

# **MINUTES OF THE BOARD MEETING**

**February 4, 2015**

**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 4:01 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; Commissioner, Robert Tarby, Sr., Vice Chairperson; Neil McPeak, Treasurer, Edwin G. Blake, Secretary; Rev. Milton Hendricks, Asst. Secretary; Mayor Don Guardian, Commissioner and Robert Gross, Commissioner (via speakerphone) attended. Joseph Ingemi, Commissioner and Mayor John Armstrong, Commissioner arrived late to the meeting at 4:05 p.m. and 4:50 p.m., respectively.

## **OTHERS IN ATTENDANCE**

Randy Lafferty, General ACIA Counsel, and Bonnie Lindaw, Atlantic County Treasurer.

## **STAFF IN ATTENDANCE**

John C. Lamey, Jr., Executive Director; Max Slusher, Director of Economic Development, Lori Riggs, Program Manager, Joseph J. Giraldo, Program Manager, Timothy Edmunds, Project Manager, Mily Torres, Senior Accountant; and Lisa Duffner, Administrative Assistant.

### **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 January 14, 2015, Board Meeting**

The Board was asked to approve the Minutes of the January 14, 2015, Board Meeting.

A motion was made by Mr. Blake to approve the Minutes of the January 14, 2015 Board Meeting, seconded by Rev. Hendricks. By a vote of 8-0-0, the Minutes were approved. Mayor Armstrong was absent for the vote.

### **III. ELECTION OF OFFICERS**

The Board was asked to elect the slate of Officers for the 2015-2016 year. The nominating committee consists of Committee Chair, Mr. Blake, Rev. Hendricks, Mr. Tarby and Mr. Ingemi. Mr. Blake addressed the Board and stated that after discussion the nominating committee concurred that the current slate of officers consisting of Mr. Foster as Chair, Mr. Tarby as Vice Chair, Mr. McPeak as Treasurer, Mr. Blake as Secretary, and Reverend Hendricks as Assistant Secretary be nominated to remain for the 2015-2016 year. Each officer accepted the nomination for their respective positions. A motion was made by Mayor Don Guardian to approve the re-election of the slate of Officers for the 2015-2016 year, seconded by Mr. Ingemi. By a vote of 9-0-0, a resolution to elect the slate of Officers for the 2015-2016 year was approved.

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

#### **A. PUBLIC COMMENTS**

Marie DeMari attended the meeting to address the Board regarding her property located at 55 Bucknell Road, Somers Point, New Jersey 08244. Ms. DeMari was on the waiting list but due to an emergency with her electrical system she was moved to the top of the list. All of the work that she requested on the original application that placed her on the waiting list was completed at that time.

When Ms. DeMari's work was completed in May she requested additional work and requested that she maintain her original spot on the waiting list. Mr. Lamey explained and the Board concurred that based on the discussion at Ms. DeMari's previous attendance at a Board meeting she was placed in the position as of the date in May when she made the initial request for the additional work.

### **V. FINANCIAL REPORT**

#### **A. Financial Report from December 2014.**

The presentation of the December Financial Report was deferred. Jane Lugo, who is reviewing the financial procedures addressed the Board and explained that she was updating financial records in order to make ACIA's financial procedures more efficient. Ms. Lugo has been working with Mily Torres, ACIA's Senior Accountant, to update their financial records.

#### **B. Approval of Depositories**

Mr. Lamey asked the Board to approve the resolution authorizing specific Banking Institutions to be used as the ACIA's depositories.

(1) State of New Jersey Cash Management Fund, (2) First National Bank of Absecon, (3) Bank of New York Mellon, (4) Cape Savings Bank, (5) Capital Bank of New Jersey, (6) TD Bank, (7) Wells Fargo & Company, (8) Bank of America, (9) Fox Chase Bank, (10) Ocean City Home Bank, (11) PNC Bank, (12) Santander Bank (formerly Sovereign), (13) Sun National Bank, (14) Crown

Bank, (15) NJ/ARM, (16) Parke Bank, (17) Fulton Bank, (18) Hudson City Savings Bank, and (19) Susquehanna Bank as such depositories.

A motion was made by Rev. Hendricks to approve the resolution and seconded by Mr. Blake. By a vote of 9-0-0, the resolution authorizing specific Banking Institutions to be used as the ACIA's depositories was approved.

**C. Approval of Eligible Investments**

Mr. Lamey asked the Board to approve the resolution authorizing the following Eligible Investments of its various bond funds.

- U.S. Government Obligations;
- U.S. Agency Obligations;
- New Jersey Cash Management Account, NJ/ARM, and NJ/TERM;
- Funds administered by our Trustees that consist solely of U.S. Government and Agency obligations and Repurchase Agreements;
- Funds administered by our Trustees that consist of tax-exempt bonds;
- Deposits backed by FDIC;
- Deposits in First National Bank of Absecon, Bank of New York Mellon, Cape Savings Bank, Capital Bank of New Jersey, TD Bank, Bank of America, Ocean City Home Bank, PNC Bank, Santander Bank (formerly Sovereign), Sun National Bank, Susquehanna Bank, Crown Bank, Fox Chase Bank, Fulton Bank, Hudson City Savings Bank, Parke Bank, and Wells Fargo & Company in accordance with its various Bond Indentures.

A motion was made by Mr. Ingemi to approve the resolution and seconded by Mr. Tarby. By a vote of 9-0-0, the resolution authorizing Eligible Investments of its various bond funds were approved.

**VI. EXECUTIVE DIRECTOR'S REPORT**

**A. AUTHORITY UPDATE**

Mr. Lamey invited Tim Edmunds, Program Manager, to address the Board with regard to current ACIA's projects. Mr. Edmunds gave updates on the ADA Entrance Project at the Somers Point Library, which is scheduled to start on March 1, 2015. The ACIA is still out to bid for the ADA improvements for the Shoreview/Stillwater Building projects in Northfield. The bid for that project is due on February 27, 2015.

Mr. Edmunds also spoke about the first round of six properties for demolition in Atlantic City. The ACIA anticipates that the six properties will be ready for demolition and advertised on March 2, 2015. This is assuming that the properties are not demolished within the thirty (30) days that the owners presently owned it.

Regarding the next phase of the Boardwalk Project, Mr. Edmunds met with Kevin Dixon and his associates. They are working for preparation of the specs for that project, which is the lighting and interactive graphics.

The Forest Grove demolition is anticipated to occur in about two months. This is a three to four-day project, according to Mr. Edmunds.

Regarding the next phase of Lake Lenape, which is studying improved roads back towards the lake and campgrounds. Mr. Edmunds stated that he expects the preliminary design documents will be completed in a week at which time he will meet with the county. It will occur between now and the fall, but because this project is occurring in one of the more active parts of the campground, the actual construction probably will not start until the end of 2015/beginning of 2016.

The ACIA did receive two bids for the Stillwater Project and the Atlantic City Special Services School and the Atlantic County Special Services School. The School Boards will be awarding that project on February 23, 2015, with construction to start soon afterwards.

Regarding exterior improvements for the Atlantic Cape Community College's Mays Landing Campus is underway. The physical work is actually pending the weather. We expect at least starting within the next couple of weeks.

As far as future additional projects, Mr. Edmunds stated that he and Mr. Lamey had a conversation with Brigantine's City Engineer, Ed Stinson, who is now the Business Administrator. Mr. Stinson has a number of projects for which he has received funding for. Brigantine is asking for the ACIA's assistance, approximately 15 hours per week, to help write RFPs, especially the RFP applications, which can be quite cumbersome.

On Friday, February 6, 2015, Mr. Edmunds and Mr. Lamey were to meet with Absecon Schools. They had contacted the ACIA for project management assistance. They have approximately \$4.4 million of work with their two schools.

The last item was regarding Atlantic Cape Community College's Capital Project, which is slated to start between now and 2017, for a value of \$7.4 million. The Board will be entering into an agreement for project management services on February 26, 2015.

In light of the above, Mr. Edmunds stated that if all activities come to fruition he is going to need help, and Mr. Lamey agreed that this is an issue. He also stated that when the time comes, he will be looking into getting help for Mr. Edmunds.

Mr. Lamey stated that the Board members will be getting an invitation in the upcoming week for the February 26, 2015, for a presentation by various state agencies to discuss incentive and assistance programs available to the Business community.

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

There was one contract authorized by the Executive Director for an amount under the public bidding threshold (\$17,500) as established pursuant to P.L. 1985 Chapter 469 to Dell Computers for the purchase of five (5) desktop computers and necessary software for a total of \$7,634.35.

**VII. ADMINISTRATIVE**

**A. Check Signer Authorization**

The Board was asked to approve a resolution naming the following as authorized check signers for the 2015-2016 year.

- 1) The Chairperson as elected for 2015;
- 2) The Secretary as elected for 2015;
- 3) John C. Lamey, Jr., as Executive Director, may sign checks in Chairperson's absence and alternatively but not simultaneously, as Assistant Secretary, sign checks in Secretary's absence as Secretary;
- 4) Max Slusher, as Economic Development Director; and,
- 5) Joseph Giraldo, as Program Administrator, may countersign such checks as an “official”.

A motion was made by Mr. Ingemi to approve the resolution and seconded by Mayor Armstrong. By a vote of 9-0-0, the resolution naming the authorized check signers for the 2015-2016 year was approved.

**B. Annual Schedule of Board Meeting Dates**

The Board was asked to approve a resolution adopting the following annual schedule of regular meetings of the ACIA pursuant to the Open Public Meetings Act.

**MARCH 2014 TO FEBRUARY 2015**

Meetings will be held the **first or second Wednesday** of each month as follows:

Time: 4:00 P.M.

**Location:** County Office Building, 1333 Atlantic Avenue, 7th Floor, Atlantic City, NJ 08401

**Dates:** March 4, 2015  
April 1, 2015  
May 6, 2015  
June 3, 2015  
July 1, 2015  
August 5, 2015  
September 2, 2015  
October 7, 2015

November 4, 2015  
December 2, 2015  
January 6, 2016  
February 3, 2016

A motion was made by Mr. Blake to approve the resolution and seconded by Mayor Armstrong. By a vote of 9-0-0, the resolution adopting the annual schedule of regular meetings of the ACIA pursuant to the Open Public Meetings Act was approved.

A motion was made by Mr. Ingemi to approve the resolution and seconded by Mayor Armstrong. By a vote of 9-0-0, the resolution naming the authorized check signers for the 2014-2015 year was approved.

## **VIII. COMMUNITY DEVELOPMENT**

### **A. Consultant Contract for 2015**

The authority executed an RFP process for consulting services for the Community Development Block Grant and HOME Investment Partnership Program for 2015. The RFP provides the Authority the opportunity to renew yearly for two successive years.

Two firms, our current consultant Mullin & Lonergan and Triad Associates responded. While we are generally satisfied with Mullin & Lonergan's performance, the proposal by Triad indicates that there may be certain advantages to the authority based on Triad's proximity.

On Friday January 30th we interviewed Triad to further explore the proposal and evaluate them in the context of our experience with Mullin & Lonergan. Based on the two proposals, the firsthand experience with Mullin and Lonergan, the interview with Triad Associates and reputation in the field, staff recommended that the Board of Commissioners authorize an agreement with Triad Associates for an amount of \$23,800 for Certain Deliverables plus an hourly rate of \$140.00/ hour not to exceed a total of \$15,120 for Technical Assistance, for a total contract not to exceed \$38,920.00 in accordance with the RFP for the 2015 CDBG Program year with the option to renew for two consecutive years.

Mr. Armstrong asked what the cost difference was between Mullin & Lonergan and Triad Associates. Mr. Lamey stated that there is approximately a \$1,500 difference in the deliverables and \$2 for the hourly rate.

A motion was made by Mayor Armstrong to approve a resolution to execute an agreement with Triad Associates and seconded by Rev. Hendricks. By a vote of 9-0-0, the resolution was approved.

**IX. PROJECT MANAGEMENT**

**A. Buena Borough Demolition CDBG-DR**

The Board was asked to adopt a resolution authorizing the Executive Director to execute a contract with EarthTech Contracting, Inc. to provide Demolition Services for the single-family home, located at 530 Forest Grove Road (Block 113, Lot 10.02), in the Borough of Buena for an amount not to exceed \$15,588.10 contingent on the approval of an amendment to the agreement with Buena Borough to accommodate the cost of the demolition and our project management fee.

A motion was made by Mr. Blake to approve the resolution and seconded by Mayor Armstrong. By a vote of 9-0-0, the resolution authorizing ACIA's Executive Director to execute a contract with EarthTech, Inc. for the demolition of 530 Forest Grove Road, Buena Borough, was approved.

**X. FINANCING**

**A. St. Augustine Preparatory School 2007 Revenue Bond Refunding**

**1. Authorize the Issue and Sale of Revenue Refunding Bond**

The Board was asked to pass a resolution authorizing the issuance and sale of a refunding revenue bond in a principal amount not to exceed \$12,500 (St. Augustine Preparatory School – 2015 Project) of the ACIA and authorizing and approving the execution and delivery of a bond agreement and related instruments and determining other matters in connection therewith.

A motion was made by Mayor Armstrong to approve the resolution and seconded by Mayor Guardian. By a vote of 9-0-0, the resolution was passed.

**2. Bond Counsel Agreement**

The Board was asked to adopt a resolution to execute a contract with McManimon, Scotland & Baumann, L.L. C. to serve as Bond Counsel for the St. Augustine Preparatory School refunding in an amount not to exceed \$16,500.

A motion was made by Mr. Ingemi to approve the resolution and seconded by Rev. Hendricks. By a vote of 9-0-0, the resolution was passed.

**3. Authorize Authority Fees for the Bond Issue**

The Board was asked to authorize a revision to the fee structure in Authority financing

fees for the issuance and sale of refunding bonds which were previously issued by the Authority.

A motion was made by Mr. Ingemi to approve the resolution and seconded by Mayor Guardian. By a vote of 9-0-0, the resolution was passed.

**XI. OTHER BUSINESS**

Mr. Ingemi spoke briefly about Aviation Park. They are moving along with Stockton. He said there is a lot of Federal funding for the FAA. He said that Joe Shiers is working with a few prospects. Mr. Ingemi stated that he is cautiously optimistic that there is going to be a lot of good things that will run parallel with the county's efforts.

Max Slusher then spoke about Angelou economics and the Atlantic County Action Plan. Mr. Slusher said they had focus groups, which met at Atlantic Cape Community College. The consultant, Angelos Angelou, will be coming back to the Atlantic County area on February 26-27, 2015. Mr. Slusher said that there will be meetings scheduled during that time, which county officials are more than welcome to attend. Tentatively, the meetings are scheduled to take place in the auditorium of ACCC. On February 26, 2015, Mr. Angelou will be meeting with Leo Schoffer. Mr. Slusher stated that the consultant was very impressed with the FAA facility when he was here, and he would like to delve further into that. Mr. Angelou said that that one aspect of our economy alone sets us apart from other economies and that is a major plus for Atlantic County. Mr. Slusher stated that the Board is invited to all of the meetings that are scheduled.

**XII. OPEN SESSION**

None.

**XIII. EXECUTIVE SESSION**

None.

**XIV. ADJOURNMENT**

A motion was made by Mr. Ingemi, and seconded by Rev. Hendricks, to adjourn the meeting at 5:16 p.m. All were in favor.

Respectfully,

Edwin G. Blake  
Secretary