



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

MINUTES OF THE BOARD MEETING

December 3, 2014

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 Edwin G. Blake, Secretary at 4:13 p.m. in the 7th 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 (arrived at 4:25 p.m.); Edwin G. Blake, Secretary; Rev. Milton Hendricks, Asst. Secretary; Neil McPeak, Treasurer; Joseph Ingemi, Commissioner (arrived at 4:18 p.m.); Robert Gross, Commissioner and Mayor John Armstrong, Commissioner, attended.

Mayor Don Guardian, Commissioner, and Robert Tarby, Sr., Vice Chairperson, were absent.

STAFF IN ATTENDANCE

John C. Lamey, Jr., Executive Director; Lori Riggs, Program Manager; Joseph J. Giraldo, Program Manager; Mily Torres, Senior Accountant; and Lisa Duffner, Administrative Assistant.

OTHERS IN ATTENDANCE

Arch Liston, Business Administrator for the City of Atlantic City; Randy Lafferty, General ACIA Counsel; and Bonnie Lindaw, County Treasurer .

I. OPENING STATEMENT AND ROLL CALL

Mr. Blake read the Notice of Public Meeting and the roll was called.

II. MINUTES

A. Minutes of the October 29, 2014, Board Meeting

The Board was asked to approve the Minutes of the October 29, 2014, Board Meeting.

A motion was made by Rev. Hendricks to approve the Minutes of the October 29, 2014 Board Meeting, seconded by Mr. Gross. By a vote of 5-0-0, the Minutes were approved. Roy Foster, Chairperson; Robert Tarby, Sr., Vice Chairperson; Joseph Ingemi, Commissioner; and Mayor Don Guardian, Commissioner, were absent for the vote.

III. EXECUTIVE DIRECTOR JOHN C. LAMEY, JR.

Executive Director Lamey thanked the ACIA Board Members for their service.

A. Retirement of Jerry Cormier, Director of Projects

Mr. Lamey spoke regarding the retirement of Jerry Cormier, Director of Projects. Mr. Cormier is retiring on December 31, 2014, after 31 years of service with the ACIA. Mr. Lamey read a resolution, which the Board was asked to adopt, recognizing Mr. Cormier for his contributions and thanking him for his many years of service with the ACIA. Once adopted, the resolution will be mounted on a plaque and presented to Mr. Cormier at his retirement celebration.

Mr. Cormier then spoke, thanking all of the ACIA Board Members, the current and past Executive Directors, and the many contractors he has worked with over the years.

A motion was made by Mr. Armstrong to approve the resolution for Jerry Cormier's retirement, seconded by Mr. Gross. By a vote of 6-0-0, the resolution was adopted. Roy Foster, Chairperson; Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

IV. FINANCIAL REPORTS

A. Financial Report from September 2014

Mr. Lamey asked the Board to approve a resolution for the expenditures contained in the Financial Report for September 2014. A motion was made by Mr. Armstrong to adopt the resolution and seconded by Rev. Hendricks. By a vote of 6-0-0, the resolution was adopted. Roy Foster, Chairperson; Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

B. Financial Report from October 2014

Mr. Lamey asked the Board to approve a resolution for the expenditures contained in the Financial Report for October 2014. A motion was made by Rev. Hendricks to adopt the resolution and seconded by Mr. Gross. By a vote of 6-0-0, the resolution was adopted. Roy Foster, Chairperson; Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

V. ADOPTION OF THE 2015 ACIA ANNUAL BUDGET

Mr. Lamey then asked the Board to adopt a resolution approving the ACIA Budget for the Fiscal Year, January 1, 2015 to December 31, 2015. The Board approved the Budget in October and it has been approved by NJ DCA. Total Revenue: \$2,558,691.90. Total Appropriations: \$2,546,241.21

A motion was made by Mr. Gross to adopt the resolution and seconded by Mr. Ingemi. By a vote of 6-0-0, the resolution was adopted. Roy Foster, Chairperson; Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

VI. HEALTH BENEFITS/STATE HEALTH PLAN – NJSHBP CONTRACT

Mr. Lamey presented the Board with information regarding health benefits/State Health Plan for the ACIA employees. He asked the Board to approve a resolution authorizing him, as the Executor Director, to enter into a contract with the State of New Jersey Health Benefits for \$207,983.00 for health insurance for the authority's eligible employees 2015.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Gross. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

VII. HEALTH BENEFITS/VISION AND DENTAL PLAN – ATLANTIC COUNTY

Mr. Lamey presented the Board with information regarding health benefits/Atlantic County Vision and Dental Plans for the ACIA employees. He asked the Board to approve a resolution authorizing him, as the Executor Director, to enter into a contract with Atlantic County for \$10,333.32 for dental and vision insurance for 2015 for the Authority's eligible employees.

Mr. Gross asked Mr. Lamey if there is an employee contribution. Mr. Lamey responded that there is and it is in accordance with the State guidelines.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Rev. Hendricks. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

VIII. LEASE – ATLANTIC COUNTY – INTERLOCAL SERVICE AGREEMENT

Mr. Lamey asked the Board to approve a resolution authorizing him, as the Executive Director, to execute a contract with the County of Atlantic for rent for 2015. The amount of \$17.81 per sq/ft is being charged, which Mr. Lamey stated is consistent with the standard rate that the County charges to lease space within the building to other outside entities. At 2,086 square feet that translates into \$37,152 per year (17.81 x 2,086). This amount increased with the ACIA office's move to Atlantic City by \$7,435.

Mayor Armstrong asked how the square footage compared between offices. Mr. Lamey said the Atlantic City office is smaller than the Mays Landing office, but the Atlantic City space is sufficient for the ACIA's needs.

A motion was made by Mr. Gross to adopt the resolution and seconded by Mr. Ingemi. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

IX. INSURANCE CONSULTING – INSURANCE BUYERS COUNCIL, INC.

Mr. Lamey asked the Board to approve a resolution authorizing him, as Executive Director, to execute a contract for insurance consulting services for construction projects and all other insurance-related matters for 2015, not to exceed \$500.

A motion was made by Rev. Hendricks to adopt the resolution and seconded by Mayor Armstrong. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

X. ATLANTIC COUNTY JOINT INSURANCE COMMISSION

Mr. Lamey said that Atlantic County is taking the lead in forming the Atlantic County Joint Insurance Commission. The ACIA's estimated assessment to join is \$54,922, compared to the quote from our current provider of \$73,703 for the coverage we have now. The key elements of the proposed plan were evaluated by staff and the ACIA's independent insurance advisor, Adam Sielicki of Insurance Buyer's Council, Inc. Based on the \$20,000 savings and the evaluation, it was determined that it would be in the best interest of ACIA to join Commission.

In addition, Mr. Lamey discussed the closing date for the Barlinvis Apartments, which is early January, 2015. The fees for this were not included in either proposal. At this time, we are still waiting for a determination of the fees that will be charged for the required insurance. James Franklin, Special Counsel for the Barlinvis issue, anticipates that this additional coverage will cost the same or less through the Commission. This will be in addition to the estimated \$54,922. The final figures for the additional amount should be available early next week.

Mr. Lamey then asked the Board to adopt a resolution 1) authorizing the ACIA to join the Commission for a period not to exceed three (3) years; 2) apply for certain coverages through the Commission; 3) adopt and approve the Rules and Regulations of the Commission; and 4) authorize Executive Director Lamey to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Commission.

A motion was made by Mr. Blake to adopt the resolution and seconded by Rev. Hendricks. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

XI. ACIA ANNUAL AUDIT CONTRACT

Mr. Lamey asked the Board to approve a resolution authorizing him, as Executive Director, to execute a contract with Holman-Frenia-Allison, P.C. to perform an accounting audit for year ending December 31, 2014, for an amount not to exceed \$24,400.

A motion was made by Mr. Gross to adopt the resolution and seconded by Rev. Hendricks. By a vote of 6-0-1, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote. Mr. Ingemi abstained from the vote.

XII. ATLANTIC CITY BOARDWALK PROJECT

Mr. Lamey said that the ACIA has undertaken a project on the Atlantic City Boardwalk to address a need and desire of the City for Certain signage and related lighted structures to advance the public health, welfare and safety of Atlantic City's citizens and to further promote the tourist industry of both the City and Atlantic County. The ACIA solicited proposals from interested respondents to identify a project that would best meet the objectives of the City. As a result of that process, the ACIA, with the approval of the City, entered into a sublease for various Boardwalk locations with Impactivate, LLC, to implement the proposed project, which includes an outdoor digital network comprised of dual high-resolution outdoor LED matrix screens placed in 110 locations along the Boardwalk. The network will provide entertainment and advertising opportunities

Mr. Gross asked what the dollar value of the proposed project is. Mr. Lamey responded by stating the total cost is approximately \$33 million dollars with a request for the CRDA to pay \$12 million of that amount. Mayor Armstrong asked where the other \$20 million dollars is coming from. Mr. Lamey stated that it would need to come from a private developer.

Mr. Lafferty stated that the City is very interested in this project and the ACIA is the Project Manager. The concept was developed by Impactivate, LLC. However, because the additional elements are being publicly funded they will have to go out for competitive contracting, which is included as one of the acts that the Board would authorize should they adopt a resolution.

Mayor Armstrong wanted to know if there are any concerns or potential problems regarding this project. Mr. Lafferty stated that he did not think there was. He said that Mr. Foster would be the best person to ask regarding the technical-side of the project. Mr. Foster agreed with Mr. Lafferty and stated that he did not believe there should be any problems. Mr. Lafferty said that the Boardwalk will be a safer place and more attractive once the project is completed. Mayor Armstrong asked what the estimated completion date of the project would be. Mr. Foster said on or about Memorial Day. Mr. Ingemi then asked if jobs would be created from this project and Mr. Foster replied that there would be.

If the CRDA approves the funds, the ACIA will need to seek land use approval for the project. The successful respondent to the competitive process will be required to pay for the costs related to the land-use approval.

A resolution was brought forth by Mr. Lamey requesting authorization for 1) the Executive Director to negotiate and execute a first addendum to the lease with Atlantic City; 2) authorize an application to the CRDA for funding; and 3) authorize an application to seek land-use

approval.

A motion was made by Rev. Hendricks to adopt the resolution and seconded by Mayor Armstrong. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

XIII. JOHN F. GAFFNEY GREEN TREE GOLF COURSE SHARED SERVICES AGREEMENT RENEWAL

Mr. Lamey asked the Board to authorize him, as Executive Director, to execute a shared service agreement with Atlantic County for the Authority to renew the agreement to provide Management Services for the John F. Gaffney Green Tree Golf Course. The authority will receive \$58,000 as a management fee plus 2% of Gross revenue.

A motion was made by Mr. Gross to adopt the resolution and seconded by Mr. Blake. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

XIV. ECONOMIC DEVELOPMENT STRATEGY AND ACTION PLAN

Mr. Lamey introduced Max Slusher to the Board. Mr. Slusher spoke about the process and the responses they received from our RFP for a firm to create the plan and implementation strategy. Responses were received and the firms identified by the committee to evaluate were from Angelou Economics of Austin, Texas; Camion Associates of Saratoga Springs, NY, and Investment Consulting Services Associates of Newtown High-lands, MA. Mr. Slusher spoke about each of these firms. The committee met on October 30th to review and discuss the proposals. On December 1st and 2nd they met to interview the three candidates. Mr. slusher will follow up with the committee to ensure concensus on the final selection. A discussion ensued among the Board members.

Mr. Ingemi served on the selection committee and stated that he liked one particular candidate, felt that they have a lot of good ideas and are very innovative and creative. He liked the fact that if that firm was awarded the contract, that the principal of the company is committed to be the Project Manager.

Mr. Slusher pointed out that Mayor Armstrong, who also participated on the selection committee was concerned with the possibility that we would end up with a Project Manager who we have not met. Mayor Armstrong said that he was leaning toward one firm whose presentation was flawless, stating that "they had the horsepower to put together a good plan and the ability to do the work required to get the stakeholder buy-in, which is critical." He felt that the firm demonstrated that it would come up with a plan that would have a greater likelihood of successful implementation.

Mr. Slusher stated that there was one minor issue with one of the firms, where the firm received negative press in 2011. Mr. Gross asked if there was any illegal activity involved, and

Mr. Slusher replied that there was absolutely none.

Mr. Ingemi commented that it is important that the Board communicate with the local stakeholders what the Board is planning to do. Mr. Slusher said that one of the initial tasks of the firm that is awarded the contract will be to determine the make-up of the stakeholders, which will be a very diverse group.

Mr. Slusher stated that the entire process, from start to finish, could take anywhere from four to six months to complete.

Mayor Armstrong said that it would be a good idea if Mr. Slusher attended the next local Mayors' monthly meeting, where he may be able to speak about the County's economic development strategy and action plan. Mayor Armstrong also recommended that the Board advise the press as soon as possible, so they are on board with what is being planned for the County.

Mr. Lamey asked that a resolution be approved authorizing that he, as Executive Director, execute a contract with a firm in accordance with the recommendation of the selection committee for an amount not-to-exceed \$175,000.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Gross. By a vote of 7-0-0, the resolution was adopted. Robert Tarby, Sr., Vice Chairperson; and Mayor Don Guardian, Commissioner, were absent for the vote.

XV. SECTION 108 REVOLVING LOAN FUND

Mr. Lamey asked the Board to approve a resolution to authorizing a Contract with Community Initiatives Development Corporation (CIDC) to render certain technical advice and assistance with the establishment Revolving Loan Fund for businesses funded through the CDBG 108 Program. The service will include creating guidelines for all necessary underwriting criteria and assisting the authority in filing an application with HUD for a fee not to exceed \$15,000. These types of programs have proven to be essential components to advancing a sustained economic development/redevelopment strategies leading to job and ratable creation in other jurisdictions.

Mr. Lamey has been in discussions with Bill Lowenstein, who put together the Boscov's Section 108 loan and provided assistance to the County with the Application. He has also assisted in establishing 108 loan programs for County, City and State governments and assisted in the structuring and funding of more than \$1 billion of 108 projects.

Since the County's funds cannot be used in Atlantic City, the City has expressed an interest in filing a joint application so that there are funds available in the City.

Mr. Ingemi felt that a community that does not participate in CDBG, should not have access to these funds. Mr. Lamey responded by stating that he did not believe they could.

Mr. Lamey said that he has been in discussion with the City about participating. They have expressed an interest and he will follow up with them. The Board of Freeholders and City Council would have to approve the application for there respective parts.

Mr. Lamey asked that a resolution to request to enter into an agreement with Community Initiatives Development Corporation (CIDC) for a fee not to exceed \$15,000 be approved. A motion was made by Mayor Armstrong and seconded by Mr. Blake to approve the resolution. By a vote of 8-0-0, the resolution was approved. Mayor Guardian and Mr. Tarby were absent for the vote.

XVI. ATLANTIC CITY DEMOLITION

Mr. Lamey asked the Board to approve a resolution authorizing a shared services agreement between the Authority and the City of Atlantic City for the City Wide Demolition Program for an amount not to exceed \$26,500. The agreement includes utilizing up to \$200,000 to reimburse the City's demolition fund to offset tipping fees that would be incurred as part of the project.

A motion was made by Mr. Ingemi and seconded by Rev. Hendricks to approve the resolution. By a vote of 8-0-0, the resolution was approved. Mayor Guardian and Mr. Tarby were absent for the vote.

XVII. EXECUTIVE SESSION

A motion to enter into an Executive Session was made by Mr. Ingemi and seconded by Rev. Hendricks at 5:46 p.m. All were in favor.

XVIII. NEW BUSINESS

STOCKTON AVIATION RESEARH AND TECHNOLOGY PARK (SARTP)

At the October 29 meeting the Board authorized the Authority to provide certain funds to the South Jersey Economic Development District to facilitate the transfer of the lease for the Park to the SARTP Corporation. In consideration the authority requested that we be given consideration for representation of the Board of the Corporation. As a result Mr. Ingemi followed up with Mr. Joseph Sheairs, Executive Director of the Corporation who suggested that at this time there are no vacancies on the Board but agreed that we should keep an on-going dialogue. As a result a motion was made by Mayor Armstrong and seconded by Mr. Gross a resolution be approved for Mr. Ingemi to serve as the liaison between the ACIA Board and the Aviation/Research Park Board All were in favor.

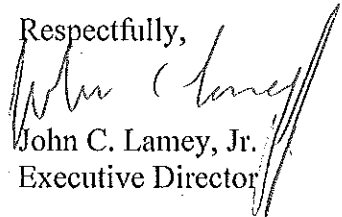
XIX. OLD BUSINESS

There was no old business.

XX. ADJOURNMENT

A motion was made by Mayor Armstrong and seconded by Mr. Gross to adjourn the regular Board meeting at 5:46 p.m. All were in favor.

Respectfully,


John C. Lamey, Jr.

Executive Director