

Rahway Redevelopment Agency
Minutes
Regular Meeting
May 5, 2010
6:30 P.M.

CALL TO ORDER

The meeting was called to order at 6:35 P.M. in the 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 the flag

ROLL CALL

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

*Anthony Deige, Commissioner
William Rack, Chairman
James Ferrell, Commissioner
Matthew Dobrowolski, Commissioner*

The following official was absent:

Commissioners: Nash, Saliga, Clarke

APPROVAL OF MINUTES

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

March 24, 2010 Special Meeting

*Yes: Commissioners Deige, Rack, Ferrell, Dobrowolski
Absent: Commissioners Saliga, Nash, Clarke*

CORRESPONDENCE

- 1. Letter dated March 10, 2010 from Executive Director Peter Pelissier to Mr. Jerry Fischer regarding an inactive liquor license.*
 - 2. Permit dated April 14, 2010 from NJDEP regarding the Hamilton Laundry Redevelopment site.*
 - 3. Memo dated April 19, 2010 from Jean Kuc to all elected and appointed officials regarding the 2010 Financial Disclosure Statement*
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COMMENTS FROM THE PUBLIC

No public comment.

TREASURER'S REPORT

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

*Yes: Commissioners Deige, Rack, Ferrell, Dobrowolski
Absent: Commissioners Saliga, Nash, Clarke*

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Peter Pelissier reported on the following:

- A meeting with Carriage City is scheduled for May 6, 2010*

- *Glen Fishman has agreed to move soil from Lot B and is looking for additional financing for The Savoy*
- *Renaissance at Rahway is progressing*
- *Park Square – brick work is being delayed until Spring and the 60 of the 64 rental units are occupied*
- *RRA received of Judgment of \$350,000.00 against the Riverwalk Developers*

A motion was made by Commissioner Dobrowolski, seconded by Commissioner Ferrell, to accept and approve the Executive Director's Report.

*Yes: Commissioners Deige, Rack, Ferrell, Dobrowolski
Absent: Commissioners Saliga, Nash, Clarke*

LEGAL REPORT

None

NEW BUSINESS

RESOLUTION 08-10: RESOLUTION AUTHORIZING THE EXECUTION OF AN A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ("NJDEP"), CITY OF RAHWAY AND THE RAHWAY REDEVELOPMENT AGENCY FOR PARTICIPATION IN THE NJDEP'S BROWNFIELD DEVELOPMENT AREA PROGRAM

WHEREAS, the New Jersey Legislature has found that brownfields can pose health risks to our residents, threaten our environment, and can also blemish neighborhoods, and has therefore called for a timely and efficient regulatory response. N.J.S.A. 58:10B-1.2.; and

WHEREAS, NJDEP hereby desires to enter into a Memorandum of Understanding ("MOU") in partnership with the Rahway Redevelopment Agency (the "Steering Committee") and the City of Rahway (the "Municipality") pursuant to NJDEP's authority to formulate comprehensive policies to promote environmental protection and redevelopment in Brownfield Development Areas ("BDA") under N.J.S.A. 13:1D-1 et seq. and N.J.S.A. 58:10B-24; and

WHEREAS, addressing the issue of under-utilization of brownfield neighborhoods is critical to meaningful revitalization, by focusing on expedited restoration of entire communities - not simply scattered, individual properties - a plan for the revitalization of the BDA can emerge as the model for smart growth through regional rebirth; and

WHEREAS, the BDA designation provides a framework and resources to empower affected communities to address brownfields where additional assistance may be needed, although, designation as a BDA will not affect or limit in any way utilization or application of New Jersey's other brownfield or remediation programs on properties within a BDA and, in addition, designation as a BDA does not create or impose any additional regulatory or approval requirements on properties within the BDA; and

WHEREAS, the Steering Committee (comprised of the participating stakeholders identified in Attachment 1 of the MOU, NJDEP and the Municipality have agreed on the specific brownfield sites within the Rahway Central Business District (the "BDA"), that are further identified in Attachment 2 of the MOU, and NJDEP has accepted such Steering Committee and brownfield sites within the designation of the BDA; and

WHEREAS, the Parties have agreed to the terms and conditions of a Memorandum of Understanding.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby authorizes the execution of the Memorandum of Understanding by and between the NJDEP, City of Rahway and the Rahway Redevelopment Agency in a form substantially consistent with the form attached hereto subject to final approval as to form and content by the Executive Director and General Counsel of the Rahway Redevelopment Agency.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary are hereby authorized to execute any and all documents, including the Memorandum of Understanding.

Certified to be a true copy of a Resolution adopted by the Board of Commissioners of the Rahway Redevelopment Agency, Rahway, New Jersey adopted at a regular meeting held on May 5, 2010.

A motion was made by Commissioner Dobrowolski, seconded by Commissioner Ferrell, to accept and approve the Resolution 08-10.

*Yes: Commissioners Deige, Rack, Ferrell, Dobrowolski
Absent: Commissioners Saliga, Nash, Clarke*

RESOLUTION 09-10: A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO RYNO MARKETING GROUP, INC. FOR REAL ESTATE CONSULTING SERVICES RELATED TO THE REDEVELOPMENT OF THE RAHWAY ARTS DISTRICT LOCATED IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA.

WHEREAS, there exists for the Rahway Redevelopment Agency (the "Agency"), a need for the services of a firm specializing in real estate consulting services to assist the Agency in the redevelopment of the Rahway Arts District, located in the Central Business District Redevelopment Area; and

WHEREAS, the Agency is seeking a firm to act as project coordinator for the development of the Hamilton Street Arts District area amphitheater and black box theater and acquisition, operation and development of the former Elizabethtown Gas property; and

WHEREAS, Ryno Marketing Group, Inc. is a licensed real estate broker with experience to assist the Agency with the redevelopment of the Rahway Arts District; 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 a resolution 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 Ryno Marketing Group, Inc., 230 US Hwy 206, Suite 206, Flanders, NJ 07836, to provide services in accordance with this resolution and the contract, 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 \$75,000.00 for one year, which shall be payable in equal amounts twice per month commencing upon execution of the contract.
3. This contract 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.

Certified to be a true copy of a Resolution adopted by the Board of Commissioners of the Rahway Redevelopment Agency, Rahway, New Jersey at a regular meeting held on May 5, 2010.

A motion was made by Commissioner Ferrell, seconded by Commissioner Deige, to accept and approve the Resolution 09-10.

*Yes: Commissioners Deige, Rack, Ferrell, Dobrowolski
Absent: Commissioners Saliga, Nash, Clarke*

COMMISSIONER'S COMMENTS

Commissioner Dobrowolski comment on the piano conservatory and stated there was a Black Box Theater in Pompton Plains

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:00 PM