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CITY OF GARFIELD
PLANNING BOARD
COUNTY OF BERGEN

HEARING OF RESOLUTION NO. 2017-15 TO DETERMINE AN
AREA IN NEED OF REDEVELOPMENT

Thursday, July 27, 2017
111 Outwater Lane
Garfield, New Jersey

MEMBERS PRESENT FOR THE APPLICATION:

JAMES CLARK, Chairman
MAYOR RICHARD RIGOGLIOSO
COUNCILWOMAN ERIN DELANEY
MICHAEL GARCIA
GERALD WALIS
RICHARD DERRIG
GRACIE WILLIAMS
DANIEL TUMMILLO
LOU ANN VISOTCKY

APPEARANCES: ALYSSA CIMINO, ESQ.
ATTORNEY TO THE BOARD

ALSO PRESENT:
DENNIS J. HARRINGTON, P.E.

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1 MS. CIMINO: Michael Garcia.

2 MR. GARCIA: Here.

3 MS. CIMINO: Maria Scanella is absent.

4 Gerald Walis.

5 MR. WALIS: Here.

6 MS. CIMINO: Michael Wisnovsky is

7 absent. Richard Derrig.

8 MR. DERRIG: Here.

9 MS. CIMINO: Daniel Tummillo, first

10 alternate.

11 MR. TUMMILLO: Here.

12 MS. CIMINO: And Lou Ann Visotcky,

13 second alternate.

14 MS. VISOTCKY: Here.

15 CHAIRMAN CLARK: Thank you. We're going

16 to go into new business. And first item under new

17 business was originally to appoint a new vice

18 chairman to replace Nick Milevski, who has

19 resigned from the board and relocated his home

20 address to Naples, Florida. Good for Nick and

21 we're happy for him.

22 But at this point in time, I'd like to

23 defer this replacement to our next meeting. I

24 don't have a full board and I feel that all board

25 members should be present upon picking a vice

3

1 CHAIRMAN CLARK: Good evening, everyone.

2 I want to welcome everyone to the regular public

3 meeting of the Planning Board of the City of

4 Garfield on Thursday, July 27th. And it's

5 approximately 8:05.

6 Notice of the time, date, and place of

7 this meeting has been provided at least 48 hours

8 in advance by publication in the Herald News on

9 November 16th, 2016, in the Bergen Record on

10 November 16th, 2016, by posting of this notice of

11 the meeting on the community bulletin board at

12 city hall and by filing a copy of this notice with

13 the city clerk. Would everybody please rise for

14 the pledge.

15 (Pledge recited.)

16 CHAIRMAN CLARK: Ms. Cimino, roll call,

17 please.

18 MS. CIMINO: Mayor Richard Rigoglioso.

19 MAYOR RIGOGLIOSO: Present.

20 MS. CIMINO: Chairman James Clark.

21 CHAIRMAN CLARK: Present.

22 MS. CIMINO: Gracie Williams.

23 MS. WILLIAMS: Present.

24 MS. CIMINO: Councilwoman Erin Delaney.

25 COUNCILWOMAN DELANEY: Here.

5

1 chair. So I need a motion to adjourn this from

2 this meeting and to reschedule it for next regular

3 meeting in August?

4 MAYOR RIGOGLIOSO: So moved.

5 MS. WILLIAMS: Second.

6 CHAIRMAN CLARK: All approve? Opposed?

7 (All members indicated their votes.)

8 CHAIRMAN CLARK: Thank you.

9 The next order of business is a request

10 to approve resolution number 2017-15 to determine

11 whether the property commonly known as Block

12 24.01, all lots; Block 24.02, all lots; Block

13 31.01, Lots 9.01 and 10; Block 31.02, all lots;

14 Block 34.01, Lot 10; Block 34.02, all lots; Block

15 48.02, all lots, and the vacated portion of

16 Hepworth Place for consideration by the Planning

17 Board to pursuant to N.J.S.A. 40:55D-26 and

18 N.J.S.A. 40A:12A-1, et seq, as shown on the

19 official Tax Map in the City as an area in need of

20 redevelopment, specifically a condemnation

21 redevelopment area.

22 We have Mr. John Szabo here, who is

23 going to through a presentation of the report that

24 was issued for the recommendation -- for the study

25 of redevelopment of the first ward. Mr. Szabo,

1 would you like to --
2 MR. SZABO: Yes, thank you, Mr.
3 Chairman. What I'm going to do is mic up. I want
4 you all to hear me. So if you can't hear, I will
5 adjust this. Can you hear me? Perfect, okay. I
6 believe that I should be sworn in.

7
8
9 J O H N S Z A B O , after having been duly
10 sworn, did testify as follows:

11
12 MR. SZABO: Because the Planning Board
13 really doesn't know me because I'm coming from
14 Burgis Associates, even though we've done a lot of
15 work for the City of Garfield, it's my first time
16 before you. I'd like to introduce myself to you,
17 put my credentials on the record, and also to
18 introduce myself to all of you.

19 My name is John, middle initial P.,
20 Szabo, S-Z-A-B-O, Junior. I'm a senior associate
21 at Burgis Associates, 25 Westwood Avenue,
22 Westwood, New Jersey. Just before we get started,
23 I want to let you know a little bit about myself.
24 I'm a licensed professional planner in the State
25 of New Jersey. And I have been since 1986. I am

1 also a member and certified planner in the
2 American Institute of Certified Planners. That is
3 a credential that -- a professional credential
4 that's recognized throughout the country. My
5 bachelor of science degree is in environmental
6 planning and design from Rutgers University. And
7 I have a master's in public administration from
8 New York University.

9 My professional career has spanned about
10 30-plus years in the field of planning, working
11 mostly for communities like this. I've been a
12 municipal planner most of my professional career,
13 working for both cities and suburban communities.
14 And now as a consultant, I represent many
15 municipalities of varying sizes.

16 I'm the former city planner for the City
17 of Plainfield. I started my career in the City of
18 Elizabeth, so I understand urban conditions,
19 cities, and how they work, the interactions with
20 the various components of the cities. And I
21 represent smaller towns, smaller scale towns. So
22 I have a diverse background, but most of my
23 background is in municipal planning. That's where
24 I spent most of my 30 years.

25 So what I'm here to do today is to

1 present to all of you an analysis, a study. And
2 that's all it is right now. It is an analysis.
3 And I'll go through the process of what does it
4 mean, why are we here, what are we doing, what
5 does this mean, not only to the community, for the
6 City, but for the residents in the area and the
7 businesses. What does this mean and why are we
8 doing this? I'm going to tie all that together in
9 a way that hopefully we can understand what
10 brought us here tonight.

11 MS. CIMINO: Mr. Szabo, before you get
12 started, we'd like to have a motion made just to
13 approve you as the expert, if that's okay. So do
14 I have a motion to approve?

15 COUNCILWOMAN DELANEY: So moved.

16 MR. DERRIG: Second.

17 CHAIRMAN CLARK: All in favor? Opposed?
18 (All members indicated their votes.)

19 MS. CIMINO: Thank you, Mr. Szabo.

20 MR. SZABO: My parents thank you. Now
21 it justifies the tuition I paid.

22 What we're really going to talk about
23 tonight is change, change, really that's the big
24 issue. What is it, what does it mean, what's
25 changing, why and how do we want to change?

1 Whether we want to control it or let it control
2 the City. It's all about the planning process.
3 And I'm going to get into that because the
4 planning process is a very important one in terms
5 of land use regulation and what gets built, how
6 things get built, why they get built. I'm going
7 to walk everyone, the board, the members of the
8 community, through that process, hopefully to get
9 a better understanding again what's change and why
10 are we doing it.

11 But it's a study at this point, so I
12 want to state right off the bat. There may be a
13 misconception that somehow there's a plan in
14 place. We're not there yet. And as I get into
15 the process, which is important to explain because
16 it's statutory, it's by law, you'll see that
17 that's really a distant way away.

18 Right now, what we're doing is we're
19 going to analyze the area and I'm going go through
20 that analysis with you, okay. Hopefully, this
21 will work. So we're talking about an area in need
22 of redevelopment study with condemnation. And I
23 will explain what that means, what the
24 implications of that are. And it's in a
25 particular area in the first ward and I'll get

1 into a description of that.
 2 It's always good to have context,
 3 background, history. Because this is not the
 4 first time we've looked at this area of the City.
 5 The area that we're talking about today is an area
 6 that was the subject of a prior redevelopment
 7 analysis for rehabilitation, I'm sure the board
 8 remembers this, going back to 2013.

9 And the council, on the recommendation
 10 of the Planning Board, based on a study that my
 11 firm produced, designated the area we're talking
 12 about as an area in need of rehabilitation,
 13 recognizing there were conditions in the
 14 neighborhood, in the area, that warranted
 15 attention by the government in planning.

16 It was qualified because it was
 17 determined back then, a few years ago, that the
 18 infrastructure was over 50 years old, which is a
 19 criteria for rehabilitation. There were
 20 environmental concerns, there were a number of
 21 contaminated sites in the area that was affecting
 22 development. So that was recognized by the study.

23 And one of the issues that was also
 24 noted was the fact that there's a high degree of
 25 absentee land ownership and a lot of diverse

1 Well, there are a number of reasons. And when you
 2 look through the area, some of the pictures that
 3 I'm going to show you, it becomes evident that
 4 right now the current land use arrangements are an
 5 impediment to redevelopment. By that, we have
 6 diverse ownership, we have small lots, diverse
 7 land uses all over the place. There's no cohesive
 8 land use pattern to the area, which makes land
 9 development difficult. You have obsolete, poor
 10 lot designs, they don't function well. High
 11 pavement, high building coverage, lack of
 12 compliance with your zoning ordinance, very high
 13 levels of noncompliance. Difficulties in trying
 14 to redevelop because they are impediments that
 15 these impose to developers in terms of dealing
 16 with how do we get things going there.

17 You also notice that even though the
 18 area is designated an area in need of
 19 rehabilitation, nothing really has happened. You
 20 know, there's been no great spark that really has
 21 taken off in the area. Other factors that need to
 22 be considered is the fact that we're talking about
 23 a rail line, an active rail line, and an active
 24 train station, which is a jewel, is an asset that
 25 is right now actually not performing as high as it

1 parcels spread out throughout the area which makes
 2 redevelopment or development, as a whole,
 3 difficult. And I'll get into more about why that
 4 is later.

5 So this area has already been designated
 6 an area of need of rehabilitation. It already has
 7 a designation under the law. And I apologize,
 8 this is right out of our study, this is the yellow
 9 area. It runs from Passaic -- River Road, up
 10 Passaic Street, all the way up in the yellow area.
 11 And I mentioned earlier that we talked about
 12 absentee owners. You can see in the shaded
 13 areas -- if you want to scoot over, you might see
 14 it better -- the darkened area in red represents
 15 that study area, the high degree of absentee
 16 ownership that we have. That's a difficult thing
 17 when you want to try to get development going,
 18 when you have to deal with such diverse ownership
 19 and they're not even present. So those conditions
 20 were recognized and the area was designated an
 21 area in need of rehabilitation.

22 Now, why is the City Council and the
 23 City Planning Board and the City of Garfield
 24 interested in conducting this analysis? Why are
 25 we doing this? Why are we analyzing the area?

1 could, to the benefit of this community, in my
 2 opinion.

3 These rail lines are the perfect
 4 locations for mixed-use communities, transit
 5 villages, which I'll get into. And what we're
 6 trying to do is there a better way to arrange the
 7 land use in this area to maximize its potential
 8 for the benefit of the entire community. That's
 9 why we were engaged to take a look and analyze
 10 this whole corridor.

11 I mentioned earlier that we're going to
 12 talk about change. Well, what's changed, how is
 13 it affecting us, what does it mean? Well, we have
 14 the City's early history, we have now and we're
 15 going to look ahead. And when I say early
 16 history, I'm not going back to the Indians, I'm
 17 going to talk mostly about the mid- to late-
 18 1900's, early 20th century going forward. And
 19 things have changed and I think many of you
 20 understand that.

21 The City's early history. This was a
 22 manufacturing center. I happened to grow up in
 23 Passaic. So we have a common legacy, the textile
 24 industry was very big in the area, lot of chemical
 25 industries were big, a lot of manufacturing,

1 produced a lot of manufacturing jobs. The
 2 manufacturing came in, the workers came in, so
 3 housing was built for the workers. Businesses
 4 then came in to support both the industrial users
 5 and the residents.
 6 And so you had development going on all
 7 around the factories to sustain this industry or
 8 the industries that arose as a result of
 9 manufacturing. The river was once a power source,
 10 it evolved into electricity, all of that
 11 historically. The rail lines were important
 12 because the rail lines brought in the goods, took
 13 out the goods, brought in the resources, and took
 14 out what was the finished product. That's the
 15 history.
 16 Now, it's an old map, 1909, I apologize
 17 it's not 100 percent clear, 1909. What's
 18 interesting is the photos at the top show pictures
 19 of your factories. It was a very proud time for
 20 the City of Garfield, no question, as it was for
 21 Paterson, as it was for Passaic. That was early
 22 history.
 23 Going forward now, what are we dealing
 24 with now, today, we're dealing with certain
 25 realities. Change, right? Over time, industry

1 has left the area. Over time, the manufacturing
 2 jobs have either gone south, but now they're going
 3 further. They originally went south, now they're
 4 going east, and I'm talking about east coast, I'm
 5 talking about Asia. Changes that occurred in
 6 industry were we had a lot of manufacturing jobs,
 7 a lot of manufacturing products. So what's
 8 happening is when the businesses leave, they leave
 9 behind the buildings. A lot of the buildings are
 10 very old, these actually go back to the early to
 11 late 19s, early 20th century, going forward. The
 12 buildings are not conducive to adaptive reuse
 13 because they're old, they're obsolete.
 14 Structurally they may not be 100 percent sound,
 15 and they're expensive to rehabilitate. And I deal
 16 with this issue in a lot of towns, not just the
 17 City of Garfield. This is a phenomenon affecting
 18 many New Jersey municipalities.
 19 Now, when they go, they leave behind the
 20 shells of the buildings, you have residences
 21 nearby, and you start to see decline. And that's
 22 something that the City is trying to avoid. It's
 23 what the City is trying to address. What can we
 24 do about this? Change. So what happens is you
 25 have older buildings, they're either boarded up,

1 concrete block. See the rail station, 100 percent
 2 pavement, no parking, waste hauler. You could see
 3 outdoor storage, buildings starting to show signs
 4 of lack of maintenance. Outdoor storage, a lot of
 5 dumpsters all over the place, fencing, trucks,
 6 graffiti.
 7 If you look at the pictures, these are
 8 current conditions now, in much of the study area.
 9 You have basically what looks like an old military
 10 base. And this is what you call conflict between
 11 land uses. You have that industrial building
 12 right next to a single family, two family home.
 13 Incompatible land uses, no buffers, no green,
 14 nothing. So this is the legacy of the past. This
 15 is what we're dealing with now.
 16 Looking ahead, what can we expect?
 17 Well, we know, based on projections in the
 18 Department of Labor statistics in the State of New
 19 Jersey, that manufacturing jobs are going to
 20 decline. We're going to lose manufacturing jobs.
 21 We're going to continue that trend. This is based
 22 on a study 2014-2024, we see that gray line going
 23 below the growth line. Change. Chemical
 24 manufacturing, printing, fabrication of metal,
 25 computer, electronic products, actually making the

1 products makes up more than half of what we expect
 2 to lose in the State of New Jersey. That's the
 3 projection and that's reality, that's happening
 4 all over the northeast. This is the change.
 5 What's growing, what sectors are
 6 actually growing in terms of job growth? Well,
 7 you got trade, transportation, utilities,
 8 healthcare industry is growing tremendously.
 9 Professional services, leisure, financial,
 10 construction, that's the direction the economy is
 11 going to. This is a phenomenon that planners have
 12 observed all over. We're moving as a country to
 13 service economy. Particularly in the northeast,
 14 where you have older industrial sectors that are
 15 not producing, that are too expensive to
 16 rehabilitate, that don't offer opportunities in
 17 the present configurations they are, they get
 18 abandoned.
 19 So we know that things are changing
 20 economically, particularly based on statistics
 21 that our state has produced and analyzed. And
 22 they predict that professional service occupations
 23 are going to continue to grow. This shouldn't be
 24 a surprise, we're moving towards this sector of
 25 service, service dominated.

1 If you look at Garfield, you can see
 2 back in 2002, there are over 1,100 jobs in
 3 manufacturing, it went up a little in 2011, it's
 4 now 2012, half of what it was, half. This is
 5 based on U.S. Bureau of Economic census, half.
 6 The number of establishments, same U.S. census of
 7 economics has dropped from 77 to 56 entities,
 8 manufacturing is dropping.

9 So that's the forecast in terms of where
 10 we're going in terms of jobs, where we're going in
 11 terms of the economy. And the question that we
 12 have to ask ourselves is that a lot of the area
 13 that I'm going to talk about tonight is zoned
 14 manufacturing. And the question that the board is
 15 going to have to grapple with and answer and
 16 figure out collectively is does that make sense
 17 any more, given what we're looking at today.

18 Now, I mentioned earlier that there was
 19 a rehabilitation study made and a designation
 20 made. And the City of Garfield partnered with the
 21 Greater Bergen Community Action Group, the
 22 designated developer, and they formed a vision,
 23 you know, an idea river-to-rail. River-to-rail,
 24 what does that mean? Well, the idea is take
 25 advantage of the river as an amenity, recreational

1 amenity, and somehow tie it to the rail station,
 2 to make it work in a way that can promote
 3 redevelopment and it's as simple as that. And
 4 it's an interesting concept. Passaic River is a
 5 place for recreation and leisure, right? Take a
 6 look at your riverfront right now, eight million
 7 dollars, over eight million dollars, much of it in
 8 grants made, spent by the City to improve the
 9 river corridor along the river. You should be
 10 proud of that. You know when you come into
 11 Garfield, the minute you cross into that stretch.
 12 Eight million dollars, a lot of money, much of it
 13 grant money, but look what it's done to that
 14 waterfront, and it sparked development on the
 15 other side.

16 So we know that if we take advantage of
 17 the assets that we have and leverage them, that we
 18 can improve our City, eight million dollars. We
 19 know that rail lines are perfect opportunities to
 20 grow and to invite people to live. We know
 21 they're growth centers. Much of the growth in New
 22 Jersey has occurred around rail stations. And one
 23 of the concepts is how can we create -- and
 24 wouldn't it be wonderful to create a walkable
 25 downtown stretch along Passaic Street connecting

1 to this river amenity, connected to a train that
 2 can take you anywhere you want to go. That's the
 3 vision.

4 What's a transit-oriented neighborhood,
 5 what's a transit village, why is this location of
 6 Garfield train station so important? Why did it
 7 work and how can we make it better? Garfield
 8 train stop is 31 minutes from Manhattan, it
 9 connects to the Rutherford station, it connects to
 10 Secaucus, and it goes to Hoboken. It's
 11 strategically located, ideally located. You have
 12 access to five New Jersey bus lines and you're
 13 within five miles of seven to eight major
 14 highways, this is a hub. The Garfield station is
 15 a hub.

16 There's a graphic for you. In the
 17 center, that starred area is the Garfield train
 18 stop, courtesy of the river-to-rail's website, you
 19 can all go there. You can see within the dotted
 20 lines and I apologize, the screen is so bright,
 21 it's not showing my pointer. I'll try. It goes
 22 on the wall, but it doesn't shine very well on HD.

23 You can see the circle, it's a five mile
 24 radius, you can see how centrally located the
 25 Garfield train station, with access to 80, 46, 21,

1 Route 3, all of those major roads, you can get to
 2 very easily. The colored lines there are all
 3 different bus routes that connect right into that
 4 train station that you can grab.

5 Mobility. What are people looking for?
 6 Mobility. Particularly the millennials, that
 7 young age group, they're shunning cars, moving
 8 back to cities and they're looking for mobility.
 9 They don't want cars. I attended a conference in
 10 New York City, the national planning conference,
 11 maybe in our lifetime, cars will become obsolete,
 12 you won't need to drive, they'll be self driven.
 13 You'll get an app, you call it, it comes and picks
 14 you up, take you anywhere you want to go. You
 15 won't even drive. If you have rail and bus
 16 station connections, you have light rail, you have
 17 all these connections made.

18 And you redevelop these areas that way
 19 and create the smart highways and networks,
 20 imagine the possibilities. You can move. And
 21 that's very important to the next generation. And
 22 even to the elderly generation to be able to get
 23 to where you need to go for whatever services you
 24 need. So it's strategically located.

25 Now, when we talk about transit villages

1 and transit-oriented development, what does it
2 look like? What does it mean? Are there
3 examples? Yes, there are many. There are many
4 examples. The State of New Jersey has a transit
5 village program, you can designate a transit
6 village. There's over a dozen of those already
7 done. I'm going to show some examples -- it's not
8 exhaustive because I don't want to keep you here
9 in the hot room all night. But it's important to
10 visualize what it is that we're talking about in
11 terms of at least the vision.

12 I represent Westfield in a number of
13 matters. And this is their main street, one of
14 their main streets, downtown, right next to a rail
15 station. And I'm doing their housing plan right
16 now. And I can tell you they are doing their
17 south and north street corridors as mixed-use and
18 residential multifamily because they want to be
19 near rail stations.

20 This is Bordentown. They have a
21 connection to a light rail system that connects to
22 other rail systems in the area down there. Notice
23 the streetscaping, the lighting, the flags, the
24 trees, the sidewalks, the outdoor dining. Imagine
25 that being here on Passaic Street. That has a

1 rail line.

2 This is Morristown, Morristown is an
3 example. It doesn't have to look this way, it's
4 just an example of what multifamily might look
5 like because we do have a housing need in the
6 State of New Jersey. Morristown is a designated
7 transit village right on a rail line.

8 This is South Orange. That is the
9 actual rail, you see how that's just a small part
10 of redevelopment that's going on there. And you
11 have streetscaping, storefronts, rail.

12 So you have an asset here, what do you
13 do with it? Many communities, it's not a new
14 concept any more, are creating transit village,
15 transit-oriented development. And that's the
16 opportunity that we're exploring.

17 Now, it's important that everyone here
18 understand -- and I explained it in the study --
19 the importance of the law. Because the law is
20 what guides us, provides the standards, it
21 provides the procedures. We are a society of law.
22 So what is the law? What do we need to do? Well,
23 we are operating under what is call the Local
24 Redevelopment and Housing Redevelopment Law, that
25 N.J.S.A. 40A:12A-1. And it's law that governs

1 redevelopment in the State of New Jersey. It
2 tells towns, like the City of Garfield, what they
3 need to do if they want to create a redevelopment
4 area. It came about in 1992 because there was a
5 recognition that changes were occurring in New
6 Jersey and that cities and towns needed tools to
7 be able to effect change because sometimes zoning
8 alone doesn't do that. Sometimes you have to do
9 other things. And it kind of streamlines the
10 redevelopment process to a degree and provided a
11 uniform way that municipalities in the State of
12 New Jersey can go about designating redevelopment
13 areas. That's the statute. It establishes a
14 process, one of which is what we're doing here
15 tonight.

16 Importantly, it establishes a criteria.
17 It tells you what you need to do to be able to
18 designate an area as an area in need of
19 rehabilitation or an area in need of
20 redevelopment. It permits the use of what we call
21 eminent domain, condemnation. And I'm going to go
22 and talk about that as well, what does that mean.
23 It also then defines the roles and
24 responsibilities of the various players who are
25 involved in this whole process.

1 So who are the decision makers. Well,
2 the governing body. The governing body starts the
3 process by putting out a request, a resolution,
4 authorizing the study. Without an authorization
5 of study, it doesn't happen. And it has to be
6 very specific to a particular area, to particular
7 properties.

8 Planning Board. Why? Because the
9 Planning Board, they're the planners in the town.
10 They create the master plan, they do the
11 reexaminations, they have to be a party to the
12 discussion. They're the body that conducts the
13 hearings, which is why we're all here tonight, to
14 learn more about what's going on. And to proceed
15 toward a recommendation. They have to recommend
16 whether or not the area should be designated or
17 not.

18 And you have the redevelopment agency,
19 the City of Garfield has one. And they act as the
20 advisory body, they also carry out the mandates
21 under the redevelopment plans that have been put
22 in place thus far. And they're an agency as well
23 and they recommended that the Planning Board start
24 its hearings and designate the area. So this is
25 just the beginning of the process.

1 Now, in 2013, the law was amended. And
 2 what municipalities have to do, what the City has
 3 done, it has to make very clear at the very
 4 beginning of the process whether or not this is
 5 going to be a condemnation proceeding or
 6 non-condemnation. You have to tell everybody up
 7 front. And what the council has decided to do is
 8 ask the Planning Board, ask us, as the planning
 9 professionals, to proceed with an analysis as to
 10 whether or not this qualifies as an area in need
 11 of redevelopment under condemnation, eminent
 12 domain.

13 Now, I would note that the study was
 14 prepared with that in mind, it's on the front
 15 page, it's on the first page, it's in the
 16 resolution, it's in the public notice. But on
 17 page three, there's an error, it refers to
 18 non-condemnation. That's wrong, we'll fix that.
 19 So right off the bat, on page three, at the top,
 20 when we're typing really fast trying to get stuff
 21 done, sometimes... but I want to make clear for
 22 the record this is a condemnation proceeding.
 23 Page three will be corrected and I apologize for
 24 that error.

25 Now, the power of eminent domain is one

1 that's well-established, held constitutional.
 2 What does that mean? It means that the government
 3 can take your property for public purpose. But
 4 does that mean they come and knock on your door
 5 and you're out that day? No, it does not mean
 6 that. It means that you have to go through a
 7 whole process of establishing value and you're
 8 paid fair and just compensation for your property.
 9 It's not just a taking. It has to be established
 10 fairly and you have to be compensated fairly.

11 That's a very important aspect. You get
 12 to go through a process and you can appeal. And
 13 there are things you have rights to that
 14 establishes fair market value. So the government
 15 doesn't just come in. It's also a tool of last
 16 resort. The government doesn't like to get into
 17 it, it's expensive, it's costly, it's time
 18 consuming. It's much better to negotiate, try to
 19 come to an arrangement with property owners
 20 fairly. That's what this country is based on,
 21 negotiation, right?

22 However, what do you do when out of ten
 23 properties, nine agree to sell and the one big
 24 parcel right in the middle decides I'm going to
 25 hold out for more money? At that point, I think

1 it's fair to say that for the interest of the
 2 public to implement a very important plan, that
 3 that's the part where the town, city, may consider
 4 that maybe we need to go in through this process,
 5 reluctantly, usually. So it is usually last
 6 resort. It's based on fair market value and a
 7 fair and just process. So the idea that the
 8 government's going to come in, move you, take your
 9 property, doesn't happen that way.

10 The other thing that the municipality
 11 and the city, in this case, would be required to
 12 do is relocation costs for tenants, businesses,
 13 all of that has to be factored in. It is a part
 14 of this analysis, it is an authority that the
 15 council asked that be investigated. And it's
 16 there and that's what it means.

17 Now, the local redevelopment housing law
 18 conveys certain powers, authorities, right. You
 19 go through a process. It allows you to do a
 20 redevelopment plan. You can issue bonds for
 21 redevelopment. In a redevelopment area, you can
 22 issue bonds specific to the improvements necessary
 23 to contribute to whatever public partner private
 24 partnership you have going. You can issue bonds
 25 to finance, you can acquire property, you can

1 lease property. You can collect revenue from
 2 developers. There's all kinds of advantages that
 3 the LRHL offers a city, that would encourage towns
 4 that have difficulties they want to resolve in
 5 terms of land use and development to take
 6 advantage of with this law.

7 Now, it's very important -- and I said
 8 this earlier -- that the local redevelopment and
 9 housing law provides statutory standards. You
 10 can't just go in and say we want you, you, you.
 11 There have to be some standards, there has to be
 12 an analysis. That's really the focus of the
 13 study, what those are? You have eight categories
 14 and they break down to A through H and I'll
 15 summarize them. A is where you see tremendous
 16 deterioration and basically unsafe, unwholesome
 17 living arrangements or business or working
 18 arrangements.

19 B is where you have actual abandonment,
 20 empty buildings, graffiti all over the place,
 21 buildings falling down. If you have public or
 22 private land that's been not used for over ten
 23 years, it automatically qualifies under criteria
 24 C.

25 D is interesting. D is when you have

1 obsolete site design, layout, situations where you
2 have a 50-by-100-foot lot by itself, what do you
3 do with it, how do you redevelop it? We have to
4 combine it with others to get anywhere where we
5 can do some meaningful level of redevelopment
6 because it's obsolete. It's designed under 1910
7 standard, but we're here at 2017. How do we
8 accommodate the modern uses?

9 E is the lack of proper use resulting in
10 stagnant conditions. F is where you have a
11 natural catastrophe and major areas are blotted
12 out. Belmar, certain towns down the shore, when
13 Sandy hit, used criteria F for redevelopment
14 because major portions of the shore towns were
15 wiped out by Sandy. It's an example.

16 If you're an urban enterprise zone,
17 that's criteria G. That wouldn't apply here. If
18 you're a city like Paterson, Plainfield,
19 Elizabeth, you have certain advantages as an
20 enterprise community, that would qualify under G.

21 And H has to do with smart growth
22 policies. What are those? Those are planning
23 policies that are in place and they're defined by
24 the state, they're defined by planning journals,
25 by professionals, that talk about how we can get

1 better land use arrangements that are more
2 efficient, that are sustainable, environmentally
3 and economically viable, smart growth. We know
4 that urban sprawl doesn't work, which is one of
5 the reasons why many of the people are coming back
6 to the cities, particularly the millennial.

7 So there's this one aspect of the
8 criteria that's important to also understand, not
9 all the properties have to fit into those alphabet
10 categories. If there's a property that doesn't
11 exhibit the kind of characteristics that A
12 through H exhibit, you can still include it, if
13 you need it for what we call the effective
14 development of area. So if you have a block and
15 nine of those properties in a -- a block of ten
16 properties and nine of them meet the criteria,
17 whatever they may be, A through H, and you have
18 one that doesn't and you need that piece to finish
19 the block, you're able to include that piece
20 because you need it for the effective development.
21 That is part of the analysis.

22 So what's the process? Tonight is part
23 of the process. You're all part of the process.
24 The board is part of the process. Governing body
25 begins the process by adopting a resolution

1 authorizing the study. All this is right now is a
2 study. The Planning Board then conducts the
3 public hearing. And you could have multiple
4 hearings on this until they're satisfied on what
5 level of recommendation it can offer to the
6 council. Sets a date, gets advertised, property
7 owners are notified, all of which was done.
8 Planning Board conducts the public hearing and
9 ultimately makes a recommendation to the city
10 council whether or not to designate the area an
11 area in need of redevelopment, portions, not
12 others, it doesn't have to be the whole thing,
13 whatever the Planning Board decides to recommend.

14 It then goes to the city council. And
15 the city council then has to have a hearing and
16 determine whether or not to accept the
17 recommendations of the Planning Board. And they,
18 as a city council, can modify and decide as well
19 the recommendations. If the council decides to
20 accept a recommendation by the Planning Board,
21 let's presume the Planning Board says, yes, this
22 area is one that should be designated as an area
23 in need of redevelopment. Then the council
24 authorizes the preparation of a plan. That's when
25 we get into the meat of what is ultimately going

1 to happen. And, again, that goes through an
2 entire hearing process, with notice, plans, full
3 transparency.

4 What do we do when we do our analysis?
5 What do we take into consideration? How do we go
6 about, as planners, analyzing areas that we are
7 asked to look at in terms of redevelopment? Well,
8 we do site visits. Obviously, we don't go into
9 properties unless we're invited to or permitted
10 to, but they're mostly exterior surveys. We note
11 and photograph conditions. We look at municipal
12 data. The city provided us with all sorts of data
13 that helps us determine whether a site is starting
14 to show signs of lack of maintenance, code
15 violations, things of that nature.

16 And then we look at tax assessment data.
17 Why do we look at tax assessment data? We look at
18 tax assessment data because one of the indications
19 of a failing property is if the building is worth
20 less than the land. If the land is worth more
21 than the building, there's no incentive to make
22 improvements. It depends on a lot of other
23 things, but the reality is that that's an
24 indicator that there's something going on. And
25 that could be a cause of concern. And that's

1 something we look at. So we analyzed all of those
 2 things.

3 Now, I want to get into the study site
 4 now. If you look at this map, again, courtesy of
 5 the Greater Bergen Community Action Group, you see
 6 the outline of the yellow. That's the existing
 7 rehab area. The parcels we're talking about today
 8 are only those parcels in blocks marked in green.
 9 There are 27 properties, 6.7 acres. The green
 10 area, which basically surrounds the area along the
 11 rail corridor right where the train station is.
 12 And there's a highlight of the blocks that we're
 13 talking about.

14 The existing zoning in the area
 15 basically is industrial. You have a number of
 16 zones, you have R-2, which is residential. You
 17 have an LM, which is light manufacturing, most of
 18 the properties are that. You have a commercial,
 19 cell tower zone mixed in there. But those are the
 20 predominant zones.

21 In terms of the existing land use,
 22 purple represents the manufacturers, the blue are
 23 institutional uses, we do have a fire house and a
 24 church in the area. The red is commercial, many
 25 of those commercial are mixed-use buildings,

1 meaning they have apartments above. And the
 2 yellow is residential.

3 In terms of land use by numbers,
 4 residential is 26 percent; commercial, light
 5 industrial is majority of the area 56 percent; 11
 6 percent is public property and 7 percent is held
 7 by churches and charitable organizations. And the
 8 land use by acreage. The biggest land use by
 9 acreage would be the light manufacturing or
 10 manufacturing, 62 percent of the land area.

11 Now, one of the things we need to show,
 12 and this is very important, is how does it connect
 13 to the City's master plan. Now, the Planning
 14 Board spend a lot of time thinking about where
 15 should the City go in terms of its land use, it's
 16 charged with coming up with master plans. And
 17 then every 10 years, you have to do a
 18 re-examination of your master plan. You can't
 19 just let it sit there, you have to analyze it to
 20 see whether or not it makes sense after time. So
 21 the master plan is a requirement that would show
 22 consistency. And that's important because the
 23 master plan is the overall guiding document for
 24 the community. And we need to be aware of that,
 25 so that we're consistent. And the statute talks

1 to that.

2 And, not surprisingly, the master plan
 3 was done in 2002, and they wanted to focus on
 4 redevelopment because there's a recognition of the
 5 fact that the City of Garfield is changing, it was
 6 changing. The master plan recommended continued
 7 redevelopment efforts. It talked about addressing
 8 change in demographics. It wants to refurbish the
 9 waterfront, which you are now implementing, that's
 10 the importance of plans, to implement them. It
 11 talks about revising the regulations, your zoning
 12 map, trying to create a restaurant row along River
 13 Road. And those are the types of recommendations
 14 that the master plan has in its 2002 document.

15 Now, interestingly enough, it talks to
 16 the corridor, along Passaic Street, the corridor
 17 was described as: Has poor access between the
 18 train station and street, declining mix of goods
 19 and services, and need for enhancement of
 20 streetscape and pedestrian amenities. So there
 21 was a recognition in 2002 that something has to be
 22 done in this area, what can we do to upgrade it.

23 And it describes Passaic Street as a
 24 primary business corridor, but there are problems.
 25 The master plan talked about the diverse

1 ownership, too many owners; narrow frontages, too
 2 many lots, narrow frontages, very difficult to
 3 redevelop, very hard to get redevelopment going.
 4 Small lots, half the lots 6,000 square feet or
 5 less and two-thirds of the lots are developed for
 6 non-residential purposes. And we know that a lot
 7 of those manufacturing uses are now starting to
 8 leave.

9 So it sets some goals, continue to
 10 promote revitalization in the corridors for
 11 redevelopment, try to get a mixture of uses. You
 12 don't want to put all your eggs in one basket, you
 13 want to get mixes of use. Because A, you get
 14 better more efficient land arrangements, but you
 15 get synergies. When you have, for example,
 16 apartments above stores, you bring in new life on
 17 the street. It helps businesses, it helps
 18 everybody. There are a bunch of initial goals
 19 basically tied to redevelopment, doing exactly
 20 what the study is doing, taking the steps towards
 21 implementing things that the 2002 master plan
 22 sought to recommend.

23 So not only do we have to look at the
 24 town or the City's master plan, but also how is it
 25 consistent with the state plan. And the state

1 plan talks a great deal about areas that have mass
2 transit presenting opportunities for
3 redevelopment. You have a rail station, that's an
4 opportunity. And it looks to promote areas near
5 rail stations as a way of not only getting
6 redevelopment going and revitalizing our urban
7 core, but to keep the sprawl from going out into
8 areas that shouldn't even grow because they don't
9 have the infrastructure. The City of Garfield has
10 the infrastructure. But it's old, it needs to be
11 redeveloped, it's got to be rebuilt. How do you
12 do that? Through investing, obviously.

13 And what the state plan talks about are
14 public-private partnerships. You know, we
15 recognize that government can't foot the bill for
16 all this. The government can't get spend more
17 money, but maybe the private sector would. That's
18 where the local redevelopment housing law, where
19 it gives you all the ability to bond, form
20 partnerships, get redevelopment agencies going,
21 and to spur development agreements that get
22 revitalization.

23 So looking at the areas, analyzing the
24 properties, looking at the statutory criteria,
25 walking through the process. We looked at what

1 criteria could be applicable here that would
2 justify the recommendation that the area be
3 designated a redevelopment area. We found
4 criteria A, deterioration and unwholesome living
5 and working conditions. D is the big one,
6 obsolete site layout and design. E is a criteria
7 that talks about poor land use arrangements. You
8 have situations out there that are absolutely
9 dysfunctional in modern times in terms of truck
10 movements, car movements, lack of cohesive land
11 use. And all these things going on that are
12 really an impediment to development. And H, where
13 if we were to redevelop the area in a manner that
14 would create a transit village, for example, that
15 would implement state strategic goals.

16 Looking at consistency with the
17 criteria, we found that 16 of 27 parcels satisfy
18 criteria E, 59 percent of the properties. And if
19 you look at the land area that represents, it's 81
20 percent of the land area. So that's a big chunk
21 of the properties, in conjunction with everything
22 else that we talked about.

23 So we feel, and it's laid out in the
24 study and it's something like 100 pages, so I
25 won't go into bigger detail, it's made available,

1 I touched on the main issues here. Our
2 recommendation is that the area does satisfy the
3 criteria for an area in need of redevelopment. It
4 should be designated such, so that the next phase
5 of developing a plan can occur.

6 If -- and it's up to the Planning Board,
7 if the board is inclined to take that
8 recommendation, the next steps would be to take
9 that recommendation to the city council, present
10 it to the city council. And if the city council
11 moves on that recommendation, then we move to the
12 next process step, which is to do a redevelopment
13 plan. There would be an authorization. There has
14 to be an official designation by the council. And
15 then there would be a plan presented and then
16 adopted at some point.

17 Again, going through the presentation
18 process, going into the details of how this is all
19 happening. What would we be looking for? If we
20 did this, what would we be looking for, why would
21 we do this and what would be the benefits? Well,
22 one of things is we want to see how we can
23 integrate the properties in regards to the
24 river-to-rail concept. I think it's an excellent
25 idea. You take advantage of the opportunities

1 that you have that the riverfront presents to you
2 and the rail.

3 We've got to, as we go through the
4 redevelopment process, understand what are the
5 underlying environmental issues that we have to
6 deal with, you had a lot of manufacturing going
7 on. One of the sites is listed as a contaminated
8 site with N.J. DEP listing. One of the sites had
9 chemical spills. What are the implications of
10 this on the community, how do we deal with it, how
11 do we clean this up? What other issues might be
12 out there that we need to address as part of the
13 environmental concerns? What technical grants and
14 funds may be available? Well, this opens the door
15 towards funding that the City can take advantage
16 of, to pursue further improvements like it did
17 along River Road to create that river walk.

18 Infrastructure improvement. Earlier I
19 talked about the designation there as an area in
20 need of rehabilitation. One of the criteria was
21 that the infrastructure is over 50 years old.
22 Well, how does the city pay for that, how do get
23 that taken care of? Your sewer lines, your water
24 lines, your hydrants, your streets, your
25 sidewalks, how do you do this? Well, through

1 redevelopment, share the costs, public-private
 2 partnerships. We would hope to do that.
 3 Flood management. When you do
 4 redevelopment, one thing that you'll notice when
 5 you go out and look at the properties, how much
 6 pavement, how much building coverage we have, and
 7 how poor the site arrangements are in the area.
 8 You have an opportunity to build in flood
 9 management control measures, stormwater
 10 management, green infrastructure, green roofs,
 11 sustainable technologies that can go into this,
 12 that can improve the stormwater management system
 13 that we have now, and possibly the flooding that
 14 comes from that.
 15 Again, there are programs now -- one of
 16 the big goals here also, if we should pursue
 17 redevelopment, is if you go to the Garfield rail
 18 station, you see the condition of it now, the
 19 platform and the way it is, usually transit has to
 20 become a partner in improving that rail station
 21 and that stop to make it attractive for people to
 22 use. It is used, but it's just not functional.
 23 There's no real good connection to the street, it
 24 just sits there. How do you get New Jersey
 25 Transit to come in and make an investment when

1 they're strapped for cash? Well, they have to see
 2 what's going on around. And you bring them in as
 3 a partner by demonstrating that you have a plan in
 4 place that's going to get redevelopment over what
 5 you have today.
 6 Otherwise, what you see is what you're
 7 going to get. And the investment from Transit is
 8 going to go elsewhere to other communities that
 9 are creating redevelopments along its rail lines
 10 and at the rail stations, like Summit, like South
 11 Orange, Montclair, all these other cities. You
 12 take a look at those towns, they're bustling
 13 because they are taking advantage of the assets
 14 that they have presented to them by rail.
 15 And one of my graphics that I showed you
 16 earlier was showing you how well positioned the
 17 rail station is for redevelopment. For me,
 18 personally, what's the benefit to you? And as a
 19 planner, looking at communities, create a sense of
 20 place, to create a sense of neighborhood. I know
 21 that there's a neighborhood there now, but can it
 22 be better. Can it be something that could create
 23 a better quality of life for everyone? And that
 24 really, for me, is the priority. You know, how do
 25 you create a neighborhood and sense of place,

1 sense of place? It's all about good design. And
 2 this offers that opportunity.
 3 So those are desired outcomes,
 4 long-term. We have to think long-term. But right
 5 now, statutorily, as I said earlier, I think it
 6 meets the statutory criteria. Mr. Chairman, thank
 7 you.
 8 CHAIRMAN CLARK: Mr. Szabo, thank you
 9 very much. While opening the meeting to the
 10 public, but what we're doing, we want to ask you
 11 to come up, state your name, address, we're
 12 looking for -- and there's a lot of people here,
 13 so we want to try to give everybody an opportunity
 14 to ask any types of questions, and hopefully
 15 respond back to them, but Mr. Szabo will respond
 16 back to them. But we want make the questions to
 17 three minutes per person to give everybody a
 18 chance to come up and speak. So whoever wants to
 19 come up first? Sir, please step forward.
 20 COUNCILWOMAN DELANEY: Jim, do you want
 21 to say about 11?
 22 CHAIRMAN CLARK: Before we start, I just
 23 want to inform everybody that the board has
 24 received numerous letters from the public. Those
 25 letters will go on record, you know, with the

1 board and with the secretary.
 2 The other item I do want to address with
 3 you before anybody does leave or anything else,
 4 we're going to ask for the transcript as soon as
 5 possible. And we want the transcript to be posted
 6 on the City's website, under the Planning Board
 7 directory.
 8 MR. SZABO: I can also make the Power
 9 Point available, Mr. Chairman, if you so desire.
 10 CHAIRMAN CLARK: Mr. Szabo, that would
 11 be appreciated.
 12 MR. SZABO: I will forward the Power
 13 Point, so it can be posted. And you can go
 14 through it and see the points that I made tonight.
 15 And maybe if this is a continued hearing, we could
 16 have a continued dialogue. You want to start with
 17 board questions?
 18 CHAIRMAN CLARK: I want to first start
 19 with and continue here with the letters that we
 20 received from the public. And this way, we get
 21 those on record. And then we'll proceed as any
 22 board questions and address it also with the
 23 public.
 24 MS. CIMINO: The board received a number
 25 of letters. And I just want to indicate which

1 they are and that they will be made part of the
2 record. We received a letter dated July 26th from
3 Dolores Capizzi.

4 We received two letters from McKirdy and
5 Riskin, PA, on behalf of Interstate Waste dated
6 May 23rd -- actually it's one letter from May
7 23rd.

8 We received a letter, undated, but
9 received in my office today from Joan Banez.

10 We received a letter, dated 7/26/2017
11 from Regan Realty.

12 We received a letter from Adriana
13 Giammanco, undated.

14 And we received two letters from Royal
15 Slide Sales Company, one dated May 24th and one
16 dated July 20th.

17 And we received an open letter, undated,
18 from the Zion Lutheran Church.

19 Those are the letters that we received
20 and we'll make these part of the record.

21 MR. SZABO: These are additional
22 letters.

23 MS. CIMINO: And I'm just being
24 handed -- let's see. I'm being handed additional
25 letters. And the letters that were handed to me,

1 we actually do have. That's the letter from
2 Adriana Giammanco that we mentioned. Also the
3 letter from Dolores Capizzi that I also mentioned.
4 So those are just handed to me. They're
5 duplicative, so they are included in the record.
6 And it looks like one more. We may have this one
7 already, too, but let's check.

8 No, we don't have this one. So we're
9 also going to make this letter a part of the
10 record. This is dated July 27th. This is a
11 letter from Mirna Agurto. And I believe that's
12 also a letter that we received, these letters will
13 be made part of the record.

14 Also one of the things we wanted to
15 mention, too. There is an 11 o'clock cutoff. So
16 as the chairman said, we're going to --

17 CHAIRMAN CLARK: We'll take the board
18 questions and then lead right into the public. Do
19 we have any questions, anybody? Our
20 professionals? From the board? Okay. We're open
21 to the public.

22 Sir, please step forward.

23 MR. CAPIZZI: I don't think I need that,
24 I think everybody will be able to hear me. My
25 name is Guy Capizzi, I am the administrator of 105

1 Midland Avenue. It's my mother's property, who's
2 deceased, next to the Fire Company Number 1. I
3 have so many questions. So I'm going to make them
4 quick and please do not procrastinate so you can
5 answer them all.

6 Your Power Point presentation was very
7 nice, I guess. There's a couple things I don't
8 understand. You say that you're going to do the
9 study, but in the same building, you're saying
10 that you completed the study. Did you complete
11 it? Or didn't you complete the study?

12 MR. SZABO: It's a draft study, it is
13 completed. It's being presented to the Planning
14 Board today, tonight. It's a document that was
15 put on file, that was available. That study is
16 done. Maybe you were confusing the redevelopment
17 plan, that comes later. That is not --

18 MR. CAPIZZI: I understand that.

19 MR. SZABO: Okay. Then we're on the
20 same page.

21 MR. CAPIZZI: I understand that. I also
22 understand you say about eminent domain, who
23 determines the value of the property, the City?
24 Is it based on taxation?

25 MR. SZABO: No.

1 MR. CAPIZZI: Is it based on current
2 market value of the home? Who makes this
3 determination?

4 MR. SZABO: It is done through numerous
5 appraisals. And there's more than one
6 professional appraiser that are hired. And they
7 need to be appraised according to current
8 appraising standards, based on current market
9 value.

10 MR. CAPIZZI: So in other words,
11 whoever -- if I am having my house appraised, and
12 I want my house appraised for a little bit more,
13 and you happen to know a guy who's an appraiser, I
14 can get my house appraised for more? If you know
15 a guy who --

16 MR. SZABO: No.

17 MR. CAPIZZI: In the same token, you can
18 get it appraised lower. So there's a lot of --

19 MR. SZABO: No, there's a process.

20 MR. CAPIZZI: There's a gray area.

21 MR. SZABO: There's no gray area and
22 I'll explain why. Eminent domain is a legal
23 process.

24 MR. CAPIZZI: I know, I dealt with it.

25 MR. SZABO: Good, then you're familiar

1 with it. The courts manage that, not the City,
2 not you as a property owner. Appraisals are
3 presented. And if there are disputes in value,
4 they're either worked out privately or it goes and
5 the court arbitrates what the value is. And that
6 value is based on a lot of analysis and it's -- to
7 me, it's not a gray area. It is a value that is
8 established through a court process that ends up
9 becoming fair and equitable, as determined by the
10 court.

11 MR. CAPIZZI: My next question is we
12 talk about river-to-rail. In between this whole
13 process of river-to-rail, there's a great big
14 parcel of land that sits in the middle of it that
15 is highly contaminated and uninhabitable.

16 MR. SZABO: That's the right -- I knew
17 what you --

18 MR. CAPIZZI: For a lot of years that
19 there are vent pipes on the property to vent the
20 contaminants that are in the ground. Not only
21 that, but there is a contamination path that runs
22 from Grant Street to the river. So now, how are
23 you going to incorporate this big master plan
24 around a piece of property that's contaminated?
25

MR. SZABO: The best way to get a

1 property decontaminated is through redevelopment.
2 Because then there's an analysis, it goes through
3 DEP, the Department of Environmental Protection.

4 MR. CAPIZZI: I dealt with them, I don't
5 think that's --

6 MR. SZABO: And then what happens is
7 through the redevelopment process, it gets
8 addressed. It may take a while, it may be
9 something as simple as venting. It depends on the
10 condition of the property. But that -- the best
11 way to get that addressed is through
12 redevelopment, as opposed to letting it languish.
13 Because the incentive is for the developer to come
14 in and realize a return on the investment for
15 whatever redevelopment is determined, and if you
16 can't do anything with the property, who pays for
17 that?

18 So to me, in my experience,
19 redevelopment is the way you clean up properties
20 because that's how you get things done.

21 MR. CAPIZZI: I understand about a clean
22 up. Unfortunately, I lived in Lodi, and I fell
23 under the Dorian contamination process. And I
24 understand that. And, unfortunately, in this
25 country right now, there's no money for major

1 clean ups, number one. And --

2 CHAIRMAN CLARK: Mr. Capizzi.

3 MR. CAPIZZI: If you had to dig it up,
4 where are you going to? Who's going to take the
5 dirt?

6 CHAIRMAN CLARK: We need to move on. If
7 we do finish up, you are more than welcome to come
8 back after everybody else is asked questions.

9 MR. CAPIZZI: Okay.

10 MR. SZABO: I can real quickly address
11 that. It's all regulated by the N.J. DEP. There
12 are all kinds of environmental laws, how you clean
13 up a property, how you address the contaminants,
14 where they go, how the site is remediated, whether
15 it's in the ground, in the water or the air. And
16 you're familiar with it.

17 MR. CAPIZZI: Yes.

18 MR. NIARCHOS: I will get very close to
19 you. If you don't mind, you could hold it for me,
20 so I can flip the pages.

21 Thank you all for the opportunity for me
22 to speak here today. My name is Pericles Niarchos
23 and I'm here on behalf of an organization called
24 the Institute for Justice. The Institute for
25 Justice is a public interest, civil liberties law

1 firm.

2 MS. CIMINO: I'm sorry. I just want to
3 make this announcement for everyone who comes up.
4 When you come up, we do have a court reporter, so
5 please after you state your name, please spell
6 your first and last name for the court reporter,
7 so we can get it accurately. And with a lovely
8 name such as yours, we really want to get it
9 spelled correctly.

10 MR. NIARCHOS: All right.
11 P-E-R-I-C-L-E-S. And the last name is
12 N-I-A-R-C-H-O-S. And I live in Washington, D.C.

13 MR. SZABO: You took the train?

14 MR. NIARCHOS: I drove.

15 MR. SZABO: Oh, you should have taken
16 the train.

17 MR. NIARCHOS: A lot of traffic. We're
18 a public interest civil liberty law firm dedicated
19 to stopping the abuse of eminent domain
20 nationwide. We represented Susette Kelo and her
21 neighbors before the U.S. Supreme Court in the
22 infamous Kelo versus City of New London case,
23 which sparked a nationwide revolt against eminent
24 domain abuse that continues to this day.

25 I've heard that Garfield is the "City of

1 Champions", so-named because of a rich legacy of
2 award-winning and nationally recognized athletes
3 and heroes. And it's true that the mantel of
4 champion can be bestowed upon a person, like
5 Garfield's stalwart Tippy Larkin. But perhaps
6 more importantly, champions are unyielding
7 advocates who come to the aid of those too
8 outgunned to stand for themselves. They
9 strengthen the people that they stand with and
10 empower them to triumph against all odds.

11 I'm here tonight to ask you to bring new
12 life to your legacy. Stand with your people,
13 reject the condemnation redevelopment area
14 proposal put forth by the Burgis study.

15 Eminent domain is for public use, things
16 like roads and schools, not for private
17 development. Local officials that seize land for
18 developers have faced monumental backlash, years
19 of litigation, and even the loss of their elected
20 positions. It is nothing less than abuse of power
21 to take perfectly fine properties, not to
22 remediate any threat to public health and safety,
23 but to transfer that land to a developer for
24 private development.

25 Moreover -- this is where it might get

1 awkward, the Burgis study is riddled with grossly
2 inaccurate information about the properties. On
3 page 93, the study labeled a full functioning and
4 staffed fire department as abandoned.

5 Perhaps more egregiously, on page 103
6 the, study concludes by confusing the number of
7 criteria-satisfying properties with the number of
8 non-criteria-satisfying properties. It inverts
9 the entire conclusion of the study, accidentally.

10 As the study mentioned, a greater than 1 to 1
11 improvement to land value is needed to indicate
12 that lands are under utilized. But many of the
13 properties included in the studies well surpass
14 that ratio, and most don't condemnation criteria,
15 those A through H that you so nicely outlined.

16 For example, the Dolores Capizzi
17 property. She grew up here since she was young,
18 she's been here for decades, she's a teacher here,
19 she was planning to retire here. She invested
20 tens of thousands of dollars into the maintenance
21 and upkeep of her property. And her property is
22 to be designed perfectly for her retirement plan.
23 Her property is in good condition and did not
24 satisfy any of the criteria of the study.

25 Zion Lutheran Church, I know a number of

1 the parishioners are in the back today. When I
2 spoke with one of them, they mentioned hoping to
3 increase their commitment to the neighborhood and
4 do some outreach. It seems like though -- they
5 may speak to that -- but it seems like because of
6 this study, they're now considering leaving the
7 area. Their ratio was 2.8 to 1. And their well
8 maintained home -- church, their well maintained
9 property is in good condition and satisfies no
10 criteria.

11 It sounds like my time is up, so I'll
12 conclude with this. Choose to be champions. You
13 can work with your community to redevelop the area
14 together. There's no need to cast them aside for
15 private development. All of these people are here
16 because they care about their community, they're
17 hard working people, they've been here for years,
18 they want to improve Garfield, too. And there are
19 ways to do it without condemnation redevelopment.
20 In-fill development, pavement, road maintenance,
21 code enforcement. The list goes on and on of
22 different methods could be explored before going
23 to something as weighty, and as potentially
24 devastating for these people, as a condemnation
25 study.

1 CHAIRMAN CLARK: We appreciate it.
2 Thank you.

3 MR. SZABO: Mr. Chairman, I appreciate
4 the comments that have been presented. Just -- I
5 don't want to take up the time of the public in
6 rebutting some of these issues. I will say that
7 with the fire house, the information we were given
8 was -- it's true it is active, but we did our
9 study based on what we knew and understood. That
10 will be corrected as well. And the City obviously
11 is a player here and is willing to relocate that
12 facility. So that's not an issue.

13 In terms of the interpretation of the
14 data, that's subjective. And I'll address that
15 another time.

16 CHAIRMAN CLARK: Okay, thank you. Yes,
17 sir.

18 MR. KOVAL: Howard Koval, property at
19 67-69 Passaic Street in Garfield, corner of
20 Palisade Avenue and Passaic Street. I want to
21 read you a two-minute synopsis of my thoughts on
22 this redevelopment program. And I have two
23 questions for Mr. Szabo.

24 This redevelopment project should start
25 with the homeowners that are affected in this

1 audience and did not come here tonight. Prior to
 2 a redevelopment process, we should have been
 3 notified of the town's intention and invited to
 4 speak to a very important part of a possible
 5 redevelopment program. The word eminent domain is
 6 a powerful word and that should be used as a last
 7 resort. And the input from the town with the
 8 affected property owners who pay taxes here and
 9 vote here should be discussed before you go any
 10 further. We all pay taxes, many of the people
 11 that live here vote here. And I think a workshop
 12 meeting, separate and apart after this meeting
 13 tonight, should be given to us to discuss our
 14 personal needs, besides a three-minute
 15 conversation meeting per person here to get this
 16 thing right the first time around and not go
 17 through the delayed process or legal action that
 18 will affect both the community as a whole.

19 The direction that this would go as it
 20 sits right now would divide the town and home
 21 owners. Many of whom I have spoken to who plan to
 22 remain here and elect not to sell their
 23 properties. In the last public meeting that I
 24 attended here, the City of Garfield admitted that
 25 the EPA has no more interest in subsidizing the

1 chromium dump site which, on the record, mentioned
 2 that it would require another 10 to 14 million
 3 dollars to remediate. I don't know where that
 4 money is going to be coming from.

5 There's a better option. I'm also in
 6 favor upgrading the neighborhood in a positive and
 7 practical way. For instance, the City of Clifton,
 8 specifically, the section of Botany Village, the
 9 mayor and council in concert with the property
 10 owners, after a workshop meeting, updated the
 11 neighborhood by refacing the fronts of the
 12 buildings, adding pavers instead of sidewalk,
 13 concrete slabs, and adding electric lights that
 14 look like gas lamps. That solved the wishes of
 15 the homeowners, having upgraded, more value to the
 16 properties. It's also similar to Ridgewood and
 17 Westfield, as Mr. Szabo had pointed out, which
 18 were older properties that were refaced. And now
 19 have additional parking requirements permitted in
 20 those possible light manufacturing zones, and kept
 21 most of the people's storefronts and homes intact.
 22 That created a better shopping environment and did
 23 have not diversity between the property owners and
 24 the town.

25 The direction that we're not going is

1 good for eminent domain for either the town or the
 2 people who pay taxes. Many of us have hired legal
 3 counsel. There will be a drawn out fight that
 4 doesn't help this project. Similar to another
 5 Bergen County town, Emerson, six years ago, the
 6 same redevelopment process started. Last week in
 7 the Record, there was an article about the project
 8 that started with 82 properties. And after six
 9 years of litigation, the footprint is now down to
 10 27 properties. And at 27 properties is in the
 11 process of being lowered. I've spoken to many of
 12 my neighbors that earn their livelihoods in this
 13 town and upended, would have to relocate to an
 14 area that doesn't help their customer base. Or
 15 they might receive for their property, so they
 16 cannot afford financially to move to a higher
 17 priced area.

18 I'll speak to the rest, after my time is
 19 up, if we have time periods. But I think a
 20 workshop meeting with the people that live in
 21 town, that vote in town, that pay taxes in town,
 22 should be undertaken in the study before a final
 23 resolution of any direction goes forward. Thank
 24 you.

25 CHAIRMAN CLARK: Jesus.

1 MR. RODRIGUEZ: Jesus Rodriguez, 149
 2 Midland Avenue. I just have one question that --
 3 regarding the appraisal of the properties? How
 4 are they going to appraise or give fair market to
 5 the properties when already it's existed as a
 6 contamination area from businesses or other
 7 commercial facilities? How is that going to be
 8 fair for the owners in that area when it's
 9 already -- the market is very low or the value is
 10 not fair because of the commercial businesses that
 11 affect the area, contaminated, pollution, all that
 12 stuff? That's all my questions, that's all I need
 13 to know.

14 MR. SZABO: The appraisal process only
 15 comes into play if eminent domain is used.
 16 Otherwise, it's a negotiated process. I'm a
 17 planner, I'm not an appraiser. How -- the
 18 mechanics of appraising properties is left to the
 19 professional appraisers, who take into account all
 20 the market forces that affect property value. I'm
 21 sure that environmental consideration is one of
 22 those. But they have to consider the remediation
 23 that may be coming. I don't know. I can't speak
 24 to another profession, but I know it's a very
 25 rigid process. And one that goes through scrutiny

1 by the courts. And it's not something that you do
2 lightly. And eminent domain is not something that
3 you enter into easily, because as the other
4 gentleman correctly pointed out, it's expensive,
5 it's time consuming. So it's always better to
6 negotiate.

7 But you got to start somewhere. You
8 needed a plan and the City is seeking to possibly
9 use the powers and the tools that are offered to
10 it with the local redevelopment housing law to get
11 something redeveloped and revitalized.
12 Particularly, we're only focused right now on the
13 train station area. And one of the gentlemen, if
14 I may respond, Ridgewood is doing major
15 redevelopment near the train station and recently
16 approved multifamily, mixed-use near the train.
17 And Westfield is -- they're in the process of
18 getting overlay zones along the south and north
19 corridors for mixed use, affordable.

20 MR. KOVAL: Excuse me. You also have
21 the Plauderville train station. I was there
22 tonight. Before the train came in at six o'clock
23 to take the people home, a third of the parking
24 lot is empty in that big location. And you have
25 one right here in the area that's underutilized

1 without spending the extra money.

2 MS. CIMINO: Mr. Koval.

3 CHAIRMAN CLARK: Okay. Yes, sir.

4 MR. DENISTRAN: Michael Denistran, 104
5 Palisade Avenue, Garfield.

6 MS. CIMINO: Can you spell your last
7 name, sir?

8 MR. DENISTRAN: D-E-N-I-S-T-R-A-N. And
9 I'd like to say to the Planning Board for
10 redevelopment and City of Garfield, New Jersey, I
11 Michael Denistran, living at 104 Palisade Ave.,
12 Garfield, New Jersey, disagree with the taking of
13 my home through eminent domain. I do not wish to
14 sell my home in any way. This home has been in my
15 family for over 65 years. Its existence holds the
16 memories of my wife and my family members since I
17 was five years old. My parents have died here and
18 I wish to do the same.

19 I enjoy local restaurants, stores and
20 more. I worship my God at Most Holy Name Church
21 of Garfield, which is close by. I've just
22 recently spent close to \$2,000 for the replacement
23 of windows on the first floor. I anticipate
24 remodeling my kitchen and bathroom. I have no
25 desire to move anywhere else due to my age of 72

1 years old. I hope to remain at home as much as I
2 could, God willing. Thank you, sincerely, Michael
3 Denistran.

4 MR. SZABO: Ms. Cimino, this is a copy
5 of the statement that was made by the gentleman,
6 if you want to make that part of the record.

7 MS. CIMINO: Mr. Denistran, we'll make
8 your comments a part of the record.

9 I'm going to ask you to hold your
10 applause, please. Because as we said, we're
11 trying to make sure we get everyone in who came
12 out tonight. We want to give everybody an
13 opportunity to speak. So just hold on to the
14 applause. Is there anyone else?

15 CHAIRMAN CLARK: Okay.

16 MR. SANICKI: Hello. My name is Mark
17 Sanicki, last name is spelled S-A-N-I-C-K-I. On
18 behalf of my father-in-law Andrew Wojtaszek, last
19 name is spelled W-O-J-T-A-S-Z-E-K.

20 First question is he's in the
21 situation -- there's a series of questions and
22 then I'll be less than three minutes, and then you
23 could answer. He happens to own a property there,
24 which there's tenants there currently now, so he
25 doesn't live there any more. It's more of an

1 investment for him. Now, because of this, what's
2 the proper protocol for notifying the tenants?
3 And also sometimes, in the case, it may be
4 unattractive for those tenants to stay, so that
5 could potentially drive down the property value of
6 what he has or else the income that he's going to
7 achieve from the rental, I'm sure there's other
8 rental properties or rental owners in the audience
9 as well.

10 Secondly, what are the relocation
11 options for some of the people that do live there
12 currently? Is there some type of buy-back-in
13 program for what's supposed to be coming as well?

14 And then my last question is you've done
15 this in other areas, in other locations, what has
16 been the percentage of increase in value of the
17 homes around certain of these locations that have
18 been redeveloped?

19 I think that's it -- oh, my last
20 question is in regards to the compensation that
21 the people -- are they done by -- are they
22 compensated by the government or the developers
23 themselves? And what tax implications come with
24 the potential income that they get? So thank you.

25 MR. SZABO: We're getting ahead of the

1 game in the sense that we're not anywhere nears
2 relocating, moving, taking property. We're really
3 jumping the gun in the discussion. The question
4 before the board, the question before the City,
5 the question before this community is whether or
6 not the area should be designated for
7 redevelopment to achieve some higher purpose for
8 that corridor as expressed by all the planning
9 documents that the City has considered for over a
10 decade.

11 The relocation is a requirement under
12 the law. At the time of relocation, tenants are
13 relocated at the cost of the municipality, there's
14 a process for that. In terms of property values,
15 I can tell you that when redevelopment plans go
16 forward, that property values around transit
17 particularly tend to go up significantly because
18 of the potential for redevelopment and
19 revitalization and makes those properties more
20 attractive.

21 So I can't put a dollar value on it.
22 But specifically from experience, seeing what
23 happens in other communities when they start doing
24 transit-type development, creating transit
25 villages, the property values, as you can see from

1 the slides, this is by a few examples,
2 automatically -- I can't give you figures.

3 MR. SANICKI: And then the last question
4 about the -- does the money come from the
5 government or does it come from the developers?
6

7 MR. SZABO: Well, it depends. The
8 designated developer can negotiate that, it could
9 be public-private, there could be a number of ways
10 that funding is used to finance redevelopment.
11 And that gets into a very complicated area of
12 finance and that's beyond the scope of this
13 hearing.

14 CHAIRMAN CLARK: Okay. Sir, your first
15 question, I believe you wanted to know where the
16 notification goes to? It would go to the
17 homeowner.

18 MR. SZABO: The property owner, I'm
19 sorry.

20 MR. SANICKI: And then we're obligated
21 to notify the tenants?

22 COUNCILWOMAN DELANEY: They want to know
23 the protocol of notifying the tenants.

24 CHAIRMAN CLARK: Okay. Sir.

25 MR. SANICKI: Should this be a legal
process -- okay.

1 CHAIRMAN CLARK: Okay.

2 MR. BERNATOWICZ: Hello. My name is
3 Andrew Bernatowicz, I'm the owner of 112 Palisade
4 Avenue, Block 34.01, Lots 5 and 7. Last name is
5 B, as in bravo, E-R-N-A-T-O-W-I-C, as in Charlie,
6 Z, as in zebra.

7 I'm the owner of Lots 5 and 7, Block
8 34.01, right across from Abraham, right next to
9 the Polish Travel Bureau, and Mr. Michaels, my
10 next door neighbor. Based off this, you know,
11 photo diagram that I received, I just want to know
12 if at all my property --

13 MR. SZABO: This one right here, no.

14 MR. BERNATOWICZ: And I'm also here on
15 behalf of the Sophie Bernatowicz, owners of 31
16 Somerset Street. And I wanted to know if she was
17 possibly --

18 MR. SZABO: No.

19 MR. BERNATOWICZ: Okay. Thank you.

20 CHAIRMAN CLARK: Which lots did you
21 have?

22 MR. SZABO: The lots are outside the
23 study area.

24 CHAIRMAN CLARK: All right.

25 MR. BERNATOWICZ: Also just one last

1 question, I'm sorry. I just want to know how the
2 City of Garfield would feel if I wanted to use my
3 own money to redevelop and add some type of
4 contribution? I was considering maybe putting up
5 another structure or maybe knocking down the
6 existing and creating a four-family?

7 MR. SZABO: To answer that real fast,
8 that would be subject to current zoning. Whether
9 that would be acceptable to the City depends on
10 the zoning that's in place that gives you certain
11 rights to guild certain things. And I don't think
12 a four-family would be permitted there, but that's
13 something for the zoning officer.

14 MR. BERNATOWICZ: Thank you.

15 CHAIRMAN CLARK: Sir.

16 MR. NEUMAN: My name is Louis Neuman, my
17 partner and I are the owners of a commercial
18 building, 42 Hepworth Place. The back of our area
19 borders on the train station. The business that
20 we're in now was started by my father in 1940s, I
21 came into it much later. My dad was always a
22 renter and whenever his lease expired and his
23 landlord tripled the rent, he moved.

24 Towards the end, I handled one of his
25 moves. And when he passed away, I decided we were

1 never going to do that again. We're going to buy
2 a property, make it our home, and stay there
3 forever.

4 When I saw the property in Garfield, I
5 thought it was a nice property. I liked the
6 location being near the town, having, potentially,
7 employees around. And it's been in the market for
8 three years, it was in shambles, nobody wanted it.
9 We bought it and put about almost \$300,000 into
10 upgrading it, also blood and sweat, and midnight
11 hours, and accidents, until we got it the way we
12 wanted.

13 Our life is there. And I don't -- I
14 resent the idea that you're using eminent domain
15 to take my property away and sell it to a
16 developer. And to take my life away.

17 MR. SZABO: Thank you.

18 CHAIRMAN CLARK: Thank you. All the way
19 in the back.

20 MR. SAUTER: Good evening. My name is
21 James Sauter, S-A-U-T-E-R, and I'm an attorney
22 representing Zion Lutheran Church, 111 Midland
23 Avenue. I know the church has provided a letter
24 that describes what they would like. Of course,
25 the church would like to stay and continue its

1 mission in the town.

2 But the specific question I have is you
3 say that this is just the start. We'd like to get
4 a sense of what is -- how long does the process
5 take? Months, weeks, months, years, decades?
6 What are we looking at in terms of timing
7 between -- assuming for the moment that the
8 Planning Board does approve the redevelopment
9 plan? I mean what's the timeline?

10 MR. SZABO: It's difficult to tell
11 because a lot of people need to be heard tonight.
12 There's a lot for the board to consider in terms
13 of the testimony, in terms of the objections that
14 have been raised and evaluated carefully, out of
15 respect to the community. So it's difficult to
16 say because regardless of the recommendation that
17 the Planning Board makes, it still has to go back
18 to council in some way, as either a report in the
19 affirmative or negative -- and I don't presume
20 which way the board's going to go. I've made my
21 recommendations. I can't presume which way the
22 board is going to go.

23 If it's in the negative, then it depends
24 on what council does. If it's in the affirmative,
25 then the process goes to council. There's another

1 open hearing and a decision is made. If that
2 decision is affirmative, then we have to proceed
3 to a plan. That could take -- with input from
4 public, meetings with the Planning Board, design,
5 developing ordinances, all of that takes time. It
6 could be months, years. So it's very difficult,
7 honestly, to give you a straight timeline, just to
8 give you what's next and what's ahead, you could
9 imagine all the things that can happen in between.

10 MR. SAUTER: Thank you.

11 CHAIRMAN CLARK: Sir.

12 MR. SILVA: Good evening. My name is
13 Telmo Silva, first name T-E-L-M-O, last name
14 S-I-L-V-A.

15 MS. GIAMMANCO: I'm Adriana Giammanco,
16 first name A-D-R-I-A-N-A, last name
17 G-I-A-M-M-A-N-C-O.

18 MR. SILVA: We're here representing our
19 parents, Karl and Rosalie Silva. Sorry, I get --
20 I'm not much of a public speaker.

21 MS. GIAMMANCO: Address.

22 MR. SILVA: 75 Somerset Street,
23 Garfield.

24 MR. SZABO: That's the property that
25 you're concerned about.

1 MS. GIAMMANCO: Yes.

2 MR. SILVA: 75 is the corner, it's the
3 corner between Palisade and Somerset.

4 CHAIRMAN CLARK: Okay.

5 MR. SILVA: We moved here about 30 years
6 ago with a dream. A dream that we could own our
7 own home, my parents.

8 MS. GIAMMANCO: Our parents.

9 MR. SILVA: And after we moved here, you
10 know, we -- my parents -- I keep saying we -- my
11 parents put everything they have into this house.
12 It's their treasure chest, it's what they do.

13 They raised us, we're a product of Garfield, we
14 are Garfield, my sister, myself, these wonderful
15 people here. And we trust that Garfield does the
16 best for us, as we have done for she, for her.

17 I watch my father get up every day about
18 four o'clock in the morning, work about a ten,
19 twelve hour shift, she witnessed the same. My
20 mother, the same, raised us, we put forth our
21 greatest effort for Garfield. We just want it in
22 return.

23 MS. GIAMMANCO: I want to add that to
24 that. I remember my parents rebuilding the house,
25 trying to make the corner, the block, the best it

1 could be. The inside and the outside, they re-did
 2 the whole thing to the outside, to the garden, to
 3 the kitchen, the bathrooms, everything. We were
 4 in the house while they were physically, you know,
 5 doing all this. You know, me and my brother were
 6 raised in the house. And my parents do not want
 7 to move, it's their heart and soul. They want to
 8 live -- they paid it off. And they want to live
 9 their golden years in that house. They raised us
 10 and now their four grandchildren. They are very
 11 disheartened by this and nervous that they're
 12 going to lose their house or their heart and soul
 13 of their life, their investment, their life
 14 investment.

15 It actually turns my stomach because my
 16 father, you know, his blood, sweat, and tears into
 17 this house. And when he heard this, he was
 18 nerve-wrecked, like he just didn't know what to
 19 think. I mean I want you guys to put yourself in
 20 our shoes. My father is 65 years old, worked his
 21 whole life, this is his life investment. If this
 22 was being taken away from you guys, would you feel
 23 this way also? Your life investment. Think about
 24 that and how hard you worked.

25 MR. SILVA: Thank you for your time.

1 MS. CIMINO: Ms. Giammanco, this is your
 2 letter, correct?

3 MS. GIAMMANCO: Yes.

4 MS. CIMINO: We have it on record.

5 MS. GIAMMANCO: Thank you for your time.

6 MR. SILVA: Thank you for your time.

7 MS. CIMINO: Please hold your applause.

8 CHAIRMAN CLARK: Question back there?
 9 That young lady.

10 MS. PARIAG: Good evening my name is
 11 Lisa Pariag, L-I-S-A, Pariag, P-A-R-I-A-G. I just
 12 have one question actually. On some of the maps
 13 that were posted on the website, my property was
 14 included in part of the redevelopment area and
 15 then in another map it was not. I'm actually the
 16 lot right next to the factory that was in your
 17 presentation, 31.01, Lot 10, I believe is the
 18 number.

19 MR. SZABO: What's your property?

20 MS. PARIAG: 31.01, Lot 10.

21 MR. SZABO: Yes, you're --

22 MS. PARIAG: It would be in the
 23 redevelopment.

24 MR. SZABO: You're both in the rehab and
 25 now part of the study.

1 MS. PARIAG: And part of the study.

2 Okay, great, thank you.

3 CHAIRMAN CLARK: Do we have any other
 4 questions?

5 MS. BANEZ: Hello. My name is Joan
 6 began. J-O-A-N B-A-N-E-Z. I live on 20 Hepworth
 7 Place in Garfield. I also, you know, disagree
 8 with a lot of the stuff that's going on. I do
 9 agree that Passaic Street area should be -- is in
 10 need of repair, but I don't believe it should be
 11 at the expense of homeowners, rentals, and small
 12 businesses losing their life work and forced to
 13 relocate, families relocating from a place where
 14 Adriana and I, we were all neighbors, that have
 15 lived there for 50, 60 years. Many families have
 16 been there for so long, we've attended schools
 17 together, churches together, some of us have even
 18 worked together. And many of us were hoping and
 19 planning on living our remaining years in
 20 Garfield, with confidence and security of our
 21 familiar friends, neighbors, and places of
 22 worship. We didn't buy our homes with the
 23 intention of living possibly next to who knows
 24 what, since no one is saying what's going to
 25 happen, possibly a garage, a parking garage, or a

1 huge parking lot or maybe townhomes. Our
 2 backyards could be faced with huge townhomes
 3 looming over us. We didn't buy our homes with
 4 that intent.

5 I'm sure with the multitude of
 6 intelligence and experience that are on the city
 7 council members, the Planning Board members, the
 8 redevelopment agency, that a much less invasive
 9 and devastating decision could be determined.

10 I have a few questions. The study, I
 11 know that you've had a lot of experience, but I
 12 was really almost insulted by the fact of such a
 13 big error or mistake. The study states that 11
 14 properties do not meet the criteria or are not
 15 condemned. I went through the whole list, 16
 16 properties do not meet the criteria or are not
 17 condemned, not 11. For me this is a big error --

18 MR. SZABO: This --

19 MS. BANEZ: Let me finish. The study
 20 states that 16 properties do meet the criteria or
 21 are condemned, 11 do meet the criteria and are
 22 condemned. I mean I may be off by a couple of
 23 numbers, I went over it about three times, each
 24 property. And I'm just a little insulted by the
 25 fact that you could possibly vote and make a

1 decision based on a study that has an error, and I
2 don't know how many other errors. I don't know if
3 you know how many other errors. He's evaluating
4 everybody's property? I wonder if everyone can
5 negotiate or say no this isn't my property,
6 doesn't look like my property, and a lot has
7 changed since you did the evaluation. So that's
8 one question.

9 The other one is I know you talk about
10 fair negotiations and eminent domain, but how can
11 fair negotiations take place when property owners
12 are under a threat of eminent domain?

13 Another question I have is I notice on
14 the website there's a revitalization plan, it was
15 a ways back, but it does state that -- it's on
16 page 76, it does state that to include -- the
17 study should include a statement which excludes
18 the use of eminent domain. So why are we pursuing
19 just the opposite?

20 One other question. You keep saying
21 it's only this area, it's only this area. When I
22 go to city hall, again, it's only this area.
23 Well, there is a huge area of rehabilitation and a
24 huge area from Palisade Avenue all the way to
25 River Road of "in study", the pink area, under

1 study. So how far is this going to -- I'm not in
2 the area, but I'm wondering how far is it goes
3 going to extend? Because I don't think it's going
4 to just stop at the yellow area, how could it when
5 everything else is going to be we need to change
6 that, too?

7 My last question: Has there been a
8 developer chosen? Who is the developer, how was
9 that developer shows chosen? If the developer has
10 not been chosen, how will this developer be chosen
11 in the future?

12 MS. CIMINO: Miss Banez, this is your
13 letter that we received?

14 MS. BANEZ: Yes. I'm sorry I didn't
15 date it, but it's dated at the bottom.

16 MR. SZABO: Thank you. In terms of
17 statistics, if you look at page 103, what's
18 factored into the numbers that were put out
19 include those that meet the criteria and then
20 those properties that adjoin properties that meet
21 the criteria. When you count that in, that's how
22 those statistics arose.

23 If you have a block, as I described
24 earlier, a block of nine, ten properties, nine and
25 you have one adjacent that doesn't meet the

1 criteria, that was included, because to get
2 effective development, that's how the statistic
3 that's on page 103 arose.

4 AUDIENCE MEMBER: So it's not 90
5 percent.

6 MR. SZABO: I'm only explaining --

7 MS. BANEZ: But I was --

8 CHAIRMAN CLARK: You need to let Mr.
9 Szabo go through his explanations and we need to
10 rebut it. We can't do it after the fact. Thank
11 you.

12 MR. SZABO: In term of the scope of the
13 study, right now, the focus is on the central area
14 that I've identified earlier. The council did
15 authorize the study of the entire rehab area as
16 possibly a redevelopment area with condemnation,
17 that's proceeding. We're doing that study now,
18 but we're kind of holding off because we wanted to
19 pursue this first, get the sense of the community,
20 and see where the community wanted to go
21 especially regarding the corridor. Because if you
22 don't get the corridor, then where do you go?
23 These are the most critical properties that are
24 around the rail station that offer the best
25 opportunity for redevelopment. And then from

1 there, you get the economic density that promotes
2 revitalization of the remainder of the blocks
3 going down Passaic.

4 CHAIRMAN CLARK: You did have a question
5 about the developers.

6 MR. SZABO: I believe I had a
7 conversation with the City manager, I understand
8 under the rehab plan, the Greater Bergen County
9 Alliance is the designated developer. They're a
10 nonprofit.

11 AUDIENCE MEMBER: Could you repeat that?

12 MR. SZABO: The Greater Bergen County
13 Alliance, they're the ones that are --

14 AUDIENCE MEMBER: The ones on Midland
15 Avenue?

16 MR. SZABO: Yes, that's my
17 understanding. I was not involved in any of the
18 designation process for that, that's preceding me.

19 CHAIRMAN CLARK: Okay. Gentleman in the
20 back, come up.

21 MR. REGEV: My name is Amos Regev,
22 representing Regan Realty, 103 Somerset Street in
23 Garfield.

24 CHAIRMAN CLARK: Spell your first and
25 last name.

1 MR. REGEV: Amos, A-M-O-S, Regev,
 2 R-E-G-E-V.
 3 CHAIRMAN CLARK: Okay.
 4 MR. REGEV: I came to this town about 20
 5 years ago --
 6 AUDIENCE MEMBER: We can't hear you.
 7 MR. REGEV: I came to this town 20 years
 8 ago in a purpose of moving my business, from not a
 9 great area in Orange to a much better area over
 10 here, to do business here and to prosper here in
 11 this town. I have local employees that work for
 12 me. And I always look for local employees because
 13 it was important to me, as part of living in town.
 14 My property, from your search, is in good shape.
 15 Let me read you the back side of your report,
 16 property does not meet redevelopment criteria,
 17 okay. Now, let me just --
 18 MR. SZABO: The parcel is not falling
 19 down.
 20 MR. REGEV: Okay. And it's rated as
 21 3.1, which is pretty high, okay. I read it with
 22 you, it's right over here. Okay. Now, you are
 23 from the Planning Board, right?
 24 MR. SZABO: I work for the planning
 25 consulting firm that was hired.

1 MR. REGEV: That was hired?
 2 MR. SZABO: By the City.
 3 MR. REGEV: Okay. Now, I just want to
 4 tell you guys some history about the people that
 5 conducted the search for the county. One of the
 6 gentleman over there, his name was Hans, you
 7 probably know him?
 8 MR. SZABO: No.
 9 MR. REGEV: Okay. And I ask him when he
 10 started the whole search, what exactly the purpose
 11 of the redevelopment. His answer was that they
 12 want to create -- to pull people from town to send
 13 them to work in the city and to house them next to
 14 the train station, okay. My question. And I ask
 15 him right away, who do you think would live on a
 16 railroad station? He didn't have no answer to
 17 that. Why would you think that anyone want to
 18 live on a railroad station?
 19 MR. SZABO: They do.
 20 MR. REGEV: Because my business is on
 21 the railroad station, okay. He didn't have any
 22 answer to all of it. Then I ask him the next
 23 question. The building across from me is empty
 24 for the past two and a half years, okay. No
 25 business moved in. How do you testify to that?

1 MR. SZABO: The -- you're talking about
 2 the triangle building?
 3 MR. REGEV: Yes.
 4 MR. SZABO: Yes. That's a major -- I
 5 don't -- that's something for the owners to
 6 describe. I went into that building, I had some
 7 ideas for developing it, but it's still under
 8 consideration what he wants to do with it. I
 9 can't tell him or the property owner what to do
 10 with it.
 11 In terms of your other question, transit
 12 villages are springing up everywhere, people do
 13 live near train stations. Look at East
 14 Rutherford, Harrison, take a look. It's all over,
 15 it's not a new concept.
 16 MR. REGEV: But not on railroad station.
 17 MR. SZABO: They're close enough.
 18 MR. REGEV: Close.
 19 MR. SZABO: They are. They can be put,
 20 with all kinds of design, you would be surprised
 21 what you can build and they do.
 22 MR. REGEV: My building is adjacent to
 23 the railroad track.
 24 MR. SZABO: Um-hum.
 25 MR. REGEV: I'm 20 feet away from it.

1 MR. SZABO: Right.
 2 MR. REGEV: Believe it or not, if
 3 there's, God forbid an accident, I'm dead.
 4 CHAIRMAN CLARK: Okay. We appreciate
 5 it. Thank you, sir.
 6 MR. SZABO: Thank you.
 7 MS. CIMINO: We do have your letter.
 8 This is your letter, right, we do have it?
 9 MR. REGEV: Yes.
 10 MS. CIMINO: Very good. Thank you.
 11 MR. REGEV: In addition, I want to say
 12 one more word. If my building goes on the block
 13 for sale, my two and a half employees that I have
 14 right now going to the street. Maybe you should
 15 give it a thought.
 16 MS. CAPIZZI: Dolores Capizzi,
 17 C-A-P-I-Z-Z-I, 107 Midland Avenue and also the
 18 beneficiary of estate of 105 Midland Avenue, which
 19 both properties are physically connected. I'm not
 20 going to go through the entire letter, you can
 21 read it. But there are -- there was a surprise
 22 that I saw in your presentation. And it looked
 23 almost identical to the neighborhood that I live
 24 in right now, with my neighbors, who we really are
 25 a neighborhood. You say you want to develop a

1 neighborhood, a sense of place. We already have
 2 that. We already have people who, I think, if you
 3 gave us the chance on that side of the tracks, I
 4 think that if you told us, you know, we want to
 5 add more flower boxes or this or that, we already
 6 have multifamily houses, give us a chance. We've
 7 put up with so much for so long, give us a chance
 8 to become part of growth.

9 When we've been held down so much, by so
 10 many problems that happen in that neighborhood,
 11 and we're the ones that stuck it through. It
 12 looks a lot like, already, my side of the tracks.
 13 They're multifamily. I would like to make some
 14 corrections in the study. And I would also like
 15 to ask you to rethink eminent domain and let us
 16 people who have been here generationally and want
 17 to live here because we really do believe there's
 18 something special here, let us be part of it.
 19 Don't rip us down and don't talk about our
 20 properties and the money that we have spent like
 21 it's dirt to you because it isn't. These are our
 22 livelihoods. Nobody in this building is rich.
 23 And we have sacrificed to uphold Garfield through
 24 many generations, even when things were rough.
 25 So, please, we're not here to fight.

1 We're here to be part of something that's
 2 exciting, but we really should not be advertised
 3 as how we're advertised in this study.

4 One moment. On both properties in your
 5 study, the addresses are incorrect, the property
 6 uses are incorrect, the improvement of properties
 7 is incorrect, the land area is incorrect. The
 8 city map appears to be incorrect and the
 9 statements in the conclusions section are
 10 incorrect. So, please, if we're going to do
 11 this -- and nobody is arguing that we need, you
 12 know, maybe you think I'm funny, but I'm not.
 13 Maybe we appear like a joke to you, but we're not.
 14 So if it's in your heart, maybe you can include us
 15 in the growth and development that we've been
 16 trying to hold up for so long on our own. And
 17 areas that can really be developed, let's take
 18 advantage of that, and make everyone's life great
 19 again. It's up to you. We're ready to work.
 20 We're ready to roll up our sleeves. We're ready
 21 to pitch in, but if you don't want us because
 22 you're looking for a younger rich community, then
 23 I think that takes us into a whole other
 24 conversation. But know that the people that are
 25 here and not here because we don't care, we're

1 here because we care. So I thank you for the
 2 opportunity.

3 CHAIRMAN CLARK: Your turn.

4 DR. NGO: My name is George Ngo, N-G-O,
 5 I've been a chiropractor in the town of Garfield
 6 for 43 years. And first time I start my practice
 7 on Lanza Avenue. In '81, I moved to Passaic
 8 Street and my building is 73 and 77 Passaic
 9 Street. And the development plan is going to
 10 affect me in a negative way. And I don't live in
 11 town, I live in Ridgewood, but I am very involved
 12 with the community through the club, the high
 13 school, the YMCA and the library.

14 One question I want to ask is the last
 15 eight or ten years, I heard the rumor about that
 16 they're going to close the station in Passaic
 17 Street, so what can you guarantee that they
 18 wouldn't close the station?

19 MR. SZABO: I can't -- I don't know the
 20 status of that. The concern is that New Jersey
 21 Transit doesn't have enough development around it
 22 to invest in it, so they're not interested in
 23 improving it at this point. That's my
 24 understanding, but I can't speak for New Jersey
 25 Transit.

1 DR. NGO: I understand that, but they
 2 were talking about for eight years, which you
 3 know, through rumor, they say they want to close
 4 the station because there's not enough riders.
 5 They have the Plauderville station. So if they
 6 close the station, then this project is going to
 7 effect tremendously.

8 MR. SZABO: Well, the hope is to get
 9 some revitalization and development in the area so
 10 they won't close it, if that's the concern.
 11 Because if nothing's happening, the ridership is
 12 going down, then what's the incentive to keep it,
 13 then you lose the opportunity to create something
 14 that can happen next to the station because it
 15 would be closed. You need to be proactive not to
 16 allow that.

17 DR. NGO: But there's no guarantee that
 18 they won't decide tomorrow to close --

19 MR. SZABO: That could happen tomorrow.
 20 The idea is that it doesn't with this type of
 21 redevelopment, we encourage them not to. Then
 22 they become partners, as I testified earlier, to
 23 work with the city to make improvements in
 24 conjunction with what's going on in the area.
 25 DR. NGO: Thank you.

1 CHAIRMAN CLARK: Okay. You're next.
 2 MS. KOLBIK: Hi, good evening. My name
 3 is Anna Kolbik, I'm here on behalf of my father
 4 Andrzej Wojtaszek, the property is 70 Palisade
 5 Ave.
 6 THE COURT REPORTER: Can you spell your
 7 last name for me, please?
 8 MS. KOLBIK: K-O-L-B like boy, I-K. Do
 9 you need my father's last name?
 10 W-O-J-T-A-S-Z-E-K.
 11 MS. CIMINO: And his first name?
 12 MS. KOLBIK: Andrzej, A-N-D-R-Z-E-J.
 13 So I would like to state for the record
 14 our property is an investment property. My father
 15 bought it in early '80s. It was his first home
 16 that he purchased, which was a two family. He
 17 worked very tirelessly in Passaic. And then we
 18 moved later on, we spent maybe 16 years here in
 19 Garfield, I grew up here, went to the schools,
 20 left probably junior year of high school. And,
 21 you know, my dad doesn't want to sell the property
 22 but -- or have it taken over. I mean this is his
 23 retirement money, you know. They didn't work
 24 luxurious jobs, they worked in Passaic in
 25 manufacturing. They don't have pensions or a lot

1 in their 401K plan. So this is their income for
 2 retirement, that, you know, your eminent domain is
 3 going to take away.
 4 And, second, I'd like to say that, you
 5 know, we didn't get notice about this meeting, we
 6 heard about it from an old neighbor. And I think,
 7 you know, the right thing to do -- and I heard in
 8 the beginning that there was notices mailed, I
 9 mean you guys have our -- you know where to send
 10 the property tax bills. So I just want to make
 11 that a point. That, you know, it should have been
 12 certified mail to get people's signatures.
 13 CHAIRMAN CLARK: Do you have your
 14 address? Are you in that zone?
 15 MS. KOLBIK: Yes, our property is in
 16 that, 70 Palisade Ave., so we are in the study.
 17 And one person here asked about, like, the --
 18 who's going to be, like, the land developer and I
 19 don't know if I missed it, it's kind of late. So
 20 what is the plans, you know, for this property or
 21 that area here? Is the plan to build townhouses,
 22 like, what is the plan? And has a developer been
 23 contracted? Is it through a competitive bidding
 24 process? Also I'd like to know how, you know, how
 25 Burgis Associates, were you selected, maybe a

1 board member can describe that? And just sitting
 2 back and listening to some of everybody's
 3 comments, I feel there's very -- there's a lot of
 4 holes, there's a lot of inaccurate data in this
 5 report. So I hope the board goes back and thinks
 6 about the report and the reliability because it's
 7 not reliable, it's not complete. And it shouldn't
 8 be shared with the public. It should have been
 9 reviewed before it was released. Thank you.
 10 MS. CIMINO: If I just may, we do have a
 11 certified mail returned for that address. And it
 12 was addressed to Andrzej J. and Christina --
 13 please forgive me on the name -- it was sent to 25
 14 Pleasant Ave., Clifton. And the here it is, this
 15 is it. And it was returned to our office and it
 16 was returned on the 28th of June. So I do want to
 17 just --
 18 MS. KOLBIK: Who was it signed by?
 19 MS. CIMINO: It was returned unsigned.
 20 They did not sign it, so whoever took this mail
 21 in. But this card was returned to our office. So
 22 I just wanted to clarify for the record that
 23 notice was sent, okay. But thank you for letting
 24 us know.
 25 MS. CAPIZZI: Just for the record, I

1 also got no notice. I forgot to tell you up
 2 there. I got no notice about this meeting, I'm
 3 sorry.
 4 MS. CIMINO: As it happens, I do have a
 5 signed green card by Dolores Capizzi. I don't
 6 know if this is your signature.
 7 MS. CAPIZZI: We will discuss that
 8 later. I signed nothing.
 9 MS. CIMINO: Here's the green card that
 10 was returned to my office.
 11 MS. CAPIZZI: I'd like to see that
 12 signature. Thank you very much.
 13 CHAIRMAN CLARK: All the way in the
 14 back.
 15 MR. SZABO: Just so you know, if you
 16 didn't receive a notice, but you're here because
 17 you heard word of mouth, because some of you may
 18 not have been here to testify but aren't in the
 19 study area, that would be 75 Somerset, 20
 20 Hepworth, and 104 Palisades. So if you didn't get
 21 notice, that's why.
 22 MS. ZADOROZNYJ: Hi, my name is Sarah,
 23 S-A-R-A-H, Zadoroznyj, Z-A-D-O-R-O-Z-N-Y-J. I'm a
 24 member of Zion Lutheran Church. I did live in
 25 Garfield for fifteen years, I don't any more.

1 MS. CIMINO: I'm sorry, I'm going to ask
 2 you -- we'll give you some time back. I'm going
 3 to ask you to repeat that again, because I was
 4 writing something. So I'm sorry, give me your
 5 first and last name, please.
 6 MS. ZADOROZNYJ: Sarah, S-A-R-A-H.
 7 Z-A-D-O-R-O-Z-N-Y-J. That's the end.
 8 MS. CIMINO: Thank you.
 9 MS. ZADOROZNYJ: It's pronounced Smith,
 10 by the way. But I have one thing I would like to
 11 say regarding the mail. At the church we don't
 12 have regular staff. So for us to pick up
 13 registered mail is really a pain. And I was
 14 always raised, being a secretary back in the day,
 15 that when you send something registered, you also
 16 send it regular. So that way if they didn't get
 17 to the post office to pick it up, they still got
 18 the notification. I would recommend that for any
 19 future communications, because when you get it and
 20 it doesn't say who it's from, some people are
 21 afraid of certified mail and they don't want to
 22 get it. So I would just recommend that as a way
 23 of communication.
 24 Another thing that I'd like to know
 25 because you did -- somebody asked about how the

1 planning or the whatever you're called was
 2 selected. And I was curious as to who approached
 3 who? Did you tell the town, oh, you've got this
 4 area we could redevelop or did the town approach
 5 you?
 6 MR. SZABO: We were asked.
 7 MS. ZADOROZNYJ: Okay. And also I want
 8 to make sure that we, as a church, are advocates
 9 for those that don't always speak up for
 10 themselves. And we would like to make sure that
 11 if this does proceed, you guys do have adequate
 12 low income housing because that is something that
 13 this town needs. And that is what this town
 14 basically is around for. So we will make sure
 15 that as things happen, if they happen, that we'll
 16 be after you for low income housing.
 17 CHAIRMAN CLARK: Let me get back to you.
 18 Let me get to the people who haven't. The
 19 gentleman right here? Yes.
 20 MR. DELLAPELLE: Good evening, Anthony
 21 DellaPelle D-E-L-L-A capital P-E-L-L-E. I'm an
 22 attorney, my firm is McKirdy, Riskin, Olsen, and
 23 DellaPelle. I represent the record owner,
 24 identified as Garofalo Brothers and Garofalo
 25 Recycling, it's been referred to tonight as

1 Intermate Waste Services. And the property is
 2 Block 34.02, Lot 41; Block 48.02, Lot 16.01.
 3 Mr. Chairman, I need to actually ask you
 4 a question because there's no way that I could
 5 ever cover what I want to cover in three minutes.
 6 And there are a lot of different things that I
 7 intended to do this evening. So I want to make a
 8 statement beyond the letter that I submitted in
 9 May. I want to cross examine Mr. Szabo.
 10 Unfortunately, for two reasons, I also
 11 wanted to present affirmative evidence from a
 12 planner retained by my client tonight. We didn't
 13 have one in May because we were just notified of
 14 this hearing about two or three days before the
 15 hearing in May. We would have had a planner in
 16 June, but the board chose to postpone the June
 17 hearing. And the planner we retained is
 18 unavailable tonight. However, even if he was, I'm
 19 not sure he would be prepared to testify because
 20 much of what Mr. Szabo did today was referencing a
 21 Power Point that was very hard to see, that was
 22 not made available, to my knowledge, to anyone
 23 prior to tonight. And some of the things that are
 24 in there are things that, I believe, are pretty
 25 relevant to his opinion and his conclusions.

1 So I'm not prepared to present any
 2 affirmative evidence tonight. I can cross examine
 3 Mr. Szabo, but I will let you know that if I start
 4 and I'm permitted to complete it, we may not get
 5 done before 11. So I'd like to be guided by your
 6 advice as to how you'd like me to proceed. If
 7 you'd like me to try to do whatever I can do in
 8 the minute or minute and a half I have left, I
 9 will try to do that to honor your instructions.
 10 But I want the record to be clear that the
 11 presentation and the questioning that I have will
 12 take a lot longer than three minutes.
 13 And it is my intention to request
 14 tonight -- and I'll follow-up by letter -- that
 15 the hearing be continued to your August meeting so
 16 I may have an opportunity to bring forward the
 17 evidence that I wish to bring forward.
 18 CHAIRMAN CLARK: Okay. That leads to a
 19 good question. How many other people are looking
 20 to come forward to speak? And there are also
 21 people who have spoken who want to do follow-ups?
 22 What I think -- hold on, I have everybody, I see
 23 them. We need more time with the public, okay.
 24 MR. DELLAPELLE: I'm willing to go last,
 25 I didn't want to be missed.

1 CHAIRMAN CLARK: Knowing that you are
 2 going to be in a lot more detail and that you are
 3 going to be requesting to follow-up to the August
 4 meeting, can we finish up the public session here
 5 with all the people and take all your -- take your
 6 entire presentation, all your inquiries at the
 7 August meeting?
 8 MR. DELLAPELLE: We would be prepared to
 9 do that, yes, sir.
 10 CHAIRMAN CLARK: This way you have
 11 everything that you need to be prepared. And this
 12 way, I can allow the public to express their
 13 concerns about what's going on. And then we could
 14 have you at the August meeting from start to
 15 finish.
 16 MR. DELLAPELLE: That's acceptable.
 17 Thank you.
 18 MS. CIMINO: Mr. DellaPelle, that August
 19 meeting is August 24th.
 20 MR. DELLAPELLE: Yes, I have it in my
 21 calendar. Thank you very much.
 22 CHAIRMAN CLARK: Thank you. Okay. Yes,
 23 ma'am.
 24 MS. AGURTO-RIVERA: Good evening. My
 25 name is Mirna M-I-R-N-A, Agurto, A-G-U-R-T-O,

1 Rivera, R-I-V-E-R-A. This letter is concerning
 2 the potential parking lot that is being proposed
 3 near the train station at Passaic Street. The
 4 property at 94 Midland Avenue has been the home my
 5 that children were raised in. By taking away our
 6 home, you are taking away memories from my family
 7 and myself. As longtime Garfield residents, this
 8 almost feels like we're being betrayed by the same
 9 he city we represented for many years. I have
 10 been a proud Garfield resident and have been with
 11 the Garfield Board of Education for 17 years. My
 12 oldest son has served in the military for 9 years
 13 and has since come back to the place that he
 14 considered home. Please take into consideration
 15 that to you it is just a property, but to others,
 16 it meant a lot more. Thank you.
 17 CHAIRMAN CLARK: Thank you.
 18 MR. KOVAL: If I could have a moment?
 19 Howard company K-O-V-A-L, 67-69 --
 20 CHAIRMAN CLARK: Mr. Koval, can I just
 21 stop you one second. I just want to double check
 22 to make sure that I might have anybody who hasn't
 23 spoken yet who wants to come up?
 24 MR. KOVAL: I'll give way.
 25 CHAIRMAN CLARK: Okay. Let's take a

1 break.
 2
 3 (Whereupon a short recess was taken.)
 4
 5 CHAIRMAN CLARK: The meeting is in
 6 session.
 7 MS. GIARDINO: My name is Elaine
 8 Giardino, I live at 109 Marsellus Place in
 9 Garfield. I actually have a letter, but I'm going
 10 to paraphrase some things here. My family has
 11 lived in Garfield from before Garfield was the
 12 City of Garfield, on both sides of my family.
 13 Across the street from my home was a dairy farm
 14 that my great grandparents ran and my great
 15 grandfather died. On the other side of the house,
 16 if I look out the back window is the railroad
 17 station.
 18 I have many, many stories to tell about
 19 my family and friends. My father grew up running
 20 around in the fields all around the same area
 21 we're talking about, playing in the rivers. He
 22 was a Holy Name Cadet. He went away to school and
 23 came back and was a physician in Garfield for 50
 24 years, took care of a lot of people, including
 25 some people sitting here in this council and in

1 this room.
 2 My home was many different things, it
 3 was a physician's office, it was part of the
 4 convent for many years. It was a social gathering
 5 place for the community when it was part of the
 6 church. It means a lot to me, that's why I live
 7 here. The people in the community are very
 8 important to me, even though I may not know
 9 everybody, I don't need to. We are a place
 10 already, we are a community already. There are
 11 many people with very good ideas. The person
 12 standing next to me has an excellent idea to
 13 involve -- get the community and the development
 14 because we do want to make Garfield the best it
 15 can be. But hurting the people the way a lot of
 16 these people are hurting, the presentations that
 17 you've heard, this is not the way to do it. There
 18 has to be a better way to do it. And we want to
 19 be part of that.
 20 When I spoke -- not at the last meeting
 21 because it was cancelled, the time before that, I
 22 made a special request that a lot more information
 23 be gotten out to the community. I asked the mayor
 24 and the councilwoman to look into televising this
 25 because there are many people who are not here,

1 many people who just had to leave and won't hear
2 anybody after they left, who are very interested
3 in what's going on tonight and will be going on at
4 the next meeting. I again ask and request that
5 this be recorded and put on our website or in some
6 way get out there to the people who are here, who
7 are interested.

8 And also to take into consideration the
9 many different ways that the people in this
10 community want to be part of making Garfield as
11 best as it can be, and making it better in many
12 ways. There are things we can do without hurting
13 people, including do some of the development that
14 you're talking about.

15 So I'm asking you please consider this
16 and take your time in doing that and really think
17 about what you're doing. I know this takes a long
18 time and it's a big process, these people have
19 been here, as I've been here, a very long time.
20 And we want to continue to be here and work with
21 you on this. Thank you.

22 CHAIRMAN CLARK: Thank you. Is there
23 anybody else who's looking to speak? Sir.

24 MR. FRANCHINI: Robert Franchini,
25 R-O-B-E-R-T, Franchini, F-R-A-N-C-H-I-N-I, 2

1 Passaic Street, Garfield. I've run a business in
2 town here for 36 years, I've been here a long
3 time. I've seen a lot of changes, most good. I
4 am a survivor of eminent domain. I've had a bout
5 of that with the City. If you remember before
6 there was the River Drive Park down by the Wawel
7 Savings Bank, I had a used car lot there, it was
8 about 30,000 square feet. It was a great a lot,
9 one I would have liked to have kept. One that the
10 town decided in the best interests of the
11 community to make a park. I wasn't necessarily in
12 agreement, but as eminent domain brings you to the
13 table to negotiate, we did try to negotiate
14 something for that. And it needed to go to court.

15 Eminent domain is not a terrible thing.
16 It is not the worse thing. It actually levels the
17 playing field between the big bad town, which it
18 isn't, and the little guy, which I wasn't anyway.
19 But it does make it somewhat fair, very fair for
20 everybody to represent themselves and get a number
21 that's fair that might not be otherwise available
22 when we first get to the negotiating table.

23 So it's not a total negative. It does,
24 in fact, give the town power to say you have to
25 negotiate and you will have to move. But it does

1 get a fair number, that was my experience. Of
2 course, I hired professionals and, obviously, you
3 would have to do that. But when you do it, you
4 come out of it -- many times when you sell things,
5 nobody walks away happy, but everybody walks away
6 closer to the middle than when you started.
7 That's all I have to say.

8 CHAIRMAN CLARK: Thank you. Okay.

9 MR. KOVAL: Howard Koval, I've heard
10 from a lot of people today, some who I do know,
11 some which I didn't know. And you can see there's
12 a lot of life and time and tears that went into
13 this. And I hope this board is listening tonight.
14 We would like, including myself, to have a working
15 relationship with the town. I'm in favor of
16 redevelopment. However, an input study or
17 workshop session to meet with us on a program that
18 you can effectively follow through to a
19 redevelopment project, should it go to that point
20 and the mayor and council and board plans it,
21 would have a more cohesive, cooperative attitude
22 than in turn that most of us had three minutes to
23 spend could spend time with some of you folks.

24 The property that I'm involved with is
25 part of my retirement. I didn't have a 401K, I

1 didn't have a pension. And this is important to
2 me. And I'm not -- for me to replace something
3 that I put \$200,000 into fix up the building to
4 make it work right, when it was run down and
5 dilapidated back in 2003, I made the investment to
6 keep property, not to really have to sell the
7 property.

8 I'd also like to point out that in
9 speaking to Mr. Szabo, in Ridgewood, as well as
10 Westfield, because I'm familiar with the town,
11 again those towns are older communities that do
12 have train facilities. And a lot of the
13 properties were refaced. And Botany Village in
14 Clifton, they had a work study done with the
15 owners of the properties there in town, they
16 refaced the fronts, they put in the pavers, they
17 put in the gas lamps that are electrified, and
18 they gave it that hometown atmosphere. And people
19 thrived and the town didn't have to go through an
20 extensive buyout program.

21 In order to do this program, you're
22 going to need a number of parking garages. Those
23 parking garages may or may not produce ratables
24 for the town. And who knows this is going to
25 create a shopping district that the people that

1 live in town may be on fixed incomes, unlike other
2 communities like Ridgewood and Westfield. And
3 they may not be able to spend the money that these
4 rents would have to cost for people to occupy
5 these new facilities, the stores and commercial
6 structures.

7 So you have to find out who's living in
8 town, what their abilities are to pay, and what
9 they can pay, and what you could afford to charge.
10 You know, in Westwood, a number of those stores on
11 Westwood Avenue there, they lay dormant or empty
12 and it's a vibrant community. Why? The rents are
13 too high because the taxes are too high. So the
14 owners of the properties are deprived of income,
15 the towns keep raising the taxes because they're
16 short of revenue enhancement because they have no
17 more place to grow.

18 And this is not an easy property, your
19 not dealing with one individual or ten
20 individuals, you're dealing with a neighborhood.
21 And some of these people have lived there before
22 you people came into office. And, you know, it
23 needs to work out. Because if not and this goes
24 on for a number of years, there may be a new mayor
25 and council by the time this gets done. And you

1 know, it's going to go on. Emerson is six years
2 into the program and still hasn't reached their
3 conclusion. So a working relationship and a
4 cohesive environment with the people that are
5 sitting in this audience, and people that have not
6 been able to come tonight will give you a better
7 study, a better resolution, and a better working
8 relationship with all of this here tonight. Okay.

9 CHAIRMAN CLARK: Okay, thank you. Okay.
10 Do we have anybody else? Yes, sir.

11 MR. NEUMAN: Louis Neuman, N-E-U-M-A-N,
12 my property is 42 Hepworth Place. I just wanted
13 to comment on this discussion about fair
14 compensation or that eminent domain gives you fair
15 compensation. My partner and I have moved before,
16 we know exactly what's entitled in moving the
17 business. The last time we moved, which was to
18 Garfield was in 1992. And, unfortunately, we're
19 not as young as we were in 1992, although I wish I
20 were. We don't feel we're able to do it again.

21 We need this livelihood, we both have
22 families we're supporting, there's no compensation
23 that would fair to us. We've been approached by
24 developers to buy our property. And the reason we
25 haven't said yes or even negotiated is that we

1 want to keep our business running, we're not ready
2 to give it up, and we need the income.

3 And if you take away our property, there
4 is no fair compensation for us. We need to keep
5 our business running.

6 MS. CIMINO: Mr. Neuman, I failed to
7 mention before, the letters that I placed in the
8 record, Royal Slide Sales, that's your letter?

9 MR. NEUMAN: Yes, that's me.

10 MS. CIMINO: Just wanted to make sure.
11 Thank you.

12 CHAIRMAN CLARK: Thank you. Okay. Is
13 there anyone else?

14 MS. GIARDINO: Just wondering if I can
15 get an answer on the recording for the meetings?

16 CHAIRMAN CLARK: Recording of the
17 meeting?

18 MS. GIARDINO: Yes, the video. The city
19 council does record as I've watched.

20 MAYOR RIGOGLIOSO: The city council does
21 record.

22 MS. GIARDINO: Can we do this, please?

23 MAYOR RIGOGLIOSO: We're looking into
24 it to see if we have the capability to get another
25 channel or another time slot.

1 MS. GIARDINO: It doesn't have to go on
2 TV it can go on the website. It can be recorded
3 and put on the website and people will watch. We
4 can help them get on the website.

5 MAYOR RIGOGLIOSO: Okay.

6 MS. GIARDINO: Can we do that?

7 COUNCILWOMAN DELANEY: I have no problem
8 but I can't give you that answer if we can or
9 cannot do it.

10 MS. GIARDINO: The last time I asked
11 that question was two months ago.

12 COUNCILWOMAN DELANEY: I did send an
13 email.

14 MS. GIARDINO: And no response?

15 COUNCILWOMAN DELANEY: I don't recall
16 getting a response.

17 MAYOR RIGOGLIOSO: We'll bring it up at
18 the next session of the council meeting on August
19 8th and we'll get a response.

20 MS. GIARDINO: You see there really are
21 people who are very interested and this is a
22 fraction of the people who would be here or could
23 listen, in if they could.

24 MAYOR RIGOGLIOSO: I agree.

25 CHAIRMAN CLARK: We're going to have the

1 transcript on the website.
 2 MS. GIARDINO: You're talking about a
 3 written transcript?
 4 CHAIRMAN CLARK: The written transcript.
 5 MS. GIARDINO: You know how many people
 6 who don't read 100 pages? Please try and
 7 videotape it.
 8 CHAIRMAN CLARK: But that will be
 9 available.
 10 MS. GIARDINO: I'll read it.
 11 CHAIRMAN CLARK: That will be available.
 12 If we can get the video that will be a plus but
 13 hopefully for at least the meeting in August,
 14 okay, the transcript should be available on the
 15 website.
 16 MS. CIMINO: Of this meeting.
 17 MS. GIARDINO: Of this meeting.
 18 CHAIRMAN CLARK: Jesus.
 19 MR. RODRIGUEZ: Jesus Rodriguez, 149
 20 Midland Avenue. I volunteer for the equipment, I
 21 have the equipment for the TV the cameras
 22 everything.
 23 MAYOR RIGOGLIOSO: Excuse me.
 24 MR. RODRIGUEZ: What's the protocol?
 25 MAYOR RIGOGLIOSO: It's not about the

1 camera or the equipment, it's about the time slot
 2 with the cable station.
 3 MR. RODRIGUEZ: I have the time slot,
 4 streaming, I have DirecTV, I have Facebook, I have
 5 everything you would like, I volunteer, I'll bring
 6 a mic with me, what's the protocol?
 7 MAYOR RIGOGLIOSO: I just answered you.
 8 MR. RODRIGUEZ: Well, can I bring the
 9 equipment next meeting?
 10 MAYOR RIGOGLIOSO: No.
 11 MR. RODRIGUEZ: No, okay. So what's
 12 going on with the channel that is not showing
 13 anything for the past two months on the cable --
 14 COUNCILWOMAN DELANEY: School is
 15 currently not in session. And that is the avenue
 16 we use to put it on the channel.
 17 MR. RODRIGUEZ: So the gentleman
 18 mentioned, do you live in Garfield?
 19 MR. FRANCHINI: I do not.
 20 MR. RODRIGUEZ: Okay. Thank you very
 21 much, you don't live in Garfield. The gentleman
 22 over here mentioned, what is the situation with
 23 the garbage, the transfer station, is it going to
 24 be out?
 25 MR. SZABO: That's part of the study.

1 MR. RODRIGUEZ: So it's going to be --
 2 MR. SZABO: Well, it's a redevelopment
 3 eventually, that's the goal.
 4 MR. RODRIGUEZ: How long is that going
 5 to take?
 6 MR. SZABO: Long time.
 7 MR. RODRIGUEZ: Long time, it's already
 8 40 years.
 9 CHAIRMAN CLARK: Is this -- the
 10 conversation you're having right now, is this
 11 talking about the redevelopment of --
 12 MR. RODRIGUEZ: Redevelopment that's in
 13 the plan, it's the other, but he mentioned it --
 14 MR. SZABO: We don't have a plan, I'm
 15 trying to explain we have a process.
 16 MR. RODRIGUEZ: Like everything else.
 17 MR. SZABO: We have to follow the law,
 18 we are a --
 19 MR. RODRIGUEZ: Follow the law. So
 20 what's the law?
 21 MR. SZABO: The law is we have to do an
 22 analysis before we can do the plan. This property
 23 is part of that analysis. The recommendation is
 24 to include it within a redevelopment area.
 25 MR. RODRIGUEZ: Right, I understand

1 that. So I hope the gentleman over here get the
 2 same time that we all do because we're going to
 3 come back.
 4 MR. SZABO: The board agreed to that.
 5 MR. RODRIGUEZ: Well, yes, they agreed
 6 to many things. Doing it is another thing, all
 7 right, I just --
 8 MR. SZABO: There's no reason to impugn
 9 the integrity of the board --
 10 CHAIRMAN CLARK: Excuse me --
 11 MR. RODRIGUEZ: It's my time, when the
 12 clock stops --
 13 CHAIRMAN CLARK: Excuse me.
 14 MR. RODRIGUEZ: Yes, sir.
 15 CHAIRMAN CLARK: Let's have a civil
 16 conversation. If not, you have to sit down. So
 17 let's have a discussion and back and forth.
 18 MR. RODRIGUEZ: I know these guys, I
 19 know very well, I trust all of them, it's not
 20 that. It's the other people behind it, okay.
 21 That's all it is. Just want to make sure that
 22 everything goes the way it's supposed to go. We
 23 all -- the stuff that we're talking about here,
 24 because this place is going to be full next time.
 25 CHAIRMAN CLARK: Thank you.

1 MR. RODRIGUEZ: I apologize for any
2 comments I made, I don't want to offend anybody.
3 You guys know me very well.

4 CHAIRMAN CLARK: Thank you.

5 MS. BOLA: Hi, Olivia Bola, O-L-I-V-I-A,
6 B as in boy, O-L-A, 77 Somerset Street in
7 Garfield. My property isn't part of this
8 redevelopment area, it's actually two or three
9 houses down from where that factory is, the dome
10 factory.

11 In the Shopper, probably back in March,
12 it said that the city wanted to put a parking
13 garage there. Is that still the case?

14 MR. SZABO: I wasn't part of those
15 discussions.

16 MS. BOLA: Does that go to the Planning
17 Board?

18 MR. SZABO: That was discussed before
19 the economic development agency back in May or
20 something. I wasn't part of those discussions.

21 MS. BOLA: So what is the plan, what are
22 you guys planning on building there?

23 MR. SZABO: We're not at the plan stage
24 yet, we're at the study stage, where looking to
25 designate property to see if they meet the

1 statutory requirements, whether it's something the
2 city --

3 MS. BOLA: So where did this, I guess
4 this is more for the Planning Board. Where did
5 the article about a parking garage come into play?
6 A four-story parking garage, holds up to 486 cars
7 or 418 cars, it was in the Shopper back in March?

8 CHAIRMAN CLARK: That had to be part of
9 the redevelopment and has not come forward to the
10 Planning Board as of this time.

11 MS. BOLA: So --

12 CHAIRMAN CLARK: As far as this.

13 MS. BOLA: What are --

14 CHAIRMAN CLARK: As far as that the --

15 MS. CIMINO: I understand you guys are
16 trying to figure out what you want to put in this
17 area to build. What are your options? Like is it
18 a parking lot? Is it homes? What are you
19 thinking of building there and how is that going
20 to affect me, who lives three houses down? That's
21 my question.

22 CHAIRMAN CLARK: Right now we're in a
23 study part of the process, okay. So we haven't
24 moved from this stage of doing a presentation.
25 This is our first meeting that we're actually

1 having, that everybody is seeing, you know, and
2 going over the plan that's been developed. So
3 this is step one of probably many, many steps.

4 MS. BOLA: So you guys are just having
5 all these studies and you want to build something,
6 you have no idea what you want to put there? What
7 do you and the --

8 CHAIRMAN CLARK: We never got to --

9 MS. BOLA: That's what I don't
10 understand.

11 CHAIRMAN CLARK: We never got to that
12 position yet, we're still in a study --

13 MS. BOLA: So where is this conversation
14 about or this article that came out in the paper
15 about a parking garage? It came from the
16 redevelopment department or the redevelopment
17 meeting, like where are they coming up with this
18 information? Who told them, hey, let's do this
19 study and build a parking garage?

20 CHAIRMAN CLARK: We're the Planning
21 Board, okay. We have nothing on our table or
22 anything in queue regarding a parking garage.

23 MS. BOLA: All right. It doesn't make
24 any sense to me, but sure. We don't know where a
25 parking garage is coming from, but we'll put it in

1 the paper.

2 CHAIRMAN CLARK: Anybody else?

3 MR. KOVAL: When would the August
4 meeting date be?

5 CHAIRMAN CLARK: The next meeting is
6 scheduled for August -- it's the fourth Thursday
7 in August, I'm trying -- get a date, the 24th.

8 MR. KOVAL: Thank you.

9 MS. CAPIZZI: Dolores Capizzi, I have
10 one question. Mr. Duch, on the meetings that we
11 went to maybe January, February, you had given us
12 a presentation of all these drawings, what were
13 those and how do they fit in here? Do you
14 remember that?

15 CHAIRMAN CLARK: Mr. Duch?

16 MS. CAPIZZI: Because I'm confused at
17 this point.

18 MR. DUCH: What happened was a number of
19 citizens started coming to council meetings, so I
20 started taking down names of those citizens and
21 their phone numbers. And then I invited them to a
22 meeting, a number of the people who are here in
23 the audience came to that meeting. And we talked
24 about the possibility of what could happen there.
25 But that was a possibility, okay.

1 As I indicated to you at that meeting, I
2 am very concerned that there's the potential that
3 we could loose the train station. If we lose the
4 train station on that end of the City, I believe
5 that is a serious disincentive of redevelopment
6 for that end of the City.

7 MS. CAPIZZI: That's not what I asked
8 about.

9 MR. DUCH: Can I finish? Go ahead, I'll
10 wait until you finish. Say that again.

11 MS. CAPIZZI: All I wanted was because
12 there was confusion, so all those pictures that
13 you had showed us, those drawings?

14 MR. DUCH: Yes. I showed you a number
15 of ways that we could redevelop. I talked about
16 Bloomfield, I talked about transit village
17 development, and I talked about some commercial
18 development. I talked about the potential or the
19 opportunities that were possible.

20 MS. CAPIZZI: Those pictures --

21 MR. DUCH: I gave as much information as
22 I could, but --

23 MS. CAPIZZI: Those pictures were
24 drawings of what possibilities were?

25 MR. DUCH: Possibilities.

1 MS. CAPIZZI: Okay.

2 MR. DUCH: Possibilities. Okay. There
3 is nothing that is firm, what happened is you have
4 to follow the law, the law is very, very clear.
5 The study process has to happen, people get the
6 opportunity to comment that's why you're here,
7 okay. What that was was really an outreach, like
8 Mr. Koval talked about, can we have a discussion,
9 can we talk. Sure, we could talk again. We could
10 do that. I would love for people to come in and
11 tell me this is how I think we can change it.

12 There are stores on Passaic Street that
13 have be off and on vacant for years and years and
14 years. And, you know, I have to tell you a couple
15 weeks ago, I had 27 people come to this City from
16 various state agencies and county agencies to talk
17 about can I get more funding. I successfully
18 applied for and obtained a tap grant for \$800,000
19 to do streetscape work around the Passaic Street
20 area.

21 MS. CAPIZZI: What is that?

22 MR. DUCH: That is -- a long time ago,
23 they put in the lanterns that Mr. Koval is talking
24 about, they put in the lanterns, they put the
25 stamped concrete and that sort of thing. Well,

1 it's all aged, it's done, it's out of date. So I
2 brought all these people in and I have to tell
3 you, Passaic Street was filthy, it was filthy, it
4 was disgusting, all right. So the mayor and I
5 were completely, totally, absolutely embarrassed.
6 It resulted in me writing a lengthy email to
7 various department heads about cleanliness and
8 regardless of whether the people who were there,
9 the merchants, anybody, regardless of whether or
10 not they take care of it, we need to. So that was
11 part of what happened.

12 So in terms of, you know, outreach, we
13 did an outreach to try to see what people's ideas
14 were. And I certainly welcome that again. Some
15 of people who are here this evening are here
16 because I called them from that list. They were
17 people who were not on the list, who are not in
18 the zone. But in the interest of transparency, I
19 picked up the phone and I called them myself. So
20 thank you.

21 MS. CAPIZZI: Thank you. I just didn't
22 understand the pictures.

23 CHAIRMAN CLARK: Okay.

24 MR. VASILIC: Gary Vasilic,
25 V-A-S-I-L-I-C. I own two properties, one at 85

1 and one at 89 Passaic Street. Regarding the
2 equitable adjustment, if this does go through,
3 will my property value be hurt by this procedure?
4 In other words, the tax assessment was done
5 recently, so I'm assuming my property is at least
6 valued at what the tax assessor says it was. So
7 will it lose value by this procedure?

8 Second question is I have a feeling that
9 the area has been neglected for a long time there,
10 I own that property for a long time there. Mr.
11 Duch said that the stores been vacant there, a lot
12 of stores vacant. I have a problem with that
13 because I have a problem renting it because I
14 couldn't find tenants for the stores. I own
15 stores on that street. I'm familiar with the
16 issue.

17 And this gentleman said that in 2002,
18 you designated it as an important transit
19 corridor. For the last ten, fifteen years, we've
20 been having this issue with the City that you
21 don't enforce the parking there. No customers are
22 going to come to a store where they can't park on
23 the street. And you obviously have an hour time
24 limit, so the police doesn't enforce it. So I'm
25 really lost as to, if you know this area needs

1 improvement, why do you do that? Why do you not
2 enforce the parking regulations there? For some,
3 that's important. It's a big issue I have. I
4 finally gave up on trying to do something about
5 it.

6 And I have a lot of questions. So that
7 was my most important question. But since I can't
8 been in three minutes, what are my options? Can I
9 submit a letter with the questions and hopefully
10 you'll answer it?

11 CHAIRMAN CLARK: We will be -- we're
12 going to be carrying this meeting into the August
13 time frame.

14 MR. VASILIC: Okay.

15 CHAIRMAN CLARK: So at this point in
16 time, we are having another meeting on August
17 24th.

18 MR. VASILIC: Irregardless, it's not
19 going to be three minutes. Can I submit a list of
20 questions? It depends, I'm not even sure --

21 CHAIRMAN CLARK: Yeah.

22 MR. VASILIC: I do want to present the
23 questions.

24 CHAIRMAN CLARK: I mean --

25 MR. VASILIC: I don't live in Garfield,

1 so I don't have no problems for you redeveloping
2 the area, if it's better for the people that live
3 here, fine. My obvious issue is I have those
4 properties there, as I figured as pension. I was
5 going to leave it to my kids. So I have no
6 interest in selling it, but if the eminent domain
7 does come through, I'm interested in knowing if
8 this going to hurt my property value. And are you
9 going to use at least -- does my property have a
10 chance of being half assessed of what the tax
11 assessment was? I want to know something
12 specific, if you can let me know anything
13 specific.

14 CHAIRMAN CLARK: Okay. Well, you could
15 submit -- if you want, you can document all your
16 questions. If you don't want to come to the
17 August meeting and just send a letter right to the
18 City Hall and it will get to the Planning Board.

19 MR. VASILIC: As far as the property
20 value and how it was just -- the tax assessment
21 was done two, three years ago. Is this going to
22 hurt that?

23 MS. CIMINO: Mr. Vasilic, so you're more
24 than welcome to submit questions. Some of the
25 questions may be appropriate for our expert.

1 You're not going to be here, what we'll do is
2 we'll forward your questions to our expert, who
3 may have --

4 MR. SZABO: I can tell that you that's a
5 question more appropriately addressed by the tax
6 assessor. There's certain procedures in
7 professional skill that goes into that that I'm
8 not qualified to answer because I don't assess
9 properties. The tax assessor is certified to do
10 that.

11 MS. CIMINO: Some of these questions are
12 outside the scope of what --

13 MR. VASILIC: I understand that. But my
14 question is really since you're condensing the
15 property --

16 MR. SZABO: We're not condemning it.
17 This is what you need to understand. Nothing is
18 being condemned. It's not -- it is an option, it
19 is not the immediate thing that happens. No one
20 is going to come in and say out. It's not
21 something that happens automatically. It is
22 something that is part of the tools that are
23 there, but it's always a negotiated process.

24 MR. VASILIC: It's a specific question.

25 The tax assessment was done, the value is --

1 MR. SZABO: That is best --

2 MR. VASILIC: The value of the property
3 was determined. Will this hurt that --

4 MR. SZABO: That is a question --

5 MR. VASILIC: It's a specific question.

6 MR. SZABO: It's a fair question. I
7 would pose that to the tax assessor. But fair
8 market can often go beyond the current assessment.
9 It depends on what they're assessing you at and
10 what the current time frame is for that
11 assessment. So that can change over time, value
12 can change, all kinds of things --

13 MR. VASILIC: Up or down?

14 MR. SZABO: Up or down, either way.

15 MR. VASILIC: Okay.

16 MR. SZABO: But that's best posed to
17 that person.

18 MR. VASILIC: The second question? The
19 second question?

20 CHAIRMAN CLARK: What was that?

21 MR. VASILIC: The parking enforcement?

22 MR. SZABO: That, I can't address.

23 That's not -- the Planning Board is not an
24 enforcement agent.

25 CHAIRMAN CLARK: That would have to be

1 addressed by the city council. The Planning Board
2 has nothing to do with the policing of the areas.

3 MR. VASILIC: I mean you guys are not
4 familiar with that?

5 CHAIRMAN CLARK: The Planning Board has
6 nothing to do with how the police, you know,
7 monitor the parking or issue tickets or anything
8 like that.

9 MR. VASILIC: I mean it's simply not
10 done, it's a big issue. It's been a big issue for
11 ten, fifteen years. I can't believe you're not
12 familiar with that.

13 CHAIRMAN CLARK: It's not a Planning
14 Board issue, it's a city council issue. The city
15 counsel needs to direct the police department.

16 MAYOR RIGOGLIOSO: Mr. Vasilic, if you
17 want, we can bring it to the city council, you
18 could bring that question to the city council.
19 That has more to do with our city council, so we
20 could talk to our officers.

21 MR. VASILIC: I feel it's related.
22 Honestly, I feel it's related because it brings
23 down my property value. If you don't do that, we
24 talk about property value and the process. So
25 it's --

1 MS. RODRIGUEZ: His time is up.

2 MR. VASILIC: -- it needs to be. Why
3 have you not been doing that for ten, fifteen
4 years if you had all this information? That it's
5 an important business corridor, why did I have
6 problems renting my stores? And now you're saying
7 my property needs to be redeveloped because it's
8 not good that. And then every year, I invested in
9 it, every year I invested --

10 MS. CIMINO: Mr. Vasilic, I think the
11 mayor has explained to you that those questions
12 that you have, while very valid questions, need to
13 be brought before the city council. In addition
14 to that, we afforded you excessive time. And so
15 in the interest of anyone else who may want to
16 come up, it's two minutes to 11 o'clock. If
17 there's anybody else, we would like to get you in
18 before we conclude, since you did make the effort
19 to come out here tonight?

20 AUDIENCE MEMBER: I think you should
21 allow more questions next week, don't cut it off
22 necessarily because it's 11 o'clock right now.

23 CHAIRMAN CLARK: There will be -- in
24 regard to that, there will be another meeting on
25 August 24th. So you are more than welcome to come

1 in, ask more questions, we'll answer them, so --

2 MR. VASILIC: Because there might be
3 other people that wanted to ask questions.

4 CHAIRMAN CLARK: Right, people who may
5 not have been attending this meeting, may be able
6 to make the next meeting and ask more questions.
7 Other people who asked questions may come up with
8 other ones. We're going to be available on the
9 24th.

10 MS. CIMINO: Very shortly, the reason we
11 limited is we're bumping up against 11 o'clock.
12 Assuming you're the last person, we managed to get
13 everyone who made the effort to come out here
14 tonight, we managed to get them to come up to the
15 mic and voice their concerns, so --

16 MR. VASILIC: So I'll reserve my
17 question for the August meeting.

18 MS. CIMINO: You sure.

19 CHAIRMAN CLARK: I mean you're here, we
20 got three minutes.

21 MR. HIRSCH: I'm just making some
22 observations.

23 CHAIRMAN CLARK: Your name?

24 MR. HIRSCH: My name is Mitchel Hirsch,
25 I have a couple properties at 88 Somerset.

1 CHAIRMAN CLARK: Spell your name.

2 MR. HIRSCH: H-I-R-S-C-H, M-I-T-C-H-E-L,
3 first name. I have the triangle building. Reason
4 why that thing is unrentable is there's no
5 parking. My fault for purchasing that back in the
6 day and fixing it up and spending lots of money
7 fixing it up, thinking I could have a place
8 without parking, there might be parking in the
9 City, but there isn't. So that's a big problem
10 for everybody, all the merchants.

11 And if Garfield went out of its way to
12 invest in a parking lot, that might be the
13 beginning of the redevelopment. You know, you
14 might see that the town comes alive without
15 enacting an eminent domain. I don't know if it's
16 good or bad, but, you know, it seems like it might
17 bring a lot people into the corners. There's
18 developers out there that want to develop, you
19 don't have to have a gun to everybody's head. You
20 know, people don't know what's going to happen.
21 It worked out maybe nice for some people, but some
22 people might not work out for.

23 So I think parking is a big issue and
24 that should be addressed and made a big part of
25 any plan. And people should know where the

1 parking is going to be, how -- what type of
 2 development we're looking at. I'm all for
 3 development, that's why I've invested in Garfield.
 4 And I thought that was a very good property, but
 5 parking is important. And, you know, quite
 6 frankly I think some of the people here might want
 7 to take part in the redevelopment plan. So if we
 8 don't know who the master developer is, who's been
 9 chosen, you know, there's been no mention of who
 10 that individual is, if there is an individual,
 11 it's a big question mark. You know, these
 12 questions need to be answered. So that's all I
 13 have to say for today. Thank you.

14 CHAIRMAN CLARK: Okay, thank you. Okay.
 15 I need a motion to close the public hearing.

16 MR. GARCIA: So moved.

17 MR. DERRIG: Second.

18 (All members indicate their votes.)

19 CHAIRMAN CLARK: I want to thank
 20 everyone. This was the first process that we're
 21 looking at, first process that you're hearing
 22 about. And, you know, we appreciate all the input
 23 that we have. Hopefully, we can gather a lot of
 24 that.

25 We are going -- the Planning Board is

1 not going to vote on this tonight, as we do want
 2 to hold additional hearings. And the additional
 3 hearings will start in August 24th. The meeting
 4 will start at eight o'clock, work session here at
 5 7:30. But we do appreciate everything. We're
 6 going to talk amongst ourselves. We hear what
 7 everybody says, we want to take everybody's input
 8 in. There's a lot of questions that we have
 9 amongst the Planning Board itself that we need to
 10 discuss.

11 And, hopefully, we'll see you back in
 12 the August time frame with any additional
 13 information that we may have or additional
 14 questions that you may have. I want to thank
 15 everybody. And I want to thank everyone and I
 16 need a motion to close the meeting.

17 MR. TUMMILLO: So moved.

18 MR. DERRIG: Second.

19 CHAIRMAN CLARK: All in favor? Opposed?
 20 Okay. Thank you everyone.

21 (All members indicate their votes.)

22

23 (The meeting was adjourned.)

24

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C E R T I F I C A T E

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I HEREBY CERTIFY that the foregoing is a
 true and accurate transcript of the testimony and
 proceedings as taken stenographically by me at the
 time, place, and on the date hereinbefore set
 forth.

SUSAN BISCHOFF, CCR, RPR
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