

MEMORANDUM

Date: July 11, 2011

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 6, 2011

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq., on July 11, 2011.

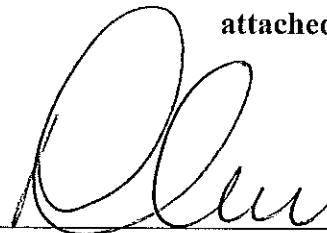
- (a) by the end of the fifth business day following the meeting.
 (b) as soon as practicable following the meeting where emergency action has been taken.
 (c) beyond the statutory period for submission.

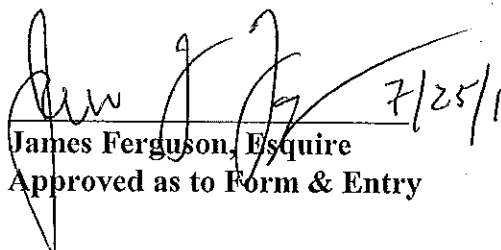
II. I hereby return the Minutes of the above referenced meeting to the Authority and to the Board of Freeholders, on the date set forth above, which is:

- (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
 7/25/11

cc: Jim Ferguson, Atlantic County Counsel

ATTACHMENTS: Minutes
 Veto Message

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR JUNE 2011**

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 June 2011, 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 June 2011, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 3, 2011

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 3rd day of August 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AMENDING THE SHARED SERVICES AGREEMENT WITH THE ATLANTIC COUNTY
INSTITUTE OF TECHNOLOGY AND THE ATLANTIC COUNTY SPECIAL SERVICES SCHOOL DISTRICT
FOR THE JOINT SOLAR RENEWABLE ENERGY PROJECT**

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, on June 1st 2011 the Board authorized a Shared Services Agreement with the Atlantic County Institute of Technology, hereafter, the "ACIT" and the Atlantic County Special Services School District, hereafter, the "ACSSD" for the Authority to provide Project Management Services for the Joint Solar Renewable Energy Project, hereafter the "Project"; and

WHEREAS, the terms of that agreement specify consideration consisting of a base amount of \$150,000, plus an hourly rate under certain conditions if the project exceeds its projected 70 week term, plus a not to exceed amount of \$10,000.00 for reimbursables; and

WHEREAS, as requested by ACIT and ACSSSD the Scope of Services of the agreement include the procurement of a professional firm to provide Solar Design Services and after completion of design to procure a Power Purchase Provider to implement the project ; and


WHEREAS, it is the intent of ACIT and ACSSSD to have the costs of the design paid for by the power purchase provider; and

WHEREAS; in the interest of efficiency staff recommends that the Authority front the funds to pay for the cost of the design services to be reimbursed under the Power Purchase Agreement, hereafter the "PPA", with the understanding that the Authority will be reimbursed by ACIT and ACSSSD for any costs incurred should the project not proceed; and

WHEREAS; in order to accomplish this it is necessary to amend the Shared Services Agreement to include the costs of the Design Services; and

WHEREAS, this contract is classified as services provided between governmental agencies pursuant to N.J.S.A. 40A:11-5(2) and as such is exempt from the public bidding requirements of the New Jersey Local Public Contracts Law; and

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 Shared Services Agreement with the ACIT and ACSSSD specifying that the Authority will be reimbursed for all incurred costs associated with the Solar Design Contract through the PPA or through the ACIT and ACSSSD should the project not proceed.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 3, 2011

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 3rd day of August 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AMENDING THE SHARED SERVICES AGREEMENT WITH
THE CITY OF BRIGANTINE FOR THE BRIGANTINE COMMUNITY CENTER PROJECT**

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, on October 14, 2009 the Board of Commissioners of the Atlantic County Improvement Authority authorized a Shared Services Agreement with the City of Brigantine for the Authority to Serve as Project Manager for the Brigantine Community Center Project for the period of February 2010 to June 2011 for a fee of \$156,916.00 or \$9,320.38 per month (regular term) plus hourly billing during the "Extended Term" after June 2011; and

WHEREAS, the Authority contemplated full time presence at the job site during the regular term and predetermined a corresponding monthly billing rate of \$9,320.38; and

WHEREAS, during the "Extended Term" identified in the agreement the Authority contemplated presence on the site on an as needed basis whereby the Authority will bill on an hourly basis; and

WHEREAS, due to an expanded schedule for completion it is necessary to extend the regular term of the agreement to allow the Authority to provide full time on-site presence for an additional five months to October 31, 2011; and


WHEREAS, this contract is classified as services provided between governmental agencies pursuant to N.J.S.A. 40A:11-5(2) and as such is exempt from the public bidding requirements of the New Jersey Local Public Contracts Law; and

WHEREAS, staff recommends the Board of Commissioners authorize the Executive Director to execute an amendment to extend the regular term of the contract to October 31, 2011.the Interlocal Service Agreement with the City of Brigantine for the Brigantine Community Center project for an amount not to exceed \$156,916.00.

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 Interlocal Service Agreement with the City of Brigantine for the Brigantine Community Center Project to extend the regular term of the agreement for five (5) months to October 31,2011 for an additional amount not to exceed \$46,151.90 and move the beginning date for the "Extended Term" to November 1st, 2011.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 3, 2011

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 3rd day of August, 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH
THE PLEASANTVILLE HOUSING AND REDEVELOPMENT CORPORATION. FOR
THE MIDTOWN PRESERVATION AREA NEIGHBORHOOD STABILIZATION
PROJECT IN PLEASANTVILLE**

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, hereafter, the "County", established pursuant to N.J.S.A. 40:37A-44, et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54, the Authority is empowered to provide financial and/or technical assistance for the construction of low and moderate income housing in the County; and

WHEREAS, the County has executed Funding Approvals and HOME Investment Partnership Grant Agreements for Atlantic County HOME Funds for FY 1997 through FY 2010; and

WHEREAS, by Resolution adopted each Fiscal Year, the Board of Commissioners of the Atlantic County Improvement Authority authorized the Executive Director to enter into contracts with the County of Atlantic to administer all aspects of the Atlantic County HOME Consortium Program and to monitor the activities of sub-grantees as defined in the County's Agreements with the U.S. Department of Housing and Urban Development for HOME Consortium Program funds for which services the County will reimburse the Authority; and

WHEREAS, the Board of Chosen Freeholders has annually adopted Resolutions approving the FY 1997 through FY 2010 Annual Action Plans in which HOME funds were allocated to Community Housing Development Organizations (CHDO) to assist in the creation of affordable housing; and

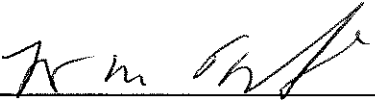
WHEREAS, on August 21, 2011 the Board of Commissioners of the Atlantic County Improvement Authority authorized an agreement with the Pleasantville Housing and Redevelopment Corporation to provide HOME CHDO funds in an amount not to exceed \$150,000 financial assistance to the Midtown Area Preservation Neighborhood Stabilization Project, and

WHEREAS, that agreement specified that \$120,000.00 of those funds would be allocated to the rehabilitation of three single family rental homes, and

WHEREAS, the Pleasantville Housing and Redevelopment Corporation has requested that those same funds in the amount of \$120,000.00 be reallocated to the rehabilitation of five single family homes at \$24,000.00 with the addition of one home located at 209 Sheffield Avenue and the second home located at 727 Stratford Avenue in Pleasantville for rental units as part of the Midtown Area Preservation Neighborhood Stabilization Project, and

WHEREAS, the low income housing units will address needs and objectives identified in Atlantic County 2006 to 2010 Consolidated Plan for the development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic County Improvement Authority to authorize the Executive Director to amend the February 16th, 2011 agreement with the Pleasantville Housing and Redevelopment Corporation to reallocate the \$120,000.00 of funds allocated to the rehabilitation of three single family homes for rental units at \$40,000.00 each to the rehabilitation of five single family homes at \$24,000.00 with the addition of one home located at 209 Sheffield Avenue and the second home located at 727 Stratford Avenue in Pleasantville for rental units as part of the Midtown Area Preservation Neighborhood Stabilization Project.



Roy M. Foster, Chairperson



Edwin Blake, Secretary

ADOPTED: August 3, 2011

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 3rdst day of August, 2011
