

Rahway Redevelopment Agency

MINUTES

March 4, 2015

6:30 P.M.

CALL TO ORDER

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

OPEN PUBLIC MEETINGS ACT

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:

Egon Behrmann, Commissioner
Sondra Fishinger, Commissioner
Rodney Farrar, Commissioner
Armando Sanchez, Commissioner
Paul Sefranka, Commissioner
Ann Marie Williams, Commissioner

Absent: Commissioner Nash

APPROVAL OF MINUTES

A motion was made by Commissioner Sefranka and Seconded by Commissioner Sanchez to approve the Minutes of the February 4, 2015 d Regular Meeting

Yes: Commissioners Behrmann, Fishinger, Farrar, Sanchez, Sefranka, Williams

Absent: Commissioner Nash

CORRESPONDENCE

1. Letter dated February 6, 2015 from Jeanne Ann McManus, Esq. to Faraday regarding 2 City Hall Plaza.
2. Letter dated February 5, 2015 from Jeanne Ann McManus, Esq. to Sean R. McGowan, Esq. regarding Meridia Water's Edge.
3. Letter dated February 9, 2015 from Jeanne Ann McManus, Esq. to Robert T. Lawless, Esq. regarding Hamilton Stage.
4. Letter dated February 9, 2015 from Jeanne Ann McManus, Esq. to Michael Mason, Esq. regarding Gingerelli Brothers.
5. Letter dated February 20, 2015 from Lerch, Vinci & Higgins, LLP to RRA regarding the annual audit.
6. Letter dated February 23, 2015 from Joan Stavros, Esq. to Leonard T. Bier regarding the Center Circle Rear Parking Lot.

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 Sanchez and Seconded by Commissioner Fishinger to approve the Treasurer's Report.

Yes: Commissioners Behrmann, Fishinger, Farrar, Sanchez, Sefranka, Williams

Absent: Commissioner Nash

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Len Bier, reported on meetings that were held with several developers this month, including: Basad Realty regarding 2 City Hall Plaza and the condominium common areas, and Joe Goodman, regarding the Wanwick Labs property. In addition, Mr. Bier reviewed the Agreement for the Brownstones Project with Capodagli Properties.

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

*Yes: Commissioners Behrmann, Fishingier, Farrar, Sanchez, Sefranka, Williams
Absent: Commissioner Nash*

LEGAL REPORT

Jeanne McManus, Esq. reported on the correspondence that was sent this month and various issues regarding Meridia Properties, the 2 City Hall Plaza Condominium Agreement, and the Hamilton Stage and Gingerelli Brothers.

Commissioner Sefranka expressed skepticism regarding Gingerelli Brothers completing the work needed at the Hamilton Stage.

A motion was made by Commissioner Sefranka and Seconded by Commissioner Sanchez to approve the Legal Report.

*Yes: Commissioners Behrmann, Fishingier, Farrar, Sanchez, Sefranka, Williams
Absent: Commissioner Nash*

ENGINEERING REPORT

1. Slokker International – The Developer continues to finalize his Site Plan application for Planning Board submission. We anticipate the application to be reviewed at the March Planning Board meeting.

2. Artist Housing/Elizabethtown Gas Company Property – The Developer has finalized his concept plan and is beginning to work on his Site Plan and Subdivision. We anticipate the application to be reviewed at the May Planning Board meeting.

3. Meridia Brownstones – The application was approved by the Planning Board in December 2014 and we are awaiting revised Plans to review for Resolution Compliance.

4. Hamilton Stage – see Bohler email dated 3/4/15.

5. Meridia Water's Edge – The developer has yet to complete the construction of an ADA ramp prior to issuance of a Final Certificate of Occupancy.

6. Metro-Rahway/Station Place – A Certificate of Occupancy was issued the week of 02/16/15.

7. Meridia Lafayette Village – The foundation permit has been issued and construction on the foundations is ongoing. The Construction Official and City Engineer are continuing to review the construction plans.

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

*Yes: Commissioners Behrmann, Fishingier, Farrar, Sanchez, Sefranka, Williams
Absent: Commissioner Nash*

OLD BUSINESS

NEW BUSINESS

Resolutions

12-15: RESOLUTION EXTENDING THE REAFFIRMATION OF THE ACQUISITION OF THE PROPERTY KNOWN AS 219 CENTRAL AVENUE, ALSO KNOWN AS BLOCK 167, LOT 1 LOCATED IN THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT AREA, APPROVING A LOAN AGREEMENT WITH THE CITY OF RAHWAY FOR FUNDING TO ACQUIRE SAID PROPERTY AND AUTHORIZING A MORTGAGE ON SAID PROPERTY

WHEREAS, pursuant to N.J.S.A. 40A:12A-8 of the Local Redevelopment and Housing Law, the Rahway Redevelopment Agency (the "Agency") is authorized to acquire property located within a designated redevelopment area by negotiation or condemnation; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-5, the Central Business District Redevelopment Area was determined to be an area in need of redevelopment by the Municipal Council of the City of Rahway; and

WHEREAS, 219 Central Avenue, Block 167, Lot 1 is located in the Central Business District Redevelopment Area and is commonly referred to as the Elizabethtown Gas property (the "Property"); and

WHEREAS, the Board of Commissioners of the Rahway Redevelopment Agency has determined that it would serve the purposes of the Agency and N.J.S.A. 40A:12A-1 et seq. for it to acquire the Property for redevelopment of the Project; and

WHEREAS, the Property is owned by Elizabethtown Gas and the Agency entered into an Agreement of Sale, dated December 6, 2013 to acquire the Property for \$731,000.00; and

WHEREAS, on March 5, 2014, the Agency adopted a resolution approving and authorizing the execution of a redevelopment agreement with Ingerman Development, Inc. as redeveloper of the Property and subsequently adopted a resolution on May 7, 2014 approving amendments to the redevelopment agreement; and

WHEREAS, Ingerman Development (the "Redeveloper") is proposing to develop a project consisting of the construction of up to 58 affordable rental units in a 4 story structure (the "Project"); and

WHEREAS, the Agency does not have the funds available to pay for the acquisition of the Property and the City of Rahway (the "City") has agreed to loan the necessary funds to the Agency for repayment upon the sale and conveyance of the Property to the Redeveloper for the Project, whereby the Redeveloper has agreed to pay the Agency \$956,000; and

WHEREAS, the City Council introduced a bond ordinance to provide the funds to the Agency and adopted the bond ordinance on August 11, 2014 and the funds are available 20 days thereafter;

WHEREAS, pursuant to N.J.S.A. 40A:12A-1 et seq. the Agency is permitted to borrow funds and enter into agreements for the receipt of repayment of funds for redevelopment activities; and

WHEREAS, the City and Agency have agreed to enter into a loan agreement setting forth the terms and conditions of the funds and the Agency agrees to provide the City with a term note and mortgage on the Property upon its acquisition by the Agency.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Rahway Redevelopment Agency that it hereby reaffirms the acquisition of the property located at 219 Central Avenue, also known as Block 167, Lot 1 in the Central Business District Redevelopment Area, approving a loan agreement with the City for the funds to acquire the Property and authorizing a mortgage on the Property for the benefit of the City.

BE IT FURTHER RESOLVED that the Chairman, Executive Director and Secretary are hereby authorized to execute any and all related documents including, loan and security documents, subject to the review of counsel, to effectuate the acquisition of the Property.

Certified to be 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 March 4, 2015.

A motion was made by Commissioner Sanchez and Seconded by Commissioner Fishingier to approve the Resolution.

*Yes: Commissioners Behrmann, Fishingier, Farrar, Sanchez, Sefranka, Williams
Absent: Commissioner Nash*

COMMISSIONER'S COMMENTS

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:10 PM