

Rahway Redevelopment Agency

Minutes
September 7, 2011
6:30 P.M.

CALL TO ORDER

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

OPEN PUBLIC MEETINGS ACT

This meeting had 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:

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

APPROVAL OF MINUTES

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

August 3, 2011 Regular Meeting

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

CORRESPONDENCE

- 1. Letter dated August 18, 2011 from Joan Stavros to Rick Proctor, Mayor, et al., regarding Meridia's Water's Edge, LLC Construction and Rental Complex.*
 - 2. Letter from Abe Naparstek to Peter Pelissier regarding Forest City Residential Group.*
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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 Nash, seconded by Commissioner Deige to accept and approve the Treasurer's Report:

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

EXECUTIVE DIRECTOR'S REPORT

Executive Director Peter Pelissier reported that a redeveloper (Forest City) was in to meet regarding possible opportunities in Rahway and was interested in the Center Circle property.

A motion was made by Commissioner Clarke, seconded by Commissioner Deige to accept and approve the Executive Director's Report:

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

LEGAL REPORT

Frank Regan reported that a meeting was held regarding Center Circle and the proposed Meridia Water's Edge project. He stated that there were no imposing conditions that would prohibit the project from moving forward.

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

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

NEW BUSINESS

34-11: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO 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 in fee simple of certain real property located in the City of Rahway, County of Union, New Jersey, designated as Lot(s) 38, 39, 44 & 45, Block 167 on the official Tax Map of the City of Rahway, County Clerk or Recorder's Deed Book Number(s) 5757 & 5415, Page Number(s) 0545 & 0191, (hereinafter "the Property"); and

WHEREAS, there exists for the Agency, a need for the services of a qualified contractor to construct the interim parking lot project on the Property (the "Project"); and

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

WHEREAS, bids were received for the Project on July 29, 2011 from the following bidders for the base bid:

Gingerelli Brothers., Inc.	\$1,178,850.50
Berto Construction, Inc.	\$1,631,895.32

WHEREAS, the Agency staff, consultants and general counsel have determined that Gingerelli Brothers, Inc. has submitted the lowest responsive bid, and therefore recommend that the contract for the Project be awarded to Gingerelli Brothers, 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. Gingerelli Bros., Inc. is the lowest responsive bidder for the Project.
2. The Chairman and Executive Director are hereby authorized and directed to execute for the Agency, a contract with Gingerelli Brothers, Inc., 2606 Route 37 East, Toms River, New Jersey 08753 to construct the Project 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 \$1,178,850.50 payable upon completion of each task as outlined in the bid.
4. The bid security of all other bidders shall be returned to them in accordance with Local Public Contracts Law; and
5. A certified copy of this resolution shall be forwarded to Gingerelli Brothers, 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 September 7, 2011.

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

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

35-11: RESOLUTION AUTHORIZING PAYMENT OF FUNDS PURSUANT TO THE SHARED SERVICES AGREEMENT BETWEEN THE RAHWAY REDEVELOPMENT AGENCY AND THE RAHWAY ARTS DISTRICT, INC. CONCERNING THE OPERATION AND MANAGEMENT OF RAHWAY ARTS DISTRICT, INC. AND PROPERTIES OWNED BY THE RAHWAY REDEVELOPMENT AGENCY FOR THE PERFORMING ARTS

WHEREAS, on or about January 5, 2011, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., (the "Act"), the Rahway Redevelopment Agency (the "Agency") and the Rahway Arts District, Inc. ("Rahway Arts") entered into a Shared Services Agreement; and

WHEREAS, pursuant to the Shared Services Agreement, the Agency agreed to provide funding in the total amount of \$300,000 to Rahway Arts, which funding was intended to be provided to Rahway Arts by the Agency in increments of \$100,000 per year based on availability of funding; and

WHEREAS, the Rahway Arts has used and intends to continue to use the funding provided by the Agency for costs associated with its purpose of support, encouragement and promotion of the arts in Rahway and the associated economic development related thereto, including but not limited to the start-up of the operation and management of the black box studio to be constructed and owned by the Agency on properties known as Block 167, Lots 38, 39, 42, 44 and 45 located on Hamilton Street in Rahway (now known as the "Hamilton Stage") and its responsibilities as district management corporation for the SID; and

WHEREAS, the Agency has already provided \$100,000 to Rahway Arts and pursuant to a request by Rahway Arts, the Agency proposes to provide the second allocation of \$100,000 to Rahway Arts for use in accordance with the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby authorizes the second allocation of \$100,000 to Rahway Arts for use in accordance with the Shared Services Agreement.

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 September 7, 2011.

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

Commissioners commented on the additional funding and asked for information regarding the original \$100,000.00 and financial expenditures to date.

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

36-11: RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE UNION COUNTY PERFORMING ARTS CENTER, INC. FOR THE PROPERTY KNOWN AS TAX BLOCK 167, LOTS 38, 39, 44 & 45, ALSO KNOWN AS THE FORMER HAMILTON LAUNDRY/BELL BUILDING IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA FOR USE AS A THEATER, SUPPORT FACILITIES AND PARKING

WHEREAS, the Union County Performing Arts Center, Inc. ("UCPAC") is a non-profit entity dedicated to providing exciting live performances that are educational, affordable and responsive to the diverse interests of the communities it serves, which performances are held in the historic Rahway Theater, which UCPAC; and

WHEREAS, the Rahway Redevelopment Agency owns the property known as Block 167, Lots, 38, 39, 44 & 45 (the "Property"), which Property is currently being reconstructed for the purposes of creating a 200-seat proscenium theater with rehearsal hall, flexible 50-seat public space, dressing rooms and other support facilities, including parking; and

WHEREAS, the Rahway Redevelopment Agency has no intention of operating the improvements constructed on the Property, other than the use of parking to support other downtown activities when no performances are being held at the Property; and

WHEREAS, the UCPAC, working in conjunction with the Rahway Arts District, Inc., intends to solicit artistic affiliates and companies that specialize in producing performances of theater, dance, music ensemble, vocal ensemble, children's theatre or another performing arts disciplines to use the Property; and

WHEREAS, the UCPAC and the Rahway Redevelopment Agency have agreed to the terms and conditions of a lease agreement for the Property for a thirty (30) year period for use as a 200-seat proscenium theater with rehearsal hall, flexible 50-seat public space, dressing rooms and other support facilities, including parking.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby authorizes the execution of a lease agreement with the Union County Performing Arts Center, Inc. for the Property, said lease shall be for a term of thirty (30) years for use as a 200-seat proscenium theater with rehearsal hall, flexible 50-seat public space, dressing rooms and other support facilities, including parking.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary are hereby authorized to execute any and all documents, including the lease agreement in a form substantially consistent with that attached hereto, subject to final review by general counsel as to legal form and content.

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 September 7, 2011.

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

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:28 PM.

*Submitted by,
Cynthia Solomon*