

Rahway Redevelopment Agency

MINUTES
Regular Meeting
January 3, 2007
6:40 P.M.

CALL TO ORDER

The meeting was called to order at 6:40 P.M. in the Rahway City Council Chambers

OPEN PUBLIC MEETINGS ACT

Chairman Rack noted this meeting was advertised and posted in accordance with the Open Public Meetings Act of the State of New Jersey

PLEDGE OF ALLEGIANCE

Commissioners, officials, and public attendees saluted to the flag

ROLL CALL

On a call of the roll the following officials were present:

Anthony Deige, Commissioner
Carlos Garay, Commissioner
Timothy Nash, Commissioner
Nancy Saliga, Commissioner
Courtney Clarke, Vice Chairman
William Rack, Chairman

The following official was absent:

James Ferrell, Commissioner

APPROVAL OF MINUTES

A motion was made by Commissioner Nash, seconded by Commissioner Deige, to accept and approve the minutes listed below:

November 30, 2006 Regular Meeting

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

CORRESPONDENCE

The following correspondence was received:

1. Letter dated December 5, 2006 from Michael Ash, Assistant Counsel, to Peter Pelissier, regarding Carriage City Redevelopment Project.
 2. Letter dated December 6, 2006 from Ronald F. Esposito, Esq. to DeCotiis, Fitzpatrick, Cole & Wisler regarding 1646-8 Irving Street.
 3. Letter dated December 6, 2006 from Michael J. Caccavelli Esq., Decotiis, FitzPatrick, Cole & Wisler, LLP, regarding a trial date of January 16, 2007 for RRA v. Maria Karagiannis
 4. Letter dated December 12, 2006 from Francis X. Regan, Esq., General Counsel, to Craig H. Feldman, Riverwalk Developers LLC, regarding Unit No. 202, commonly known as 1413 Essex Street, Rahway, NJ.
 5. Letter dated December 13, 2006 from Ronald F. Esposito, Esq. to Peter Pelissier regarding the transfer of the liquor license for KC Jazz.
 6. Letter dated December 18, 2006 from Richard A. Kuhlman, Prime Appraisal, Inc., to Peter Pelissier regarding a proposal for an appraisal report for Block 305, Lot 7 (City Hall property).
 7. Memo dated December 27, 2006 from Cindy Solomon, Recording Secretary, to City of Rahway Council Members, Board Members and Department Heads regarding "Town Center" presentation.
 8. Ordinance adopted December 11, 2006 regarding "Amending the Central Business District Redevelopment Plan for Block 153, Lot 10" (Lafayette Lodge).
 9. Ordinance adopted December 11, 2006 regarding "Amending the Central Business District Redevelopment Plan for Block 326, Lot 4" (Jackson-Hewitt Tax Office).
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STATUS REPORTS

1. M & M at Wheatena, Blocks 226, 227, 228 (Elizabeth Avenue)
 2. Diversified Communities:
 - Riverwalk at Rahway, Blocks 331, 304
 - Town Center, Block 305
 - Regency Park, Block 304 / Lots 5, 6
 3. Rahway Industrial Sites Redevelopment Project, Block 282, Lot 1.01 (New Brunswick Avenue)
 4. KC Jazz, 1646-48 Irving Street
 5. G.M.M. Associates, Inc., River View Manor (Lenington Street) Block 353 / Lot 2
 6. Renaissance at Rahway, Block 379, Lots 1-8 (East Grand Avenue and Monroe Street)
 7. Landmark at Rahway, Block 157 (Irving Street, Elm Avenue, West Main Street, and Elizabeth Avenue)
 8. Carriage City Plaza, Block 316, Lot 3.02 (East Milton Avenue and Irving Street)
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COMMENTS FROM THE PUBLIC

There were no comments from the public

TREASURER'S REPORT

A summary of the Treasurer's monthly activity was distributed.

A motion was made by Commissioner Nash, seconded by Commissioner Deige, to accept and approve the Treasurer's report.

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Peter Pelissier, discussed the status report that was given to the Commissioners and commented on the following additional updates:

- Diversified Developers would make a presentation at next month's meeting and the City Council, Board Members and Trustees, Commissioner's and Department Head would be invited.
- An Ordinance amending the CBD Redevelopment Plan for Carriage City Hotel and Tower was introduced to the Municipal Council.
- An Ordinance amending the CBD Redevelopment Plan for Luciano's was introduced to the Municipal Council.
- The YMCA was interested in the possible redevelopment of its current building and property.
- The Mini-U-Storage was having a ribbon-cutting ceremony and all Commissioners were invited to attend.

A motion was made by Commissioner Clarke, seconded by Commissioner Nash, to accept and approve the Executive Director's report.

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

LEGAL REPORT

General Council, Frank Regan, reported that he was in the process of: amending Redeveloper Agreements for Carriage City, T&S Developers, and Scarperi. These agreements should be completed by next month's meeting.

A motion was made by Commissioner Clarke, seconded by Commissioner Deige, to accept and approve the Treasurer's report.

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

UNFINISHED BUSINESS

NEW BUSINESS

Presentations:

1. Station Place at Rahway, LLC. Block 149, Lots 1-10, 20-25 (1414 Campbell Street). Applicant seeks to demolish existing structures and construct a mid-rise, multi-family residential project (80 units).

Mr. Clay Bonny presented a plan for Station Place at Rahway. He updated the Agency regarding property acquisition, stating that the largest property, A&M Industrial, was under contract and a closing was scheduled for July 2007. He also presented renderings of the design and layout of the project. Construction should start in approximately 18 months. The project will include 80 residential units (for purchase) in a five story building with parking at grade underneath the residential units. A total of 132 parking spaces will be provided. Mr. Pelissier questioned the maintenance of the property (i.e. landscaping) and complemented Mr. Bonny on the landscaping at River Place. Mr. Bonny explained that this property will eventually be maintained and operated by the condominium association, once the units are sold. Commissioner Deige inquired about the garbage pick-up and it was stated that the method would be similar to the system at River Place. Commissioner Garay asked about the parking on Campbell Street, and it was stated that it will remain. General Counsel, Frank Regan, said an amendment to the existing Redeveloper Agreement would be necessary, since the scope of the project had changed. Mr. Bonny was anxious to move this project along and was anticipating Planning Board review within the next few months.

Resolutions:

55-06: RESOLUTION EXTENDING THE CONDITIONAL DESIGNATION OF DIVERSIFIED COMMUNITIES, LLC AS REDEVELOPER FOR THE PROPERTY KNOWN AS TAX BLOCK 305, LOTS 5.02, 5.04, 6.02, 7.02, AND 8.03 IN THE LOWER MAIN STREET URBAN RENEWAL AREA FOR THE DEVELOPMENT OF A MIXED USE PROJECT

WHEREAS, the City of Rahway has been promoting the redevelopment of Main Street since the creation of the Lower Main Street Urban Renewal Area in 1960 and the adoption of the Lower Main Street Urban Renewal Plan on May 9, 1961, last amended on August 10, 1998; and

WHEREAS, the properties known Bas lock 305 Lots 5.02, 5.04, 6.02, 7.02, and 8.03 are located in the Lower Main Street Urban Renewal Area; and

WHEREAS, upon the creation of the Rahway Redevelopment Agency by the City of Rahway, responsibility for managing the redevelopment for the City was granted to the Agency; and

WHEREAS, Diversified Communities, LLC has a contract to acquire the property known as Block 305, Lot 5.02 and is in the process of acquiring Block 305, Lot 6.02; and

WHEREAS, Diversified Communities, LLC is proposing to build a mixed use project consisting of retail, condominium residential units and parking structures on the property; and

WHEREAS, the proposal has been reviewed and found consistent with the requirements of the Lower Main Street Urban Renewal Plan and the City's goals for redeveloping said properties; and

WHEREAS, Diversified Communities, LLC has successfully completed the redevelopment of properties in the Essex Street Redevelopment Area including Block 304 Lots 1, 2, 3, 4, 7 & 8 and Block 331 Lots 18 through 26 and Lots 34 through 47, known as the Riverwalk Project;

WHEREAS, on June 15, 2006 by Resolution No. 34-06, the Agency designated Diversified Communities, LLC as redeveloper of the properties known Bas lock 305 Lots 5.02, 5.04, 6.02, 7.02, and 8.03 are located in the Lower Main Street Urban Renewal Area for a period of ninety (90) days.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby extends the conditional designation of Diversified Communities, LLC as redeveloper for the properties known as Block 305 Lots 5.02, 5.04, 6.02, 7.02, and 8.03 located in the Lower Main Street Urban Renewal Area subject to the following conditions:

1. That the period of the designation shall be from the expiration of the initial designation and for an additional period June 4, 2007;
2. That the City Council adopt an amendment to the redevelopment plan for the Lower Main Street Urban Renewal Area;
3. That the Agency and Diversified Communities, LLC negotiate and agree upon the terms and conditions of a redevelopment agreement;
4. That Diversified Communities, LLC continues to pursue the acquisition of properties within the Lower Main Street Urban Renewal Area; and
5. That Diversified Communities, LLC pays any and all costs incurred by the Agency, including any fees required under the Agency's fee schedule.

BE IT FURTHER RESOLVED, that said designation may be extended upon satisfactory demonstration that substantive progress has occurred in the negotiation of a redevelopment agreement. Any extension of the designation shall require approval by the Board of Commissioners.

BE IT FURTHER RESOLVED, that upon completion of negotiations on a redevelopment agreement the Rahway Redevelopment Agency shall be required to review and authorize execution of any and all related disposition and acquisition documents in order to effectuate the completion and implementation of this project.

A motion was made by Commissioner Nash, seconded by Commissioner Clarke, to accept and approve the resolution.

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

Certified to be a true copy of a Resolution of the Board of Commissioners of the Rahway Redevelopment Agency, Rahway, New Jersey adopted at a regular meeting held on January 3, 2007.

06-07: RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PRIME APPRAISAL, LLC FOR APPRAISAL CONSULTING SERVICES (1 CITY HALL PLAZA, BLOCK 305, LOTS 5.02, 5.04, 6.02, 7.02, AND 8.03)

WHEREAS, there exists for the Rahway Redevelopment Agency, a need for the services of a firm specializing in appraisal consulting services to prepare an appraisal for Block 305, Lot 7 located at 1 City Hall Plaza, which is located in the Essex Street Riverfront Redevelopment Area; and

WHEREAS, the designated redeveloper for these properties, Diversified Communities, LLC, shall pay the cost of this appraisal in accordance with the terms and conditions of its redeveloper designation; and

WHEREAS, the Treasurer has certified in writing hereon that funds are available; and

WHEREAS, the General Counsel has reviewed the certification of the Treasurer and is satisfied that said certification is in proper form; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that resolutions authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioner of the Rahway Redevelopment Agency as follows:

1. The Chairman and Executive Director are hereby authorized and directed to execute for the Agency, subject to the availability of funds, a professional services contract with Prime Appraisal, L.L.C199 Main Street, P.O. Box 277, Woodbridge, New Jersey 07095 to provide services in accordance with its proposal, which shall remain on file in the Agency's office and available for public inspection.
2. That this contract shall be in an amount not to exceed \$8,000.00 payable upon completion of the appraisal as outlined in the proposal.
3. This agreement is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law and is not possible to obtain competitive bids.
4. A notice of this action shall be printed in the Legal Newspaper of the Agency as required by law within ten (10) days of its passage.
5. The vendor shall supply the Agency with the Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by N.J.A.C. 17:27. The contract shall contain the mandatory affirmative language for professional services contracts required by N.J.A.C. 17:27, a copy of which shall be attached to and incorporated in the professional services contract authorized herein.
6. The vendor shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Agency from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the professional services agreement authorized herein.

A motion was made by Commissioner Nash, seconded by Commissioner Clarke, to accept and approve the resolution.

*Yes: Commissioners Deige, Garay, Nash, Saliga, Clarke, and Rack
Absent: Commissioner Ferrell*

Certified to be a true copy of a Resolution of the Board of Commissioners of the Rahway Redevelopment Agency, Rahway, New Jersey adopted at a regular meeting held on January 3, 2007.

DISCUSSIONS

COMMISSIONER'S COMMENTS

There were no Commissioner's comments at this time

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:30 P.M.

Respectfully submitted,

Cynthia Solomon
Recording Secretary