

MEMORANDUM

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Date: December 21, 2012

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

From: **Honorable Dennis Levinson
Atlantic County Executive**

Re: **Minutes of the Regular Board Meeting on December 19, 2012**

I. **The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq., on December 19, 2012.**

- (a) x by the end of the fifth business day following the meeting.
- (b) as soon as practicable following the meeting where emergency action has been taken.
- (c) beyond the statutory period for submission.

II. **I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of Freeholders, on the date set forth above, which is:**

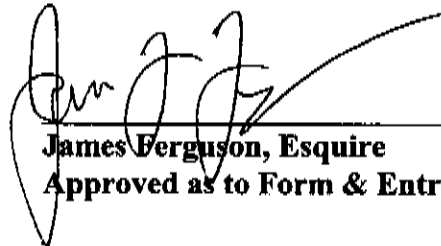
- (a) x within ten days of delivery.
- (b) within twenty-four (24) hours of delivery where the action taken at the meeting was deemed by the Authority to be in response to an emergency situation.

III. **The following action is taken on the Minutes:**

- (a) x Approved in all respects.
- (b) Vetoed in all respects. A written explanation of the reasons for the veto is attached.
- (c) Approved in part and vetoed in part. The specific items which are vetoed and a written explanation of the reasons for the veto or vetoes is attached.



**Dennis Levinson
Atlantic County Executive**



**James Ferguson, Esquire
Approved as to Form & Entry**

cc: **Jim Ferguson, Atlantic County Counsel**

ATTACHMENTS: Minutes
 Veto Message

ACIA

Atlantic County Improvement Authority
5909 Main Street, 2nd Floor, Mays Landing, N.J. 08330
Phone: 609-645-5838 Fax: 609-645-5813

John C. Lamey, Jr.
Executive Director

MINUTES OF THE BOARD MEETING

December 19th, 2012

THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
5909 Main Street, 2nd Floor
Mays Landing, NJ 08330

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 pm in the Conference Room at the Atlantic County Improvement Authority, 5909 Main Street, Mays Landing, NJ 08330.

COMMISSIONERS IN ATTENDANCE

Roy M. Foster, Chairperson; Joseph Ingemi, Commissioner(by phone);; Robert Tarby, Sr., Secretary; Edwin Blake, Assistant Secretary and Rev. Milton Hendricks, Commissioner attended. Neil McPeak, Treasurer, and Edwin Blakc, Assistant Secretary were absent. Maureen Bugdon, Asst. Chair attended by phone but did not vote.

STAFF IN ATTENDANCE

John C. Lamey, Jr., Executive Director; Kimberly Quigley, Administrative Assistant; and Jerry Cormier, Director of Projects.

OTHERS IN ATTENDANCE

Rick DeLucry, ACIA Counsel, Bonnie Lindaw, County Treasurer, and Paul Chan, Partner of Barlinvis Associates.

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 November 14, 2012 Board Meeting

The Board was asked to approve the minutes of the November 14, 2012 Board Meeting.

A motion was made by Rev. Hendricks to approve the minutes of the November 14, 2012 Board Meeting, seconded by Mr. Foster. By a vote of 4-0 the minutes were approved.

III. FINANCIAL REPORT

A. Financial Report from October 2012

The Board was asked to adopt a resolution approving the Financial Report for October 2012.

A motion was made by Mr. Tarby to adopt a resolution approving the Financial Report for October 2012, seconded by Rev. Hendricks. By a vote of 4-0 the resolution was approved.

B. Financial Report from November 2012

The Board was asked to adopt a resolution approving the Financial Report for November 2012.

A motion was made by Rev. Hendricks to adopt a resolution approving the Financial Report for November 2012, seconded by Mr. Tarby. By a vote of 4-0 the resolution was approved.

C. Adoption of the 2013 ACIA Annual Budget

The Board was asked to adopt a resolution approving the ACIA Budget for the Fiscal Year January 1, 2013 to December 31, 2013.

A motion was made by Rev. Hendricks to adopt a resolution approving the ACIA Budget for the Fiscal Year January 1, 2013 to December 31, 2013, seconded by Mr. Tarby. By a vote of 4-0 the resolution was approved.

IV. EXECUTIVE DIRECTOR'S REPORT

A. AUTHORITY UPDATE

Executive Director Lamey provided the Board with a brief update on projects the Authority is currently working on. He also informed the board of future project prospects.

B. CONTRACTS AWARDED- Authorized by 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. **ADMINISTRATION**

A. **Health Benefits/ State Health Plan- NJSHBP Contract**

The Board was asked to approve a resolution authorizing the Executive Director to enter into a contract with the State of New Jersey Health Benefits for health insurance for 2013.

A motion was made by Mr. Tarby to approve a resolution authorizing the Executive Director to enter into a contract with the State of New Jersey Health Benefits for health insurance for 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

B. **Health Benefits/ Division and Dental Plan- Atlantic County**

The Board was asked to approve a resolution authorizing the Executive Director to enter into a contract with Atlantic County for dental and vision insurance for 2013.

A motion was made by Rev. Hendricks to approve a resolution authorizing the Executive Director to enter into a contract with Atlantic County for dental and vision insurance for 2013, seconded by Mr. Tarby. By a vote of 4-0 the minutes were approved.

C. **Lease- Atlantic County- Interlocal Service Agreement**

The Board was asked to approve a resolution authorizing the Executive Director to execute a contract with the County of Atlantic for rent for 2013.

A motion was made by Mr. Tarby to approve a resolution authorizing the Executive Director to execute a contract with the County of Atlantic for rent for 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

D. **Insurance Consulting- Insurance Buyers Council, Inc.**

The Board was asked to approve a resolution authorizing the Executive Director to execute a contract for insurance consulting services for construction projects and all other insurance related matters for 2013.

A motion was made by Mr. Tarby to approve a resolution authorizing the Executive Director to execute a contract for insurance consulting services for construction projects and all other insurance related matters for 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

E. **Authority's Property & Liability Insurance for 2013**

The Board was asked to approve a resolution authorizing the Executive Director to award a contract for the Authority's Property and Liability Insurance for 2013.

A motion was made by Rev. Hendricks to approve a resolution authorizing the Executive Director to award a contract for the Authority's Property and Liability Insurance for 2013, seconded by Mr. Tarby. By a vote of 4-0 the minutes were approved.

F. Authority's Public Officials Liability Insurance for 2013

The Board was asked to approve a resolution authorizing the Executive Director to award a contract for the Authority's Public Officials Liability Insurance for 2013.

A motion was made by Mr. Tarby to approve a resolution authorizing the Executive Director to award a contract for the Authority's Public Officials Liability Insurance for 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

G. Agreement with Cooper Levenson for Legal Presentation

The Board was asked to approve a resolution authorizing the Executive Director to confirm an agreement with Cooper Levenson for legal representation in a matter of pending litigation.

The Authority confirmed and ratified that its interests in the Barlinvis litigation continue to be represented by Richard DeLucry, Esquire of Cooper Levenson at the same hourly rate as, but separate from, the legal services provided under the current General Counsel contract.

A motion was made by Rev. Hendricks to approve a resolution authorizing the Executive Director to confirm an agreement with Cooper Levenson for legal representation in a matter of pending litigation, seconded by Mr. Tarby. By a vote of 4-0 the minutes were approved.

VI. FINANCING

A. Bond Counsel Pool

The Board was asked to approve a resolution renewing the designation of the pool of firms from which the Executive Director will select one to provide services as the primary legal representative of the Authority in individual matters relating to the issuance of public debt instruments including bonds and bond anticipation notes of the Authority for the period of one year from January 1, 2013 to December 31, 2013.

A motion was made by Mr. Tarby to approve a resolution renewing the designation of the pool of firms from which the Executive Director will select one to provide services as the primary legal representative of the Authority in individual matters relating to the issuance of public debt instruments including bonds and bond anticipation notes of the Authority for the period of one year from January 1, 2013 to December 31, 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

B. Financial Advisor Contract

The Board was asked to approve a resolution authorizing the Executive Director to renew the contract with NW Financial Group, LLC to provide Financial Advice to the Authority as it relates to its issuance of public debt instruments including bonds and bond anticipation notes of the Authority for the period of one year from January 1, 2013 to December 31, 2013.

A motion was made by Mr. Tarby to approve a resolution authorizing the Executive Director to renew the contract with NW Financial Group, LLC to provide Financial Advice to the Authority as it relates to its issuance of public debt instruments including bonds and bond

anticipation notes of the Authority for the period of one year from January 1, 2013 to December 31, 2013, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

VII. PROJECT MANAGEMENT

A. ACIT/ACSSSD Solar Project Shared Services Agreement

The Board was asked to pass a resolution authorizing the Executive Director to execute an amendment to the Shared Services Agreement with the Atlantic County Institute of Technology and the Atlantic County Special Services School District for additional services related to the joint solar project for an amount not to exceed \$5,060.00.

A motion was made by Mr. Tarby to pass a resolution authorizing the Executive Director to execute an amendment to the Shared Services Agreement with the Atlantic County Institute of Technology and the Atlantic County Special Services School District for additional services related to the joint solar project for an amount not to exceed \$5,060.00, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

B. Amendment- ACIT/ACSSSD Solar Project Agreement

The Board was asked to authorize the Executive Director to execute an amendment to the agreement with Blue Sky Power for Solar Design Services for the ACIT/ACSSSD Solar Project in an amount not to exceed \$2,660.00.

A motion was made by Mr. Tarby to authorize the Executive Director to execute an amendment to the agreement with Blue Sky Power for Solar Design Services for the ACIT/ACSSSD Solar Project in an amount not to exceed \$2,660.00, seconded by Rev. Hendricks. By a vote of 4-0 the minutes were approved.

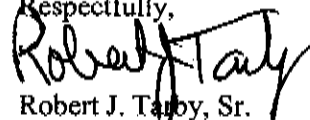
VIII. EXECUTIVE SESSION

A motion to enter into Executive Session at 4:11 pm was made by Rev. Hendricks and seconded by Mr. Tarby. The Board returned to regular session at 4:31 pm.

IX. ADJOURNMENT

A motion was made by Rev. Hendricks and seconded by Mr. Tarby to adjourn the meeting at 4:56 p.m. All were in favor.

Respectfully,


Robert J. Tarby, Sr.
Assistant Secretary

EXECUTIVE SESSION MINUTES

Upon motion duly made and seconded, the Board went into closed session to discuss a matter of pending litigation.