

Rahway Redevelopment Agency

MINUTES

March 6, 2013

6:30 P.M.

CALL TO ORDER

The meeting shall be called to order at 6:30 P.M. at the Hamilton Stage.

OPEN PUBLIC MEETINGS ACT

This meeting has been 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:

*William Rack, Chairman
Anthony Deige, Commissioner
Matthew Dobrowolski
Timothy Nash, Commissioner*

Absent: Commissioners Sefranka, Staryak

APPROVAL OF MINUTES

A motion was made by Commissioner Nash and Seconded by Commissioner Drobrowolski to approve the Minutes of the February 6, 2013 Regular Meeting.

*Yes: Commissioners Deige, Dobrowolski, Nash, Rack
Absent: Commissioners Sefranka, Staryak*

CORRESPONDENCE

- 1. Rahway Arts District, Inc. Report*
 - 2. Letter dated February 7, 2013 from NJ DEP to Peter Pelissier regarding Lower Essex Street*
 - 3. Letter dated February 7, 2013 from NJ DEP to Frank Regan regarding Timko Property*
 - 4. Letter dated February 20, 2013 from Charles Gingerelli to Rahway Redevelopment Agency regarding contract.*
 - 5. Letters dated March 1, 2013 and August 1, 2012 from K2 Audio to M + S Architects.*
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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).

TREASURER'S REPORT

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

*Yes: Commissioners Deige, Dobrowolski, Nash, Rack
Absent: Commissioners Sefranka, Staryak*

EXECUTIVE DIRECTOR'S REPORT

- The Executive Director reported on the issue regarding water permits from the DEP were explained and how they would affect future redevelopment.*
- He also stated that a meeting was held with George Bean (representing the Wheatena Property Foundation) regarding the ongoing negotiations with the designated redeveloper and American Properties. Mr. Bean is aware that the RRA wants this project to move along and those negotiations for the sale of the property should continue.*

- Lafayette Village might need a partial street vacation (Dock Street) to satisfy DEP regulations and this issue would be discussed with the City Council.
- A meeting with Ron Esposito, owner of Kelly's property/KC Jazz, was held and Mr. Esposito expressed his interest in selling the property to the RRA or giving it back to the bank. The Commissioners agreed that the mortgage on the property should be discussed with RSI Bank and the Rahway Parking Authority.

A motion was made by Commissioner Nash and Seconded by Commissioner Deige to approve the Executive Director's Report.

Yes: Commissioners Deige, Dobrowolski, Nash, Rack

Absent: Commissioners Sefranka, Staryak

LEGAL REPORT

Frank Regan, Esq. reported that Heartstone would be applying for a PILOT for the Station Place Project and that there was no new information regarding the relocation of A & M Industrial Supplies.

He stated that an agreement on the sale of the Elizabethtown Gas property was very close and the appraisers and attorneys were working out the final sale of the property.

Mr. Regan also commented that the Rahway Planning Board approved the Amended CBD Redevelopment Plan.

A motion was made by Commissioner Dobrowolski and Seconded by Commissioner Deige to approve the Legal Report.

Yes: Commissioners Deige, Dobrowolski, Nash, Rack

Absent: Commissioners Sefranka, Staryak

ENGINEERING REPORT

- Rahway Arts District Expansion Project – Hamilton Stage (Bell Bldg.) Generally, the building is complete, except for punch list items.
Review recommendation to award the construction of the air-conditioning Chiller Sound Wall.
- Meridia – Water's Edge
The developer continues with the building construction.
- Landmark – Park Square
Finalizing As-Built requirements.
- Meridia's Lafayette Village
Redeveloper is working to complete resolution compliance of the Planning Board's approval.
- Public Water Allocation for Future Redevelopment Projects
On behalf of the Agency, continue to monitor and consult with United Water – Rahway on their progress to satisfy NJDEP's requirements regarding public water supply and demand, and report to the Agency monthly. See attached NJDEP letter, dated February 27, 2013.

A motion was made by Commissioner Nash and Seconded by Commissioner Deige to approve the Engineer's Report.

Yes: Commissioners Deige, Nash, Staryak, Rack

Absent: Commissioners Dobrowolski, Sefranka

NEW BUSINESS

12-13: RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BOND, RETAINAGE AND FINAL PAYMENT TO GINGERELLI BROS., INC. AND ACCEPTANCE OF MAINTENANCE BOND FROM GINGERELLI BROS., INC. FOR THE CONSTRUCTION OF THE INTERIM PARKING LOT PROJECT AT THE FORMER HAMILTON LAUNDRY PROPERTY

WHEREAS, the Rahway Redevelopment Agency (hereinafter referred to as the "Agency") is the owner of Lot(s) 38, 39, 44 & 45, Block 167 on the official Tax Map of the City of Rahway, (hereinafter "the Property"); and

WHEREAS, on September 14, 2011, the Agency entered into a construction contract with Gingerelli Bros. Inc. ("GBI") to construct the interim parking lot on the Property (the "Project"); and

WHEREAS, GBI has completed construction of the Project and has requested release of the performance bond in the amount of \$1,143,314.88, retainage and final payment by the Agency in the amount of \$22,866.30; and

WHEREAS, GBI has provided the Agency with a two (2) year maintenance bond effective September 17, 2012 for the Project; and

WHEREAS, the Agency's engineer and general counsel have reviewed the request for release of the performance bond, retainage and final payment under the construction contract with GBI, as well as the maintenance bond, and recommend approval of said request and acceptance of the maintenance bond.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioner of the Rahway Redevelopment Agency that it hereby approves the release of the performance bond, retainage and final payment under the construction contract with GBI and accepts the two (2) year maintenance bond from GBI effective September 17, 2012 for the Project.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to the Agency's treasurer, Gingerelli Brothers, Inc. and Fidelity and Deposit Company of Maryland.

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 March 6, 2013.

A motion was made by Commissioner Deige and Seconded by Commissioner Dobrowolski to approve the Resolution.

*Yes: Commissioners Deige, Dobrowolski, Nash, Rack
Absent: Commissioners Sefranka, Staryak*

13-13: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO KDP DEVELOPERS, INC. FOR THE CONSTRUCTION OF A CHILLER WALL AT THE HAMILTON STAGE

WHEREAS, the Rahway Redevelopment Agency (hereinafter referred to as the "Agency") is the owner in fee simple of certain real property located in the City of Rahway, County of Union, New Jersey, designated as Lot(s) 38, 39 & 45, Block 167 on the official Tax Map of the City of Rahway, (hereinafter "the Property"); and

WHEREAS, there exists for the Agency, a need for the services of a qualified contractor to construct a chiller wall on the Property; and

WHEREAS, the Agency solicited prices in accordance with Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) for the construction of the Project; and

WHEREAS, the Agency treasurer is a qualified purchasing agent in accordance with the Local Public Contracts Law

WHEREAS, prices were received for the Project on January 4, 2013 from the following three (3) lowest bidders for the base and alternate bid:

KDP Developers, Inc.
Metal panel option : \$31,970.00
Composite option: \$28,840.00

K&D Contractors, LLC
Metal panel option: \$38,600.00
Composite option: \$32,800.00

GBI (Gingerelli Brothers)
Metal panel option: \$42,341.00*
Composite Option: \$27,064.00 (this proposal value is not comparable as they priced traditional wood and not composite material)

WHEREAS, the Agency staff, consultants and general counsel have reviewed the prices and determined that KDP Developers, Inc. has submitted the lowest responsive price, and therefore recommend that the contract for the Project be awarded to KDP Developers, Inc in accordance with the provision of the Local Public Contracts Law.

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

1. KDP Developers, Inc is the lowest responsive bidder for the Project Base Bid \$31,970.00 for the construction of a metal chiller wall
2. The Chairman and Executive Director are hereby authorized and directed to execute for the Agency, a contract with KDP Developers, Inc 220 Goodsprings Road, Stewartsville, New Jersey 08886 to construct a chiller wall at the Hamilton Stage in accordance with its bid, which shall remain on file in the Agency's office and available for public inspection.

3. That this contract shall be in an amount not to exceed \$31,970.00 payable upon completion of each task as outlined in the proposal.
4. A certified copy of this resolution shall be forwarded to KDP Developers, Inc.

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 March 6, 2013

A motion was made by Commissioner Deige and Seconded by Commissioner Dobrowolski to approve the Resolution.

Yes: Commissioners Deige, Dobrowolski, Nash, Rack

Absent: Commissioners Sefranka, Staryak

COMMISSIONER'S COMMENTS

Any Commissioner who wishes to provide comments shall do at this time

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:20 PM.