



Atlantic County Improvement Authority  
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John C. Lamey, Jr.  
Executive Director

## **MINUTES OF THE BOARD MEETING**

**Thursday, April 19, 2018**

**THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
1333 Atlantic Avenue, Suite 700  
Atlantic City, NJ 08401**

In accordance with the provisions of the Open Public Meetings Act (N.J.S.A. 10:4-10) the Regular Board Meeting of the Atlantic County Improvement Authority Board of Commissioners was called to order by Chairperson Foster at 4:08 p.m. in the 7<sup>th</sup> Floor Conference Room at the Atlantic County Improvement Authority, 1333 Atlantic Avenue, Suite 700, Atlantic City, New Jersey 08401.

### **COMMISSIONERS IN ATTENDANCE**

Roy M. Foster, Chairperson; Robert J. Tarby, Sr., Vice-Chairperson; Neil McPeak, Treasurer; Edwin G. Blake, Secretary; Donald Guardian, Commissioner (*via telephonically*), and Robert P. Gross, Commissioner.

Rev. Milton Hendricks, Asst. Secretary, Mayor John Armstrong, Commissioner; and, Christopher Fallon, Commissioner, were absent from the meeting.

### **STAFF IN ATTENDANCE**

John C. Lamey, Jr., Executive Director; Timothy Edmunds, Director of Projects; Lori Riggs, Program Manager; Joseph Giraldo, Program Administrator; Dianilda Torres, Finance Manager; Lisa Duffner, Executive Assistant; and Ellen Hiltner, Administrative Assistant.

### **OTHERS IN ATTENDANCE**

Randolph Lafferty, Esquire, Cooper Levenson; Bonnie Lindaw, Atlantic County Treasurer; Robert W. Allison, CPA, Vice-President, Holman, Frenia, Allison, P.C. , and Brian J. Waldron, CPA, Audit Manager, Holman, Frenia, Allison, P.C.

### **I. OPENING STATEMENT AND ROLL CALL**

Chairperson Foster read the Notice of Public Meeting and the roll was called.

## **II. MINUTES**

### **A. Minutes of the March 8, 2018, Board Meeting Attachment #1**

The Board was asked to approve the Minutes of the March 8, 2018, Board Meeting.

A motion was made by Mr. Blake, and seconded by Mr. Tarby, to approve the Minutes of the March 8, 2018, Board Meeting. By a roll-call vote of 6-0-0, the Minutes were approved.

## **III. FINANCIAL REPORT**

### **A. Financial Report from February 2018 Attachment #2**

The Board was asked to approve, by resolution, the expenditures contained in the February 2018 Financial Report.

A motion was made by Mr. Tarby, and seconded by Mr. Gross, to approve the resolution. By a roll-call vote of 6-0-0, the resolution was approved.

## **IV. EXECUTIVE DIRECTOR'S REPORT**

### **A. ACIA Activities Report – April 2018**

Mr. Lamey thanked Mr. McPeak and Mr. Blake for volunteering their time to serve on the Section 108 Business Loan Review Committees for both Atlantic City and Atlantic County.

Mr. Lamey directed the Board's attention to the ACIA Activities List and provided a brief update on the Section 108 Loan Program and the progress of 600 Aviation Park Boulevard.

### **B. CONTRACTS AWARDED – Authorized by the Executive Director**

There were no contracts authorized by the Executive Director for an amount under the public bidding threshold (\$17,500), as established pursuant to P.L. 1985 Chapter 469.

## **V. ADMINISTRATIVE**

### **A. Presentation – Review of the 2017 Annual Audit by Holman Frenia Allison, P.C.**

Robert Allison and Brian Waldron of the Auditing firm of Holman Frenia Allison presented regarding their Audit of the Authority's 2017 Financial Records which were previously presented in depth to the Audit Committee of Mr. Foster, Mr. Blake and Mr. McPeak.

Mr. Lamey pointed out that the audit is normally due to be submitted to the State by the end of April, with a resolution from the Board acknowledging that they have reviewed the document and, in particular, any findings and recommendations. However, because the State still has not yet released the GASB 68 Pension reports which are needed to record pension data in the Financial Statements for the year ended December 31, 2017; the auditors cannot finalize the report.

Mr. Allison explained that once the pension numbers are released, the report will be completed. However, those numbers will have no effect on the results of the Audit, since they are not under the control of staff or the Board. In the interest of keeping the Board informed in a timely manner, it was agreed to schedule the auditors to make the presentation to put forth the results of the Audit with the understanding that they will provide a summary of the adjustment when the numbers are released. They will also come back, if necessary, prior to the Board's acknowledgement by resolution and submission to the State.

They have been in touch with the State's Division of Local Government Services who is aware of the issue and have continued to inform the auditors to not submit reports with prior year pension numbers, but wait for new reports to be released, regardless of the due date deadline.

Mr. Waldron presented a summary of the financials and noted that they will issue an unmodified opinion, and the report does not contain any findings or recommendations. He also thanked the Audit Review Committee for meeting with them prior to today's Board meeting. He stated that as a result of their audit, Holman, Frenia, Allison issued an unmodified opinion with no findings or recommendations and no concerns regarding compliance issues.

Mr. Lamey thanked Chairperson Foster, Mr. McPeak and Mr. Blake for volunteering on the ACIA's Audit Review Committee.

**B. Holman Frenia Allison, P.C. Contract Amendment**

**Attachment #3**

The Board was asked to adopt a resolution authorizing an additional \$3,200.00 to the Professional Services Agreement with Holman Frenia Allison, P.C., for services related to the finalization of the Authority's financial statements for 2017.

Mr. Lamey stated that the RFP for Auditing services specified that we would provide completed financial statements to the auditors. Because the significant increases in the level of activity over the last couple of years have resulted in an increase in the hours required of the Finance Manager to maintain the financial records on a daily basis it became apparent that in order to meet the deadline, we would have to divert some of her time away from daily activities.

Rather than fall behind in our on-going financial management, which includes record keeping, issuing payments, monitoring receipts, etc., the Executive Director and staff determined that it was more efficient to enlist the auditors to assist with the finalization of the statements so we did not put ourselves in the position of trying to catch-up with our on-going responsibilities.

A motion was made by Mr. Gross, and seconded by Mr. Tarby, to approve the resolution. By a roll-call vote of 6-0-0, the resolution was approved.

**VI. PROJECT MANAGEMENT**

**A. Atlantic County Stillwater and Hammonton Facility Attachment #4  
ADA Improvements**

Mr. Lamey asked Mr. Edmunds to address the Board next regarding the bid award for the Atlantic County ADA Entrance Improvements to Stillwater Building Public Health Dept. Entrance in Northfield and the Human Services Building Entrance in Hammonton.

Mr. Edmunds stated that this is a continuation of the County's program to improve building entrances and to ensure compliance with ADA standards. He said that the ACIA has been providing project management services over the last several years for these projects.

On March 23rd, 2018, ACIA received bids for Atlantic County ADA Entrance Improvements to Stillwater Building Public Health Dept. Entrance in Northfield and the Human Services Building Entrance in Hammonton. Bids were received from five (5) contractors, Maxwell Construction, M.B. Markland, Automated Access Systems, Porretta Builders and Kavi Construction. The bids ranged from a high of \$122,925.00 (Automated Access Doors) to a low of \$56,869.00 (Maxwell).

ACIA staff reviewed Maxwell's bid package for compliance with NJ Local Public Contracts Law requirements and finding it to be in order/compliance, recommended award to Maxwell Construction in the amount of \$56,869.00

The Board was asked to authorize a contract with Maxwell Construction in the amount of \$56,869.00 for Atlantic County ADA Entrance Improvements to Stillwater Building Public Health Department Entrance in Northfield, and the Human Services Building Entrance in Hammonton.

A motion was made by Mr. Gross, and seconded by Mr. Blake, to approve the resolution. By a roll-call vote of 6-0-0, the resolution was approved.

**B. Demolition – 903 Atlantic Avenue, Atlantic City Attachment #5**

Mr. Lamey stated that on April 5<sup>th</sup>, 2018, the ACIA was contacted by Dale Finch, Director of Licensing and inspections regarding the building at 903 Atlantic Avenue that partially collapsed earlier in the day. Mr. Finch asked the Authority to demolish it as part

of the Authority's demolition program, as soon as possible, due to the imminent hazard and threat to public safety

Tim Edmunds, ACIA's Director of Projects, immediately proceeded to secure the three (3) quotes as follows from prequalified contractors in our pool:

Delphi- \$489,790.00  
Transformation- \$247,900.00  
EarthTech- \$247,000.00

At Mr. Lamey's request, Mr. Finch forwarded information that documented that the amount of \$247,000 to reimburse the Authority for the cost of the demolition was approved by the City, and all necessary emergency documents completed, including the Emergency Certification, a Purchase Order to the Authority, and the Notice of Imminent Hazard with appropriate signatures of the Mayor, the State Monitor, and the Code Enforcement Official.

Mr. Finch indicated that since the property was also in the Tourism District the demolition would be paid for by CRDA. Mr. Lamey then reached out to Chris Howard, the CRDA Executive Director, who confirmed to Mr. Lamey that the CRDA would pay the cost of the demolition.

Mr. Lamey then polled the Board by e-mail to make sure that each member was informed of the situation and approved the contract between the Authority and EarthTech. By the morning of April 6th, 2018, all Board members responded affirmatively, and the Authority gave the contractor the notice to proceed.

The Board was then asked to ratify the contract with EarthTech Enterprises for the Emergency Demolition of 903 Atlantic Avenue, Atlantic City, for \$247,000.00.

A motion was made by Mr. Blake, and seconded by Mr. Tarby, to approve the resolution. By a roll-call vote of 6-0-0, the resolution was approved.

**VII. EXECUTIVE SESSION**

A motion to enter into Executive Session at 4:42 p.m. was made by Mr. Blake, and seconded by Mr. Tarby.

The Board returned to Regular Session at 4:52 p.m.

**VIII. OTHER BUSINESS – None.**

**XI. OPEN SESSION – There was no one from the public who attended today's meeting.**

**XIII.            ADJOURNMENT**

A motion was made by Mr. Blake, and seconded by Mr. McPeak, to adjourn the meeting at 4:53 p.m. By a roll-call vote of 6-0-0, the meeting was adjourned.

Respectfully,

A handwritten signature in black ink, appearing to read 'Edwin G. Blake', written over a horizontal line.

Edwin G. Blake  
Secretary