

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, May 12, 2020
Commencing at 7:06 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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I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
SALUTE TO FLAG	3
ROLL CALL	4
APPROVAL OF PREVIOUS MEETING MINUTES	4
ORDINANCE(S) FOR INTRODUCTION	5
CONSENT AGENDA	7
REGULAR AGENDA	14/15
OPPORTUNITY FOR CITIZENS TO ADDRESS THE BOARD	17/21
ADJOURNMENT	23

1 CITY CLERK: This is a Regular Public
2 Meeting of the Union City Board of Commissioners
3 being held on Tuesday, May 12th, 2020, at seven
4 p.m., at the Union City High School, 2500 Kennedy
5 Boulevard, Union City, New Jersey.

6 We're holding the meeting in accordance
7 with Governor -- Governor Murphy's Executive
8 Order, so proper precautions and proper social
9 distancing procedures will be in place and
10 enforced.

11 Members of the public will be required to
12 wear masks or face coverings.

13 Can you please stand for the Pledge of
14 Allegiance please?

15

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

18

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

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

1 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: Here.

15 CITY CLERK: Thank you.

16

17 (Whereupon, the Board discussed and took

18 action on the following items:

19 **APPROVAL OF PREVIOUS MEETING MINUTES -**

20 **REGULAR MEETING - FEBRUARY 18, 2020;**

21 **MARCH 10, 2020; and MARCH 24, 2020.)**

22

23 CITY CLERK: The first item are the

24 Approval of the Meeting Minutes from the meetings

25 of February 18th, 2020; March 10th, 2020; and

1 March 24th, 2020.

2 May I have a motion to approve?

3 MAYOR STACK: Motion.

4 COMMISSIONER GRULLON: Motion.

5 CITY CLERK: Motion by Mayor Stack.

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: Mayor Stack?

19 MAYOR STACK: Yes.

20 CITY CLERK: Thank you.

21

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

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

25 1. ORDINANCE AMENDING ORDINANCE 2020-07

1 ENTITLED "AN ORDINANCE AMENDING CHAPTER 334 TO
2 PLACE A MORATORIUM ON RENT INCREASES".)

3

4 CITY CLERK: The next item is the -- an --
5 is an Ordinance for Introduction.

6 Adoption on first reading will -- will
7 authorize the Municipal Clerk to advertise the
8 Ordinance with the notice of Public Hearing being
9 Tuesday, May 26th, 2020, at Union City High
10 School, 2500 Kennedy Boulevard, Union City, New
11 Jersey.

12 This is an Ordinance Amending Ordinance
13 2020-07 Entitled An Ordinance Amending Chapter
14 334 to Place a Moratorium on Rent Increases.

15 May I have a motion to introduce?

16 COMMISSIONER MARTINETTI: Motion.

17 CITY CLERK: Motion by Commissioner
18 Martinetti.

19 Second?

20 COMMISSIONER VALDIVIA: Second.

21 CITY CLERK: Second by Commissioner
22 Valdivia.

23 Commissioner Fernandez?

24 COMMISSIONER FERNANDEZ: Yes.

25 CITY CLERK: Commissioner Grullon?

1 COMMISSIONER GRULLON: Yes.

2 CITY CLERK: Commissioner Valdivia?

3 COMMISSIONER VALDIVIA: Yes.

4 CITY CLERK: Commissioner Martinetti?

5 COMMISSIONER MARTINETTI: Yes.

6 CITY CLERK: Mayor Stack?

7 MAYOR STACK: Yes.

8 CITY CLERK: Thank you.

9

10 (Whereupon, the Board discussed and took
11 action on the following items in total:

12 **CONSENT AGENDA:**

13 (1) Resolution Approving the Payment of Claims

14 (2) Resolution Approving the Payment of
15 Concurring Claims

16 (3) Resolution Approving the City Payroll for
17 April 25th through May 8, 2020

18 (4) Resolution Approving the Library Payroll
19 for April 25th through May 8, 2020

20 (5) Resolution Approving a Chapter 159 Special
21 Revenue Item for Miscellaneous Revenues

22 (6) Resolution Authorizing a Contract with the
23 County of Hudson Providing for the Reimbursement
24 of Stimulus Funds through the CARES Act

25 (7) Resolution Awarding a Contract to S. Batata

- 1 Construction, Inc. for the Palisade Avenue
2 Improvement Project Section 2
3 (8) Resolution Authorizing the City of Union
4 City to Pursue a Property Located at 4400 and
5 4408 Hudson Avenue and 119-121 45th Street, also
6 known as Block 259, Lots 1-5, 19-30 in accordance
7 with Eminent Domain Laws and Procedures
8 (9) Resolution Authorizing a Refund of
9 Redemption Monies to Outside Lienholders
10 (10) Resolution Awarding a Contract to New
11 Jersey Realty Advisory Group, LLC for Appraisal
12 Services
13 (11) Resolution Approving an Addendum to a
14 Contract for Special Counsel Services for Barry
15 Sarkisian, Esq.
16 (12) Resolution in Observance of National Police
17 Week 2020.)
18

19 CITY CLERK: There are 12 items on Consent.

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

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

24 Third is a Resolution Approving the City
25 Payroll for the Period of April 25th through May

1 8th, 2020.

2 The fourth is a Resolution Approving the
3 Library Payroll for the Period of April 25th
4 through May 8th, 2020.

5 The fifth is a Resolution Approving a
6 Chapter 159 Special Revenue Item for
7 Miscellaneous Revenues.

8 The sixth is a Resolution Authorizing a
9 Contract with the County of Hudson Providing for
10 the Reimbursement of Stimulus Funds through the
11 CARES Act.

12 The seventh is a Resolution Awarding a
13 Contract to S. Batata Construction, Incorporated
14 for the Palisade Avenue Improvement Project
15 Section 2.

16 The eighth is a Resolution Authorizing the
17 City of Union City to Pursue Property Located at
18 44-- 4400 and 4408 Hudson Avenue and 119-121 45th
19 Street, also known as Block 259, Lots 1 through 5
20 and 19 through 30, in Accordance with the Eminent
21 Domain Laws and Procedures.

22 The ninth is a Resolution Authorizing a
23 Refund of Redemption Money to Outside
24 Lienholders.

25 The tenth is a Resolution Awarding a

1 Contract to New Jersey Realty Advisory Group, LLC
2 for Appraisal Services.

3 The eleventh is a Resolution Approving an
4 Addendum to a Contract for Special Counsel
5 Services for Barry Sarkisian, Esquire.

6 The twelfth is a Resolution in Observance
7 of National Police Week 2020, from May 10th
8 through May 16th, 2020.

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

11 MAYOR STACK: Yes.

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

15 Just -- just before we do, I'd just like to
16 thank the Commissioners again and Erin and all
17 that are involved; our -- our Police Department,
18 our Emergency Services, our Fire Department, our
19 Parks Department.

20 Special thank you to the Department of
21 Public Works for the great job they do every day
22 in keeping our City immaculate under the
23 leadership of Kathy Garretson.

24 And also the agencies that have come
25 together to fight this COVID-19.

1 In -- in addition to that, I just wanted to
2 cite that we've continued with the work that
3 we've been doing in the City, whether it's with
4 the sidewalk improvements, some of the park
5 improvements, and with the street improvements.

6 And the item that Erin just read in -- our
7 Clerk just read in on Palisade Avenue -- number
8 7, that's continuing with the second section of
9 Palisade.

10 Right now they're up to about 11th Street
11 on Palisade Avenue, on the east side, and they're
12 moving northbound to 14th.

13 Once that's done, then Phase II is 14th
14 Street north. That will begin --

15 If you get -- if anyone gets a chance they
16 should go take a look how nice it looks when you
17 go down to 2nd and Palisade Avenue. They're
18 starting to put in the lights. The trees have
19 been planted for the most part.

20 And possibly by maybe the third week of
21 June we'll have Palisade Avenue paved from 14th
22 Street south, which would be the first phase of
23 the job; that will get paved.

24 And then we'll work on the second part of
25 the -- of the Phase II.

1 CITY CLERK: Any public comment at this
2 time?

3 Seeing none.

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

6 MAYOR STACK: Just -- just before we do,
7 Erin.

8 I'm sorry.

9 CITY CLERK: Sure.

10 MAYOR STACK: And also, in observance of
11 Police Week.

12 I know we always do a lot of festivities
13 around Police Week. This year, obviously, we
14 can't because of the pandemic that's taking
15 place. But recognizing the great job that our
16 Police Department do and Police Departments
17 across the State of New Jersey.

18 Thank you.

19 Thank you, Erin.

20 CITY CLERK: Thank you, Mayor.

21 May I have a motion to close public
22 comment?

23 COMMISSIONER GRULLON: Motion.

24 CITY CLERK: Motion by Commissioner
25 Grullon.

1 Second?

2 COMMISSIONER FERNANDEZ: Second.

3 CITY CLERK: Second by Commissioner

4 Fernandez.

5 Commissioner Fernandez?

6 COMMISSIONER FERNANDEZ: Yes.

7 CITY CLERK: Commissioner Grullon?

8 COMMISSIONER GRULLON: Yes.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 CITY CLERK: Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16 May I have a motion to approve all items on

17 Consent?

18 COMMISSIONER VALDIVIA: Motion.

19 CITY CLERK: Motion by Commissioner

20 Valdivia.

21 Second?

22 COMMISSIONER MARTINETTI: Motion.

23 CITY CLERK: Second by Commissioner

24 Martinetti.

25 Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Yes on all the
2 items, except number 8; I'm abstaining from
3 number 8.

4 CITY CLERK: Okay.

5 Abstention on number 8 for Commissioner
6 Fernandez.

7 Commissioner Grullon?

8 COMMISSIONER GRULLON: Yes.

9 CITY CLERK: Commissioner Valdivia?

10 COMMISSIONER VALDIVIA: Yes.

11 CITY CLERK: Commissioner Martinetti?

12 COMMISSIONER MARTINETTI: Yes.

13 CITY CLERK: And Mayor Stack?

14 MAYOR STACK: Yes.

15 CITY CLERK: Thank you.

16

17 (Whereupon, the Board discussed and took
18 action on the following item:

19 **REGULAR AGENDA:**

20 1. RESOLUTION OF THE CERTIFICATION OF THE
21 ANNUAL AUDIT.)

22

23 CITY CLERK: There are two items on the
24 Regular Agenda this evening.

25 The first is a Resolution of Certification

1 of the Annual Audit.

2 May I have a motion on item 1?

3 MAYOR STACK: Motion.

4 CITY CLERK: Motion by Mayor Stack.

5 Second?

6 COMMISSIONER MARTINETTI: Second.

7 CITY CLERK: Second by Commissioner

8 Martinetti.

9 Commissioner Fernandez?

10 COMMISSIONER FERNANDEZ: Yes.

11 CITY CLERK: Commissioner Grullon?

12 COMMISSIONER GRULLON: Yes.

13 CITY CLERK: Commissioner Valdivia?

14 COMMISSIONER VALDIVIA: Yes.

15 CITY CLERK: Commissioner Martinetti?

16 COMMISSIONER MARTINETTI: Yes.

17 CITY CLERK: And Mayor Stack?

18 MAYOR STACK: Yes.

19 CITY CLERK: Thank you.

20

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

23 **REGULAR AGENDA:**

24 2. RESOLUTION APPROVING AND ACCEPTING THE
25 SFY2019 CORRECTIVE ACTION PLAN.)

1
2 CITY CLERK: The second is a Resolution
3 Approving and Accepting the SFY2019 Corrective
4 Action Plan.

5 May I have a motion on item 2?

6 MAYOR STACK: Motion.

7 CITY CLERK: Motion by Mayor Stack.

8 Second?

9 COMMISSIONER GRULLON: Second.

10 CITY CLERK: Second by Commissioner --
11 Commissioner Grullon?

12 Or Commissioner Martinetti?

13 I'm sorry.

14 Commissioner Grullon.

15 Thank you.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: Yes.

18 CITY CLERK: Commissioner Grullon?

19 COMMISSIONER GRULLON: Yes.

20 CITY CLERK: Commissioner Valdivia?

21 COMMISSIONER VALDIVIA: Yes.

22 CITY CLERK: Commissioner Martinetti?

23 COMMISSIONER MARTINETTI: Yes.

24 CITY CLERK: And Mayor Stack?

25 MAYOR STACK: Yes.

1 CITY CLERK: Thank you.

2

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

4

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

8 MAYOR STACK: Yes.

9 Anyone wishing to take -- make comment at
10 this time, please step forward, state your name
11 and address for the record.

12 I don't know if there's anybody waiting to
13 come in or --

14 CITY CLERK: Excuse me?

15 Officer Erazo, is there any members of the
16 public out there wanting to come in?

17 OFFICER ERAZO: Yes, there's one person.
18 They had to make a phone call -- (indiscernible)
19 -- waiting.

20 MAYOR STACK: What is it?

21 CITY CLERK: He's making a phone call --

22 MR. AUTERI: He said he has --

23 MAYOR STACK: Oh.

24 CITY CLERK: -- and then he's going to come
25 in.

1 MAYOR STACK: Just --

2 MR. AUTERI: -- to make a phone --

3 MAYOR STACK: Just -- just before -- I -- I
4 mean I couldn't leave the meeting tonight without
5 making a comment on something.

6 We -- we introduced tonight and we adopted
7 Ordinances protecting tenants when it comes to
8 rent increases and evictions. And I couldn't be
9 more proud of the work that the Commissioners
10 have done in this regard.

11 And we had a lawsuit filed against the City
12 because stopping the rent increases during the
13 pandemic.

14 All the Ordinance does -- and we all voted
15 on it -- was stop any rent increases during the
16 pandemic.

17 Not only are tenants not only to pay their
18 rent but they're not also able to pay increases
19 on top of that.

20 And I -- I just find it sad that there
21 would be a lawsuit filed against the City for
22 that during the pandemic.

23 This is not being done by two and three
24 family homeowners; this is being done by a
25 conglomerate who owns many, many buildings.

1 And they call themselves the Union City
2 Housing Initiative and it's far from anything but
3 an initiative. This is about their -- their will
4 to make more and more money and greedy.

5 And I -- I just wanted to say how
6 personally disgusted I am that this group of
7 absentee landlords in Union City would have
8 formed a quote/unquote Initiative. What a public
9 relations stunt for a name.

10 And that's basically what it is; it's a
11 public relations stunt under the pretext that
12 they're trying to help out the tenants during the
13 pandemic.

14 In reality what they're doing is trying to
15 get their rent increases on the backs of our
16 tenants, suing Union City to invalidate a rent
17 moratorium ordinance. It -- it's the highest
18 hypocrisy I've ever seen.

19 And all this Ordinance does, as we all
20 know, is -- it would give the same thing that
21 Governor Murphy did on a State level with the
22 HMFA buildings -- the Housing Mortgage Finance
23 buildings. All it would do is 60 days after they
24 could go and get their rent increase at that
25 point.

1 But to sue the City trying to get a rent a
2 increase during this time, really speaks volumes
3 about what you're dealing with with this so
4 called Housing Initiative that filed a lawsuit
5 against the City.

6 It's sad. It's really, really sad because
7 people are struggling right now. And nobody
8 knows that better than we do.

9 I get, literally, hundreds of calls a day
10 -- hundreds of people that can't collect their
11 unemployment, people who can't pay their rent,
12 two and three family homeowners who are
13 struggling to pay their property taxes. That's
14 why we were the first municipality -- maybe the
15 only one in the State of New Jersey -- that gave
16 the taxpayer until June 30th.

17 Even these landlords that are -- even this
18 group of conglomerate landlord -- absentee out-
19 of-town landlords, they have the same benefit of
20 paying up until June 30th.

21 The State only extended it until June 1st
22 -- until May 30th.

23 But -- but it's sad that somebody would do
24 that when people are struggling.

25 I've never ever seen anything like this

1 | where people are truly struggling and you -- I
2 | get hundreds of -- of requests a day for food.

3 | Many times the Commissioners will text me
4 | names of people who need food or we deliver food
5 | to them.

6 | And to -- to go after tenants or go after
7 | anyone during this period, where people are out
8 | of work -- you know, over a million people have
9 | filed for unemployment in New Jersey -- is sad.
10 | And it's a waste of taxpayer money that they're
11 | suing the City on this Ordinance.

12 | But I'd just like to thank the
13 | Commissioners for remaining strong and resolute
14 | and -- and standing together and fighting for the
15 | poorest of the poor.

16 | Thank you very much.

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

20 | MAYOR STACK: Sure.

21 | Anyone wishing to comment at this time on
22 | any matter concerning municipal government in the
23 | City of Union City, please step forward, state
24 | your name and address for the record.

25 | Seeing none.

1 CITY CLERK: May I have a motion to close
2 public comment?

3 COMMISSIONER MARTINETTI: Motion.

4 COMMISSIONER FERNANDEZ: Motion.

5 CITY CLERK: Motion by Commissioner
6 Martinetti.

7 Second by Commissioner Fernandez.

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 CITY CLERK: Thank you.

19

20 **ADJOURNMENT:**

21

22 CITY CLERK: There are no other items on
23 the agenda.

24 May I have a motion to adjourn?

25 MAYOR STACK: Motion.

1 CITY CLERK: Motion by Mayor Stack.

2 Second?

3 Second by Commissioner Martinetti.

4 Commissioner Fernandez?

5 COMMISSIONER FERNANDEZ: Yes.

6 MAYOR STACK: Celin?

7 I want to ask you something.

8 CITY CLERK: Commissioner Grullon?

9 COMMISSIONER GRULLON: Yes.

10 CITY CLERK: Commissioner Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 CITY CLERK: Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 CITY CLERK: Mayor Stack?

15 Thank you very much.

16 MAYOR STACK: Thank you, Lucio.

17 Thank you, Erin.

18 Thanks, everybody.

19 CITY CLERK: You're welcome, Mayor.

20 MAYOR STACK: Thank you, Wendy; Margie --

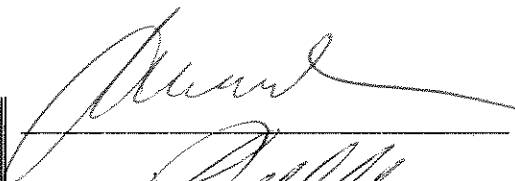
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22 (Whereupon, the proceedings were concluded
23 at 7:17 p.m.)

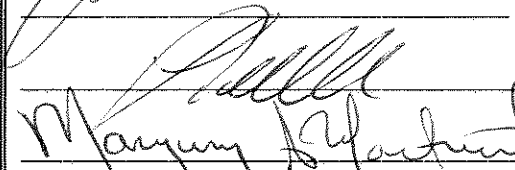
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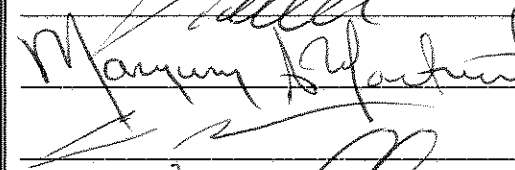
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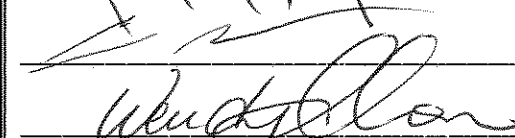
Brian P. Stack



Lucio P. Fernandez



Maryury A. Martinetti



Celin J. Valdivia



Wendy A. Grullon

Board of Commissioners

Attest:



Erin M. Knoedler,

City Clerk

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, May 12, 2020 and digitally
10 recorded.

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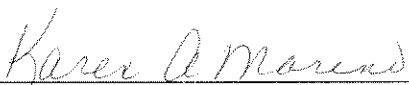
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Karen A. Marino

AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon