

# Rahway Redevelopment Agency

## - MINUTES -

Special Meeting  
April 27, 2006  
6:30p.m.

### **CALL MEETING TO ORDER**

*The meeting was called to order at 6:40 p.m. in the Rahway Public Library.*

---

### **SALUTE THE FLAG**

*Commissioners, officials and public attendees then saluted the flag.*

---

### **OPEN PUBLIC MEETINGS ACT**

*This meeting was advertised and posted in accordance with the Open Public Meetings Act of the State of New Jersey.*

---

### **ROLL CALL**

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

Courtney Clarke, Commissioner  
Timothy Nash, Commissioner  
William Rack, Commissioner  
Anthony Deige, Commissioner  
Carlos Garay, Commissioner

*The following officials were absent:*

Paul Leso, Commissioner  
Nancy Saliga, Commissioner

---

### **COMMENTS FROM THE PUBLIC**

*There were no comments from the public.*

---

### **NEW BUSINESS**

*The Commissioners briefly discussed the Resolutions that were on tonight's agenda. The Executive Director suggested that the Commissioners could go into closed session and discuss the scope of the proposals suggested in the resolutions and the relationship of the cost to the overall scope of the plan for the property. It was decided by the Commissioners to go into closed session at this time and table Resolutions 22-06 and 23-06 until returning to public session. Resolution 24-06 was adopted at this time. Both actions took place on the following vote:*

*Moved: Commissioner Garay                      Seconded: Commissioner Nash  
Ayes: Deige, Garay, Nash, Clarke and Rack  
Nays: None  
Abstain: None  
Absent: Leso and Saliga*

### **PRIVATE SESSION**

*Executive Director Pelissier explained the proposed concept plan and the cost to the developer and the relationship to the resolutions at hand. Various suggestions were made as to how to structure the financing for the Hamilton Laundry project.*

*A motion was made to return to public session.*

*Moved by: Commissioner Deige                      Seconded: Commissioner Nash*

*Ayes: Deige, Garay, Nash, Clarke, and Rack*

*Nays: None*

*Abstain: None*

*Absent: Leso and Saliga*

**Resolutions:**

22-06 RESOLUTION AUTHORIZING THE PAYMENT OF ADDITIONAL CHANGE ORDER FOR THE DEMOLITION AND CLEAN OUT OF CERTAIN BUILDINGS AT THE FORMER HAMILTON LAUNDRY PROPERTY TO J.R. CONTRACT AND ENVIRONMENTAL CONSULTING, INC.

WHEREAS, on January 19, 2006, the Board of Commissioners of the Rahway Redevelopment Agency awarded a bid to J.R. Contract and Environmental Consulting, Inc. for the purpose of demolition and clean out of certain buildings at the former Hamilton Laundry property; and,

WHEREAS, the original bid amount was \$210,127.00; and,

WHEREAS, on February 16, 2006, the Board of Commissioners of the Rahway Redevelopment Agency adopted Resolution 14-06 approving change order #1 for the Hamilton Laundry property project in the amount of \$9,628.00;

WHEREAS, on March 16, 2006, the Board of Commissioners of the Rahway Redevelopment Agency adopted Resolution 18-06 approving change order #2 for the Hamilton Laundry property project in the amount of \$1475.90; and,

WHEREAS, in the course of the Hamilton Laundry property project, it was determined that additional work would be needed to accomplish the Hamilton Laundry property project objectives which will cost more than twenty percent of the original contract price; and

WHEREAS, in a letter dated April 26, 2006 from James R. Houston, Jr., P.P. & P.L.S., C.M.E., of Bohler Engineering, P.C., a certification of reasons why the exceptional change order is necessary in order to complete the Hamilton Laundry property objectives was provided pursuant to N.J.A.C. 5:30-11.9(b) on the attachment hereto and made a part of this resolution; and

WHEREAS, in a letter dated April 27, 2006 from Peter Pelissier, Executive Director of the Rahway Redevelopment Agency, a request for the approval of the exceptional change order which outlines reasons for allowing the exceptional change order was provided pursuant to N.J.A.C. 5:30-11.9(c)(4) on the attachment hereto and made a part of this resolution; and

WHEREAS, the change order was reviewed and approved by Bohler Engineering, City Engineers, and is detailed on the attachment hereto and made a part of this resolution; and,

WHEREAS, the total project cost for the demolition and cleanout of certain buildings at the former Hamilton Laundry property with all additional change orders is \$265,996.90.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency hereby finds the approval of change order #3 necessary to complete the objectives of the Hamilton Laundry property project; and

BE IT FURTHER RESOLVED that the Board of Commissioners of the Rahway Redevelopment Agency authorizes the payment of change order #3 for the demolition and cleanout of certain buildings at the former Hamilton Laundry property which is in the amount of \$44,766.99 and is detailed on the attachment hereto and made part of this resolution.

BE IT FURTHER RESOLVED that the total project cost for the Demolition and Cleanout of certain buildings at the Former Hamilton Laundry property with all change orders is \$265,996.90.

*Moved: Commissioner Deige*

*Seconded: Commissioner Clarke*

*Ayes: Deige, Garay, Nash, Clarke and Rack*

*Nays: None*

*Abstain: None*

*Absent: Leso and Saliga*

23-06 A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO BOHLER ENGINEERING, PC FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE HAMILTON LAUNDRY DEMOLITION PROJECT

WHEREAS, the Rahway Redevelopment Agency has retained Bohler Engineering, P.C. for engineering and construction administration/management services for the Hamilton Laundry Demolition Project on property known as Block 167, Lots 5, 6 & 7 in the Central Business District Redevelopment Area in the amount of \$23,100.00; and

WHEREAS, in the course of completion of the Hamilton Laundry Demolition Project, additional work has been approved which exceeds the original scope of services; and

WHEREAS, Bohler Engineering, PC has submitted a proposal for additional professional services for construction administration services for the Hamilton Laundry Demolition Project, a copy of which is attached and made part of this Resolution; 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 Bohler Engineering, PC, 35 Technology Drive, Warren, New Jersey 07059, 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 \$3,580.00 payable upon completion of each task 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.

*Ayes: Deige, Garay, Nash, Clarke, and Rack*  
*Nays: None*  
*Abstain: None*  
*Absent: Leso and Saliga*

24-06 RESOLUTION AUTHORIZING THE BOARD OF COMMISSIONERS OF THE RAHWAY REDEVELOPMENT AGENCY TO HOLD A PORTION OF ITS REGULAR MEETING IN CLOSED SESSION FOR PURPOSES OF DISCUSSING CONTRACT NEGOTIATIONS

WHEREAS, pursuant to N.J.S.A.10:4-12, the Open Public Meetings Act permits the exclusion of the public from portions of a meeting at which the Board of Commissioners of the Rahway Redevelopment Agency will discuss on-going contract negotiations relative to properties on Block 157; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that a portion of its special meeting held on April 27, 2006, shall be held in closed session, thus excluding the public from portions of a meeting at which the Board of Commissioners of the Rahway Redevelopment Agency will discuss on-going contract negotiations relative to properties on Block 157; and

BE IT FURTHER RESOLVED, that the Rahway Redevelopment Agency may take action on any matters discussed in this closed session provided it discloses to the public the content of the discussions to be held in closed session at this or any future meeting at which it takes action.

*Moved: Commissioner Garay                      Seconded: Commissioner Nash*  
*Ayes: Deige, Garay, Nash, Clarke and Rack*  
*Nays: None*  
*Abstain: None*  
*Absent: Leso and Saliga*

*Commissioner Garay left the meeting at 7:40 p.m.*

---

**COMMISSIONERS' COMMENTS**

*No comments were made by the Commissioners.*

---

**ADJOURNMENT**

*There being no further business, the meeting was adjourned at 7:55 p.m.*

*Moved: Commissioner Deige                      Seconded: Commissioner Nash*  
*Ayes: Unanimous voice vote*  
*Nays: None*  
*Abstain: None*  
*Absent: Garay, Leso and Saliga*

*Adopted May 18, 2006:*

*Moved: Commissioner Clarke                      Seconded: Commissioner Deige*  
*Aye: Deige, Garay, Nash, Clarke, and Rack                      Nay: None*  
*Abstain: Saliga                      Absent: None*

---

*Peter H. Pelissier, Secretary*