

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR JANUARY 2013**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and


WHEREAS, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, including N.J.A.C. 5:31-4.1(c) regarding the approval and payment of claims which requires the "governing body (of the Authority) shall approve or disapprove all claims in accordance with Regulations adopted by the Authority;" and

WHEREAS, such claims and the expenditures thereto for the month of January 2013, are contained in the Financial Report submitted hereto for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority, that the expenditures contained in the Financial Report for the month of January 2013, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Robert J. Tarby, Sr., Assistant Secretary

ADOPTED: March 6, 2013

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 6th day of March 2013.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH
YOUNGBLOOD, LAFFERTY & SAMPOLI, P.A. TO SERVE AS THE AUTHORITY'S
COUNSEL FROM MARCH 1, 2013 TO FEBRUARY 28, 2014**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic established pursuant to N.J.S.A. 40:37A-44, et seq.; and

WHEREAS, the Authority has the right, pursuant to said Act, to hire legal counsel for its essential purposes; and

WHEREAS, On January 26, 2013, the Authority advertised in accordance with the requirements of N.J.S.A. 19: 44A-20.4 through a fair and open process soliciting firms to submit qualifications and proposals for the provision of Legal Services for the period of March 1, 2013 to February 28, 2014, with two successive options to renew; and

WHEREAS, on February 20, 2013 the Authority received proposals from two of the eight firms that requested the package, Cooper Levenson April Nicdelman & Wagenheim P.A and Youngblood, Lafferty & Sampoli, P.A.; and

WHEREAS; based on an evaluation of the experience, capabilities, fee proposal and level of service proposed by each, consideration of past experience with Cooper Levenson April Niedelman & Wagenheim P.A, and an interview with Lead Counsel proposed by Youngblood, Lafferty & Sampoli staff provided a recommendation to the Board of Commissioners; and

WHEREAS; based on the recommendation of staff, the Board's review of the proposals, and an evaluation of knowledge and experience, the Authority has determined that Youngblood, Lafferty & Sampoli, P.A. offer the most advantageous mix of cost, experience and level of service; and

WHEREAS; the Authority is desirous of entering into a contract with the firm of Youngblood, Lafferty & Sampoli, P.A. for the purposes of serving as Counsel to the Authority for the period from March 1, 2013 to February 28, 2014; and

WHEREAS; Youngblood, Lafferty & Sampoli, P.A. has proposed to provide such service, for the period March 1, 2013 to February 28, 2014, at an hourly rate of \$175 for Partners, \$150.00 for Associates and \$75.00 for non-technical personnel; and

WHEREAS; for the routine scope of services anticipated by the Authority an amount not to exceed \$8,500 for Administrative Services and an amount not to exceed \$8,500 for other matters are appropriate; and


WHEREAS; because the Authority is currently involved in litigation related to a Development Fund loan to Barlinvis Associates staff anticipates additional legal services will be required beyond the routine scope and additional fees up to \$20,000 will be incurred in resolving the matter; and

WHEREAS, such services are classified as Professional Services pursuant to N.J.S.A. 40A:11-5 (1)(a)(i) and as such are exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to execute a contract with Youngblood, Lafferty & Sampoli, P.A. to serve as Counsel to the Authority, for the period from March 1, 2013 to February 28, 2014, for a gross contract not to exceed \$37,000.00 consisting of an amount not to exceed \$8,500 for administrative issues, an amount not to exceed \$8,500 for other matters and an amount not to exceed \$20,000.00 for services provided specifically for the resolution of the Barlinvis matter.



Roy M. Foster, Chairperson



Robert J. Tarby, Sr., Assistant Secretary

ADOPTED: March 6, 2013

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 6th day of March, 2013.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
TO APPLY TO THE LOCAL FINANCE BOARD FOR
ATLANTIC CITY LUXURY TAX DEVELOPMENT FUNDS
FOR A REHABILITATION PROGRAM TO PROVIDE ASSISTANCE TO RESIDENTS OF
BRIGHTON TOWERS AND GRAMMERCY PARK**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority desires to make an application to the Local Finance Board for its approval to utilize Atlantic City Luxury Tax Funds in the amount of \$500,000 to fund a rehabilitation program for income qualified owner occupant residents of Brighton Towers and Grammercy Park in Atlantic City; and

WHEREAS, the \$500,000 will consist of a request to redirect the \$60,000 remaining from the amount previously allocated to Brighton Towers for a previous Development Fund project, \$100,000 remaining from the amount previously allocated to Grammercy Park for a previous Development Fund Project and a request to utilize an additional \$340,000 in new Development Funds, and.

WHEREAS, the loan program will provide financial assistance to income qualified owner occupant residents of Brighton Towers and Grammercy Park in Atlantic City who are being assessed the cost of certain renovations being undertaken by their respective condominium associations; and

WHEREAS, the Authority believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that:

Section 1. An application to the Local Finance Board is hereby approved, and the Authority's staff is hereby authorized to prepare such application and to represent the Authority in matters pertaining thereto.

Section 2. The Secretary or Assistant Secretary of the Authority is hereby directed to prepare and file a copy of this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.



Roy M. Foster, Chairperson



Robert J. Tardy, Sr., Assistant Secretary

ADOPTED: March 6, 2013

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 6th day of March 2013.

Executive Director