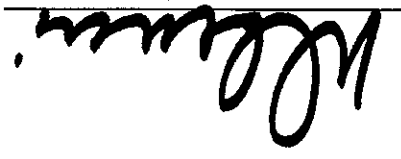


Minutes  
Veto Message

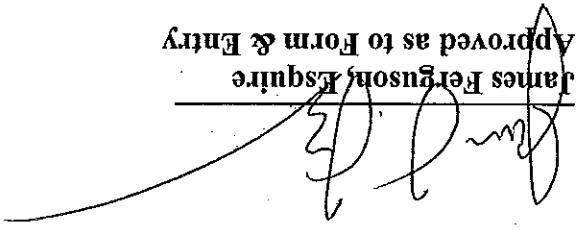
ATTACHMENTS:

cc: Jim Ferguson, Atlantic County Counsel

Dennis Levinson  
Atlantic County Executive



James Ferguson, Esquire  
Approved as to Form & Entry



- (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.

III. The following action is taken on the Minutes:

- (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.

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)  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.

I. The Minutes of the above referenced meeting were submitted pursuant to N.J.S.A. 40:41A-37 et seq., on September 8, 2011.

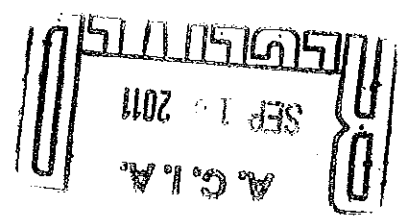
Re: Minutes of the Regular Board Meeting on September 7, 2011

From: Honorable Dennis Levinson  
Atlantic County Executive

To: John C. Lamey, Jr., Executive Director  
Atlantic County Improvement Authority

Date: September 8, 2011

MEMORANDUM



**RESOLUTION OF THE ATLANTIC  
COUNTY IMPROVEMENT AUTHORITY  
APPROVING THE EXPENDITURES CONTAINED IN THE  
FINANCIAL REPORT FOR AUGUST 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 July 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 August 2011, are approved pursuant to N.J.A.C. 5:31-4.1(c).

  
\_\_\_\_\_  
Roy M. Foster, Chairperson

  
\_\_\_\_\_  
Edwin G. Blake, Secretary

**ADOPTED: October 26, 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 26th day of October 2011.

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

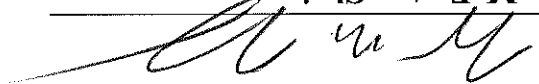
WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

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

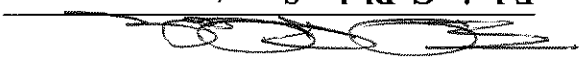
WHEREAS, such claims and the expenditures thereto for the month of September 2011, are contained in the Financial Report submitted hereto for approval by the Board of Commissioners.

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

Roy M. Foster, Chairperson



Edwin G. Blake, Secretary



ADOPTED: October 26, 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 26th day of October 2011.

RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
ANNUAL AUDIT SERVICES FOR 2011  
FORD, SCOTT & ASSOCIATES, LLC.

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 October 14, 2009 the Authority solicited proposals for annual auditing services for each year for the three (3) year period 2009, 2010 and 2011; and

WHEREAS, the Authority received two responses to the RFP; and

WHEREAS, after review of those RFPs staff recommended and the Board authorized on November 4, 2009 the execution of a contract with Ford, Scott & Associates, LLC to perform an accounting audit for 2009; and

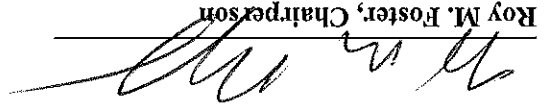
WHEREAS, in accordance with the proposal Ford, Scott & Associates, LLC performed an accounting audit for 2009 for a fee of \$23,000; and

WHEREAS, in accordance with the proposal Ford, Scott & Associates, LLC performed an accounting audit for 2010 for a fee of \$23,700; and

WHEREAS, in accordance with the proposal staff recommends the Board authorize the execution of a contract with Ford, Scott & Associates, LLC, to perform an accounting audit for 2011 for an amount not to exceed \$24,500.00; 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 a contract with Ford, Scott & Associates, LLC to perform an accounting audit for 2011 for an amount not to exceed \$24,500.00.

  
Roy M. Foster, Chairman

  
Edwin G. Blake, Secretary

ADOPTED: October 26, 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 26th day of October 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO  
A SHARED SERVICES AGREEMENT WITH THE COUNTY OF ATLANTIC  
TO ADMINISTER THE HOME INVESTMENT PARTNERSHIP PROGRAM**

**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**, pursuant to N.J.S.A. 40:37A-108a(4) the Atlantic County Improvement Authority is empowered to enter into agreements with any political subdivision in order to promote housing projects in any municipality; and

**WHEREAS**, the County of Atlantic, hereafter the "County," was awarded and has entered into a grant agreement with the U. S. Department of Housing and Urban Development (HUD) for an allocation of \$678,142.00 in FY 2011 HOME Investment Partnership Program funds; and

**WHEREAS**, the County desires to enter into an agreement with the Authority for the Authority to assume responsibility for implementing the County's HOME Investment Partnership Program by administering the program as they have each year since 1997; and

**WHEREAS**, the Authority likewise desires to enter into an agreement with the County to administer their 2011 HOME Consortium Program funds from September 1, 2011 through August 31, 2018 for which services the County will reimburse the Authority \$678,142.00; and

**WHEREAS**, the County has approved the funding levels and eligible fundable projects as identified in the FY 2011 Annual Action Plan as per the attached budget and as adopted by Resolution No. 328 on June 28, 2011, and submitted to and approved by HUD; and

**WHEREAS**, the Authority's Office of Community Development has the knowledge and training to provide these 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;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is hereby authorized to enter into a contract with the County to administer all aspects of the 2011 Atlantic County HOME Consortium Program for housing rehabilitation and to monitor the activities of sub-grantees as defined in the County's Agreement with the U.S. Department of Housing and Urban Development from September 1, 2011 through August 31, 2018 for which the County will reimburse the Authority \$678,142.00.00.

Roy M. Foster, Chairperson

Edwin G. Blake, Secretary

ADOPTED: October 26, 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 26<sup>th</sup> day of October 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SHARED SERVICE  
AGREEMENT WITH ATLANTIC COUNTY TO ADMINISTER THE  
COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT GRANT**

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, pursuant to N.J.S.A. 40:37A-54 (a) the Atlantic County Improvement Authority is empowered to provide public facilities for use by any municipality in the County; and

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

WHEREAS, the County of Atlantic, hereafter the "County," was awarded and has entered into a grant agreement with the U. S. Department of Housing and Urban Development (HUD) for an allocation of \$1,332,979.00 in FY 2011 Community development Block Grant (CDBG) funds; and

WHEREAS, the County desires to enter into an agreement with the Authority for the Authority to assume responsibility for implementing the County's CDBG Program by administering the program as they have each year since 2001; and

WHEREAS, the Authority likewise desires to enter into an agreement with the County to administer their 2011 CDBG funds from September 1, 2011 through August 31, 2018 for which services the County will reimburse the Authority \$1,424,682.00; and

WHEREAS, the County has approved the funding levels and eligible fundable projects identified in the FY 2011 Annual Action Plan as listed in the attached summary and as adopted by Resolution No. 328 on June 28, 2011 and submitted to and approved by HUD; and

WHEREAS, the Authority's Office of Community Development has the knowledge and training to provide these 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.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Atlantic County

Improvement Authority that the Executive Director is hereby authorized to enter into a contract with Atlantic County effective from September 1, 2011 through August 31, 2018, to administer its 2011 Community Development Block Grant "Entitlement" Grant for which services Atlantic County will reimburse the Authority in the amount of \$1,332,979.00 contingent upon approval by the Atlantic County Board of Freeholders.

Roy M. Foster, Chairperson

Edwin G. Blake, Secretary

**ADOPTED: October 26, 2011**

**ATLANTIC COUNTY IMPROVEMENT AUTHORITY**

I, Assistant Secretary of the Atlantic County Improvement Authority, 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 26th day of October 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO CONTRACTS  
WITH VARIOUS MUNICIPALITIES TO IMPLEMENT  
THE CDBG ENTITLEMENT GRANT PROGRAM**

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, Title I of the Federal Housing and Community Development Act of 1974, as amended, provides a program of Community Development Block Grants; and

WHEREAS, certain municipalities have signed Cooperation Agreements with the County pledging their participation in the program; and

WHEREAS, the County has entered into a Grant Agreement with the U.S. Department of Housing and Urban Development, hereafter HUD, for FY 2011 funds based on those Cooperation Agreements under Title I of the Housing and Community Development Act, as amended, for Entitlement Grant for \$1,332,979.00; and

WHEREAS, the County will enter into a contract with the Authority to administer and oversee the Entitlement Grant and implement portions of it; and

WHEREAS, the County has approved the funding levels and eligible, fundable projects from those participating Municipalities in the FY 2011 Annual Action Plan adopted by Resolution No. 328 on June 28, 2011, and submitted to and approved by HUD as identified in the attached summary sheet; and

WHEREAS, the County, in the future, may adopt amendments to the Action Plan in accordance with their Citizen Participation Plan redirecting the funds allocated in one or more of the participating Municipalities to other eligible projects within that Municipality; and

WHEREAS, it is necessary for the Authority to enter into Contracts with participating Municipalities under which the Municipalities will implement their portion of the Entitlement Grant; and

WHEREAS, these contracts are classified as services provided between governmental agencies pursuant to N.J.S.A.40:A-11-5(2) 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 hereby authorized to enter into contracts with each of the 20 participating Municipalities to undertake the projects outlined in the 2011 Annual Action Plan (Attached), and is authorized to enter into contracts in accordance with those municipalities to undertake projects identified in any subsequent amendments to that plan adopted by Atlantic County as eligible activities under 24 CFR Part 570 Subpart C, and to distribute funds up to the maximum amount identified above, as stipulated in the Agreement, for a period of seven years..

Roy M. Roster, Chairperson

Edwin G. Blake, Secretary

ADOPTED: October 26, 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 26th day of October 2011.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDER # 1  
WITH ARAWAK PAVING COMPANY FOR THE ATLANTIC COUNTY  
2010 HIGHWAY IMPROVEMENT 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 Authority has entered into an Interlocal Service Agreement with the County to provide Project Management and Inspection Services for the 2010 Highway Improvement Program (known as the "project") for an amount not to exceed \$2,300,000.00 (\$59,312.90 for Project Management Services and \$2,240,687.10 for Construction Services); and

**WHEREAS**, on March 2<sup>nd</sup> 2010 the Board of Commissioners authorized the Executive Director to execute a contract with Arawak Paving Co. of Hammonton, New Jersey, to undertake roadway improvements specified under the 2010 Highway Improvement Program in various locations throughout Atlantic County for an amount not to exceed \$1,536,000.00; and

**WHEREAS**, actual quantities utilized in the execution of the contract exceeded the estimated quantities; and

**WHEREAS**, the agreement provided for an Asphalt Price Adjustment and a Fuel Price Adjustment if costs to the contractor increased during the course of executing the scope of services; and

**WHEREAS**, Staff has reviewed Change Order Request #1 as submitted by the contractor in the amount of \$53,105.80 and determined that the additional quantities are justified and the adjustments are consistent with the agreement; and

**WHEREAS**, the Atlantic County Department of Engineering has concurred with the proposed change order and additional quantities as submitted by Arawak Paving Co for the project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to execute Change Order #1 to the agreement with Arawak Paving Co. of Hammonton, New Jersey for the 2010 Highway Improvement Program in the amount of \$53,105.80.

Roy M. Foster, Chairperson

Edwin Blake, Secretary

ADOPTED: October 26<sup>th</sup>, 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 26<sup>th</sup> day of October, 2011.



**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY  
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO  
A SHARED SERVICES AGREEMENT WITH ATLANTIC COUNTY  
FOR PROJECT MANAGEMENT SERVICES FOR THE ADA IMPROVEMENT  
PROJECT TO 6260 HARDING HIGHWAY**

**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 County requested the Authority to submit a proposal to serve as project manager relative to the procurement of a contractor to perform ADA renovations to the County owned "Extension Services Building" located at 6260 Harding Highway in Mays Landing and to provide oversight in the execution of the project in accordance with the County's specifications; and

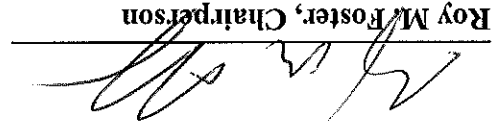
**WHEREAS**, the Authority submitted the attached proposal on September 21st, 2011 to enter into an Interlocal Service Agreement with the County to provide specific services to fulfill the County's needs for an amount of \$20,000.00; and

**WHEREAS**, the Board of Chosen Freeholders of Atlantic County accepted the proposal and authorized the agreement by Resolution # 524 dated October 20th, 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 to the Board of Commissioners that the Authority provide these Project Management services in accordance with the proposal for an amount of \$20,000.

**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 Shared Services Agreement with the County of Atlantic for the Authority to provide Project Management Services for the ADA Renovation Project to 6260 Harding Highway, Mays Landing NJ in accordance with the September 21, 2011 for an amount of \$20,000.00.

  
\_\_\_\_\_  
Roy M. Foster, Chairperson

  
\_\_\_\_\_  
Edwin G. Blake, Secretary

**ADOPTED:** October 26<sup>th</sup>, 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 26<sup>th</sup> day of October, 2011.

**RESOLUTION APPROVING THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY ANNUAL BUDGET FOR FISCAL YEAR JANUARY 1, 2012 TO DECEMBER 31, 2012**

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 Annual Budget for the Atlantic County Improvement Authority for the fiscal year beginning January 1, 2012 and ending December 31, 2012 has been presented before the Board of Commissioners of the Atlantic County Improvement Authority at its open public meeting of October 26, 2011; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$ 1,659,381.00 and total Appropriations of \$1,658,867.00; and

WHEREAS, the Authority does not have a Capital Budget pursuant to N.J.A.C. 5:31-2.2(c); and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority, at an open public meeting held on October 26, 2011 that the Annual Budget including appended Supplemental Schedules of the Atlantic County Improvement Authority for the fiscal year beginning January 1, 2012 and ending December 31, 2012 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease agreements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Atlantic County Improvement Authority will consider the Annual Budget for adoption after approval, of the Annual Budget, by the Division of Local Government Services on December 7, 2011.

Roy M. Foster, Chairperson

Edwin G. Blake, Secretary

ADOPTED: October 26, 2011

**RECORDED VOTE**

| MEMBER                             | AYE | NAY | ABSTAIN | ABSENT |
|------------------------------------|-----|-----|---------|--------|
| Edwin G. Blake, Secretary          | X   |     |         |        |
| Maureen Bugdon, Vice Chairperson   | X   |     |         |        |
| Rev. Hendricks, Commissioner       |     |     |         | X      |
| Neil McPeak, Treasurer             | X   |     |         |        |
| Joseph Ingemi, Commissioner        | X   |     |         |        |
| Robert Tarby, Sr., Asst. Secretary | X   |     |         |        |
| Roy Foster, Chairperson            | X   |     |         |        |

**ATLANTIC COUNTY IMPROVEMENT AUTHORITY**

I, Assistant Secretary of the Atlantic County Improvement Authority, 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 26th day of October 2011.