

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

REGULAR MEETING :  
: TRANSCRIPT OF RECORDED  
: PROCEEDINGS  
:  
:

---

City Hall  
Conference Room, Third Floor  
3715 Palisade Avenue  
Union City, New Jersey

Tuesday, September 19, 2017

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

VINCENT BONITO, COMMISSIONER  
PAUL CASPER, COMMISSIONER  
EVA FESTA, COMMISSIONER  
WILMER IZQUIERDO, COMMISSIONER  
RAFAEL NOVA, COMMISSIONER  
LUCIO FERNANDEZ, CHAIRMAN

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

CARLOS VALLEJO, COMMISSIONER

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

LADY JIMENEZ-TORRES, ASSISTANT SECRETARY TO THE BOARD

KENNEDY NG, EXECUTIVE DIRECTOR

FLORIO, KENNY, RAVAL, LLP  
BY: DAVID YANOTCHKO, ESQ.  
Board Attorney

I N D E X

	<u>PAGE</u>
CALL TO ORDER	3
PLEDGE OF ALLEGIANCE	3
ROLL CALL	3
AGENDA	
1. APPROVAL OF THE MINUTES FROM THE MEETING OF JULY 25, 2017	4
2. APPROVAL AND RATIFICATION OF PRIOR PAYMENT OF CLAIMS	6
3. APPROVAL FOR THE PAYMENT OF BILLS AND PREPARATION OF CHECKS	7
4. REPORT ON STATUS OF PROJECTS	8
5. PUBLIC COMMENT	22
ADJOURNMENT	22

1 THE ASSISTANT SECRETARY: Good evening,  
2 everyone.

3 Please take notice that on Tuesday,  
4 September 19, 2017, at 5:30 p.m., a Regular  
5 Meeting is scheduled for the Union City  
6 Redevelopment Agency to be held in the Third  
7 Floor Conference Room, located at City Hall, 3715  
8 Palisade Avenue, Union City, New Jersey.

9 We'll do the Pledge of Allegiance.

10

11 (Whereupon, the Pledge of Allegiance was  
12 said by all.)

13

14 THE ASSISTANT SECRETARY: Adequate notice  
15 of this meeting has been provided as follows:

16 Notice of a meeting setting forth the time,  
17 date, location and the agenda, to the extent  
18 known, was forwarded to The Jersey Journal, The  
19 Record, and the Hudson Reporter, has been posted  
20 on the bulletin board in City Hall and has been  
21 made available to the public in the office of the  
22 Municipal Clerk.

23

24 **ROLL CALL:**

25

1 MR. NG: Roll call.

2 THE ASSISTANT SECRETARY: Roll call.

3 MR. YANOTCHKO: Commissioner Fernandez?

4 CHAIRMAN FERNANDEZ: Here.

5 MR. YANOTCHKO: Commissioner Izquierdo?

6 COMMISSIONER IZQUIERDO: Here.

7 MR. YANOTCHKO: Commissioner Nova?

8 COMMISSIONER NOVA: Here.

9 MR. YANOTCHKO: Commissioner Festa?

10 COMMISSIONER FESTA: Here.

11 MR. YANOTCHKO: Commissioner Casper?

12 COMMISSIONER CASPER: Here.

13 MR. YANOTCHKO: Commissioner Bonito?

14 COMMISSIONER BONITO: Here.

15 MR. YANOTCHKO: And Commissioner Vallejo is  
16 absent.

17

18 **1. APPROVAL OF THE MINUTES FROM THE MEETING OF**  
19 **JULY 25, 2017:**

20

21 MR. YANOTCHKO: The first item on tonight's  
22 agenda is Approval of the Minutes from the  
23 Meeting of July 25<sup>th</sup>, 2017.

24 CHAIRMAN FERNANDEZ: Was I here?

25 COMMISSIONER FESTA: I make a motion.

1 COMMISSIONER NOVA: Second.

2 CHAIRMAN FERNANDEZ: (Indiscernible) -- of  
3 these?

4 MR. NG: Yeah, you were here.

5 CHAIRMAN FERNANDEZ: I was here?

6 MR. NG: Yeah.

7 Yeah, that's it. Yeah. There was one  
8 before that.

9 CHAIRMAN FERNANDEZ: Oh, okay.

10 COMMISSIONER FESTA: I make a motion.

11 MR. YANOTCHKO: Make a motion; Commissioner  
12 Festa.

13 COMMISSIONER NOVA: Second.

14 MR. YANOTCHKO: And then a second by  
15 Commissioner Nova.

16 Roll call.

17 Chairman Fernandez?

18 CHAIRMAN FERNANDEZ: Yes.

19 MR. YANOTCHKO: Commissioner Izquierdo?

20 COMMISSIONER IZQUIERDO: Yes.

21 MR. YANOTCHKO: Commissioner Nova?

22 COMMISSIONER NOVA: Yes.

23 MR. YANOTCHKO: Commissioner Festa?

24 COMMISSIONER FESTA: Yes.

25 MR. YANOTCHKO: Commissioner Casper?

1 COMMISSIONER CASPER: Yes.

2 MR. YANOTCHKO: Commissioner Bonito?

3 COMMISSIONER BONITO: Yes.

4 MR. YANOTCHKO: And Commissioner Vallejo is  
5 absent.

6

7 **2. APPROVAL AND RATIFICATION OF PRIOR PAYMENT**  
8 **OF CLAIMS:**

9

10 MR. YANOTCHKO: The next item on the agenda  
11 is the Approval and Ratification of Prior  
12 Payments of Claims.

13 On this we have the payroll from looks like  
14 June 24<sup>th</sup> through September 15<sup>th</sup> as the -- the one  
15 item on prior payments.

16 Do we have a motion?

17 COMMISSIONER FESTA: Motion.

18 MR. YANOTCHKO: Motion from Commissioner  
19 Festa.

20 CHAIRMAN FERNANDEZ: Second.

21 MR. YANOTCHKO: Second from Chairperson  
22 Fernandez.

23 Roll call.

24 Chairperson Fernandez?

25 CHAIRMAN FERNANDEZ: Yes.

1 MR. YANOTCHKO: Commissioner Izquierdo?

2 COMMISSIONER IZQUIERDO: Yes.

3 MR. YANOTCHKO: Commissioner Nova?

4 COMMISSIONER NOVA: Yes.

5 MR. YANOTCHKO: Commissioner Festa?

6 COMMISSIONER FESTA: Yes.

7 MR. YANOTCHKO: Commissioner Casper?

8 COMMISSIONER CASPER: Yes.

9 MR. YANOTCHKO: Commissioner Bonito?

10 COMMISSIONER BONITO: Yes.

11 MR. YANOTCHKO: And Commissioner Vallejo is  
12 absent.

13

14 **3. APPROVAL FOR THE PAYMENT OF BILLS AND**

15 **PREPARATION OF CHECKS:**

16

17 MR. YANOTCHKO: The next item is the  
18 Approval for the Payment of Bills and Preparation  
19 of Checks.

20 On this one we have the bills for  
21 transcription, website, legal, our planning  
22 consultant -- David Spatz's company, and a slight  
23 payment to the Department of Labor it looks like  
24 -- \$6.00.

25 Interesting.

1 Do we have a -- a motion?

2 CHAIRMAN FERNANDEZ: Motion.

3 MR. YANOTCHKO: Motion from Chairman  
4 Fernandez.

5 COMMISSIONER FESTA: Second.

6 COMMISSIONER NOVA: Second.

7 MR. YANOTCHKO: Second from Commissioner  
8 Festa.

9 Roll call.

10 Chairman Fernandez?

11 CHAIRMAN FERNANDEZ: Yes.

12 MR. YANOTCHKO: Commissioner Izquierdo?

13 COMMISSIONER IZQUIERDO: Yes.

14 MR. YANOTCHKO: Commissioner Nova?

15 COMMISSIONER NOVA: Yes.

16 MR. YANOTCHKO: Commissioner Festa?

17 COMMISSIONER FESTA: Yes.

18 MR. YANOTCHKO: Commissioner Casper?

19 COMMISSIONER CASPER: Yes.

20 MR. YANOTCHKO: Commissioner Bonito?

21 COMMISSIONER BONITO: Yes.

22 MR. YANOTCHKO: And Commissioner Vallejo is  
23 absent.

24

25 **4. REPORT ON STATUS OF PROJECTS:**



1

2 MR. YANOTCHKO: The -- the next item that  
3 we have on the agenda is a report on the Status  
4 of Projects.

5

6 At our last meeting our Executive Director  
7 mentioned that he was looking for a report on our  
8 two -- our two big ones right now, PBG Realty and  
9 Yardley.

10

11 PBG we've had an -- a new development as of  
12 a couple days ago.

13

14 It appears that the redeveloper is going to  
15 submit a revised plan to the Planning Board of --  
16 in -- in litigation where they've -- they had the  
17 approval struck down, the judge ruled that they  
18 had too many units for the building as far as  
19 density could -- could hold, and that the  
20 building should only have a density of 208 units.

21

22 So they are going to submit a revised plan  
23 to -- that's going to call for 208 units. That's  
24 the major change to put it in compliance with the  
25 judge's order.

26

27 Any change in plans is going to have to  
28 have another public meeting, at least at the  
29 Planning Board.

30

31 I've recently received the new plans and

1 David Spatz has received a copy, too. So we're  
2 going to look them over.

3 I think David thought they were -- they  
4 looked acceptable or at least they weren't --  
5 they didn't violate any requirements or anything  
6 like that. So, we'll keep you posted.

7 So this might be a matter that is back in  
8 motion, you know, shortly.

9 The second update is an update on Yardley  
10 project.

11 What I've -- what I've did for this  
12 meeting, I put together a short summary of some  
13 of the terms that are mostly set in the agreement  
14 at this point. This -- this is the terms of half  
15 the agreement; I wanted to break it up because it  
16 is pretty -- it is a pretty large undertaking.

17 I could either go through a couple of these  
18 right now or each of you could take it home to  
19 take a read -- you know, take a look at it.

20 It's just a couple pages long but I think  
21 it's helpful to kind of break down a hundred page  
22 document into maybe about five pages on what the  
23 big issues are and, you know, where we're going  
24 from there.

25 MR. NG: It -- it is really important that,

1 | if you're going to take it home, to read it and  
2 | review it and understand what is in there.  
3 | Because this is the closest that we have been  
4 | with this project.

5 |           COMMISSIONER BONITO: Um-hum.

6 |           MR. NG: And we really believe that it will  
7 | be a reality.

8 |           So we have to vote in -- in the -- in the  
9 | future and we have to make sure, you know, your  
10 | vote -- you're understanding what you are voting  
11 | for.

12 |           COMMISSIONER BONITO: Mr. Chairman, first I  
13 | would like to compliment the attorney for putting  
14 | together this preparation that we have before us.  
15 | This is a very good piece of work; diligent. I  
16 | think it's necessary for all of us to review.

17 |           I would ask, respectfully, if the attorney  
18 | could give us a brief summation on key points now  
19 | and then we can take it home to digest it.

20 |           MR. NG: We can do that.

21 |           MR. YANOTCHKO: Of course.

22 |           Just -- just to go over it quickly, Article  
23 | II is a lot of the real foundation of the  
24 | project. It selects the redeveloper, it talks  
25 | about the maximum amount of units that can be

1 built at this site and the height. It describes  
2 this as a two phase project.

3 Basically, the redeveloper plans on  
4 building one high rise first; getting that high  
5 rise 80 percent rented. And then building the  
6 next one. And that's kind of the -- the trigger  
7 for building the next part of the project.

8 COMMISSIONER CASPER: Dave, the benefit of  
9 that is just so that he has the rentals before he  
10 goes ahead with the second phase, --

11 MR. YANOTCHKO: Yes.

12 COMMISSIONER CASPER: -- that's --

13 MR. YANOTCHKO: Yes. That's it.

14 And just that it's such -- such a massive  
15 undertaking, I mean this -- this amount of units  
16 is -- it's pretty high. It's a -- it's a -- it's  
17 a huge project.

18 MR. NG: I just wanted to let you know the  
19 -- everything that is in here it has been  
20 reviewed by the City -- the engineers, the  
21 lawyers, myself, and all the administrators in  
22 the -- in the City.

23 COMMISSIONER BONITO: Um-hum.

24 MR. NG: So it's not like thing that David  
25 Yanotchko just brought in there; it's been

1 planning for many, many years.

2 COMMISSIONER IZQUIERDO: So -- so  
3 everything that are here regarding to numbers,  
4 everything is according to regulations already?

5 MR. NG: Yes.

6 MR. YANOTCHKO: To the plan, yes.

7 MR. NG: To the plan.

8 COMMISSIONER IZQUIERDO: It is already.  
9 So, there's nothing to -- to discuss or talk  
10 about it?

11 MR. YANOTCHKO: Well, I mean, the --

12 COMMISSIONER IZQUIERDO: This --

13 MR. YANOTCHKO: -- there's definitely  
14 things to discuss but, --

15 COMMISSIONER IZQUIERDO: Um-hum.

16 MR. YANOTCHKO: -- yeah, we're not going to  
17 approve anything or will give a negative  
18 recommendation to something that would exceed the  
19 amount of, --

20 COMMISSIONER IZQUIERDO: Um-hum.

21 MR. YANOTCHKO: -- you know, the density  
22 and things like that to the standards.

23 One -- one quick point about the project.

24 Also, their plan is to -- kind of like to  
25 have Yardley to be -- the industrial building to

1 | be phased out. They want to build a building on  
2 | one side first so the light manufacturing that  
3 | goes on at Yardley, they can -- they can get the  
4 | rent but the -- but the -- but the tenants there  
5 | can take longer to find another place to relocate  
6 | to.

7 |           And they're going to have -- they're also  
8 | going to have to provide some State support or  
9 | some -- some -- there's -- there's a State law  
10 | that indicates that you -- that you will have to  
11 | help tenants out in some ways for relocating to a  
12 | different site. Even commercial tenants. It's  
13 | called like a -- a workable relocation plan.  
14 | They call it a WRAP a lot of times.

15 |           COMMISSIONER BONITO: Um-hum.

16 |           MR. YANOTCHKO: There are a lot of those.  
17 | When -- when the Agency developed the -- the high  
18 | school, in terms of relocating tenants who --

19 |           You know, I think there was a gas station  
20 | owner, --

21 |           MR. NG: Um-hum.

22 |           MR. YANOTCHKO: -- a few others --

23 |           MR. NG: A couple businesses.

24 |           MR. YANOTCHKO: -- but they had to be  
25 | relocated.

1 MR. NG: Yeah.

2 MR. YANOTCHKO: Yeah.

3 Eighty percent is usually a bank  
4 requirement that a lender is going to require  
5 them to have.

6 So a lot of why they also split the project  
7 is also probably to satisfy a lender to give them  
8 money to -- to be able to build this.

9 And what the lender is going to want to see  
10 is what they deem a successful first part of it,  
11 which is going to be about 80 percent.

12 COMMISSIONER CASPER: At what point will  
13 they will be taking over the existing property  
14 there where the -- where the -- the building is  
15 right now?

16 MR. YANOTCHKO: Well, they -- they're the  
17 owners right now. Yes.

18 COMMISSIONER CASPER: No, no, I mean aren't  
19 they -- is that going to come down at some point  
20 and they're going to be --

21 MR. YANOTCHKO: Oh, yes.

22 COMMISSIONER CASPER: -- putting another  
23 phase up over in that area, too?

24 MR. YANOTCHKO: Yeah. Well -- well the  
25 trigger is getting 80 percent leased up in the

1 first part of -- in the first building.

2 And I think it's also going to depend on  
3 whether the tenants want to stay or not at that  
4 point.

5 You know some might say, well, this is  
6 going to -- at some point we're going to have to  
7 move. Maybe they'll decide to move earlier  
8 rather than later. So, --

9 CHAIRMAN FERNANDEZ: I don't think there's  
10 that many people there.

11 MR. YANOTCHKO: Yeah.

12 COMMISSIONER FESTA: Yeah.

13 Like four or five.

14 MR. YANOTCHKO: Okay.

15 COMMISSIONER FESTA: Um-hum.

16 MR. YANOTCHKO: Yeah, so, -- so, they might  
17 -- they might go ahead of time.

18 But the time when they -- they would have  
19 to move is after it's 80 percent rented on the  
20 first tower and then it gets -- then it gets  
21 triggered to move forward.

22 Just a couple other things, briefly.

23 We're negotiating for improvements to the  
24 streetscape between 4<sup>th</sup> and 8<sup>th</sup> Streets on  
25 Palisade Avenue to make it consistent with what's



1 outside of Firefighter's Park, which is just up  
2 the road.

3 So that's one community improvement that  
4 we're trying to -- that we're -- we're pretty  
5 much going to get out of this is that the, you  
6 know, --

7 MR. NG: We're looking to --

8 MR. YANOTCHKO: -- improvements to the  
9 street--

10 MR. NG: Yeah. We're looking to match --

11 MR. YANOTCHKO: -- the streetscape for a  
12 lot -- for all the residents in the area.

13 MR. NG: We're looking to match where the  
14 pool is, the design of the pools or the streets  
15 there -- all the sidewalk, so when you go down to  
16 the -- 4<sup>th</sup> Street, is to -- you know, to -- to  
17 appears to be the same design for everything.

18 Not like two -- two cities in one.

19 MR. YANOTCHKO: We're seeking the  
20 construction of 70 affordable housing units at a  
21 minimum.

22 COMMISSIONER FESTA: How many?

23 MR. YANOTCHKO: Seventy.

24 And that's going to either be by the Blue  
25 Chapel renovation, which they already own, or

1 they're going to have to substitute other units  
2 in town.

3           And, you know, we've -- we've been talking  
4 over lots of details on that, on how to -- on a  
5 renovation. We -- the City even has an architect  
6 who's taking a look at their plans to look for  
7 preser-- for an interest in preservation to keep  
8 the chapel as preserved as possible.

9           Design requirements.

10           There's design requirements in the  
11 redevelopment plan. A lot of that depends on --  
12 kind of matters for the look of the building, not  
13 for it to -- for the -- especially the  
14 streetscape and street frontage to match a lot --  
15 the design at Firefighter's Park as much as  
16 possible.

17           I know, Kennedy, you and Ralph Tango have  
18 worked on getting --

19           MR. NG: Yes.

20           MR. YANOTCHKO: -- specifications, -- the  
21 plans that were used for other sidewalk  
22 improvements in town --

23           CHAIRMAN FERNANDEZ: Right.

24           MR. YANOTCHKO: -- over to the redevelopers  
25 so they could take a look at it.

1           What they're also -- the redevelopers are  
2 supposed to do is provide some open space -- a  
3 passive park area in the corner of Yardley.

4           Right now the area is very sloped. So  
5 they're going to have to, if they use this -- the  
6 sloped area, they're going to have to do a big  
7 fill-in --

8           CHAIRMAN FERNANDEZ: Right.

9           MR. YANOTCHKO: -- in that area.

10          CHAIRMAN FERNANDEZ: Or a --

11          MR. YANOTCHKO: Yeah.

12          CHAIRMAN FERNANDEZ: -- platform.

13          MR. YANOTCHKO: Yeah, exactly.

14          And that's going to be open to the public.

15          That's part --

16          CHAIRMAN FERNANDEZ: That makes sense,  
17 right next to the stairs.

18          MR. YANOTCHKO: Yeah, right next to the  
19 stairs.

20          MR. NG: Um-hum.

21          MR. YANOTCHKO: So there can be some use  
22 for the community. It's probably going to be  
23 more of a passive --

24          CHAIRMAN FERNANDEZ: Right.

25          MR. YANOTCHKO: -- recreation area, rather

1 | than a park with a lot of setup in it.

2 |           CHAIRMAN FERNANDEZ: Right.

3 |           MR. YANOTCHKO: But that's -- that's what  
4 | we're trying to get at least some open space set  
5 | aside as part of the project.

6 |           I think, for the most part, a lot of this  
7 | is kind of the nuts and bolts on how this works  
8 | and construction officials. The agreement has a  
9 | lot of provisions on whatever happens if the  
10 | redeveloper decides to sell the project.

11 |           We have to have a lot of requirements that  
12 | if anybody who is a buyer or even comes in as a  
13 | partner in interest shows the financial  
14 | wherewithal, the financial ability, the  
15 | expertise, and a lot of other requirements to be  
16 | able to purchase the project or to come in as a  
17 | partner.

18 |           These redevelopers may have to hire a  
19 | partner at some point because we -- we don't see  
20 | them as having a lot of expertise in high rises,  
21 | so I think they're going to end up partnering  
22 | with some other construction firm or developer  
23 | before this is out.

24 |           And that's -- that's a brief summary of the  
25 | first -- kind of the first half of the agreement.

1 This is probably like the bigger half.

2 And I -- for next time I'll have another  
3 summary for you and we'll -- we'll continue. But  
4 if -- but please feel free -- please read it,  
5 take a look; --

6 MR. NG: Um-hum.

7 MR. YANOTCHKO: -- if you have any  
8 questions, let me know.

9 MR. NG: You can send me emails with  
10 questions, if you prefer, and then I'll pass it  
11 through to -- to the lawyer.

12 CHAIRMAN FERNANDEZ: I make a motion to  
13 accept the Report of Status of Projects.

14 COMMISSIONER FESTA: Second.

15 MR. YANOTCHKO: Second. Okay.

16 Roll call.

17 Chairman Fernandez?

18 CHAIRMAN FERNANDEZ: Yes.

19 MR. YANOTCHKO: Commissioner Izquierdo?

20 COMMISSIONER IZQUIERDO: Yes.

21 MR. YANOTCHKO: Commissioner Nova?

22 COMMISSIONER NOVA: Yes.

23 MR. YANOTCHKO: Commissioner Festa?

24 COMMISSIONER FESTA: Yes.

25 MR. YANOTCHKO: Commissioner Casper?

1 COMMISSIONER CASPER: Yes.

2 MR. YANOTCHKO: Commissioner Bonito?

3 COMMISSIONER BONITO: Yes.

4 MR. YANOTCHKO: And Commissioner Vallejo is  
5 absent.

6

7 **5. PUBLIC COMMENT:**

8

9 MR. YANOTCHKO: And right now is -- we've  
10 come to the Public Comment portion of the agenda.

11 If any member of the public would like to  
12 comment, we'll open the floor for comments or  
13 questions.

14 I'm seeing none.

15

16 **ADJOURNMENT:**

17

18 COMMISSIONER FESTA: A motion to adjourn.

19 MR. YANOTCHKO: Motion to adjourn.

20 COMMISSIONER CASPER: Second.

21 MR. YANOTCHKO: Second.

22 Roll call.

23 Chairman Fernandez?

24 CHAIRMAN FERNANDEZ: Yes.

25 MR. YANOTCHKO: Commissioner Izquierdo?

1 COMMISSIONER IZQUIERDO: Yes.

2 MR. YANOTCHKO: Commissioner Nova?

3 COMMISSIONER NOVA: Yes.

4 MR. YANOTCHKO: Commissioner Festa?

5 COMMISSIONER FESTA: Yes.

6 MR. YANOTCHKO: Commissioner Casper?

7 COMMISSIONER CASPER: Yes.

8 MR. YANOTCHKO: Commissioner Bonito?

9 COMMISSIONER BONITO: Yes.

10 MR. YANOTCHKO: And Commissioner Vallejo is  
11 absent.

12 Thank you very much.

13 COMMISSIONER BONITO: Thank you.

14

15 (Whereupon, the proceedings were  
16 concluded.)

17

18

19

20

21

22

23

24

25

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 heard on Tuesday, September 19, 2017 and  
10 digitally recorded.

11

12

13

14

15

16

17

18

19

20

21

22

23

24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon