

Rahway Redevelopment Agency

MINUTES
July 6, 2011
6:30 P.M.

CALL TO ORDER

The meeting shall be called to order at 6:30 P.M. in the Council Chambers

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 shall then salute to the flag

ROLL CALL

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

*Commissioner Deige
Commissioner Dobrowolski
Commissioner Nash
Commissioner Saliga
Vice Chairman Clarke
Chairman Rack*

APPROVAL OF MINUTES

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

June 8, 2011

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

CORRESPONDENCE

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 Nash, seconded by Commissioner Clarke to accept and approve the Treasurer's Report:

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

EXECUTIVE DIRECTOR'S REPORT

LEGAL REPORT

UNFINISHED BUSINESS

NEW BUSINESS

27-11: A RESOLUTION TO REJECT THE TWO (2) BIDS RECEIVED BY THE RAHWAY REDEVELOPMENT AGENCY FOR THE CONSTRUCTION OF THE INTERIM PARKING LOT PROJECT AT THE FORMER HAMILTON LAUNDRY PROPERTY

WHEREAS, on June 3, 2011, bids were received in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and the construction documents prepared by Bohler Engineering, P.C. for the construction of the Interim Parking Lot Project at the former Hamilton Laundry property; and

WHEREAS, a total of two (2) bids were received; and

WHEREAS, all bids have been reviewed by Bohler Engineering, P.C. as set forth in a July 22, 2011 letter and the Rahway Redevelopment Agency's legal counsel has also reviewed the bids; and

WHEREAS, the Rahway Redevelopment Agency wants to substantially revise the specifications for the Interim Parking Lot Project; and

WHEREAS, the Rahway Redevelopment Agency intends to reject the bids in accordance with applicable law.

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

1. The two (2) bids received in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and the construction documents prepared by Bohler Engineering, P.C. for the construction of the Interim Parking Lot Project at the former Hamilton Laundry property.
2. Pursuant to N.J.S.A. 40A:11-1 et seq. and for the reasons set forth herein, the Rahway Redevelopment Agency hereby rejects the two (2) bids received on June 3, 2011 for the construction of the Interim Parking Lot Project at the former Hamilton Laundry property.
3. A copy of this Resolution shall be served upon the two (2) bidders who submitted bid proposals.

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 special meeting held on July 6, 2011.

A motion was made by Commissioner Deige, seconded by Commissioner Clarke to accept and approve the Resolution:

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

28-11: A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO WHITESTONE ASSOCIATES, INC. TO PERFORM ENVIRONMENTAL CONSULTING SERVICES FOR THE EXISTING LIBRARY STOCKPILE LOCATED ON BLOCK 305, LOT 5.04 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 relative to the removal of a soil stockpile on Lot 5.04 in Block 305, located in the Lower Main Street Urban Renewal Area (the "Property"), which Property is owned by the Rahway Redevelopment Agency; and

WHEREAS, Whitestone Associates, Inc. submitted a proposal, dated June 30, 2011 to provide the services described above for the Property, a copy of which is attached hereto and made part of this Resolution; 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 estimated amount \$25,350.00 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 July 6, 2011.

A motion was made by Commissioner Nash, seconded by Commissioner Clarke to accept and approve the Resolution:

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

29-11: RESOLUTION REGARDING THE APPLICATION OF "TIMES OF GRACE" FOR THE PROPERTY KNOWN AS 1417 MAIN STREET, ALSO KNOWN AS TAX BLOCK 326, LOT 4 IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA

WHEREAS, the property known as 1417 Main Street, Rahway, also known as Block 226, Lot 4, is located in the Central Business District Redevelopment Area (the "Property"); 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, including the review of projects proposed in redevelopment areas; and

WHEREAS, the Rahway Redevelopment Agency has the authority, pursuant to N.J.S.A. 40A:12A-1 et seq., to make recommendations for the redevelopment of property in redevelopment areas; and

WHEREAS, Harshad Patel is the owner of the Property and has consented to the submission of the application for the Property; and

WHEREAS, Robert Mankowski made an application to the Rahway Redevelopment Agency to use the Property for a fine arts gallery in the front of the space and private tattoo parlor in the rear of the space not visible from the street; and

WHEREAS, Robert Mankowski made a presentation to the Board of Commissioners of the Rahway Redevelopment Agency on June 6, 2011 in regards to its application for the Property; and

WHEREAS, the Property is in the Central Business District Redevelopment Area and the proposed use of the Property would be in conformance with the Redevelopment Plan and the Rahway Zoning Ordinance; and

WHEREAS, pursuant to Resolution 35-06 adopted on June 15, 2006, Robert Mankowski has paid fees in accordance with the fee schedule; and

WHEREAS, based on the application and presentation before the Board of Commissioners, the Board finds that the proposed development and use is consistent with the redevelopment project and the goals of the Central Business District Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency based on the application and presentation of Robert Mankowski for the Property located at 1417 Main Street, also known as Block 226, Lot 4 located in the Central Business District Redevelopment Area, the proposed use of the Property appears to be consistent with the Redevelopment Plan and Rahway Zoning Ordinance.

BE IT FURTHER RESOLVED, that the proposed use of the Property is subject to the description of same as set forth in the application and as represented by Robert Mankowski in his presentation and that Mr. Mankowski is the only authorized tattoo artist for the Property and will conduct his business by appointment only with no walk-ins.

BE IT FURTHER RESOLVED, that the proposed use of the Property is subject to the review and approval of the Rahway zoning officer.

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 July 6, 2011

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

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

30-11: RESOLUTION OF THE RAHWAY REDEVELOPMENT AGENCY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY MAKING AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:5A-6, N.J.S.A. 40A:5A-24 AND N.J.S.A. 40A:12A-20(a)(3) IN CONNECTION WITH THE CITY SECURED ARTS DISTRICT PROJECT

A motion was made by Commissioner Rack, seconded by Commissioner Nash to accept and approve placing Resolution 30-11 on the agenda:

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

A motion was made by Commissioner Deige, seconded by Commissioner Nash to accept and approve the Resolution 30-11:

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

COMMISSIONER'S COMMENTS

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

ADJOURNMENT

There being no further business, the meeting shall be adjourned