

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Union City High School
2500 Kennedy Boulevard
Union City, New Jersey

Tuesday, April 28, 2020
Commencing at 7:03 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

NEIL D. MAROTTA, ESQ., Attorney for
Union City Rent Stabilization Board

MARY JO WHATELEY, ESQ.
Union City Tenant Advocate

Audio-Digital
Transcription Service, L.L.C.
audiots@aol.com



Transcription Service

29 Oak Avenue
West Orange, N.J. 07052
(973) 669-1222
Fax: (973) 669-0855

I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
SALUTE TO FLAG	3
ROLL CALL	4
MOMENT OF SILENCE	4/5
CONSENT AGENDA	9
REGULAR AGENDA	16
ORDINANCES FOR HEARING AND ADOPTION	17
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	40
ADJOURNMENT	47

1 CITY CLERK: This is a Regular Public
2 Meeting of the Union City Board of Commissioners
3 being held on Thursday, April 28th, 2020, at seven
4 p.m., at the Union City High School, 2500 Kennedy
5 Boulevard Union -- Union City, New Jersey.

6 In accordance with Governor Murphy's
7 Executive Order, proper precautions and proper
8 social distancing procedures will be in place and
9 enforced.

10 Additionally, members of the public will be
11 required to wear a mask or face cloth covering.

12 If everyone could stand for the Pledge of
13 Allegiance please?

14

15 (Whereupon the Pledge of Allegiance was
16 said by all.)

17

18 CITY CLERK: This -- this meeting has been
19 called in accordance with the Open Public
20 Meetings Act.

21 Adequate notice of the meeting has been
22 provided to The Jersey Journal, The Record, The
23 Hudson Reporter, and has been posted on the
24 bulletin board in City Hall and made available to
25 the public in the Office of the Municipal Clerk,

1 as well as been posted on the website.

2

3 **ROLL CALL:**

4

5 CITY CLERK: Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Here.

7 CITY CLERK: Commissioner Grullon?

8 COMMISSIONER GRULLON: Here.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Here.

11 CITY CLERK: Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Here.

13 CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes. Here.

15 Just before we get into the Consent Agenda,
16 if I could just ask everybody if we could just
17 stand and give a moment of silence for those
18 residents that have passed away in Union City
19 from the Coronavirus over the last month -- over
20 the last five weeks.

21

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

23

24 MAYOR STACK: Thank you very much.

25 I would also just like to -- to recognize

1 the loss of a Union City Police Officer to the
2 virus also.

3 Alex Ruperto who served with dedication and
4 distinction, for many years, to the City of Union
5 City as one of our police officers still on
6 active duty.

7

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

9

10 MAYOR STACK: Thank you very much.

11 I -- I would just like to -- I would just
12 like to add also, I would just like to give a
13 special thank you to -- for all the residents of
14 Union City who have been fully cooperating with
15 the stay-at-home order. The amount of -- of
16 cooperation is just tremendous in the community.

17 Residents looking out helping their
18 neighbor. Residents calling each other, keeping
19 in contact by text message or social media or by
20 telephone call.

21 I think it's been a difficult experience
22 for all of us. But when you look at residents
23 that have really stepped up, it's been in Union
24 City for the most part wearing a mask as we are
25 tonight, really trying to practice the social

1 distancing. This is something new for all of us.
2 And I think they've done really a cooperative
3 agreement with their neighbors and with the City
4 and really working together.

5 Having said that, I'd like to give a
6 special thank you to Union City Police
7 Department; our Emergency Medical Services; our
8 EMTs; our DPW workers and truck drivers and
9 sweepers, who keep our City immaculate; our Parks
10 Department. All across the board; everybody
11 who's been involved. All the different
12 departments.

13 I don't want to leave anybody out but all
14 the different departments -- our Fire Department
15 -- that have been involved and really stepped up
16 to the plate as frontline workers to really be
17 there.

18 I'd like to thank all the employees that
19 have been helping us at City Hall, my staff, the
20 staff in all the Commissioners' offices and --
21 and the City Clerk's Office, across the board.

22 A special thank you to the countless hours
23 that Angelo Auteri, Neil Marotta, Barry
24 Sarkisian, Mary Jo Whateley have put in and
25 really helping me with various issues.

1 From everything from unemployment helping
2 residents with, to all the volunteers that have
3 helped us deliver food. Almost 200 residents a
4 day we're trying to get food to who are really
5 out there. Many have not received their
6 unemployment yet; we're trying to help them.

7 But in -- in any -- in any event, I would
8 just like to say thank you to everyone who's been
9 a part of this. I know I -- I left some people
10 out but I just wanted to thank everyone who's
11 really been a part of this and has really stepped
12 up to the plate during this pandemic. It's been
13 tough on everyone.

14 Thank you very much, everyone.

15 I just ask everyone, please continue to
16 practice social distancing. Please, for
17 everyone. We're far from being over with this.

18 We still have a lot of people testing
19 positive. We're working very hard at the site
20 that we have at 36th Street. That's probably the
21 best thing we -- we did during the pandemic is
22 setting up that site.

23 And even looking to take it a step further
24 in the future. Hopefully we'll be able to even
25 do even more testing in Union City.

1 Thank you very much everyone.

2 COMMISSIONER VALDIVIA: Mayor, --

3 MAYOR STACK: Sure.

4 COMMISSIONER VALDIVIA: -- this Friday it
5 will be seven weeks. That this Friday it's going
6 to be seven weeks that are schools have been
7 closed and I think our teachers in our District
8 have done a wonderful job in teaching our kids
9 remotely.

10 So I -- I add -- personally I add them to
11 the first responders, too. They've been keeping
12 our kids -- teaching. I experience that every
13 morning with my granddaughter. At eight o'clock
14 in the morning sharp, she's with her teachers
15 from Robert Waters. And I think they're doing a
16 great job, too.

17 MAYOR STACK: Thank you, Commissioner.

18 And I would be remiss if I didn't thank
19 Silvia Abbato and the Board of Education -- the
20 entire Board of Education, for the great job
21 they've done.

22 And what Commissioner Valdivia just pointed
23 out and getting the food out to all the residents
24 and all -- all the -- all the students, I should
25 say, in the School District. And the great job

1 they've done with the remote learning. It's been
2 outstanding.

3 The way it was rolled out with the
4 computers. The way it was rolled out in getting
5 the work out there. The teachers, everybody,
6 getting the -- getting the food out on Tuesdays
7 here at the different schools has been
8 tremendous.

9 And that needs to be recognized.

10 And I thank Commissioner Valdivia for
11 bringing that up. I didn't mean to be -- I would
12 be remiss if I didn't thank the Board of
13 Education.

14 Outstanding.

15 CITY CLERK: Thank you.

16

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

19 **CONSENT AGENDA:**

20 (1) Resolution Approving the Payment of Claims

21 (2) Resolution Approving the Payment of
22 Concurring Claims

23 (3) Resolution Approving the Escrow Refunds

24 (4) Resolution Approving the City Payroll from
25 April 11 through April 24, 2020

- 1 (5) Resolution Approving the Library Payroll
2 from April 11 through April 24, 2020
- 3 (6) Resolution Approving the SFY2020 Community
4 Development Block Grant Program Budget
- 5 (7) Resolution Authorizing the Cancellation of
6 a Veteran Deduction from Prior Owner
- 7 (8) Resolution Cancelling 2019 Taxes and
8 Transferring Taxes to New Units
- 9 (9) Resolution Authorizing the Refund of
10 Premium Monies Collected at the Tax Sale
- 11 (10) Resolution Crediting Convenience Fees on E-
12 Checks to 3rd Quarter
- 13 (11) Resolution Designating 7th Street between
14 New York Avenue and Bergenline Avenue as
15 Detective Alex Ruperto Way.)

16

17 CITY CLERK: There are 11 items on the
18 Consent Agenda.

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

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

23 The third is a Resolution Approving Escrow
24 Refunds.

25 The fourth is a Resolution Approving the

1 City Payroll for the Period of April 11th through
2 April 24th, 2020.

3 The fifth is a Resolution Approving the
4 Library Payroll from April 11th through April
5 24th, 2020.

6 The sixth is a Resolution Approving the
7 SFY 2020 Community Development Block Grant
8 Program Budget.

9 The seventh is a Resolution Authorizing the
10 Cancellation of a Veteran Deduction from a Prior
11 Owner.

12 The eighth is a Resolution Cancelling 2019
13 Taxes and Transferring Taxes to New Units.

14 The ninth is a Resolution Authorizing a
15 Refund of Premium Monies Collected at the Tax
16 Sale.

17 The tenth is a Resolution Crediting
18 Convenience Fees on E-Checks to the Third
19 Quarter.

20 And the eleventh is a Resolution
21 Designating 7th Street Between New York Avenue and
22 Bergenline Avenue as Detective Alex Ruperto Way.

23 Mayor, at this time would you like to take
24 public comment?

25 MAYOR STACK: Sure.

1 Just before we do, I would just like to
2 point out --

3 Erin, thank you again for all that you're
4 doing; I appreciate that.

5 -- Resolution number 11, 7th Street Between
6 New York Avenue and Bergenline Avenue as
7 Detective Alex Ruperto Way.

8 That was the street that Alex grew up on
9 when he was younger. And I was reached out to by
10 Charlie Blackburn and members of the PBA would we
11 consider doing that. And that's something we
12 said automatically, of course, we would do it
13 with honor.

14 So as we do a practice with others in the
15 community, we'll be naming that street at the
16 appropriate time. We'll let everyone know when
17 that will happen.

18 Thank you.

19 Anyone wishing to comment on the Consent
20 Agenda at this time?

21 Please step forward, state your name and
22 address for the record.

23 CITY CLERK: We'll go to the theater first
24 and then to the media center if need to.

25 Okay.

1 Seeing none.

2 May I have a motion to close public
3 comment?

4 MAYOR STACK: There's no one in the
5 theater?

6 CITY CLERK: There's no one in the theater
7 or the --

8 MAYOR STACK: Okay.

9 CITY CLERK: -- media center.

10 MAYOR STACK: Okay.

11 CITY CLERK: May I have a motion to close?

12 COMMISSIONER VALDIVIA: Motion.

13 CITY CLERK: Motion by Commissioner
14 Valdivia.

15 Second?

16 COMMISSIONER FERNANDEZ: Second.

17 CITY CLERK: Second by Commissioner
18 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 CITY CLERK: Thank you.

5 MAYOR STACK: One -- one of the --

6 If I just may comment.

7 One of the reasons why we did this meeting
8 actually live and we did it in person, as opposed
9 to doing it on -- on Zoom or remote, is we felt
10 that we had an important Ordinance on preventing
11 evictions for -- for tenants in the City and we
12 felt it was important to do that as a live
13 meeting, as opposed to doing it over Zoom or
14 remote. That's why we did it.

15 It's not saying we won't go back to doing
16 Zoom or remote meetings but we felt in person it
17 was important to do this meeting while we had the
18 use of such a -- a large room in a beautiful high
19 school where we could make sure we have social
20 distancing.

21 And Erin has done a great job in securing
22 the theater for additional people, had they
23 showed up, the gymnasium and other rooms in the
24 building, where they're hooked in remotely by
25 both audio and video camera.

1 So thank you, Erin.

2 CITY CLERK: No problem.

3 May I have a motion to approve all items on
4 Consent?

5 COMMISSIONER VALDIVIA: Motion.

6 CITY CLERK: Motion by Commissioner
7 Valdivia.

8 Second?

9 COMMISSIONER GRULLON: Second.

10 CITY CLERK: Second by Commissioner
11 Grullon.

12 Commissioner Fernandez?

13 COMMISSIONER FERNANDEZ: I abstain on
14 number 6.

15 Otherwise, yes.

16 CITY CLERK: He's abstaining on number 6.

17 Commissioner Grullon?

18 COMMISSIONER GRULLON: Yes.

19 CITY CLERK: Commissioner Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 CITY CLERK: Commissioner Martinetti?

22 COMMISSIONER MARTINETTI: Yes.

23 CITY CLERK: Mayor Stack?

24 MAYOR STACK: Yes.

25 CITY CLERK: Thank you.

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

4 **REGULAR AGENDA:**

5 1. RESOLUTION APPROVING A PAYMENT OF CLAIM TO
6 FOR THE GRACE THEATER WORKSHOP.)

7
8 CITY CLERK: There's one item on the
9 Regular Agenda.

10 It's a Resolution Approving a Payment of
11 Claim for the Grace Theater Workshop.

12 May I have a motion to approve item 1?

13 MAYOR STACK: Motion.

14 CITY CLERK: Motion by Mayor Stack.
15 Second?

16 COMMISSIONER MARTINETTI: Second.

17 CITY CLERK: Second by Commissioner
18 Martinetti.

19 Commissioner Fernandez is recusing.

20 Commissioner Grullon?

21 COMMISSIONER GRULLON: Yes.

22 CITY CLERK: Commissioner Valdivia?

23 COMMISSIONER VALDIVIA: Yes.

24 CITY CLERK: Commissioner Martinetti?

25 COMMISSIONER MARTINETTI: Yes.

1 CITY CLERK: Mayor Stack?

2 MAYOR STACK: Yes.

3 CITY CLERK: Thank you.

4

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

7 **ORDINANCES FOR HEARING AND ADOPTION**

8 **CONSIDERATION:**

9 1. ORDINANCE TO PREVENT EVICTIONS FOR NON-
10 PAYMENT OF RENT RESULTING FROM THE CORONAVIRUS
11 EMERGENCY.)

12

13 CITY CLERK: There is one Ordinance on for
14 Public Hearing and Adoption consideration.

15 It's an Ordinance to Prevent Evictions for
16 Non-Payment of Rent Resulting in -- from the
17 Coronavirus Emergency.

18 Mayor, at this time would you like to take
19 public comment on this Ordinance?

20 MAYOR STACK: Sure.

21 Just before we do, I just wanted to read a
22 quick statement.

23 The purpose of the Ordinance, obviously, is
24 to protect innocent tenants and victims -- that
25 are victims of COVID-19 and to do all within our

1 power to ensure that at the end of this State of
2 Emergency they will remain secure in their homes.

3 Suddenly finding yourself out of work with
4 no source of income and no ability to seek
5 alternative employment because of the virus, not
6 including major unrelenting stress, having your
7 children home all day every day, taken out of
8 their routine, having to adjust for so many
9 changes during this pandemic, while dealing with
10 the fear of themselves or their loved ones
11 contracting the virus.

12 As the law stands now, tenants unable to
13 pay their rent will be faced with impending
14 eviction from their current residence. Many of
15 these tenants are low-income and tenants of
16 longstanding.

17 If we allow such evictions to occur, even
18 more horrific results will follow. Because, once
19 evicted, to rent another apartment they most
20 likely will be required to come up with an
21 upfront payment of three and a half months rent.
22 That would include the first month's rent, one
23 and a half month's security, and often a real
24 estate agent's fee of another month's rent.

25 How likely will it be that the unemployed

1 tenants who are being evicted for nonpayment of
2 rent, will be able to come up with three and a
3 half months rent and the cost of movers.

4 It's just something that's not going to
5 happen and it's not reality.

6 Just as we recognized extending the tax
7 payment for property owners in Union City to June
8 30th, we realize what they're going through. It's
9 not a one-sided coin. Two-sided.

10 We see everyone what they're going through
11 and we're trying to provide property -- we're
12 trying to provide a relief for both property
13 owners and tenants alike.

14 Many of the affected tenants in Union City
15 are very poor as we mentioned and our
16 constituents are facing homelessness on a grand
17 scale. We must act to prevent this atrocity and
18 we must be bold and aggressive in our actions.

19 Really being forward thinking. Really
20 going out there and saying how can we help to
21 alleviate this?

22 We're not asking anyone to waive rent. And
23 I want to be clear in my statements on this.
24 We're not asking anyone to waive the rent. We're
25 asking them to wait a little bit longer. If we

1 don't have a program --

2 I've introduced legislation as a Senator
3 for a hundred million dollars for tenants. If we
4 get that money, they'll get the money
5 immediately.

6 I've never in my career, as a public
7 official and before that as an advocate in the
8 community -- a civic advocate, asked anyone to
9 give up collecting rent.

10 We're asking people to be patient and
11 understand what each other are going through
12 right now.

13 Some of the intent of the Ordinance,
14 obviously -- it's obvious, is to prevent
15 displacement and homelessness; promote stability
16 and the health and safety of residents of our
17 community as a whole, including our business
18 community. And, obviously and most importantly,
19 to reduce the transmission of COVID-19.

20 Residential Eviction Moratorium.

21 There shall be no evictions for any reason,
22 including nonpayment of rent, except when a
23 tenant poses an imminent threat to health and
24 safety of other occupants in the building.

25 When a tenant loses income to COVID-19 and

1 is unable to pay rent at this time during this
2 crisis, no late fees may be imposed.

3 So, as ironic as it is, on my way here
4 tonight when I was leaving City Hall, I spoke to
5 two tenants on the phone who live in multi-family
6 buildings.

7 This Ordinance is not about a two or three-
8 family homeowner.

9 This Ordinance is about the multi-family in
10 the City, where most of the property owners who
11 own these are LLCs and don't even live anywhere
12 close to this community or even in the same state
13 most times.

14 Two tenants I spoke to tonight -- in fact,
15 I -- I wrote notes to Mary Jo and I -- she'll get
16 them tomorrow -- were being asked for late fees
17 after they paid their March and April rent. Were
18 being asked for late fees. As we speak being
19 asked for late fees. And being threatened that
20 they're going to seek legal fees if they don't
21 get the late fee.

22 That's something that can't happen.

23 That's not all landlords. That's a small
24 minority of landlords. But we got to protect
25 everyone during this pandemic right now. These

1 are unprecedented times.

2 What we do right now shows what we're about
3 as public officials. We're elected here to
4 represent all the people and that's exactly what
5 we're doing.

6 If failure --

7 Just give me one second.

8 Even if the tenant has a lease that imposes
9 late fees, this Ordinance prohibits the landlord
10 from charging and relieves the tenant of any
11 obligation to pay late fees.

12 Reasons unable to pay rent that result in
13 COVID-19 pandemic.

14 Tenant is sick or incapacitated due to
15 COVID-19.

16 Tenant was complying with a recommendation
17 from a government agency to self-quarantine.

18 Tenant suffered a substantial reduction in
19 household income because:

20 (1) Loss of employment;

21 (2) Reduction in hours;

22 (3) Unable to work because they were
23 caring for their children; or

24 (4) Caring for a household or family
25 member who was sick with COVID-19 or complying

1 with a government recommendation to self-
2 quarantine;

3 Tenant incurred substantial out-of-pocket
4 medical expenses due to the pandemic of COVID-19.

5 It shall be a presumption and absolute
6 defense that unpaid rent that became due during
7 the State of Emergency was unpaid because the
8 reduction in household income or substantial
9 increase in expenses resulting from COVID-19.

10 I could have the attorneys go further into
11 that. Mary Jo would be happy to go further into
12 that or -- or Neil, when I'm done making my
13 statement.

14 Also, a moratorium on commercial evictions.

15 Small businesses or nonprofit organizations
16 that may be evicted for failure to pay rent.

17 If failure was due to a -- to a government
18 decrease in income caused by COVID-19 or any
19 government response.

20 Under the Ordinance, both residential and
21 commercial tenants remain liable for unpaid
22 rents.

23 Again, this is to the point that I made
24 before.

25 It's not that we're saying they don't have

1 to pay the rent, this is a rent holiday. We're
2 saying they're going to pay it but it may be a
3 little bit later. And if we can help them to get
4 that funding, we'll take care of that and get
5 that done.

6 Landlord's ability to seek back rent
7 remains unchanged. Landlords may seek back rent
8 by bringing an action in Superior Court, Law
9 Division.

10 What this Ordinance does is allow innocent
11 -- innocent vict-- innocent tenants, victims of
12 COVID-19, to stay safe and secure in their homes.
13 That's the purpose of the Ordinance. Keeping
14 people in their homes; not disrupting them,
15 throwing them out of their department (sic) and
16 spreading the disease even further.

17 This is important to know that this
18 protects all tenants in the community.

19 There's been instances -- and I cited
20 before that we had tenants that were being asked
21 for late fees.

22 We had a building that was charging -- a
23 multi-family building that was charging \$300.00 a
24 month as a late fee. Three hundred dollars a
25 month as a late fee.

1 Can you imagine?

2 The economic impacts of COVID-19 are
3 significant, impose a serious threat to the
4 housing security of many residents in our
5 community.

6 Union City residents are especially
7 vulnerable.

8 Union City is the most densely populated
9 city in the United States; the poorest in Hudson
10 County; one of the poorest in the State of New
11 Jersey, where the per capita income is extremely
12 low; and more than 20 percent of the residents
13 live in poverty.

14 I think anybody who's reasonable and looks
15 at this Ordinance will say this is a group of
16 public officials that's trying to do right. Not
17 -- that's really trying to prevent the disease
18 from spreading. And I give you my word, to the
19 property owners that listen to this tonight, that
20 read what we talked about tonight, that read the
21 Ordinance, that I will do all in my power to make
22 sure every single tenant that comes into our
23 office for assistance, to the Tenant Advocate's
24 office or a social service agency, that we make
25 sure we help them to get the rent money that's

1 owed so they can stay in that unit.

2 You talk to anyone, whether it's Neil,
3 whether it's Mary Jo, whether it's Barry, when
4 it's John Salierno, whether it's anybody in my
5 office, I always say don't go for hardship
6 evictions. We want to keep them in their
7 apartments. We're not looking to beat anybody
8 out of money. We just want to put everybody on
9 an equal playing field to give people a chance to
10 recoup what we just gone through, both property
11 owners and tenants alike. We're all in this
12 together.

13 By saying we're all in it together doesn't
14 mean we file for eviction and throw people out in
15 the street. Meaning we work with each other to
16 come up with the rent; same as we come up with
17 the property taxes.

18 Thank you very much.

19 And thank you to each of the Commissioners
20 for their support.

21 I appreciate that very much.

22 CITY CLERK: Thank you, Mayor.

23 I think our Corporation Counsel wants to
24 read a letter into the record.

25 MAYOR STACK: Sure.

1 MR. AUTERI: Yes. Thanks, Erin.

2 And, Mayor, thank you.

3 I'd like to say that was very well said.

4 It covers everything on the Ordinance.

5 I just want to add that as a procedural
6 note, under N.J.S.A. 40:41A-101, due to the fact
7 that the City is currently in a State of
8 Emergency now, this Ordinance will take effect
9 upon adoption, which will occur possibly after
10 the vote of the Board of Commissioners.

11 The other thing I'd like to add is it will
12 remain in effect for the entire State of
13 Emergency declared by the Governor and by you,
14 Mayor Stack, unless extended at the State level
15 or at the local level.

16 Okay.

17 I'd like to read into the record a letter
18 that we received from the City's Community
19 Planning Consultants, dated April 28th, 2020.
20 This is a letter from Heyer, Gruel and Associates
21 to the City and, specifically, Mayor Stack.

22 "Dear Mayor Stack,

23 "We were asked to review this Ordinance
24 that is in front of the Board of Commissioners,
25 entitled an Ordinance to Prevent Evictions for

1 Non-Payment of Rent Resulting from the
2 Coronavirus Emergency, and opine on the
3 implications of said Ordinance from a planning
4 and, specifically, an affordable housing
5 perspective.

6 "The purpose of the proposed Ordinance is
7 to prevent the displacement of tenants, reduce
8 the spread of the novel Coronavirus, and promote
9 the health, safety and stability of residents and
10 businesses of the City of Union City during the
11 State of Emergency.

12 "As the longtime planning consultant for
13 the City of Union City regarding both affordable
14 housing matters, as well as general land use and
15 planning related issues, we offer the following
16 comments:

17 "The Ordinance puts in place the following
18 protective measures:

19 "Residential Eviction Moratorium.

20 "During the State of Emergency tenants may
21 not be evicted for any reason, including
22 nonpayment of rent, unless there is an imminent
23 threat.

24 "Late Fee Moratorium.

25 "Late fees shall not be imposed for rent

1 that became due during the State of Emergency, if
2 the rent was late for reasons resulting from the
3 pandemic. There will be no residential eviction
4 for nonpayment of rent that became due during the
5 State of Emergency if the -- if the reason
6 resulted from the pandemic.

7 "Commercial Eviction Moratorium.

8 "Commercial tenants cannot be evicted for
9 failure to pay rent due to substantial decrease
10 in income caused by the pandemic or government
11 responses to the pandemic.

12 "It is our opinion that the proposed
13 Ordinance is consistent with the goals and
14 objectives of the City's Master Plan
15 Reexamination Report and the court approved
16 Housing Element and Fair Share Plan.

17 "In addition, the provisions of the
18 Ordinance reinforce the City's documented
19 policies regarding the need to provide for,
20 promote and reinforce the availability of
21 affordable housing throughout the City.

22 "The following goals and objectives of the
23 Reexamination Report, adopted on January 22nd,
24 2019, are supported by this Ordinance.

25 "Preserve the character of the community.

1 "Protect and preserve the established
2 residential character.

3 "Provide a broad range of housing choices.

4 "Improve the quality of life of the
5 residents of Union City.

6 "Promote and provide housing opportunities
7 that support the needs of the residents,
8 specifically the demand for three-bedroom
9 dwelling units.

10 "Provide housing option for a variety of
11 income levels, including low and moderate income
12 households.

13 "Preserve and enhance the -- the existing
14 business districts of the City.

15 "Maintaining sufficient retail and
16 commercial uses that meet the needs of the City's
17 residents.

18 "The City has consistently and historically
19 taken affirmative measures to address the need
20 for affordable housing. The idea of eviction in
21 this difficult time undermines every effort the
22 City has undertaken to provide affordable housing
23 for its residents.

24 "Eviction of tenants could lead to
25 overcrowded housing conditions that negatively

1 impact the quality of health and safety of the
2 City's residents and heighten the affordable
3 housing shortage throughout Union City.

4 "These conditions could also lead to unsafe
5 and unsanitary living conditions, potentially
6 advancing the spread of the virus -- the
7 Coronavirus.

8 "We commend Union City for taking a
9 proactive approach to supporting its residents,
10 particularly those most vulnerable to the
11 economic impacts associated with the State of
12 Emergency.

13 "We believe the steps taken by Union City
14 to mitigate some of these impacts can be a model
15 for other communities throughout the State,
16 particular the -- those in urban environments.

17 "We recommend and support the adoption of
18 the proposed Ordinance, as it is our opinion the
19 Ordinance promotes the City's longstanding
20 affordable housing policies, as well as the
21 City's ongoing efforts to protect the health and
22 safety of its residents and business owners.

23 "Respectfully,

24 "Susan Gruel and McKinley Mertz, of Heyer,
25 Gruel Associates."

1 MAYOR STACK: Thank you very much, Angelo.

2 I -- I just also wanted to say that -- and
3 being involved in a number of times helping
4 residents, both as an elected official and before
5 that, one of the most devastating effects on the
6 family is specifically on the children during
7 evictions. The same as it would be on a
8 foreclosure of a home, where the child is
9 uprooted from a community that they became used
10 to, with their friends and with their schools
11 and, most importantly, their education.

12 It's so critical that we keep people in
13 their homes.

14 Thank you very much.

15 CITY CLERK: Thank you.

16 We'll begin with public comment in the
17 gymnasium and then move on to the theater.

18 Would anyone like to make public comment;
19 please come to the podium, state your name and
20 address for the record.

21 Okay, we'll move on to the theater now.

22 If anyone would like to make a public
23 comment, they can please come to the microphone.

24 State your name for the record please.

25 MR. SIMONCINI: Mayor and Council, I'm Ron

1 Simoncini from the Union City Housing Initiative.

2 First, we want to thank the Mayor for his
3 work at the State level to provide a hundred
4 million dollars worth of rent payment.

5 We want to thank the Mayor and Council for
6 their insight in the ability to forestall some
7 tax collection in Union City while the pandemic
8 is happening.

9 We appreciate the fact that the Mayor, I
10 think probably the only public official in the
11 State who two times has said to tenants you need
12 to pay your rent. Because that maintains order
13 and we think that that was very insightful.

14 And we appreciate the fact that the City
15 has gone out of its way within some also very
16 aggressive tenant protections to let people know
17 that the programs that are out there to help them
18 replace their income, the programs that are out
19 there to help employers keep them employed, and
20 the fact that -- despite the fact that there's
21 likely 20 percent unemployment in Union City
22 right now and it's probably going to get worse.

23 There are a significant number of people
24 here whose lives haven't changed as much as
25 others and they certainly should be fulfilling

1 their obligations. And we definitely appreciate
2 the Mayor and Council's work on -- on that.

3 We also recognize that it was incredibly
4 wise to advise tenants to not dissolve their
5 security deposits in order to pay rent if they
6 could help it. That security deposit is a tenant
7 asset and using that tenant asset to pay rent on
8 the short term is a mistake.

9 We would rather have, as an association and
10 as the Union City Housing Initiative has a
11 significant number of members, large and small.
12 Not every large owner is a member of the
13 organization. But those that are members of the
14 organization definitely would rather work with
15 the tenant and forestall collection of rent, work
16 out a payment arrangement after the fact, than
17 have them dissolve an important asset to them for
18 their security, which is their security deposit.

19 Having said all that, we're not going to
20 oppose this Ordinance as we did not oppose the
21 rent freeze. We're going to point out that there
22 have been statements made by State officials
23 regarding this type of activity.

24 Executive Orders 107 and 108 probably would
25 recommend that this sort of activity not take

1 place. However, this Council has seen fit to say
2 that this is an emergency and, of course, the
3 Council is able to take emergency actions in an
4 emergency.

5 However, the State already has emergency
6 orders that cover both rent freezes, which while
7 the Governor did enact a rent freeze on public
8 housing, he stated that he thought that rent
9 freezes were problematic -- (indiscernible). We
10 think that, too.

11 The Governor enacted an Eviction Ordinance
12 that 95 percent covers what this Ordinance
13 covers. And we believe that it does it in a way
14 that isn't legally compromised.

15 There are some rights that we are going to
16 have abridged here that we feel very seriously
17 about as an organization.

18 We understand the spirit of this. And the
19 Mayor said earlier that anybody who can't see
20 that this is a Council responding to crisis
21 doesn't understand.

22 I'll be the first to say we honor the
23 Council's response. We recognize the severity of
24 the situation. We see the hard work and the good
25 work that this Council is doing. That doesn't

1 mean that we can stand for abridging property
2 rights. From a constitutional basis, we hate to
3 see that precedent set.

4 So we're here to say assure
5 constitutionality, don't do things retroactively,
6 preserve our right to operate our businesses
7 without creating additional friction later at a
8 time when we have pledged that we will not raise
9 rents, that we will honor the eviction standard
10 the State has set forth and that we think is
11 sufficient.

12 I'll also talk in the public session,
13 Mayor, if that's okay with you, about some other
14 issues that property owners have come to the fore
15 during the crises.

16 But I thank you for your time here.

17 And I appreciate the fact that there's been
18 such thoughtfulness about balancing interests of
19 tenants and property owners and that there are
20 just places where we feel as though we have to
21 protect our long term rights.

22 Thank you again.

23 MAYOR STACK: Thank you very much.

24 Thank you for -- thank you for your
25 comments.

1 CITY CLERK: Are there any others in the
2 theater that would like to make public comment at
3 this time?

4 MAYOR STACK: Anyone else wishing to
5 comment, please step forward to the podium if
6 you'd like to comment.

7 CITY CLERK: And if there's any in the
8 media center that would like to make public
9 comment?

10 MAYOR STACK: No one else?

11 CITY CLERK: No.

12 Seeing none.

13 May I have a motion to close public
14 comment?

15 MAYOR STACK: Motion.

16 CITY CLERK: Motion by Mayor Stack.
17 Second?

18 I'm sorry; second?

19 COMMISSIONER VALDIVIA: Second.

20 CITY CLERK: Second by Commissioner
21 Valdivia.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 CITY CLERK: Commissioner Grullon?

25 COMMISSIONER GRULLON: Yes.

1 CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 CITY CLERK: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 CITY CLERK: Mayor Stack?

6 MAYOR STACK: Yes.

7 CITY CLERK: Thank you.

8 May I have a motion to adopt the Ordinance?

9 MAYOR STACK: Just -- just before we do, --
10 I'll -- I'll make the motion to adopt.

11 But just before we do, I -- I just think
12 that everyone -- I just would like to thank
13 Mary Jo, Neil, Barry, John Salierno, Angelo
14 Auteri -- everyone who participated. Erin.
15 Everyone who participated and worked on this.

16 If I'm leaving anyone out, I apologize.
17 But everybody who participated. And just know,
18 when we're voting on this Ordinance, you can feel
19 good that we're actually being proactive to help
20 people.

21 Hopefully we don't have to use this.
22 Hopefully the funding comes through. Whatever
23 way I can help them -- help tenants and help
24 residents in the City. I would do it for
25 homeowners and resident -- and tenants alike.

1 Hopefully there will be sources of funding,
2 both on the State level and the federal level,
3 that there will be an understanding that people
4 are in need.

5 And, again, we're not asking any property
6 owner to waive their rights and give up their
7 rent. We're just asking to please wait a little
8 bit longer, if necessary. It may not be
9 necessary. We may get the -- we may get the
10 funding and this Ordinance is not even necessary.

11 I hope. That's the best case scenario.

12 That's what we're looking for.

13 But I'll -- I'll make a motion to -- to
14 proudly sponsor it and to approve the -- to
15 approve the Ordinance.

16 And I'd just like to thank the
17 Commissioners for their support and understanding
18 and for the -- what they're doing in the
19 community to help the residents.

20 Thank you.

21 CITY CLERK: Thank you, Mayor.

22 Motion by Mayor Stack.

23 Second?

24 COMMISSIONER MARTINETTI: Second.

25 CITY CLERK: Second by Commissioner

1 Martinetti.

2 Commissioner Fernandez?

3 COMMISSIONER FERNANDEZ: Yes.

4 CITY CLERK: Commissioner Grullon?

5 COMMISSIONER GRULLON: Yes.

6 CITY CLERK: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 CITY CLERK: Commissioner Martinetti?

9 COMMISSIONER MARTINETTI: Yes.

10 CITY CLERK: And Mayor Stack?

11 MAYOR STACK: Yes.

12 CITY CLERK: Thank you.

13

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

15

16 CITY CLERK: Mayor, at this time would you
17 like to take public comment on any item
18 concerning the City -- concerning government in
19 the City of Union City?

20 MAYOR STACK: Sure.

21 And once again I'd just like to thank
22 everyone who's here this evening; both the
23 attorneys, the Commissioners for coming out
24 tonight. I realize that we're in difficult,
25 scary times right now.

1 But I felt this meeting was important
2 enough to do in person. We may do others live,
3 as we're doing tonight. We may go back to Zoom
4 or remote, depending on what's on the agenda.
5 And really considering the items during the
6 COVID-19 pandemic that really relate to COVID-19
7 pandemic.

8 Everything else, I -- Angelo Auteri and
9 myself and Erin have spoke about most of those
10 Ordinances will be held until after the pandemic
11 ends. Hopefully that's sooner, rather than
12 later.

13 I would just like to at this time just say
14 that my heart goes out to those residents who
15 have passed away. It's affected me on a personal
16 level in the sense that I know most of the people
17 who passed away in the community. It's been
18 really difficult. And to all those people who
19 tested positive.

20 We encourage everybody to come out and get
21 tested. We encourage everyone to please practice
22 social distancing in Union City. Know that we're
23 here to help you.

24 Anyone else wishing to comment at this
25 time, please step forward.

1 CITY CLERK: Again, we'll start with the --
2 the gymnasium.

3 Seeing none.

4 We'll -- we'll go to the theater.

5 Okay, if you want to state your name again
6 for the record please?

7 MR. SIMONCINI: Ron Simoncini.

8 I'm here for Hudson Regional Hospital this
9 time.

10 I just wanted to tell a little bit of a
11 story. I know that we're all devastated by some
12 of the losses we've seen.

13 But in -- at Hudson Regional we had a
14 resident of Union City last week recover. A
15 gentleman named Pedro Gonzalez. He was the first
16 person in Hudson County to be intubated. And he
17 was on a ventilator for 22 days. And he actually
18 came off, which is an incredibly rare thing to
19 happen.

20 I've -- I've been at the hospital many of
21 these days during the crisis, handling the
22 briefings and the communications on behalf of the
23 hospital. And we -- we certainly have seen a lot
24 of people die and a lot -- and many from Union
25 City and throughout Hudson County and other

1 places.

2 But this Pedro Gonzalez was one tough
3 character and the spirit of Union City truly came
4 out when he participated in our press briefing
5 last week. And his beard had grown about four
6 inches and he was looking forward to cutting it
7 off. But definitely a little bit exhausted but
8 -- but very happy.

9 And, on another note, there's a lot of
10 people whose -- whose incomes have been disrupted
11 and who don't qualify for unemployment because
12 they're sort of under the radar folks and -- and
13 there are many of them throughout Hudson County.

14 I'm the Chairman of the Meadowlands YMCA
15 and we have a food distribution every Tuesday and
16 Friday. We feed about 30,000 people a week. We
17 distribute food for four days and we distribute
18 it to about 800 people those two times a week.

19 So if there's anybody out there who is
20 struggling, I just want to invite you to our YMCA
21 in the Meadowlands. You don't have to be from
22 Bergen County; Hudson County people are fine.
23 It's 390 Union Avenue -- sorry -- 390 Murray Hill
24 Parkway in Rutherford.

25 And, again, food distribution on Tuesdays

1 and Fridays.

2 Thank you, Mayor and Council.

3 Please stay well.

4 And thank you for the opportunity to come
5 out in person. I certainly agree with the Mayor
6 that there's a -- there's a dynamic here when we
7 can appear in person that's different from the
8 Zoom.

9 I wish I were in the same room as you but I
10 wish you all Godspeed.

11 MAYOR STACK: Thank you very much, Ron.

12 We appreciate that.

13 And God bless Pedro Gonzalez. I read the
14 story and wonderful Union City family.

15 And please thank everybody at Hudson
16 Regional for the work they've done during this
17 pandemic -- and continue to do every single day.
18 Hudson Regional and all the hospitals throughout
19 the country.

20 And all the -- all the nurses and doctors
21 and down to the CNAs and everyone else.

22 Thank them for the great work that they do.

23 Thank you very much.

24 Anyone else wishing to comment at this
25 time, please step forward?

1 CITY CLERK: Anyone in the media center?

2 Okay, seeing none.

3 May I have a motion to close public
4 comment?

5 MAYOR STACK: Motion.

6 CITY CLERK: Motion by Mayor Stack.

7 Second?

8 COMMISSIONER VALDIVIA: Second.

9 CITY CLERK: Second by Commissioner
10 Valdivia.

11 Commissioner Fernandez?

12 COMMISSIONER FERNANDEZ: Yes.

13 CITY CLERK: Commissioner Grullon?

14 COMMISSIONER GRULLON: Yes.

15 CITY CLERK: Commissioner Valdivia?

16 COMMISSIONER VALDIVIA: Yes.

17 CITY CLERK: Commissioner Martinetti?

18 COMMISSIONER MARTINETTI: Yes.

19 CITY CLERK: Mayor Stack?

20 MAYOR STACK: Yes.

21 CITY CLERK: Thank you.

22

23 **ADJOURNMENT:**

24

25 CITY CLERK: There are no other items on

1 the agenda this evening.

2 May I have a motion to adjourn?

3 COMMISSIONER MARTINETTI: Motion.

4 CITY CLERK: Motion by Commissioner
5 Martinetti.

6 Second?

7 COMMISSIONER VALDIVIA: Second.

8 CITY CLERK: Second by Commissioner
9 Valdivia.

10 Commissioner Fernandez?

11 COMMISSIONER FERNANDEZ: Yes.

12 CITY CLERK: Commissioner Grullon?

13 COMMISSIONER GRULLON: Yes.

14 CITY CLERK: Commissioner Valdivia?

15 COMMISSIONER VALDIVIA: Yes.

16 CITY CLERK: Commissioner Martinetti?

17 COMMISSIONER MARTINETTI: Yes.

18 CITY CLERK: And Mayor Stack?

19 MAYOR STACK: Yes.

20 Once again, thank you very much to the
21 Commissioners for being here this evening.

22 And thank you to everyone who's here.

23 Thanks again.

24 Mary Jo, thank you.

25 Neil, thank you very much.

1 Angelo.

2 Everyone, thank you very much.

3 Thank you to our Union City Police

4 Department.

5

6 (Whereupon, the proceedings were concluded

7 at 7:39 p.m.)

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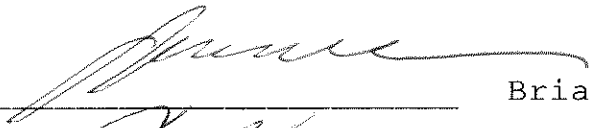
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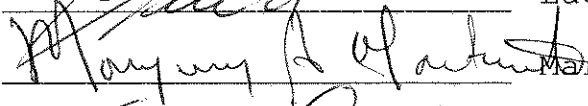
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Brian P. Stack

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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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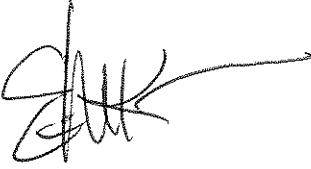

Wendy A. Grullon

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Board of Commissioners

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Attest: 

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Erin M. Knoedler,

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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, April 28, 2020 and digitally
10 recorded.

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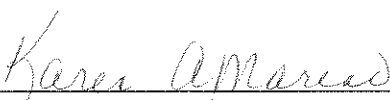
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Karen A. Marino

AOC 493

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24 Monitored by: Kevin, Dillon, Jr.

25 Proofread by: Deborah Dillon