

MEMORANDUM

Date: July 7, 2014

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 July 2, 2014

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq., on July 7, 2014.

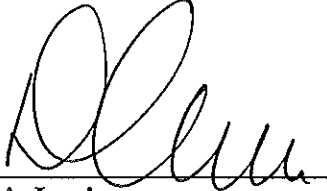
- (a) by the end of the fifth business day following the meeting.
- (b) _____ as soon as practicable following the meeting where emergency action has been taken.
- (c) _____ beyond the statutory period for submission.

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:

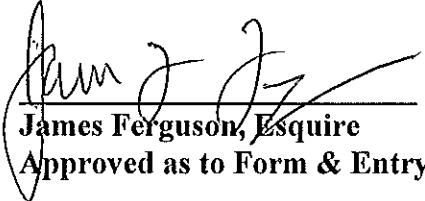
- (a) within ten days of delivery.
- (b) _____ within twenty-four (24) hours of delivery where the action taken at the meeting was deemed by the Authority to be in response to an emergency situation.

III. The following action is taken on the Minutes:

- (a) 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



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

July 2, 2014

**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 4:05 pm in the 2nd Floor Court Room at the Atlantic County Improvement Authority, 5909 Main Street, Mays Landing, NJ 08330.

COMMISSIONERS IN ATTENDANCE

Roy M. Foster, Chairperson; Joseph Ingemi, Commissioner; Robert Tarby, Sr., Vice Chairperson; Edwin G. Blake, Secretary; Mayor Don Guardian, Commissioner; John Armstrong, Commissioner, and Robert Gross, Commissioner, attended; Neil McPeak, Treasurer; and Rev. Milton Hendricks, Asst. Secretary, were absent.

STAFF IN ATTENDANCE

John C. Lamey, Jr., Executive Director; and Kristin Mazzone, Senior Accountant

OTHERS IN ATTENDANCE

Randy Lafferty, General ACIA Counsel; and Bonnie Lindaw, County Treasurer; IMPACTIVATE Representatives for presentation of Public Informational Matrix and Security System

I. OPENING STATEMENT AND ROLL CALL

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

PRESENTATION

There was a special presentation made by IMPACTIVATE Networks, LLC to the Board regarding the proposed Atlantic City Boardwalk Signage and lighting.

II. MINUTES

A. Minutes of the May 7, 2014, Board Meeting

The Board was asked to approve the minutes of the May 7, 2014, Board Meeting.

A motion was made by Mr. Ingemi to approve the minutes of the April 2, 2014, Board Meeting, seconded by Mayor Guardian. Mr. Blake, Mr. Armstrong and Mr. Gross all Abstained. By a vote of 4-0 the minutes were approved.

III. FINANCIAL REPORT

A. Financial Report from April 2014

The Board was asked to adopt a resolution approving the Financial Report for April 2014. Ms. Mazzoni presented the report.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mayor Guardian. By a vote of 7-0 the resolution was approved.

A. Financial Report from May 2014

The Board was asked to adopt a resolution approving the Financial Report for May 2014. Ms. Mazzoni presented the report.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Blake. By a vote of 7-0 the resolution was approved.

IV. EXECUTIVE DIRECTOR'S REPORT

A. AUTHORITY UPDATE

Executive Director Lamey provided the Board with information on staffing changes: Senior Accountant Kristin Mazzoni's last day of 7/11/14; and the Authority's process to hire a Director of Economic Development, as well as Assistant Director of Projects, and a shared service agreement between the ACIA and ACUA. Mr. Lamey also provided a brief update on projects the Authority is currently working on. He also informed the board of future project prospects.

Mr. Ingemi recapped (for new members) and updated the board on the Air Cargo Initiative.

B. CONTRACTS AWARDED- Authorized by Executive Director

There were two (2) 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. The first was \$750.00 to Brian Musto & Co., LLC, for an appraisal and the second to Vincent Peterillis for \$350.00 for a review appraisal of 530 Forest Grove Road, Buena Borough, as required by

the Community development Disaster Recovery Block Grant for Acquisition and Demolition being administered by the Authority.

V. RESOLUTIONS

1. **Amendment to the Agreement with Cooper - Levenson**

This item has been pulled from the agenda for further staff review.

2. **Shared Service Agreement – ACUA**

The Board was asked to authorize a shared service agreement with the Atlantic County Utilities Authority for certain administrative services to be provided to the Authority.

Executive Director lamey informed the Board the the ACIA's Senior Accountant Kristin Mazzoni has resigned from her position effective July 11, 2014. The tasks that she performs for the authority are varied and not limited to typical accounting activities. One particular area is Human Resources, which includes Payroll, Health Benefits and Pension Administration, administration of Vacation, Sick and Personal leave and the administration of unemployment benefits. Because of our small number of employees, the necessity to perform these activities is intermittent and non-routine. This creates inefficiencies caused by the necessity for Kristin to refresh herself on procedures each time it becomes necessary to perform a task.

On June 26, staff met with ACUA to discuss a possible agreement to share services. They administer all of the Human Resources functions for 250 employees. They have full time staff dedicated to perform these tasks. In addition, ACUA employees participate in the same pension and health benefits program as our employees.

ACUA proposed to provide these services billed on a blended hourly rate of \$87.00 for a total not to exceed \$6,500 per year.

A motion was made by Mr. Armstrong to adopt the resolution and seconded by Mr. Tarby. By a vote of 7-0 the resolution was approved.

3. **Consulting Services**

The Board was asked to authorize an agreement with Rutala Associates, LLC, for Planning, Energy, and Economic Development consulting services for an amount not to exceed \$17,000.00 for a period of one (1) year.

Mr. Lamey explained that as the Authority expands its activities in accordance with the May 7th, "Action Plan – Economic Development/Redevelopment Initiative" our effort will be enhanced by enlisting the services of a Planner with Grant Writing capacity to assist in

identifying funding resources and to assist in devising implementation strategies for specific projects. Rutala associates has a strong track record in the local area. Staff recommends the award. \$60 - \$135/hour, for an amount not to exceed \$17,000.00 for the year.

A motion was made by Mr. Blake to adopt the resolution and seconded by Mayor Guardian. By a vote of 7-0 the resolution was approved.

4. Redevelopment and Bond Counsel Services

The Board was asked to authorize an agreement with McManimon, Scotland, Bauman for Redevelopment and bond counsel Services for an amount not to exceed \$17,000.00 for a period of one (1) year.

In regard to this attachment and Attachment 5, Executive Director Lamey explained that the implementation of the aforementioned Authority's Action Plan contemplates the Authority issuing bonds that will provide financial assistance to certain projects that further the economic development of the County.

In order to ensure that we take full advantage of the capabilities of the authority and structure a plan that is viable, minimizes risk to the County and the Authority and is marketable we need to enlist the services of a qualified bond counsel and financial advisor.

The Authority has had a more than satisfactory experience in the past with both firms. Staff recommends the award.

A motion was made by Mr. Gross to adopt the resolution and seconded by Mr. Ingemi. By a vote of 7-0 the resolution was approved.

5. Financial Advisor Services

The Board was asked to authorize an agreement with NW Financial for Financial Advisory Services for an amount not to exceed \$17,000.00 for a period of one (1) year. A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Armstrong. By a vote of 7-0 the resolution was approved.

6. Lease Agreement with Atlantic City – Boardwalk Project

The Board was asked to authorize an agreement for the Authority to lease certain locations on the Atlantic City Boardwalk from the City of Atlantic City for the purpose of facilitating the construction, installation, and operation of a Public Informational Matrix and Security System.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Tarby. By a vote of 6-0 the resolution was approved. Mayor Guardian abstained.

7. Sub-Lease with IMPACTIVATE Networks, LLC

The Board was asked to authorize an agreement for the Authority as sub landlord to sub-lease the agreed upon locations on the Atlantic City Boardwalk referenced in the previous attachment to IMPACTIVATE Networks, as subtenant from the city of Atlantic City for the purpose of facilitating the construction, installation, and operation of a Public Informational Matrix and Security System.

Mr. Lamey explained the following regarding the Atlantic City Boardwalk Project

On April 30, 2014 the ACIA issued a Request for Expressions of Interest (RFEOI) for applicants to sub-lease certain locations on the Atlantic City Boardwalk to address the City's need and desire for certain signage and related lighted structures to advance the public health, welfare and safety of the citizens of the City of Atlantic City and in order to further promote the tourist industry of both the City and the County; and

On May 22, 2014 in response to that RFEOI, IMPACTIVATE Networks Inc. submitted the lone proposal consisting of providing a network of Digital Matrices that will have the capability of providing advertising, public service announcements, emergency message and event promotion in addition to special lighting and security cameras, at zero cost to the MUNICIPALITY or ACIA for the purposes of constructing, installing and procuring the system; and

The City and ACIA reviewed the proposal and concur that it is in their collective best interests to proceed. With the approval of the City, will enter into a sublease with IMPACTIVATE Networks, Inc. specifying business terms that include a revenue sharing provision that provides a portion of Gross Revenue realized from the operation back to the City as consideration for the lease.

In accordance with the terms and conditions of the Sublease Agreement: the subtenant will install the required infrastructure and matrices for the project. In addition they will establish a Control Facility, Broadcast Facility and Maintenance Facility; from which they will operate, manage, control and maintain all aspects of the network.

In order to protect its ownership interests, ensure the actual final project meets expectations and further ensure that the ongoing operation maximizes the benefits and performance standards in accordance with the proposal, the Municipality desires to engage ACIA as Project Manager for the construction of the system for an initial fee of \$48,000. In addition during the operational phase the Authority will monitor the project for the city and ensure compliance with the lease agreement the sublease agreement and other requirements of the city. The fee for this ongoing monitoring will be based on the Authority's actual costs charged on an hourly basis in an amount not to exceed \$20,000 per year.

A motion was made by Mr. Ingemi to adopt the resolution and seconded by Mr. Tarby. By a vote of 6-0 the resolution was approved. Mayor Guardian abstained.

VI. EXECUTIVE SESSION

The Board did not require an executive session.

VII. OLD BUSINESS

Mr. Ingemi provided an update on the air cargo initiative and the 3-D printing proposal.

VIII. NEW BUSINESS

There was no new business discussed.

VIII. OPEN SESSION

X. ADJOURNMENT

A motion was made by Mr. Ingemi and seconded by Mr. Armstrong to adjourn the meeting at 6:02 p.m.
All were in favor.

Respectfully,



Edwin G. Blake
Secretary