

CITY OF UNION CITY  
HUDSON COUNTY, NEW JERSEY  
UNION CITY REDEVELOPMENT  
AGENCY

REGULAR MEETING :  
: TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
:  
:

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City Hall  
3715 Palisade Avenue  
Union City, New Jersey

June 18, 2013  
Commencing at 6:06 p.m.

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

- VINCENT BONITO, COMMISSIONER
- EVA FESTA, COMMISSIONER
- JOHNNY GARCES, COMMISSIONER
- RAFAEL NOVA, COMMISSIONER, (Arrived at 6:12 p.m.)
- JOHAN PATERNINA, COMMISSIONER, (Arrived at 6:10 p.m.)
- CARLOS VALLEJO, COMMISSIONER
- LUCIO FERNANDEZ, CHAIRMAN

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

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

- BRENDA G. COX, ASSISTANT SECRETARY TO THE BOARD
- KENNEDY NG, EXECUTIVE DIRECTOR
- FLORIO & KENNY, LLP
- BY: DAVID J. YANOTCHKO, ESQ.
- Board Attorney

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1 THE ASSISTANT SECRETARY: May I have your  
2 attention please?

3 We're going to call to order a Regular  
4 Public Meeting of the Union City Redevelopment  
5 Agency.

6 This meeting has been called and scheduled  
7 for today, Tuesday, June 18<sup>th</sup>. We're starting the  
8 meeting at ten after six.

9 This is a meeting called in compliance with  
10 Chapter 231, Public Law 1975 of the Open Public  
11 Meeting Act.

12 Adequate notice of the meeting has been  
13 provided setting forth the date, time and  
14 location of the meeting.

15 Notice of the agenda to the extent known  
16 was forwarded to The Jersey Journal, The Record  
17 and The Hudson Reporter and was posted on our  
18 bulletin board and kept on file in the office of  
19 the Municipal Clerk.

20 Before we roll call for this evening's  
21 meeting, will everyone kindly rise so that we can  
22 salute the flag?

23

24 (Whereupon, the Pledge of Allegiance was  
25 said by all.)

1

2 THE ASSISTANT SECRETARY: Thank you.

3

4 **ROLL CALL:**

5

6 THE ASSISTANT SECRETARY: I'll begin with  
7 roll call for tonight's meeting.

8 Lucio Fernandez?

9 CHAIRMAN FERNANDEZ: Present.

10 THE ASSISTANT SECRETARY: Eva Festa?

11 COMMISSIONER FESTA: Here.

12 THE ASSISTANT SECRETARY: Johnny Garces?

13 COMMISSIONER GARCES: Here.

14 THE ASSISTANT SECRETARY: Rafael Nova?

15 Johan Paternina?

16 Vincent Bonito?

17 COMMISSIONER BONITO: Here.

18 THE ASSISTANT SECRETARY: And Carlos

19 Vallejo?

20 COMMISSIONER VALLEJO: Here.

21 Sorry.

22 THE ASSISTANT SECRETARY: Let the record  
23 indicate that we have five members present.

24 Those absent would be Johan Paternina and  
25 Rafael Nova.

1           So we have a Board comprised of five  
2 members, which constitutes a full legal quorum to  
3 establish any decisions we make tonight.

4

5 **APPROVAL OF MINUTES FROM APRIL 21, 2013 MEETING:**

6

7           THE ASSISTANT SECRETARY: Okay, if we take  
8 to -- go to the order of the agenda. We just  
9 read our notice, so the next item is item number  
10 2 which will call for a consideration to approve  
11 the minutes of the last meeting; the last time we  
12 met was April 16<sup>th</sup> and the minutes are attached to  
13 your packet.

14           Do I have a motion to accept these minutes?

15           COMMISSIONER BONITO: Motion.

16           THE ASSISTANT SECRETARY: Motion by Mr.  
17 Bonito.

18           COMMISSIONER GARCES: Second.

19           THE ASSISTANT SECRETARY: Seconded by Mr.  
20 Garces.

21           Okay, roll call.

22           Eva Festa?

23           COMMISSIONER FESTA: Yes.

24           THE ASSISTANT SECRETARY: Yes?

25           COMMISSIONER FESTA: Yes.

1 THE ASSISTANT SECRETARY: Okay.

2 Johnny Garces?

3 COMMISSIONER GARCES: Yes.

4 THE ASSISTANT SECRETARY: Vincent Bonito?

5 COMMISSIONER BONITO: Yes.

6 THE ASSISTANT SECRETARY: Carlos Vallejo?

7 COMMISSIONER VALLEJO: Yes.

8 THE ASSISTANT SECRETARY: Lucio Fernandez?

9 CHAIRMAN FERNANDEZ: Yes.

10 THE ASSISTANT SECRETARY: Okay.

11 Let the record show that the minutes from  
12 the April 16<sup>th</sup> meeting was approved.

13 Now I will turn the agenda and the running  
14 of the meeting over to Counsel.

15 MR. YANOTCHKO: Thanks, Brenda.

16 THE ASSISTANT SECRETARY: You're welcome.

17

18 **APPROVAL AND RATIFICATION OF PRIOR PAYMENT OF**

19 **CLAIMS; and**

20 **APPROVAL PAYMENT OF BILLS AND PREPARATION OF**

21 **CHECKS:**

22

23 MR. YANOTCHKO: We're -- we're going to go  
24 over to item number 3 and item number 4.

25 First we have the approval and ratification

1 of prior payment of claims.

2 THE ASSISTANT SECRETARY: Um-hum.

3 MR. YANOTCHKO: That's --

4 THE ASSISTANT SECRETARY: The last section.

5 MR. YANOTCHKO: That's the last section.

6 THE ASSISTANT SECRETARY: Um-hum.

7 MR. YANOTCHKO: And it's probably your  
8 fourth page to the end.

9 THE ASSISTANT SECRETARY: Right.

10 MR. YANOTCHKO: There are -- but I'll make  
11 it easy. There are no approval and ratification  
12 of prior payments of claims tonight, so that we  
13 could just get through that one quickly.

14 The one where we do have some payments,  
15 that's the --

16 THE ASSISTANT SECRETARY: Okay. If I could  
17 interrupt?

18 Let the record show that Johan Paternina's  
19 joined the meeting.

20

21 (Whereupon, Commissioner Paternina joined  
22 the meeting at 6:10 p.m.)

23

24 THE ASSISTANT SECRETARY: We now have six  
25 members present.

1 MR. YANOTCHKO: Okay.

2 So, what we'll do is we'll move on to  
3 agenda item number 4; that's approval of payment  
4 of bills, preparation of checks. That's on the  
5 last two pages. And we have some here.

6 We got, from Audio-Digital Transcription,  
7 for check number 1185.

8 We've got a few from Florio and Kenny, the  
9 law firm, for checks 1186, 1187, 1188. That's  
10 for several invoices covering several months  
11 there.

12 THE ASSISTANT SECRETARY: Um-hum.

13 MR. YANOTCHKO: And then we have one that  
14 goes for the Union City Redevelopment Agency  
15 Stadium Grant.

16 There's one for Florio and Kenny for legal  
17 services for February, March, April and May --

18 THE ASSISTANT SECRETARY: Um-hum.

19 MR. YANOTCHKO: -- of this year.

20 THE ASSISTANT SECRETARY: Okay.

21 MR. YANOTCHKO: And that's up for approval  
22 on the --

23 THE ASSISTANT SECRETARY: Do I have a  
24 motion --

25 MR. YANOTCHKO: -- on a motion.

1 THE ASSISTANT SECRETARY: -- to approve?  
2 COMMISSIONER FESTA: Motion.  
3 THE ASSISTANT SECRETARY: Motion to  
4 approve.  
5 COMMISSIONER FESTA: Motion.  
6 THE ASSISTANT SECRETARY: Okay.  
7 Seconded?  
8 Motion by Eva Festa.  
9 Seconded --  
10 COMMISSIONER GARCES: Second.  
11 THE ASSISTANT SECRETARY: -- by?  
12 COMMISSIONER GARCES: Second.  
13 THE ASSISTANT SECRETARY: Who was it?  
14 COMMISSIONER FESTA: Johnny.  
15 COMMISSIONER BONITO: Mr. Garces.  
16 THE ASSISTANT SECRETARY: Mr. Garces.  
17 Okay. Very good.  
18 Roll call for the acceptance of the  
19 ratification and the payments of check.  
20 Johnny Garces?  
21 COMMISSIONER GARCES: Yes.  
22 THE ASSISTANT SECRETARY: Rafael Nova, no.  
23 Eva Festa?  
24 COMMISSIONER FESTA: Yes.  
25 THE ASSISTANT SECRETARY: Lucio Fernandez?

1 CHAIRMAN FERNANDEZ: Yes.

2 THE ASSISTANT SECRETARY: Johan Paternina?

3 COMMISSIONER PATERNINA: Yes.

4 THE ASSISTANT SECRETARY: Vincent Bonito?

5 COMMISSIONER BONITO: Yes.

6 THE ASSISTANT SECRETARY: And Carlos

7 Vallejo?

8 COMMISSIONER VALLEJO: Yes.

9 THE ASSISTANT SECRETARY: Let the record  
10 show that the ratification and approval of  
11 payments for checks was approved.

12 Thank you.

13

14 **REPORT ON STATUS OF PROJECTS:**

15

16 THE ASSISTANT SECRETARY: And item number  
17 5; I guess we can continue.

18 MR. YANOTCHKO: Okay. Item 5, Report on  
19 Status of Projects.

20 Really the activity that's going on most is  
21 just trying to push the -- the finalization of  
22 the school demo grant out the door. We've had a  
23 couple things lately.

24 Epic, which was the -- the redeveloper  
25 submitted one of the final payments to the

1 School's Development Authority. Actually, they  
2 submitted it last April -- I mean -- well, this  
3 April I mean.

4 THE ASSISTANT SECRETARY: Um-hum.

5 MR. YANOTCHKO: Unfortunately they -- the  
6 School's Development Authority came back with  
7 some comments; they want some more description of  
8 a few things.

9 I've -- I've called up Epic to see where  
10 they are with that to getting it redone and if  
11 there's anything else we could do.

12 It doesn't look like there's anything from  
13 what -- on our side of what they're looking for.

14 THE ASSISTANT SECRETARY: Um-hum.

15 Let the record show that Rafael Nova has  
16 joined the meeting.

17

18 (Whereupon, Commissioner Nova joined the  
19 meeting at 6:12 p.m.)

20

21 THE ASSISTANT SECRETARY: So we now have  
22 seven members for a full quorum.

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

25 THE ASSISTANT SECRETARY: Okay.

1           MR. YANOTCHKO: And then the -- the second  
2 part of that is just working with the Board of Ed  
3 through a few issues.

4           They're drop -- they're making some  
5 progress. They're dropping --

6           There was a problem with some of the stair  
7 treads. They've -- we've been giving written  
8 notice that they're not gonna push that as a  
9 holdup for closing out the project anymore after  
10 a long review of it.

11           We've also done a submission for  
12 reimbursement of that -- that tank that we talked  
13 about several, several months ago where the --  
14 the work is done and we've been able to find  
15 documents where the Agency did -- was able to  
16 help the School's Development Authority get some  
17 money back on cleanup earlier in the project to  
18 the tune of about \$380,000.00.

19           So, hopefully, the -- the School's  
20 Development Authority will reimburse the Board of  
21 Ed for the cleanup on this last tank, which is a  
22 lot less. I -- I can't remember the figure of  
23 that but it's significantly lower; might be about  
24 60,000 or so.

25           And that's where we are.

1           And I hope -- I'm going to ask the attorney  
2 for the Board if we can conclude this without  
3 necessarily getting feedback on the -- you know,  
4 a final answer from the School's Development  
5 Authority. Because I think -- I think the issues  
6 are -- are different at this point the way  
7 they've -- they've calculated it through the  
8 budget.

9           MR. NG: Well, we -- we are now closer than  
10 before.

11           MR. YANOTCHKO: Oh, we're definitely  
12 closer.

13           MR. NG: Only like seven -- I don't --  
14 remind the list.

15           MR. YANOTCHKO: I think there's seven --

16           MR. NG: I believe so.

17           MR. YANOTCHKO: There's seven items.

18           Susanne was able to take care of a couple  
19 of them. There's --

20           MR. NG: Yeah.

21           MR. YANOTCHKO: There's a couple of things  
22 the -- the Board of Ed thought they couldn't do  
23 but I'll -- we'll --

24           MR. NG: Well, --

25           MR. YANOTCHKO: -- we'll see if we can

1 work --

2 MR. NG: Yeah.

3 MR. YANOTCHKO: -- something -- some sort  
4 of compromise out to get it done.

5 MR. NG: Well, yesterday I got a call from  
6 Justin Mercado and I believe from the -- the last  
7 conversation that we have about this by phone --

8 MR. YANOTCHKO: Okay.

9 MR. NG: -- and Board of Education lawyers.  
10 Well, the Administration, the Mayor knows status  
11 --

12 MR. YANOTCHKO: Okay.

13 MR. NG: -- of where we are now. And he is  
14 worry -- I mean no worried but he wants an end --

15 MR. YANOTCHKO: Of course.

16 MR. NG: -- for this.

17 So, I believe that if we have another  
18 meeting with the Board of Education lawyers, with  
19 Justin now, -- I don't even know Justin -- Justin  
20 Mercado he got the position of Fazio --

21 What is -- what is the -- the title?

22 COMMISSIONER FESTA: Facilities Director.

23 MR. NG: Facilities?

24 CHAIRMAN FERNANDEZ: Facilities Director.

25 MR. NG: So, --

1 MR. YANOTCHKO: Is he with the Board of  
2 Education?

3 MR. NG: Yes.

4 COMMISSIONER FESTA: Yeah.

5 MR. NG: Yes.

6 MR. YANOTCHKO: Okay. I think that he --

7 MR. NG: I know that the Mayor call him  
8 yesterday 'cause I send the Mayor the status of  
9 the project --

10 MR. YANOTCHKO: Okay.

11 MR. NG: -- because he really wanted to  
12 close out this project at the high school.

13 So, --

14 MR. YANOTCHKO: I think -- especially if  
15 Justin's involved, --

16 MR. NG: Yes.

17 MR. YANOTCHKO: -- it sounds like a good  
18 idea.

19 MR. NG: Yes.

20 And he told me yesterday that he -- that  
21 the three remaining items that belongs to the  
22 Board of Education I think they have the results  
23 of.

24 MR. YANOTCHKO: Mmm.

25 MR. NG: And he call the architect. He

1 call Jazlyn, waiting for some kind of response.

2 I believe a meeting will be --

3 MR. YANOTCHKO: I -- I think we have to. I  
4 was after Jazlyn, --

5 MR. NG: We have to meet.

6 MR. YANOTCHKO: -- it's just -- yeah, it's  
7 just tough to catch everything. Yeah.

8 MR. NG: Yeah, I just wanted to -- to share  
9 with the Commissioners about we need the  
10 finalization of this --

11 MR. YANOTCHKO: Absolutely.

12 MR. NG: -- permanent C.O.

13 The thing is there's no problem now but if  
14 any problem occurs in the high school and we  
15 don't have the closeout -- you know, a permanent  
16 C.O. and everything and then the problem start.

17 CHAIRMAN FERNANDEZ: Right.

18 MR. NG: And we don't want that.

19 CHAIRMAN FERNANDEZ: Because it's just a  
20 temporary C.O. now.

21 MR. NG: Yeah.

22 At this stage it's gonna be problem but we  
23 very close now. We got like -- probably like  
24 five, six, seven items open that we have to  
25 review if everything's correct now.

1           But when I got the position we had like --  
2 like probably like more than 20 items open.

3           CHAIRMAN FERNANDEZ: Wow.

4           MR. NG: A little by a little we've been,  
5 you know, working.

6           MR. YANOTCHKO: It's been a -- it's been an  
7 uphill struggle but it's --

8           CHAIRMAN FERNANDEZ: When did the high  
9 school open? That's -- that's what, three years?

10          MR. NG: Close to four. This is the --

11          CHAIRMAN FERNANDEZ: My God.

12          MR. NG: -- the fourth graduation there.

13          CHAIRMAN FERNANDEZ: Yeah.

14          COMMISSIONER GARCES: This the fourth.

15          MR. YANOTCHKO: Now, I will say it's --  
16 what -- let's just state that it's not like the  
17 State exactly makes it easy, too. I think  
18 these --

19          MR. NG: I know.

20          MR. YANOTCHKO: Some of the same -- I think  
21 a lot of other places have had problems with the  
22 demo grant partly because administrations changed  
23 certain things that were probably set, if -- if  
24 the -- but that's -- you know, we can't -- we  
25 can't cry over stuff like that.

1 MR. NG: I -- I remember --

2 MR. YANOTCHKO: Yeah.

3 MR. NG: -- that before when the project  
4 started, before Justin and before Fazio was Frank  
5 Acinapura --

6 CHAIRMAN FERNANDEZ: Frank Acinapura.

7 MR. NG: -- that position, then Fazio took  
8 in the middle -- you know, at the end. And  
9 really he -- he was not involved at the very  
10 beginning; --

11 CHAIRMAN FERNANDEZ: Right. Right.

12 MR. NG: -- me neither.

13 And Justin just came out to -- involved.

14 CHAIRMAN FERNANDEZ: Right. Right.

15 MR. NG: Now, I think he's -- you got, you  
16 know, the -- the general picture now.

17 MR. YANOTCHKO: The -- the idea of it.

18 Okay. That sounds good.

19 MR. NG: So, my recommendation will be in  
20 your sight to -- to set up a meeting --

21 MR. YANOTCHKO: Um-hum.

22 MR. NG: -- with the Board of Education and  
23 other stuff now.

24 MR. YANOTCHKO: Yeah, Susanne -- I'll --  
25 I'll contact you about -- about Justin's contact

1 information so we get him; --

2 MR. NG: Um-hum.

3 MR. YANOTCHKO: -- architect and Jaz.

4 There we go.

5 MR. NG: Um-hum.

6 THE ASSISTANT SECRETARY: That's it?

7 MR. YANOTCHKO: That's the remainder --

8 MR. NG: Yup.

9 MR. YANOTCHKO: Yeah.

10

11 **PUBLIC COMMENT:**

12

13 THE ASSISTANT SECRETARY: Okay.

14 So, Mr. Chairman, do you want to open it to  
15 the public?

16 CHAIRMAN FERNANDEZ: Anybody of the public  
17 like to make a comment?

18 No, there's no one.

19 I'll move to close the public comment  
20 portion of the meeting.

21 COMMISSIONER VALLEJO: Make a second.

22 THE ASSISTANT SECRETARY: And that said,  
23 item number seven, any other business as may come  
24 before the Board?

25 Do we have any business that anyone cares

1 to discuss?

2 COMMISSIONER FESTA: No.

3 THE ASSISTANT SECRETARY: No?

4

5 **ADJOURNMENT:**

6

7 THE ASSISTANT SECRETARY: Okay, in that  
8 light, since there's no other items on tonight's  
9 agenda, do I have a motion to close tonight's  
10 meeting?

11 COMMISSIONER GARCES: Motion.

12 THE ASSISTANT SECRETARY: Motion by Mr.  
13 Garces.

14 CHAIRMAN FERNANDEZ: Second.

15 THE ASSISTANT SECRETARY: Seconded by  
16 Mr. --

17 COMMISSIONER FESTA: Fernandez.

18 THE ASSISTANT SECRETARY: -- Fernandez.

19 All in favor?

20

21 (Whereupon, there was a chorus of ayes.)

22

23 THE ASSISTANT SECRETARY: Anyone opposing?

24 COMMISSIONER FESTA: No.

25 THE ASSISTANT SECRETARY: No opposition?

1 Meeting is officially closed.

2 CHAIRMAN FERNANDEZ: Johan wants to stay.

3 THE ASSISTANT SECRETARY: Meeting is  
4 officially closed.

5 MR. NG: Okay.

6

7 (Whereupon, the proceedings were concluded  
8 at 6:20 p.m.)

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1 STATE OF NEW JERSEY:

2 :

3 COUNTY OF ESSEX :

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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 REDEVELOPMENT AGENCY,  
9 held on Tuesday, June 18, 2013, and digitally  
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon