

# Rahway Redevelopment Agency

## Minutes Regular Meeting May 7, 2008 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

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

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### PLEDGE OF ALLEGIANCE

*Commissioners, officials, and public attendees saluted to the flag*

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### ROLL CALL

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

*Anthony Deige, Commissioner  
James Ferrell, Commissioner  
Timothy Nash, Commissioner  
Nancy Saliga, Commissioner  
Courtney Clarke, Vice Chairman  
William Rack, Chairman*

*The following official was absent:*

*Carlos Garay, Commissioner*

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### APPROVAL OF MINUTES

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

*April 9, 2008 Regular Meeting*

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

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### CORRESPONDENCE

- 1. Letter dated April 9, 2008 from Francis X. Regan, General Counsel to Raymond Londa, Esq. regarding Monseno, LLC.*
- 2. Letter dated April 10, 2008 from Francis X. Regan, General Counsel to Ronald Esposito, Esq. regarding ET Building, LLC Mortgage for 1646-54 Irving Street.*
- 3. Letter dated April 10, 2008 from Francis X. Regan, General Counsel to Robert F. McAnanly, Esq. regarding Landmark at Rahway.*
- 4. Letter dated April 14, 2008 from Francis X. Regan, General Counsel to Ronald Esposito, Esq. regarding ET Building, LLC Mortgage for 1646-54 Irving Street*
- 5. Letter dated April 15, 2008 from Francis X. Regan, General Counsel to Michael Deely, NJDEP regarding HDSRF Application for M&M at Wheatena.*
- 6. Letter dated April 17, 2008 from Francis X. Regan, General Counsel to Michael L. Moore, Esq. from Diversified Communities regarding 1343 Genovese Lane, Rahway, New Jersey.*
- 7. Letter dated April 17, 2008 from Francis X. Regan, General Counsel to Richard Bello regarding Carriage City Properties.*
- 8. Letter dated April 25, 2008 from Francis X. Regan, General Counsel to Michael L. Moore, Esq. from Diversified Communities regarding 464 Hancock Street, Rahway, New Jersey.*
- 9. Letter dated April 25, 2008 from Francis X. Regan, General Counsel to Raymond Londa, Esq. regarding Monseno, LLC.*
- 10. Letter dated April 29, 2008 from Carl Eler, Esq. regarding Matzel & Mumford at Wheatena Redevelopment Project.*

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## COMMENTS FROM THE PUBLIC

*This portion of the meeting shall be opened to the public for comments (two minute maximum per person).*

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## TREASURER'S REPORT

*A motion was made by Commissioner Nash, seconded by Commissioner Saliga, to accept and approve the Treasurer's Report.*

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

*Absent: Commissioner Garay*

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## EXECUTIVE DIRECTOR'S REPORT

*Executive Director Peter Pelissier gave a brief report on the following projects:*

- *Carriage City/Indigo Hotel will begin to take reservations in mid July.*
  - *The intersection improvement at East Milton Avenue and Irving Street will be completed the first week in June.*
  - *The Town Center Project will take place in phases, with a residential component in the first phase.*
  - *Three additional developers are interested in the Town Center Project*
  - *The City of Rahway, the Rahway Redevelopment Agency, and the developers won a New Jersey Futures Award for the Town Center Master Plan and the Park Place (Landmark at Rahway) residential project. Both projects will be honored at an awards ceremony on June 5, 2008.*
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## LEGAL REPORT

*None*

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## UNFINISHED BUSINESS

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## NEW BUSINESS

Presentations:

- *1360 US Highway Route 1, Rahway New Jersey (The Rahway Tower)*  
*The Super 8 Motel presented new plans for the motel. DEP regulations prevent the construction of the 4 story hotel. The motel will be completely remodeled with new façade (including windows, roofing, outside walls). There are 51 rooms that will be renovated with new furniture, bedcovers, curtains, etc.; all new signage, landscaping, and paving. The tower footprint will remain (as a 2 story office), however the roof will be removed and remodeled to compliment to motel roof.*
- *1505-07 Main Street, Rahway, New Jersey*  
*The property manager reported that there will be 2 – two-bedroom loft-style apartments on the second and third floor of 1505 Main Street. New windows and doors and a completely new façade will be constructed, using full brick were indicated. A color rendering will be approved prior to receiving building permits.*
- *Heartstone Development – Station Place Redevelopment Project*  
*Clay Bonny gave an update on the Station Place Project, station that the A & M property was under contract with a closing date of 9/08. The original plan will change from “for-sale” residential units to rental units. Although the project will maintain the same appearance, density will increase from 80 units to 116 units. An amendment to redevelopment agreement will be required, along with site plan approval by the Rahway Planning Board.*
- *Renaissance at Rahway Redevelopment Project*  
*Joseph Ranieri reported on the status and proposed modifications to the project. The Capodagli Property Group has contracts on 5 of the 8 properties. The project will consist of 64 residential units, (4 stories) on lots 6 and 7 and vacated street. The project will require an amended redevelopment agreement and site plan approval from the Rahway Planning Board.*

Resolutions:

**09-08 RESOLUTION OF THE RAHWAY REDEVELOPMENT AGENCY DESIGNATING 1505 MAIN, LLC AS CONDITIONAL REDEVELOPER FOR THE PROPERTY LOCATED AT 1505-07 MAIN STREET ALSO KNOWN AS TAX BLOCK 320, LOT 11 IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A MIXED USE PROJECT**

**WHEREAS**, Block 320, Lot 11 (the "Property") are located in the Central Business District Redevelopment Area (the "Redevelopment Area"); and

**WHEREAS**, the Property contains an existing three story building with commercial on the ground floor and uninhabitable space on the upper floors; and

**WHEREAS**, 1505 Main, LLC (the "Redeveloper") submitted a redevelopment application to the Rahway Redevelopment Agency (the "Agency") for a proposal to renovate/rehabilitate the second and third floors of the Property for residential use with the ground floor to remain commercial; and

**WHEREAS**, the Redeveloper made a presentation to the Agency on April 9, 2008; and

**WHEREAS**, the proposal from the Redeveloper has been reviewed and found consistent with the Agency's and City's goals for redeveloping the Central Business District Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Rahway Redevelopment Agency that 1505 Main, LLC is hereby conditionally designated as Redeveloper for the redevelopment of Block 320, Lot 11, located in the Central Business District Redevelopment Area, for a mixed use project consisting of the renovation/rehabilitation of the second and third floors of the Property for residential use with the ground floor to remain commercial in accordance with the following conditions:

1. That the period of the designation shall be for one hundred and twenty (120) days from the date of adoption of this resolution;
2. That the Central Business District Redevelopment Plan be amended by the City of Rahway for the Property located in the Central Business District Redevelopment Area;
3. That the Agency and the Redeveloper negotiate and agree upon the terms and conditions of a redevelopment agreement; and
4. That the Redeveloper pays any and all costs incurred by the Agency, including any fees required under the Agency's fee schedule pursuant to Resolution No. 35-06.

**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 and that said extension shall require the approval of the Board of Commissioners, otherwise the conditional designation shall terminate.

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

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 May 7, 2008.

*A motion was made by Commissioner Deige, seconded by Commissioner Clarke, to accept and approve Resolution 09-08.*

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

*10-08 RESOLUTION OF THE RAHWAY REDEVELOPMENT AGENCY  
DESIGNATING MAHESH RATANJI AND HARISH SURATI AS CONDITIONAL  
REDEVELOPER FOR THE PROPERTY KNOWN 1360 ROUTE 1 ALSO KNOWN  
AS TAX BLOCK 304, LOTS 5 AND 6 IN THE ESSEX STREET  
REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A COMMERCIAL  
PROJECT*

**WHEREAS**, Block 304, Lots 5 and 6 (the "Property") are located in the Essex Street Redevelopment Area (the "Redevelopment Area"); and

**WHEREAS**, the Property contains a motel; and

**WHEREAS**, Mahesh Ratanji and Harish Surati (the "Redeveloper") submitted a redevelopment application to the Rahway Redevelopment Agency (the "Agency") for a proposal to renovate 44 of the existing 52 units (rooms) and to construct a five (5) story addition containing 43 new units (rooms) with additional amenities with a national hotel/motel chain on the Property; and

**WHEREAS**, the Redeveloper made a presentation to the Agency on April 9, 2008; and

**WHEREAS**, the proposal from the Redeveloper has been reviewed and found consistent with the Agency's and City's goals for redeveloping the Essex Street Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Rahway Redevelopment Agency that Mahesh Ratanji and Harish Surati are hereby conditionally designated as Redeveloper for the redevelopment of Block 304, Lots 5 and 6, located in the Essex Street Redevelopment Area, for a commercial project consisting of the renovation of 44 of the existing 52 units (rooms) and construction of a five (5) story addition containing 43 new units (rooms) with additional amenities with a national hotel/motel chain on the Property in accordance with the following conditions:

5. That the period of the designation shall be for one hundred and twenty (120) days from the date of adoption of this resolution;
6. That the Essex Street Redevelopment Plan be amended by the City of Rahway for the Property located in the Essex Street Redevelopment Area;
7. That the Agency and the Redeveloper negotiate and agree upon the terms and conditions of a redevelopment agreement; and
8. That the Redeveloper pays any and all costs incurred by the Agency, including any fees required under the Agency's fee schedule pursuant to Resolution No. 35-06.

**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 and that said extension shall require the approval of the Board of Commissioners, otherwise the conditional designation shall terminate.

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

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 May 7, 2008.

*A motion was made by Commissioner Nash, seconded by Commissioner Clarke, to accept and approve Resolution 10-08.*

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

*11-08 A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO WHITESTONE ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO 80 EAST MILTON AVENUE, PROPERTY REMEDIATED BY THE RAHWAY REDEVELOPMENT AGENCY AND CONVEYED TO CARRIAGE CITY PROPERTIES, LLC IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA*

**WHEREAS**, there exists for the Rahway Redevelopment Agency, a need for the services of a firm specializing in Environmental Consulting Services to undertake a further remedial investigation and perform regulatory reporting services for the property commonly referred to as the former Smoyak gas station located at 80 East Milton Avenue; 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; and

**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 Whitestone Associates, Inc., 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 \$49,735.00 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.

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 7, 2008.

*A motion was made by Commissioner Deige, seconded by Commissioner Ferrell, to accept and approve Resolution 11-08.*

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

**12-08 RESOLUTION OF THE RAHWAY REDEVELOPMENT AGENCY  
AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH  
MONSENSO, LLC AS CONDITIONAL REDEVELOPER FOR THE PROPERTY  
KNOWN AS TAX BLOCK 282, LOT 1.021 IN THE NEW BRUNSWICK AVENUE  
REDEVELOPMENT AREA FOR THE DEVELOPMENT OF A COMMERCIAL  
PROJECT**

**WHEREAS**, Block 282, Lot 1.021 (the "Property") is located in the New Brunswick Redevelopment Area (the "Redevelopment Area"); and

**WHEREAS**, the Property has been vacant or underutilized for many years; and

**WHEREAS**, Monseno, LLC submitted a redevelopment application to the Rahway Redevelopment Agency (the "Agency") for a proposal to construct a new building on the Property consolidating the business operations of Quality Auto Body, a business owned by Monseno, LLC, which business is located across the street from the Redevelopment Area; and

**WHEREAS**, Monseno, LLC made a presentation to the Agency on February 6, 2008; and

**WHEREAS**, the proposal from Monseno, LLC has been reviewed and found consistent with the Agency's and City's goals for redeveloping the New Brunswick Avenue Redevelopment Area; and

**WHEREAS**, on March 5, 2008, the Agency conditionally designated Monseno, LLC as redeveloper of the Property consistent with its proposal; and

**WHEREAS**, Monseno, LLC and the Agency have agreed to the terms and conditions of a redevelopment agreement for the redevelopment of the Property located in the Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby authorizes the execution of a redevelopment agreement with Monseno, LLC, which provides for the redevelopment of property known as Block 282, Lot 1.021, which is consistent with the New Brunswick Avenue Redevelopment Plan.

**BE IT FURTHER RESOLVED**, that the Chairman and the Secretary are hereby authorized to execute any and all documents, including the redevelopment agreement substantially consistent with the form of agreement attached hereto, to effectuate the completion and implementation of this project, subject to final review by general counsel as to legal form and content.

**BE IT FURTHER RESOLVED**, that the execution of the redevelopment agreement shall be contingent upon the adoption of the New Brunswick Avenue Redevelopment Plan, which has been introduced by the Rahway City Council and is scheduled for adoption on May 12, 2008.

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 May 7, 2008

*A motion was made by Commissioner Nash, seconded by Commissioner Deige, to accept and approve Resolution 12-08.*

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

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**COMMISSIONER'S COMMENTS**

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**ADJOURNMENT**

*There being no further business, the meeting was adjourned at 8:00 PM.*

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