

ORIGINAL

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

REGULAR MEETING

TRANSCRIPT OF RECORDED

PROCEEDINGS

Colin Powell Elementary School
1500 New York Avenue
Union City, New Jersey

Tuesday, July 14, 2020
Commencing at 7:00 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
BRIAN P. STACK, MAYOR

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

WENDY A. GRULLON, COMMISSIONER

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

ERIN M. KNOEDLER, CITY CLERK

SCARINCI HOLLENBECK
BY: ANGELO AUTERI, ESQ.
Corporation Counsel

GREGORY T. FARMER, ESQ.
Attorney for the Union City
Alcohol Beverage Control Commission

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1 CITY CLERK: This is a Regular Public
2 Meeting of the Union City Board of Commissioners
3 being held on --

4 MAYOR STACK: Hi, Greg.

5 CITY CLERK: -- Tuesday, --

6 MAYOR STACK: Hi, Dave.

7 CITY CLERK: -- July 14th, 2020, at seven
8 p.m., at the Colin Powell Elementary School, 1500
9 New York Avenue, Union City, New Jersey.

10 Please stand for the Pledge of Allegiance.
11

12 (Whereupon the Pledge of Allegiance was
13 said by all.)
14

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

17 Adequate notice of the meeting has been
18 provided to The Jersey Journal, The Record, The
19 Hudson Reporter, and has been posted on the
20 bulletin board at City Hall and made available to
21 the public in the Office of the Municipal Clerk.
22

23 **ROLL CALL:**
24

25 CITY CLERK: Commissioner Fernandez?

1 COMMISSIONER FERNANDEZ: Here.

2 CITY CLERK: Commissioner Grullon is
3 absent.

4 Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Here.

6 CITY CLERK: Commissioner Martinetti?

7 COMMISSIONER MARTINETTI: Here.

8 CITY CLERK: Mayor Stack?

9 MAYOR STACK: Here.

10

11 (Whereupon, the Board discussed and took
12 action on the following item:

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

14 1. ORDINANCE AMENDING CHAPTER 351 TO SET FORTH
15 RESTRICTIONS ON SMOKING.)

16

17 CITY CLERK: There are two Ordinance on for
18 introduction this evening.

19 Adoption on first reading will authorize
20 the Municipal Clerk to advertise for the public
21 hearing and further consideration, to be held on
22 Tuesday, July 28th, 2020, at Robert Waters
23 Elementary School, 2800 Summit Avenue, Union
24 City, New Jersey.

25 The first Ordinance is an Ordinance

1 Amending Chapter 351 --

2 MAYOR STACK: Hi, Angelo.

3 CITY CLERK: -- to set forth restrictions
4 on smoking.

5 May I have a motion to introduce?

6 COMMISSIONER MARTINETTI: Motion.

7 CITY CLERK: Motion by Commissioner
8 Martinetti.

9 Second?

10 COMMISSIONER VALDIVIA: Second.

11 CITY CLERK: Second by Commissioner
12 Valdivia.

13 Commissioner Fernandez?

14 COMMISSIONER FERNANDEZ: 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

24 (Whereupon, the Board discussed and took
25 action on the following item:

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

2 2. ORDINANCE AMENDING CHAPTER 426 TO SET FORTH
3 TIME LIMITATIONS ON SCAFFOLDING.)

4

5 CITY CLERK: The next is an Ordinance
6 Amending Chapter 426 to Set Forth Time and
7 Limitations on Scaffolding.

8 May I have a motion to introduce?

9 MAYOR STACK: Motion.

10 CITY CLERK: Motion by Mayor Stack.
11 Second?

12 COMMISSIONER FERNANDEZ: Second.

13 CITY CLERK: Second by Commissioner
14 Fernandez.

15 Commissioner Fernandez?

16 COMMISSIONER FERNANDEZ: Yes.

17 CITY CLERK: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 CITY CLERK: Commissioner Martinetti is
20 recusing.

21 COMMISSIONER MARTINETTI: Recusing.

22 CITY CLERK: And Mayor Stack?

23 MAYOR STACK: Yes.

24 CITY CLERK: Thank you.

25

1 (Whereupon, the Board discussed and took
2 action on the following items in total:

3 **CONSENT AGENDA:**

4 (1) Resolution Approving the Payment of Claims

5 (2) Resolution Approving the Payment of
6 Concurring Claims

7 (3) Resolution Approving the Payment of Escrow
8 Refunds

9 (4) Resolution Approving the City Payroll for
10 June 20, 2020 through July 3, 2020

11 (5) Resolution Approving the Library Payroll
12 for June 20, 2020 through July 3, 2020

13 (6) Resolution Awarding a Contract to V&K
14 Construction for Improvements to Peru Park

15 (7) Resolution Appointing Michael Lopez to the
16 Union City Rent Control Board

17 (8) Resolution Adjusting 3rd Quarter Tax Bills

18 (9) Resolution Cancelling Unclaimed Tax Credits

19 (10) Resolution Authorizing a Refund of
20 Redemption Monies Collected at the Tax Sale

21 (11) Resolution Authorizing the Refund of a
22 Payment

23 (12) Resolution Authorizing the Refund of
24 Premium Monies Collected at the Tax Sale

25 (13) Resolution Cancelling Overbills on the 3rd

1 Quarter Taxes

2 (14) Resolution Authorizing the City Clerk to
3 Advertise for Bids for the 2020 Miscellaneous
4 City-Wide Pothole Repair - Phase 2

5 (15) Resolution Authorizing the City Clerk to
6 Advertise for Bids for the 2020 Tree Webworm
7 Treatment.)

8

9 CITY CLERK: There are 15 items on the
10 Consent Agenda.

11 The first is a Resolution Approving the
12 Payment of Claims.

13 The second is a Resolution Approving the
14 Payment of Concurring Claims.

15 The third is a Resolution Approving the
16 Payment of Escrow Refunds.

17 The fourth is a Resolution Approving the
18 City Payroll for Period of June 20th, 2020 through
19 July 3rd, 2020.

20 The fifth is a Resolution Approving the
21 Library Payroll for Period of June 20th, 2020
22 through July 3rd, 2020.

23 The sixth is a Resolution Awarding a
24 Contract to V and K Construction for Improvements
25 to Peru Park.

1 The seventh is a Resolution Appointing
2 Michael Lopez to the Union City Rent Control
3 Board.

4 The eighth is a Resolution Adjusting Third
5 Quarter Tax Bills.

6 The ninth is a Resolution Cancelling
7 Unclaimed Tax Credits.

8 The tenth is a Resolution Authorizing a
9 Refund of Redemption Monies Collected at the Tax
10 Sale.

11 The eleventh is a Resolution Authorizing
12 the Refund of a Payment.

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

16 The thirteenth is a Resolution Cancelling
17 Overbills of the Third Quarter Taxes.

18 The fourteenth is a Resolution Authorizing
19 the City Clerk to Advertise for Bids for the 2020
20 Miscellaneous City-Wide Pothole Repair, Phase 2.

21 And the fifteenth is a Resolution
22 Authorizing the City Clerk to Advertise for Bids
23 for the 2020 Tree Webworm Treatment.

24 Mayor, at this time would you like to take
25 public comment on Consent?

1 MAYOR STACK: Sure.

2 Just before we do, on number 6, the
3 improvements to Peru Park.

4 That will be a nice renovation to Peru Park
5 on 24th and Central Avenue. That's something
6 we've been working on for a while.

7 Thank Commissioner Valdivia and the Parks
8 Department for the great job that they do.

9 Also, the advertising of bids for the City
10 pothole repair. Even though we did New York
11 Avenue a number of years ago, just from wear and
12 tear, we went out there and did repairs that will
13 blend in with the rest of New York Avenue. But
14 it maintains the investment we made of millions
15 of dollars in New York Avenue about seven or
16 eight years ago.

17 In addition to that, -- this will be all
18 over the City -- Kathy and the DPW do a great
19 job. This is a professional company that comes
20 in though and squares them out and catches any
21 potholes until we pave those streets.

22 So it's a program where it's money well
23 spent; protects investment.

24 In addition to that, the webworms are like
25 these large cocoons that form in the trees with

1 these webworms that go and eat the leaves of the
2 trees. So we spray for them every year.

3 And that's exactly what we're doing here
4 again. It's become widespread. When you get a
5 lot of rain and stuff like that, they form. They
6 use worms -- they don't kill the tree but they
7 eat all the leaves.

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

12 Seeing none.

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

15 COMMISSIONER MARTINETTI: Close.

16 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 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: Thank you.

7 May I have a motion to approve all items on
8 Consent?

9 COMMISSIONER VALDIVIA: Motion.

10 CITY CLERK: Motion by Commissioner
11 Valdivia.

12 Second?

13 COMMISSIONER MARTINETTI: Second.

14 CITY CLERK: Second by Commissioner
15 Martinetti.

16 Commissioner Fernandez?

17 COMMISSIONER FERNANDEZ: 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 (Whereupon, the Board discussed and took
2 action on the following item:

3 **REGULAR AGENDA:**

4 1. Resolution Approving the SFY2021 Temporary
5 Budget.)

6
7 CITY CLERK: There's one item on the
8 Regular Agenda.

9 It's a Resolution Approving the SFY2021
10 Temporary Budget.

11 May I have motion to approve item 1?

12 COMMISSIONER VALDIVIA: Motion.

13 CITY CLERK: Motion by Commissioner
14 Valdivia.

15 Second?

16 MAYOR STACK: Second.

17 COMMISSIONER FERNANDEZ: Motion.

18 MAYOR STACK: I'm sorry.

19 Second.

20 CITY CLERK: That's --

21 Thank you, Mayor.

22 Commissioner Fernandez?

23 COMMISSIONER FERNANDEZ: Yes.

24 CITY CLERK: Commissioner Valdivia?

25 COMMISSIONER VALDIVIA: Yes.

1 CITY CLERK: Commissioner Martinetti?

2 COMMISSIONER MARTINETTI: Yes.

3 CITY CLERK: Mayor Stack?

4 MAYOR STACK: Yes.

5 CITY CLERK: Thank you.

6

7 (Whereupon, the Board discussed and took
8 action on the following item:

9 **ORDINANCES FOR HEARING AND ADOPTION**

10 **CONSIDERATION:**

11 1. ORDINANCE TO RESCIND ORDINANCE NO. 2020-10
12 AND REMOVE PROHIBITION ON EVICTION PROCEEDINGS
13 FOR NON-PAYMENT OF RENT RESULTING FROM THE
14 CORONAVIRUS EMERGENCY.)

15

16 CITY CLERK: There are Ordinances on for
17 Hearing and Adoption Consideration.

18 The first is an Ordinance to Rescind
19 Ordinance Number 2020-10 and Remove Prohibition
20 -- Prohibition on Eviction Proceedings for
21 Non-Payment of Rent Resulting from the
22 Coronavirus Emergency.

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

25 MAYOR STACK: Sure.

1 Anyone wishing to comment at this time,
2 please step forward.

3 All we were trying to do here is just
4 prevent residents from being evicted after we
5 went through the COVID pandemic.

6 Anyone wishing to comment at this time,
7 please step forward?

8 Seeing none.

9 CITY CLERK: May I have a motion to close
10 public comment?

11 MAYOR STACK: Motion.

12 CITY CLERK: Motion by Mayor Stack.

13 Second?

14 COMMISSIONER FERNANDEZ: Second.

15 CITY CLERK: Second by Commissioner
16 Fernandez.

17 Commissioner Fernandez?

18 COMMISSIONER FERNANDEZ: 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: May I have a motion to adopt?

1 MAYOR STACK: Motion.

2 CITY CLERK: Motion by Mayor Stack.

3 Second?

4 COMMISSIONER FERNANDEZ: Second.

5 CITY CLERK: Second by Commissioner
6 Fernandez.

7 Commissioner Fernandez?

8 COMMISSIONER FERNANDEZ: 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 **ORDINANCES FOR HEARING AND ADOPTION**

20 **CONSIDERATION:**

21 2. ORDINANCE AMENDING CHAPTER 40 TO SET FORTH
22 RESTRICTIONS ON THE CONVERSION OF AFFORDABLE
23 RENTAL HOUSING TO A CONDOMINIUM OR COOPERATIVE
24 FORM OF OWNERSHIP.)

25

1 CITY CLERK: The next Ordinance is an
2 Ordinance Amending Chapter 40 to Set Forth
3 Restrictions on the Conversion of Affordable
4 Rental Housing to Condominium or Cooperative Form
5 of Ownership.

6 Mayor at this time would you like to take
7 public comment on this Ordinance?

8 MAYOR STACK: Sure.

9 Just before we do, this is something that
10 everyone knows I introduced legislation on the
11 State level that this -- if you fit the
12 criteria, --

13 And there's several different criterias in
14 the legislation that was passed by the Assembly
15 and the Senate; and the Governor ultimately
16 signed it recently, about a month ago -- little
17 less than a month ago.

18 -- this will stop in Union City,
19 specifically. And each town that wants to do it
20 has to also do an Ordinance. It will stop rental
21 tenement buildings from being converted to
22 condominium and forcing those residents out.

23 Similar what happened in Hoboken many years
24 ago, that people were forced out of their
25 apartment living there many years. They had

1 tenants living in an apartment 30 years and
2 forced out of there because the building becomes
3 a condominium.

4 It's another way, too, for unscrupulous LLC
5 landlords that are absentee to circumvent rent
6 control. So we're closing that -- that loop in
7 there and it will give people continuity, living
8 in the City, keeping their children in the school
9 district, and growing old and staying in Union
10 City and not being forced out like they are in
11 other communities.

12 I thank the Commissioners for supporting
13 this and I thank the Governor for signing it; and
14 the Assembly and Senate for passing it. I hit a
15 lot of resistance along the way because of real
16 estate interest.

17 But this will protect people in their home
18 and protect the poorest of the poor.

19 CITY CLERK: Thank you, Mayor.

20 MAYOR STACK: Anyone wishing to comment at
21 this time, please step forward, state your name
22 and address for the record.

23 Seeing none.

24 CITY CLERK: May I have a motion to close
25 public comment?

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 Valdivia?

11 COMMISSIONER VALDIVIA: Yes.

12 CITY CLERK: Commissioner Martinetti?

13 COMMISSIONER MARTINETTI: Yes.

14 CITY CLERK: Mayor Stack?

15 MAYOR STACK: Yes.

16 CITY CLERK: Thank you.

17 May I have a motion to adopt?

18 MAYOR STACK: Motion.

19 CITY CLERK: Motion by Mayor Stack.

20 Second?

21 COMMISSIONER FERNANDEZ: Second.

22 CITY CLERK: Second by Commissioner
23 Fernandez.

24 Commissioner Fernandez?

25 COMMISSIONER FERNANDEZ: Yes.

1 CITY CLERK: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 CITY CLERK: Commissioner Martinetti?

4 COMMISSIONER MARTINETTI: Yes.

5 CITY CLERK: And Mayor Stack?

6 MAYOR STACK: Yes.

7 CITY CLERK: Thank you.

8

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

10

11 CITY CLERK: At this time, Mayor, would you
12 like to take public comment on any item
13 concerning government in the City of Union City?

14 MAYOR STACK: Sure.

15 Just before we do, I just want to make sure
16 with this Ordinance that when we -- that we
17 adopted, we get a copy to DCA.

18 CITY CLERK: Yes, within five days.

19 MAYOR STACK: A stamped copy. A stamped
20 copy to them, certified mail, return receipt
21 requested. Get it to them.

22 Also get it to the Division of Buildings --
23 Codes and Buildings in Trenton. This way there's
24 no discrepancies.

25 And, if we could also get it to the

1 Building Department, the Tax Assessor, the Tax
2 Collector. All the Commissioners, obviously,
3 will have it. And anyone else that's --

4 Kennedy Ng gets a copy of it.

5 And also, it should be given also to the
6 different Boards. To the Planning Board, the
7 Zoning Board, the Redevelopment Board. All their
8 attorneys should be up on all these Ordinances.
9 They should be getting copies of them.

10 CITY CLERK: Yes.

11 MAYOR STACK: This way they're in the loop
12 on everything.

13 CITY CLERK: Yes, Mayor.

14 MAYOR STACK: That's good.

15 Thank you very much.

16 CITY CLERK: Thank you, Mayor.

17

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

19

20 CITY CLERK: Would you like to take public
21 comment on any item concerning government in the
22 City of Union City?

23 MAYOR STACK: Sure.

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

1 Mr. Farmer, anything?

2 MR. FARMER: No. Nothing.

3 MAYOR STACK: Okay.

4 Seeing none.

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

7 COMMISSIONER FERNANDEZ: Motion.

8 CITY CLERK: Motion by Commissioner
9 Fernandez.

10 Second?

11 COMMISSIONER VALDIVIA: Second.

12 CITY CLERK: Second by Commissioner
13 Valdivia.

14 Commissioner Fernandez?

15 COMMISSIONER FERNANDEZ: Yes.

16 CITY CLERK: Commissioner Valdivia?

17 COMMISSIONER VALDIVIA: Yes.

18 CITY CLERK: Commissioner Martinetti?

19 COMMISSIONER MARTINETTI: Yes.

20 CITY CLERK: Mayor Stack?

21 MAYOR STACK: Yes.

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 FERNANDEZ: Motion.

4 CITY CLERK: Motion by Commissioner
5 Fernandez.

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 Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 CITY CLERK: Commissioner Martinetti?

15 COMMISSIONER MARTINETTI: Yes.

16 CITY CLERK: And Mayor Stack?

17 MAYOR STACK: Yes.

18 CITY CLERK: Thank you.

19

20 (Whereupon, the proceedings were concluded
21 at 7:09 p.m.)

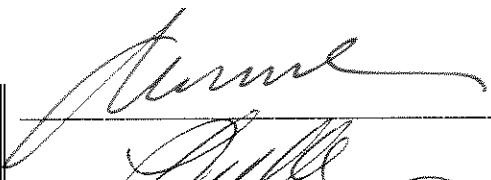
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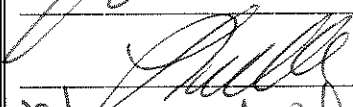
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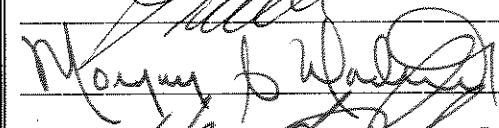
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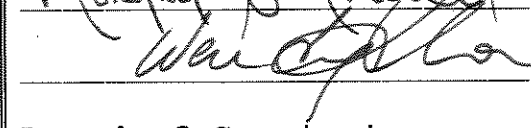
Brian P. Stack



Lucio P. Fernandez

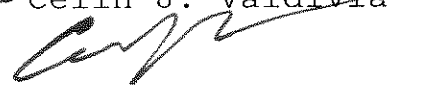


Maryury A. Martinetti



Celin J. Valdivia

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, July 14, 2020 and digitally
10 recorded.

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Karen A. Marino AOC 493

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon