, you're correct, you are here for
25 every meeting and I know that because I see you

1 here for every meeting.

2 The financial agreement that you have in
3 front of you has been revised. The area is not
4 in need of redevelopment.

5 However, it has been designated for
6 affordable housing by the Housing Element and
7 Fair Share Plan, which was adopted in 2017. And
8 under that designation the long term tax
9 exemption can be sought.

10 So we have revised the financial agreement.
11 We have a new copy of it. If -- if the -- you
12 can get it from the Clerk's Office.

13 MR. PRICE: I thought I did have a copy.

14 CITY CLERK: I have --

15 MR. AUTERI: It has been revised.

16 CITY CLERK: Revised as of --

17 MR. AUTERI: As of very recently.

18 MR. PRICE: Okay, so you're saying it's not
19 a redevelopment zone and you're relying on -- on
20 what?

21 MR. AUTERI: The Housing Element and Fair
22 Share Plan, which was adopted by the City,
23 identifies this area as affordable housing. And
24 this project is going to be for senior citizens
25 housing -- low income housing.

1 So, because of that designation, we changed
2 the financial agreement. But that does not
3 affect the developer's ability to seek a
4 P.I.L.O.T. and for tax exemption.

5 MR. PRICE: Okay, --

6 MS. DILLON: Mr. Price, just step back so
7 you're --

8 MR. PRICE: Sure.

9 MS. DILLON: -- by the microphone.

10 Thank you.

11 MR. PRICE: Sorry.

12 Okay.

13 You're saying that you can enter into this
14 agreement based on that, not -- not based on the
15 fact that it's a redevelopment area.

16 You're also --

17 As I understand it.

18 Correct?

19 MR. AUTERI: That's correct.

20 MR. PRICE: Okay.

21 You're also saying there's no problem with
22 the credits that are going to be generated, even
23 though it's not a redevelopment plan?

24 MR. AUTERI: That's correct.

25 MR. PRICE: Okay.

1 That takes care of it.

2 I don't have a problem with the project as
3 such.

4 The zoning -- it was approved by the Zoning
5 Board last Tuesday (sic).

6 You know it looks like the Schofield
7 Barracks in Hawaii, Marine Barracks in Hawaii.
8 This is a building 381 feet long. I don't get
9 thrilled by it but zoning-wise it's okay.

10 It's just my concern here was that the
11 credits blow up or something and somebody comes
12 back to the City and say we relied on your
13 representation and it blew up and so please
14 remit, you know, \$15 million.

15 Okay. You're saying it's okay.

16 MR. AUTERI: Yes.

17 Thank you, Mr. Price.

18 MAYOR STACK: Anyone else wishing to
19 comment at this time?

20 I'm just happy the fact that we can bring
21 additional affordable housing to the City of
22 Union City.

23 The Commissioners and myself have worked
24 hard, along with the entire Administration, to
25 get as much affordable housing in the community

1 as possible through the means of rent control and
2 -- and also since -- try to bring as much
3 affordable housing as we can.

4 Hopefully, this is the start of one of many
5 projects that we can work on.

6 I'd like to thank Erin Knoedler for her
7 hard work in trying to help us get this together.

8 CITY CLERK: Thank you, Mayor.

9 MAYOR STACK: Anyone else wishing to
10 comment at this time?

11 Seeing none.

12 CITY CLERK: May I have a motion to close
13 public comment?

14 COMMISSIONER FERNANDEZ: Motion.

15 CITY CLERK: Motion by Commissioner
16 Fernandez.

17 Second?

18 COMMISSIONER VALDIVIA: Second.

19 CITY CLERK: Second by Commissioner
20 Valdivia.

21 Commissioner Fernandez?

22 COMMISSIONER FERNANDEZ: Yes.

23 CITY CLERK: Commissioner Grullon?

24 COMMISSIONER GRULLON: Yes.

25 CITY CLERK: Commissioner Valdivia?

1 COMMISSIONER VALDIVIA: Yes.
2 CITY CLERK: Commissioner Martinetti?
3 COMMISSIONER MARTINETTI: Yes.
4 CITY CLERK: Mayor Stack?
5 MAYOR STACK: Yes.
6 CITY CLERK: May I have a motion to adopt?
7 COMMISSIONER VALDIVIA: Motion.
8 CITY CLERK: Motion by Commissioner
9 Valdivia.
10 Second?
11 COMMISSIONER GRULLON: Second.
12 CITY CLERK: Second by Commissioner
13 Grullon.
14 Commissioner Fernandez?
15 COMMISSIONER FERNANDEZ: Yes.
16 CITY CLERK: Commissioner Grullon?
17 COMMISSIONER GRULLON: Yes.
18 CITY CLERK: Commissioner Valdivia?
19 COMMISSIONER VALDIVIA: Yes.
20 CITY CLERK: Commissioner Martinetti?
21 COMMISSIONER MARTINETTI: Yes.
22 CITY CLERK: Mayor Stack?
23 MAYOR STACK: Yes.
24 CITY CLERK: Thank you.
25

1 OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD:

2

3 CITY CLERK: Mayor, at this time would you
4 like to take public comment on any items
5 concerning government in the City of Union City?

6 MAYOR STACK: Sure.

7 Anyone wishing to comment on any matter
8 concerning municipal government in the City of
9 Union City, please step forward, state your name
10 and address for the record.

11 CITY CLERK: Seeing none.

12 May I have a motion to close Public
13 Comment?

14 COMMISSIONER FERNANDEZ: Motion.

15 MAYOR STACK: Motion.

16 CITY CLERK: Motion by Commissioner --
17 By Mayor Stack.

18 Second by Commissioner Fernandez.

19 Commissioner Fernandez?

20 COMMISSIONER FERNANDEZ: Yes.

21 CITY CLERK: Commissioner Grullon?

22 COMMISSIONER GRULLON: Yes.

23 CITY CLERK: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 CITY CLERK: Commissioner Martinetti?

1 COMMISSIONER MARTINETTI: Yes.

2 CITY CLERK: Mayor Stack?

3 MAYOR STACK: Yes.

4

5 **ADJOURNMENT:**

6

7 CITY CLERK: There are no other items on
8 the agenda.

9 May I have a motion to adjourn?

10 COMMISSIONER FERNANDEZ: Motion.

11 CITY CLERK: Motion by Commissioner
12 Fernandez.

13 Second?

14 COMMISSIONER VALDIVIA: Second.

15 CITY CLERK: Second by Commissioner
16 Valdivia.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: Yes.

19 CITY CLERK: Commissioner Grullon?

20 COMMISSIONER GRULLON: Yes.

21 CITY CLERK: Commissioner Valdivia?

22 COMMISSIONER VALDIVIA: Yes.

23 CITY CLERK: Commissioner Martinetti?

24 COMMISSIONER MARTINETTI: Yes.

25 CITY CLERK: Mayor Stack?

1 MAYOR STACK: Yes.

2 CITY CLERK: Thank you.

3 MAYOR STACK: Thank you very much.

4 Thank you.

5

6 (Whereupon, the proceedings were concluded

7 at 6:12 p.m.)

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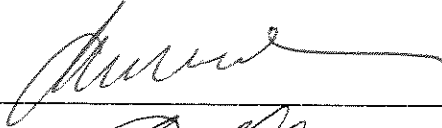
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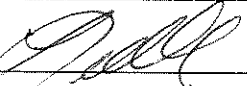
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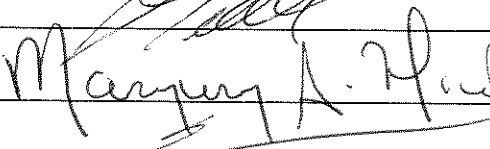
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Brian P. Stack

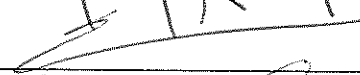
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Lucio P. Fernandez

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Maryury A. Martinetti

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Celin J. Valdivia

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Wendy A. Grullon

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Board of Commissioners

7

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Attest:

9

Erin M. Knoedler,

10

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 SPECIAL
8 MEETING of the UNION CITY BOARD OF COMMISSIONERS,
9 heard on Friday, July 20, 2018 and digitally
10 recorded.

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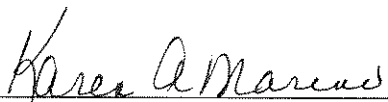
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Karen A. Marino AOC 493

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25 Monitored and Proofread by: Deborah Dillon