

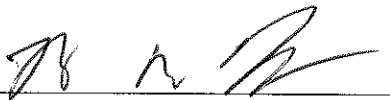
**RESOLUTION OF THE ATLANTIC  
COUNTY IMPROVEMENT AUTHORITY  
APPROVING THE EXPENDITURES CONTAINED IN THE  
FINANCIAL REPORT FOR JULY 2015**

**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

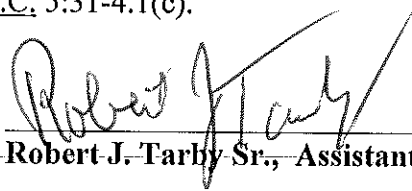
**WHEREAS**, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, including N.J.A.C. 5:31-4.1(c) regarding the approval and payment of claims which requires the "governing body (of the Authority) 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 July 2015, 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 July 2015, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Robert J. Tarby Sr., Assistant Secretary

**ADOPTED: September 10<sup>th</sup>, 2015**

**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 10<sup>th</sup> day of September 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH  
COOPER LEVENSON**

**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 March 18, 2015 the Board of Commissioners of the Atlantic County Improvement Authority authorized an Professional Services Agreement with Cooper Levenson Attorneys At Law to serve as Counsel to the Authority, for the period from March 1, 2015 to February 28, 2016, for a gross contract not to exceed \$35,000.00; and

**WHEREAS;** due to the complexity of the issues and the extensive amount of review and revisions required to the lease and sublease, the land use application and the CRDA Loan Agreement documentation, the fees for legal services under that agreement incurred through July of 2015 for the Boardwalk Improvement Project were \$29,619.43; and

**WHEREAS;** fees incurred for general legal service and all other matters during that period were \$4,708.75; and


**WHEREAS;** Impactivate Networks has funded an escrow account in the amount of \$15,000 for the purpose of reimbursing the Authority for fees related to the preparation and submission of the land Use Application and expects additional reimbursement if that amount is not sufficient to cover the costs; and

**WHEREAS;** staff believes that it is appropriate to allocate funds to cover the additional necessary fees that will occur prior to the expiration of the agreement on February 28<sup>th</sup>, 2016 in the amount of \$35,000.00; 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 an amendment to the contract with Cooper Levenson Attorneys At Law for an additional amount not to exceed \$35,000.00 for a total amended contract not to exceed \$70,000.00 for the period from March 1, 2015 to February 28<sup>th</sup>, 2016.

  
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Roy M. Foster, Chairperson

  
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Robert J. Tarby Sr., Assistant Secretary

**ADOPTED: September 10<sup>th</sup>, 2015**

**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 10th day of September, 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
ANNUAL AUDIT SERVICES FOR 2015  
HOLMAN-FRENIA-ALLISON. P.C**

**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 is required, under N.J.S.A. Local Authorities Fiscal Control Act 40A:5a-10, County Improvement Authority Law 40:37A-88 and N.J.S.A. Local Finance Board Rules 5:31 et seq., to submit an annual audit to the New Jersey Local Finance Board; and

**WHEREAS**, on August 3<sup>rd</sup>, 2015, the Authority solicited proposals for auditing services, for up to three (3) years beginning with fiscal year ending 2015; and

**WHEREAS**, on August 19<sup>th</sup>, 2015 the Authority received one (1) response from Holman-Frenia-Alison, P.C. to that Request for Proposals to perform the requested services for an amount not to exceed \$25,600.00 for each year; and


**WHEREAS**, after review of the response and considering the proposer's experience with similar audits, the professional qualifications of staff, the Authority's recent experience with the firm and the proposed fee, staff has determined that the proposal submitted by Holman-Frenia-Alison, P.C. fully meets the needs of the Authority; and

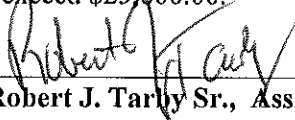
**WHEREAS**, staff and the Board of Commissioners are satisfied with the performance of Holman-Frenia-Allison. P.C. in the execution of their responsibilities in conducting past Audits, and

**WHEREAS**, staff hereby recommends that the Board authorize the execution of a contract with the firm of Holman-Frenia-Allison. P.C. to perform an accounting audit for 2015 for an amount not to exceed \$25,600.00 in accordance with their proposal; and

**WHEREAS**, such services are classified as Professional Services pursuant to N.J.S.A. 40A:11-5(1)(a)(l) 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 of Holman-Frenia-Allison. P.C. to perform an accounting audit for 2015 for an amount not to exceed \$25,600.00.

  
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Roy M. Foster, Chairperson  
ADOPTED: September 10, 2015

  
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Robert J. Tarby Sr., Assistant Secretary

**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 10<sup>th</sup>, day of September 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
APPROVING A POOL OF CERTAIN PROFESSIONALS UNDER THE  
REDEVELOPMENT INITIATIVE AND AUTHORIZING THE EXECUTIVE  
DIRECTOR TO NEGOTIATE AND AWARD AGREEMENTS IN THE BEST  
INTERESTS OF THE AUTHORITY**

**WHEREAS**, in recent years, economic development in and around Atlantic City has been overseen and implemented by and through the Casino Reinvestment Development Authority and various other State-created entities; and

**WHEREAS**, the County Executive and the Board of Chosen Freeholders of Atlantic County (the "**County**") seek to increase the role of the County and other local stakeholders in an effort to foster economic development throughout the County; and

**WHEREAS**, the County has tasked the Atlantic County Improvement Authority ("**ACIA**") with responsibility to lead such effort; and

**WHEREAS**, the ACIA invited municipalities within the County to apply for assistance from the ACIA, under the ACIA's Economic Development/Redevelopment Initiative (the "**Initiative**"); and

**WHEREAS**, through the Initiative, the ACIA seeks to identify appropriate economic development and redevelopment opportunities, and utilize its broad powers under the County Improvement Authorities Law, *N.J.S.A. 40:37A-44 et seq.* (the "**CIA Law**"), in conjunction with the powers of municipalities under the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), to advance those opportunities; and

**WHEREAS**, the Initiative will lead to the revitalization of underutilized and/or distressed areas and transform such areas into economically viable and productive assets; and

**WHEREAS**, this will stimulate further growth and have a sustaining impact on the County's communities and the County as a whole; and

**WHEREAS**, the ACIA will, on behalf of and in conjunction with selected municipalities, utilize its project management experience, call upon the expertise of seasoned professional consultants and employ its expansive powers to create new, and advanced stalled, development and redevelopment projects; and

**WHEREAS**, the ACIA sought applications (each an "**Application**") from municipalities within the County for assistance in the form of professional services, with a value of up to Fifty Thousand Dollars (\$50,000.00) per project, depending on the type and scope of services needed, for a total of up to Two Hundred Fifty Thousand Dollars (\$250,000.00); and

**WHEREAS**, on June 1, 2015, the ACIA received Applications from the following six (6) municipalities seeking assistance from the ACIA through the Initiative: City of Absecon, Egg Harbor City, Hamilton Township, City of Northfield, City of Pleasantville and City of Port Republic; and

**WHEREAS**, the ACIA has reviewed the Applications for the purpose of identifying projects that have a likelihood of success; and

**WHEREAS**, the ACIA believes that it can assist each of the aforementioned municipalities through the Initiative by allocating funds necessary to cover the costs associated with certain professional consultant services required by said municipalities within the \$250,000 allocated for the Project; and

**WHEREAS**, on July 15<sup>th</sup>, 2015 the Board of Commissioners of ACIA adopted a resolution authorizing the allocation of funds to be used by the ACIA on behalf of the aforementioned municipalities in a total amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) to be used by the ACIA to engage the services of such professional consultants as are necessary to assist such municipalities; and

**WHEREAS**, as part of that same resolution adopted July 15<sup>th</sup>, 2015 the Board of Commissioners authorized and directed the Executive Director to circulate, on behalf of the ACIA, a Request for Qualifications for Professional Services for the project; and

**WHEREAS**, on August 3<sup>rd</sup>, 2015 the Executive Director issued the Request for Qualifications accordingly; and

**WHEREAS**; on August 19<sup>th</sup>, 2015 the ACIA received responses from the following seventeen (17) firms for the provision of Professional Services in accordance with the RFP:

1) Atlantic Environmental Solutions, Inc of Hoboken, 2) Beacon Planning of Colts Neck, 3) Brinkerhoff Environmental Services Inc, of Manasquan, 4) CME Associates of Pleasantville, 5) Dixon Associates of Galloway, 6) DuBois Environmental Consultants of Barnegat, 7) Heyer Gruel & Associates of Red Bank, 8) L & G Planning of Ewing, 9) Lomax Consulting Group of Cape May Courthouse, 10) Mott and Associates of Egg Harbor Township, 11) Pennoni of Haddon Heights, 12) Phillips, Preiss, Grygiel of Hoboken, 13) Prestige Environmental of Somerset, 14) Remington, Vernick and Walberg Engineers of Pleasantville, 15) Schaeffer Nassar Scheidegg of Mays Landing, 16) Tiffany CuvIELLO of Galloway, and 17) Tim Michel of Egg Harbor City; and

**WHEREAS**, upon review staff determined that all respondents are qualified in their respective disciplines submitted and recommends that they be included in the pool.

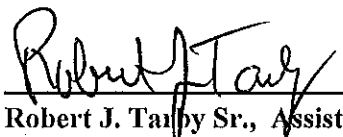
**NOW THEREFORE BE IT RESOLVED** by the Commissioners of the Atlantic County Improvement Authority, County of Atlantic, New Jersey, as follows:

- 1) a pool of professional firms for participation in the Redevelopment Initiative is hereby established consisting of the following seventeen (17) firms: 1) Atlantic

Environmental Solutions, Inc of Hoboken, 2) Beacon Planning of Colts Neck, 3) Brinkerhoff Environmental Services Inc, of Manasquan, 4) CME Associates of Pleasantville, 5) Dixon Associates of Galloway, 6) DuBois Environmental Consultants of Barnegat, 7) Heyer Gruel & Associates of Red Bank, 8) L & G Planning of Ewing, 9) Lomax Consulting Group of Cape May Courthouse, 10) Mott and Associates of Egg Harbor Township, 11) Pennoni of Haddon Heights, 12) Phillips, Preiss, Grygiel of Hoboken, 13) Prestige Environmental of Somerset, 14) Remington, Vernick and Walberg Engineers of Pleasantville, 15) Schaeffer Nassar Scheidegg of Mays Landing, 16) Tiffany CuvIELLO of Galloway, and 17) Tim Michel of Egg Harbor City; and

- 2) The Executive Director is authorized to solicit quotes, negotiate and award contracts based on the bests interest of the Authority and the participating Municipalities with members of the pool for the purpose of advancing the six (6) approved projects in the City of Absecon, Egg Harbor City, Hamilton Township, City of Northfield, City of Pleasantville and City of Port Republic through the Initiative for an amount not to exceed a total of \$250,000.00.

  
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Roy Foster, Chairperson

  
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Robert J. Tarby Sr., Assistant Secretary

**ADOPTED: September 10<sup>th</sup>, 2015**

**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 10th day of September, 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT  
FOR TECHNICAL ASSISTANCE FOR THE IMPLEMENTATION OF THE  
SECTION 108 LOAN PROGRAM**

**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 increased competition brought about by the advent of casino gaming in other jurisdictions has had a significant negative impact on the local economy; and

**WHEREAS;** the negative impact is evidenced by the reduction in employment and discouragement of investment directly in the industry and indirectly in the ancillary industries that support it; and

**WHEREAS;** in recognition of this the County Executive and Board of Chosen Freeholders have tasked the Authority with the responsibility of taking the leadership role for a coordinated Economic Development and Redevelopment effort for Atlantic County; and

**WHEREAS;** the Authority desires to stimulate economic and mixed use development in order to create new jobs, expand the tax base and redevelop certain areas of the County; and

**WHEREAS;** Business Loan Programs have proven to be essential components to advancing a sustained economic development/redevelopment strategies leading to job and ratable creation in other jurisdictions; and

**WHEREAS;** the County and the City of Atlantic City have determined that the creation of a County-wide Section 108 Loan Program, with rigorous underwriting guidelines, would offer several millions of dollars of low cost loans from the U.S. Department of Housing and Urban Development to businesses and developers throughout the County; and

**WHEREAS,** Community Initiatives Development Corporation (CIDC) assisted the Authority in the preparation and submission of applications to the US Department of Housing and Urban Development to establish a 108 loan program for Atlantic County and a separate application for Atlantic City; and

**WHEREAS,** the Authority anticipates formal notice from the US Department of Housing and Urban Development of approval of the applications in the near future; and

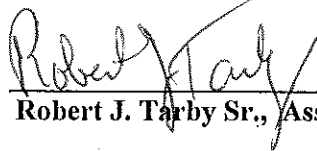
**WHEREAS,** the Authority could benefit substantially in implementing the programs by taking advantage of the demonstrated expertise and experience of CIDC in advising and assisting in developing the process in an efficient and objective manner; and

**WHEREAS;** the Authority could also benefit from CIDC's demonstrated expertise and experience in identifying and arranging financing from other sources for Economic Development projects, and;

WHEREAS, such services are classified as Professional Services pursuant to N.J.S.A. 40A11-5(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 Community Initiatives Development Corporation render certain technical advice and assistance with the implementation of a County and City 108 Program and other technical services for a fee not to exceed \$15,000.00.

  
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Roy M. Foster, Chairperson

  
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Robert J. Tarby Sr., Assistant Secretary

ADOPTED: September 10<sup>th</sup>, 2015

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 10<sup>th</sup> day of September 2015.