

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

July 16, 2013  
Commencing at 6:05 p.m.

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

VINCENT BONITO, COMMISSIONER  
EVA FESTA, COMMISSIONER, (Arrived at 6:09 p.m.)  
JOHNNY GARCES, COMMISSIONER  
RAFAEL NOVA, COMMISSIONER  
JOHAN PATERNINA, COMMISSIONER

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

CARLOS VALLEJO, COMMISSIONER  
LUCIO FERNANDEZ, CHAIRMAN

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 Meeting of the Union City Redevelopment Agency.

5           This meeting -- for today, Tuesday, --

6           (Whereupon, there was an interruption in  
7 the recording.)

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

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

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

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

22

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

25

1 THE ASSISTANT SECRETARY: Thank you.

2

3 **ROLL CALL:**

4

5 THE ASSISTANT SECRETARY: I'll begin with  
6 roll call for this evening's meeting.

7 Lucio Fernandez?

8 Eva Festa?

9 Johnny Garces?

10 COMMISSIONER GARCES: Here.

11 THE ASSISTANT SECRETARY: Rafael Nova?

12 COMMISSIONER NOVA: Yes.

13 THE ASSISTANT SECRETARY: Johan Paternina?

14 COMMISSIONER PATERNINA: Here.

15 THE ASSISTANT SECRETARY: Vincent Bonito?

16 COMMISSIONER BONITO: Here.

17 THE ASSISTANT SECRETARY: And Carlos

18 Vallejo?

19 Not here.

20 Let the record indicate that we have four

21 Commissioners members present for tonight's

22 meeting.

23 Those absent would be Lucio Fernandez, Eva  
24 Festa and Carlos Vallejo.

25 So we have a Board comprised of four

1 members, which constitutes a full legal quorum to  
2 establish any decisions.

3

4 **APPROVAL OF MINUTES OF THE JUNE 18, 2013 MEETING:**

5

6 THE ASSISTANT SECRETARY: Okay, the first  
7 item on tonight's agenda, --

8 I'll follow the order.

9 Notice was just given.

10 -- would be the approval of the minutes for  
11 the June 18, 2013 meeting.

12 Do I have a motion to accept the --

13 COMMISSIONER PATERNINA: Make a motion.

14 THE ASSISTANT SECRETARY: -- minutes?

15 Motion by Johan Paternina.

16 Seconded by?

17 COMMISSIONER NOVA: I second.

18 THE ASSISTANT SECRETARY: Okay, Mr. Nova.

19 Roll call.

20 Johnny Garces?

21 COMMISSIONER GARCES: Yes.

22 THE ASSISTANT SECRETARY: Rafael Nova?

23 COMMISSIONER NOVA: Yes.

24 THE ASSISTANT SECRETARY: Johan Paternina?

25 COMMISSIONER PATERNINA: Yes.

1 THE ASSISTANT SECRETARY: And Vincent  
2 Bonito?

3 COMMISSIONER BONITO: Yes.

4 THE ASSISTANT SECRETARY: Let the record  
5 show that the minutes from the June 18, 2013,  
6 meeting was adopted.

7 Okay, I'll hand the agenda over to Counsel.

8 MR. YANOTCHKO: Okay.

9 Thank you very much, Brenda.

10 THE ASSISTANT SECRETARY: Um-hum.

11

12 **RESOLUTION ACCEPTING THE UCRA AUDIT REPORT FOR**  
13 **FISCAL YEAR 2012:**

14

15 MR. YANOTCHKO: The -- the first item on  
16 the agenda today is a Resolution and approval  
17 concerning the audit for last year. This is put  
18 together by our auditors -- I'll just say  
19 Ferraioli because they've -- they've got a very  
20 long name.

21 THE ASSISTANT SECRETARY: Um-hum.

22 MR. YANOTCHKO: But they've done a -- you  
23 know, done an in-depth job of looking into all  
24 the finances of the Agency, as -- and they handle  
25 many, many municipalities and agencies across the

1 State.

2 So we've given you the report to take a  
3 look at. I think there's also some places where  
4 there's some quick summaries of it, too.

5 THE ASSISTANT SECRETARY: Um-hum.

6 MR. YANOTCHKO: But, basically, tonight  
7 this is -- what we're looking to do is, you know,  
8 if -- if you review it and, you know, meets your  
9 satisfaction, to sign off on it and approve a  
10 Resolution tonight.

11 THE ASSISTANT SECRETARY: If I could  
12 interject, Counsel?

13 MR. YANOTCHKO: Yes.

14 THE ASSISTANT SECRETARY: I do have a sign  
15 sheet here next to each Commissioner's name. You  
16 will be -- by signing it, you'd be acknowledging  
17 that you did have a review of the audit.

18 Thank you.

19 COMMISSIONER BONITO: For the record I  
20 would like to commend the firm -- the company, if  
21 you will, for presenting such a professionally  
22 done report. I really appreciate the appearance  
23 of it and -- and I commend our City attorney  
24 here.

25 So I -- I want to make public that I really

1 -- as a Commissioner on this Board, I really  
2 appreciate the professionalism that was put into  
3 this work.

4 Thank you.

5 MR. YANOTCHKO: Thank you.

6 COMMISSIONER BONITO: Um-hum.

7 THE ASSISTANT SECRETARY: That's on record.

8 MR. YANOTCHKO: So, you know, take whatever  
9 time you need to take a look at it and I guess  
10 we'll do this --

11 It's -- it's more of a sign, you know, --

12 THE ASSISTANT SECRETARY: Yeah. We could  
13 do the sign-off at the end, yeah.

14 MR. YANOTCHKO: -- sign of acknowledgment.

15 THE ASSISTANT SECRETARY: And  
16 acknowledgement at the end --

17 MR. YANOTCHKO: Yeah.

18 THE ASSISTANT SECRETARY: -- of the  
19 meeting.

20 MR. YANOTCHKO: Let's -- let's give --  
21 let's give everybody a chance to --

22 THE ASSISTANT SECRETARY: Okay.

23 MR. YANOTCHKO: -- to look it over first.

24 THE ASSISTANT SECRETARY: Okay.

25 MR. YANOTCHKO: Okay.



1  
2 **APPROVAL AND RATIFICATION OF PRIOR PAYMENT OF**  
3 **CLAIMS ;**  
4 **and**  
5 **APPROVAL OF PAYMENT OF BILLS AND PREPARATION OF**  
6 **CHECKS :**

7

8 MR. YANOTCHKO: Okay.

9 The next items on our agenda are items  
10 number 4 and 5.

11 First the approval -

12

13 (Whereupon, Commissioner Eva Festa joined  
14 the meeting at 6:09 p.m.)

15

16 THE ASSISTANT SECRETARY: If we could  
17 mention that Eva Festa had joined the meeting.

18 COMMISSIONER GARCES: Eva, I was dogging  
19 you just a minute ago.

20 THE ASSISTANT SECRETARY: So we now have  
21 five members eligible to vote for tonight's  
22 meeting.

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

25 MR. YANOTCHKO: And just -- just to bring

1 | you up to date.

2 |           Tonight we're reviewing -- the  
3 | Commissioners are reviewing the audit and we're  
4 | going to do a sign-off of approval, if it meets  
5 | with, you know, your satisfaction after you've  
6 | had a chance take a look.

7 |           So that's the blue booklet that you've just  
8 | been handed.

9 |           And I think we'll do the approval of the  
10 | audit towards the end of the meeting --

11 |           COMMISSIONER FESTA:   Okay.

12 |           MR.   YANOTCHKO:   -- tonight.

13 |           So, going -- going back to the -- the main  
14 | agenda, it's the Approval and Ratification of  
15 | Prior Payment of Claims.

16 |           And then we have also number 5, Approval of  
17 | Payment of Bills and Preparation of Checks.

18 |           COMMISSIONER FESTA:   Make a motion.

19 |           THE ASSISTANT SECRETARY:   Motion to accept  
20 | the ratification and payment of checks by Eva  
21 | Festa.

22 |           Seconded by?

23 |           COMMISSIONER PATERNINA:   I second.

24 |           THE ASSISTANT SECRETARY:   Seconded by?

25 |           COMMISSIONER PATERNINA:   Second.

1 THE ASSISTANT SECRETARY: Johan Paternina.

2 Okay, roll call for the acceptance of

3 both --

4 Johnny Garces?

5 COMMISSIONER GARCES: Yes.

6 THE ASSISTANT SECRETARY: Rafael Nova?

7 COMMISSIONER NOVA: Yes.

8 THE ASSISTANT SECRETARY: Eva Festa?

9 COMMISSIONER FESTA: Yes.

10 THE ASSISTANT SECRETARY: Johan Paternina?

11 COMMISSIONER PATERNINA: Yes.

12 THE ASSISTANT SECRETARY: And Vincent

13 Bonito?

14 COMMISSIONER BONITO: Yes.

15 THE ASSISTANT SECRETARY: Let the record

16 show that the items number 4 and 5, the approval

17 of ratification and the approval of --

18 Did you do the approval of payment of bills

19 yet?

20 MR. YANOTCHKO: -- all included, yeah. The

21 approval of payment of bills. Yes, also.

22 Okay, I could -- I could do that really

23 quickly.

24 THE ASSISTANT SECRETARY: Okay.

25 MR. YANOTCHKO: There's only two really

1 | this time.

2 |           There's just one invoice for Audio-Digital  
3 | Transcription for a meeting last month, \$341.50.

4 |           And then also invoices from Community  
5 | Housing and Planning Associates.

6 |           That's really like the -- the planning  
7 | consultant for the City who's taken a look at a  
8 | few of the projects. That's in -- you know, for  
9 | -- looks to be about five or six months of  
10 | invoices in the amount of \$1,662.50.

11 |           THE ASSISTANT SECRETARY: Okay.

12 |           So, on -- just going to repeat, the -- the  
13 | vote for -- vote items 4 and 5, I'll call your  
14 | names again.

15 |           Johnny Garces?

16 |           COMMISSIONER GARCES: Yes.

17 |           THE ASSISTANT SECRETARY: Rafael Nova?

18 |           COMMISSIONER NOVA: Yes.

19 |           THE ASSISTANT SECRETARY: Eva Festa?

20 |           COMMISSIONER FESTA: Yes.

21 |           THE ASSISTANT SECRETARY: Johan Paternina?

22 |           COMMISSIONER PATERNINA: Yes.

23 |           THE ASSISTANT SECRETARY: And Vincent  
24 | Bonito?

25 |           COMMISSIONER BONITO: Yes.

1 THE ASSISTANT SECRETARY: Okay.

2 COMMISSIONER BONITO: Yes.

3 THE ASSISTANT SECRETARY: For the record,  
4 items 4 and 5 were approved.

5 Okay.

6

7 **REPORT ON STATUS OF PROJECTS:**

8

9 MR. YANOTCHKO: Okay, going on to the next  
10 item on the agenda.

11 The item is number 6, Report on the Status  
12 of Projects.

13 I think here either I could -- I could go  
14 with the description of where we are with the  
15 high school --

16 MR. NG: Yeah, you could start --

17 MR. YANOTCHKO: -- or --

18 Okay.

19 MR. NG: -- about the meeting that we had  
20 with Jazlyn Carvajal --

21 MR. YANOTCHKO: Yes.

22 MR. NG: -- from Epic Management and David,  
23 our lawyer, --

24 MR. YANOTCHKO: Yeah.

25 MR. NG: -- and myself.

1           MR. YANOTCHKO: We -- we had a pretty good  
2 meeting yesterday morning to, you know, try to  
3 push the high school over the goal line as -- as  
4 we talk about.

5           There's not too many things we got to do  
6 just for this moment. I mean it's -- there's  
7 probably about three things they need the  
8 Agency's help with.

9           I've -- I've -- myself and Jazlyn just have  
10 to edit a certification; kind of like the  
11 Agency's view that the project is complete. That  
12 it's -- it's been built. It's been, you know, --  
13 it's had a lot of other things -- the punch list  
14 has been done. It's been signed-off. All the --  
15 everything like manuals, warranties, they've been  
16 delivered.

17           And then also we have to -- we're going to  
18 work on getting a -- an invoice resubmitted to --  
19 to the School's Development Authority. They  
20 didn't like the format of the one that was sent  
21 last time from the redeveloper even though the  
22 redeveloper had some phone calls with them about  
23 exactly how it should be submitted.

24           But we'll -- we'll go their way and it will  
25 be resubmitted and we're going to do that

1 rapidly.

2 I'm going to have a couple documents --  
3 mostly for Mr. Nova to sign -- Commissioner  
4 Nova, --

5 COMMISSIONER NOVA: Yes.

6 MR. YANOTCHKO: -- within a day or two.  
7 I'll -- and once they're prepared I'll -- I'll  
8 contact Brenda and she'll let you know when  
9 they're ready to sign.

10 It's just a bunch of copies --

11 COMMISSIONER NOVA: Okay.

12 MR. YANOTCHKO: -- of an invoice and a  
13 certificate.

14 So, that's two of the things we have to do.

15 We have to give them another insurance  
16 certificate. Because any time they pay anybody  
17 they have to see an insurance certificate.

18 And that's, for the most part, it. At the  
19 -- you know, for the near future.

20 Jazlyn said there is some pressure on the  
21 School's Development side to get it done towards  
22 the end of this year -- by the end of this year.  
23 Hopefully won't just get enough cooperation to --  
24 to get that, you know, and quick reviews.

25 It sounds like they're going to review

1 things a little quicker than they -- they have in  
2 the past.

3 MR. NG: And we -- we are very close now.

4 MR. YANOTCHKO: Yeah.

5 MR. NG: I mean three years back we have  
6 the -- the punch list that was like 20 --

7 THE ASSISTANT SECRETARY: Um-hum.

8 MR. NG: -- 28 items. And we just --

9 COMMISSIONER FESTA: So what's left to do?

10 MR. NG: It's just documentation; putting  
11 all together --

12 COMMISSIONER FESTA: But all the work is  
13 done?

14 MR. NG: Yeah, all the work is done.

15 COMMISSIONER FESTA: The stadium stuff?

16 MR. YANOTCHKO: The stadium is done. The  
17 punch list, which is kind of like the items that  
18 have to be finished up.

19 COMMISSIONER FESTA: Right.

20 MR. YANOTCHKO: The architect's signing off  
21 on it. The school district had a concern about  
22 the steps; that's been --

23 COMMISSIONER FESTA: Right.

24 MR. YANOTCHKO: They're -- they're going to  
25 pass on that right now. They're going to let



1 that concern go.

2           We've talked about the tank for a while.  
3 The tank is going to be outside of this -- of  
4 finishing up the project. Because just really  
5 the way the budgets, you know, work. You know  
6 it's part of the grounds but it's not part of the  
7 same budget the way this has gone.

8           So, the -- so, --

9           MR. NG: Yeah it was done after -- after  
10 the school was open.

11          MR. YANOTCHKO: Yeah.

12          MR. NG: So it's not part of the project.

13          COMMISSIONER FESTA: Okay.

14          MR. NG: It is but it's not.

15          MR. YANOTCHKO: So, that's --

16          COMMISSIONER FESTA: It was part of the  
17 Sanctuary.

18          MR. NG: Yeah.

19          MR. YANOTCHKO: It -- it's part of the  
20 Sanctuary but the way -- the way the -- see the  
21 School's Development Authority thinks about it,  
22 they're looking at what's inside the grant budget  
23 and what isn't.

24                 So they're -- they're going to treat any  
25 request for money from -- you know, money

1 reimbursement for taking care of the tank,  
2 they're going to treat it as outside of the whole  
3 project -- you know, of building the project.

4 COMMISSIONER FESTA: They're creating a new  
5 -- a new project then?

6 MR. YANOTCHKO: Well, it -- it might help  
7 us and get through the -- you know the bigger  
8 first one to close out. You know and it's --  
9 it's a smaller thing. It's -- it's --

10 COMMISSIONER FESTA: Okay.

11 MR. YANOTCHKO: -- more of like an isolated  
12 issue.

13 You know like will they pay, will they not  
14 pay?

15 You know, so that's -- so we can -- we can  
16 move forward on just getting the school closed  
17 out.

18 MR. NG: The documents that he refers to  
19 that you will sign, --

20 COMMISSIONER FESTA: Okay.

21 MR. NG: -- I was supposed to sign. But  
22 because I'm sitting on the Board of Education, so  
23 I cannot sign it --

24 COMMISSIONER FESTA: Um-hum.

25 MR. NG: -- because it's a conflicts of

1 interest.

2 But I have -- I mean I'm being bold,  
3 hundred percent we're clear to go. Just to know,  
4 okay?

5 MR. YANOTCHKO: Yeah.

6 And we -- we could discuss them after --  
7 after the -- you know, a little later after the  
8 meeting tonight. You know and I'll make myself  
9 available to explain everything if -- if there's  
10 any questions you have whatsoever.

11 And then after -- after that they're going  
12 to resubmit the invoice and then I think it goes  
13 into the -- I think they -- they do a lot of  
14 finances and balancing and there's -- there's a  
15 final resolution of the money.

16 On -- in some projects like this, many  
17 projects, they might ask for the project to be  
18 audited. They've already -- they -- it may or  
19 may not happen here. We -- we don't know until  
20 they decide to.

21 The redeveloper has just told them -- in  
22 their opinion, the redeveloper's opinion is that  
23 it would be better if they told UCRA and us now,  
24 instead of going a couple months down the road  
25 where we're just about done. Because we -- you

1 know, we'd rather take care of everything --

2 COMMISSIONER FESTA: Right.

3 MR. YANOTCHKO: -- as soon as possible,  
4 instead of having to wait.

5 And I mean the other thing to -- to note  
6 with this is that we're not alone.

7 We talked to Jazlyn; there's six  
8 demonstration projects throughout the State with  
9 the School Development Authority and none of them  
10 have been closed out yet.

11 So, that's -- that's pretty amazing but  
12 that's -- that's --

13 MR. NG: So probably we'll be the first  
14 one.

15 MR. YANOTCHKO: We might be the first.

16 Now, there's -- there's one that seemed --  
17 there's one that seemed like it was ahead of us  
18 and then they decided to audit it. So, now it's  
19 -- it's up for grabs who could be -- who -- it's  
20 up --

21 COMMISSIONER FESTA: So the SDA has to get  
22 in contact with you with regards to the audit;  
23 correct?

24 MR. YANOTCHKO: Yeah, they'd probably call  
25 the redeveloper first because they're -- they're

1 | basically the -- the -- where they go with the --  
2 | the funds for the --

3 |           COMMISSIONER FESTA: Right. Right.

4 |           MR. YANOTCHKO: -- funds for the most part.  
5 | That's mostly who's getting -- who's getting paid  
6 | and has to pay subcontractors.

7 |           COMMISSIONER FESTA: So that's Epic?

8 |           MR. YANOTCHKO: That's Epic, yes.

9 |           COMMISSIONER FESTA: Okay.

10 |          MR. YANOTCHKO: Yes.

11 |          So, we had -- we had a pretty positive  
12 | meeting. You know it wasn't a huge laundry list  
13 | of things. And I mean we're all on the same  
14 | page.

15 |          We know some of it is getting repetitive  
16 | with the School's Development Authority. But  
17 | that's -- if that's the way -- the way it's going  
18 | to work, that's -- you know, we'll just -- we're  
19 | just going to be very patient. And, you know, --  
20 | and assertive too. We'll -- we'll give them  
21 | follow-up calls to see -- enough of them to move  
22 | things along and to hopefully get some quick  
23 | decisions.

24 |          So that's -- that's where we are.

25 |          MR. NG: Okay.

1 MR. YANOTCHKO: And if there's any  
2 questions I can -- can help out with that.

3 And I -- you know, if there's nothing  
4 else --

5 MR. NG: That's good.

6 MR. YANOTCHKO: Yeah, I think that's --  
7 that's about it for the status on projects for  
8 this month.

9

10 **PUBLIC COMMENT:**

11

12 THE ASSISTANT SECRETARY: Well then I guess  
13 we could open it up to -- for item 7, public  
14 comments?

15 MR. YANOTCHKO: Yes, public comment.

16 THE ASSISTANT SECRETARY: Any -- any  
17 commentary from the public?

18 There being none.

19 Okay, we move on to item 8. Any other  
20 business that you want to discuss before the  
21 Board?

22 No? None?

23 COMMISSIONER BONITO: Are there any ongoing  
24 construction projects we need to be aware of?

25 MR. YANOTCHKO: Nothing in the construction

1 stage at this point.

2 COMMISSIONER BONITO: Okay.

3 MR. YANOTCHKO: There's that Summit on  
4 Summit, 22<sup>nd</sup> Street one that's -- you know, in  
5 kind of like in suspended animation right now.

6 And there's -- there's been some talk of a  
7 plan coming in on Yardley that -- one that we  
8 discussed a couple months ago, I think, with  
9 Panepinto. We just have to see how that -- how  
10 that materializes; if they're gonna, you know,  
11 when and if they're gonna bring the -- the plan,  
12 you know, to the Agency.

13 COMMISSIONER FESTA: Okay.

14

15 **ADJOURNMENT:**

16

17 THE ASSISTANT SECRETARY: Okay, there being  
18 no other business to come before the Board, do I  
19 have a motion to close today's meeting?

20 COMMISSIONER FESTA: No. We have to vote  
21 on this, right?

22 THE ASSISTANT SECRETARY: Yes, I will  
23 distribute the -- the sign sheet after the  
24 meeting just so that --

25 It's not a vote totally.

1 COMMISSIONER FESTA: Okay.

2 COMMISSIONER BONITO: Oh.

3 THE ASSISTANT SECRETARY: -- it's a matter  
4 of the sign-off --

5 COMMISSIONER BONITO: I thought it was a  
6 vote.

7 THE ASSISTANT SECRETARY: -- sheet to  
8 acknowledge that you --

9 COMMISSIONER FESTA: Okay.

10 All right.

11 MR. YANOTCHKO: Yeah, it's a different --  
12 it's a different format this time around.

13 THE ASSISTANT SECRETARY: Yes.

14 So there being no other items, do I have a  
15 motion to close today's meeting?

16 COMMISSIONER BONITO: Motion.

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

19 Do I have a second?

20 COMMISSIONER NOVA: I second.

21 THE ASSISTANT SECRETARY: Mr. Nova.

22 All in favor?

23

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

25



1 THE ASSISTANT SECRETARY: Any opposed?

2 No opposition.

3 Then the meeting is officially closed.

4 I will distribute the sign-up sheet for  
5 everyone.

6

7 (Whereupon, the proceedings were concluded  
8 at 6:22 p.m.)

9

10

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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 REDEVELOPMENT AGENCY,  
9 held on Tuesday, July 16, 2013, and was recorded  
10 on tape.

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24 Monitored by: Kevin Dillon

25 Proofread by: Deborah Dillon