

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR APRIL 2024**

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 April 2024, 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 April 2024, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
TO ADJOURN TO EXECUTIVE SESSION
FOR THE PURPOSES SET FORTH HEREIN**

WHEREAS, the Atlantic County Improvement Authority (hereinafter referred to as 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 subject to the requirements of the Open Public Meetings Act (hereinafter referred to as the “Act”), N.J.S.A. 10:4-6 et. seq.; and

WHEREAS, pursuant to N.J.S.A. 10:4-12 there are certain exceptions to the Act and which provide for closed executive sessions to discuss such matters so exempt.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Authority that this meeting be adjourned to an executive session to discuss the following matter(s) which is/are exempt from public discussion pursuant to the New Jersey Open Public Meetings Law:

(Choose from the list below, according to the matters to be discussed)

1. A matter which, by express provision of Federal Law or State statute or rule of court shall be rendered **CONFIDENTIAL**.
2. A matter that, the disclosure of constitutes an unwarranted invasion of **INDIVIDUAL PRIVACY**.
3. The **PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY**
4. Pending or anticipated **LITIGATION AND ATTORNEY – CLIENT PRIVELEGE**
5. **PERSONNEL MATTERS**

BE IT FURTHER RESOLVED that the governing body will reconvene in public session and confirm the results of the executive session if there is a majority consensus for action to be taken at this time.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13, 2024

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 13th day of June 2024

Timothy D. Edmunds, Executive Director

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO RENEW
THE SHARED SERVICES AGREEMENT WITH THE ATLANTIC
COUNTY UTILITIES AUTHORITY TO PROVIDE CERTAIN
ADMINISTRATIVE SERVICES TO THE AUTHORITY**

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, under a shared services agreement, the Atlantic County Utilities Authority (“ACUA”) has provided the Authority administrative support in the area of Human Resources including Payroll, Health Benefits and Pension Administration, administration of Vacation, Sick and Personal leave and the administration of unemployment benefits, as well as Purchasing activities; and

WHEREAS, because the ACUA administers those activities for its 250 employees and is subject like the Authority to the Local Public Contracts Law the shared service arrangement has proven to maximize efficiencies and be beneficial for the Authority; and

WHEREAS, the current agreement is for ACUA to provide those services to the Authority for an amount not-to-exceed \$5,000.00 to be billed on an hourly rate, and proposes to renew the agreement for an additional year under the same terms and conditions; 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 it is in the best interests of the Authority to share these certain administrative services in accordance with the proposal.

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 extension to the Shared Services Agreement with the Atlantic County Utilities Authority for the ACUA to provide certain administrative services to the Authority for an amount not to exceed \$5,000.00 from July 16th, 2024, until July 17th, 2025.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13th, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
APPOINTING KAYLA RIVERA TO THE POSITION OF PROJECT
COORDINATOR OF THE ATLANTIC COUNTY IMPROVEMENT
AUTHORITY, ALL FOR THE PURPOSES SET FORTH HEREIN**

WHEREAS, the Atlantic County Improvement Authority (hereinafter referred to as the “Authority”) is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic (hereinafter referred to as “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 undertake the necessary measures in the planning, initiating and carrying out redevelopment projects for the elimination, and for the prevention of the development or spread of blighted, deteriorated or deteriorating areas; and to provide assistance and take such other measures so as to provide decent, safe and sanitary dwelling units for persons of low and moderate income residents; to improve, further, and promote the tourist industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, management and operation of facilities for the recreation and entertainment of the public; and to promote the overall economic development and redevelopment of the area which it serves; and

WHEREAS, Kayla Rivera has been serving the Authority as the CDBG Coordinator and has demonstrated a high proficiency in this position and has further demonstrated the ability to assist the Authority in additional capacities; and

WHEREAS, there exists a need for a Project Coordinator so that the Authority can better fulfill the statutory purposes and mission for which the Authority was created; and

WHEREAS, the Board of the Authority believes that Kayla Rivera possesses the knowledge, skills, education, training and expertise to perform the duties of Project Coordinator and that it is in the interests of the Authority that Kayla Rivera be appointed to the position of Project Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Atlantic County Improvement Authority that Kayla Rivera shall be and is hereby appointed to the position of Project Coordinator of the Atlantic County Improvement Authority at a salary as provided for within the budget of the Authority, together with all benefits currently applicable to said position; and

BE IT FURTHER RESOLVED that this appointment shall become effective immediately or otherwise at such time as determined by the Executive Director.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR
TO EXECUTE AN AGREEMENT WITH SHORELAND
CONSTRUCTION, INC. IN THE AMOUNT OF \$706,420.00
REGARDING ATLANTIC COUNTY'S ANIMAL SHELTER
INTERIOR ALTERATIONS PROJECT**

WHEREAS, 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-54 a purpose of the Authority is to plan, initiate and carry out construction projects within the County for public facilities to be utilized for governmental purposes and use; and

WHEREAS, the County of Atlantic has requested a proposal from the Authority to provide Owner's Representative and Project Management services for the Atlantic County's Animal Shelter Interior Alterations Project (the "Project"); and

WHEREAS, since the County has engaged professionals for the completion of the design development stage and it is contemplated that the Authority will bid and hold the construction contracts, the Authority proposed to provide full Project Management Services beginning with the Bid Phase through Construction Closeout: and

WHEREAS, the Board of Commissioners of the Atlantic County Improvement Authority authorized the Executive Director to execute a Shared Services Agreement with the County of Atlantic to provide Owner's Representative and Project Management Services for the County's Animal Shelter Generator Interior Alterations in the amount of \$32,000.00; and

WHEREAS, the Authority received responses from four bidders on June 7, 2024 to its solicitation for the Project with bids ranging from low of \$637,041.23 submitted by Shore Builders to a high \$1,098,460.00 submitted by Levy Construction, Inc.; and

WHEREAS, subsequent to the bid opening, Shore Builders requested to rescind their bid as they missed a critical component of the scope of work: and

WHEREAS, the Authority reached out to the second lowest bidder, Shorelands Construction, Inc. to confirm their interest and price and determined they are still interested in the project; and

WHEREAS, staff reviewed all of Shoreland Construction, Inc. required bid documentation and finding all in order, recommends an award to Shore Builders in the amount of \$706,420.00.

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of the Atlantic County Improvement Authority hereby authorize the Executive Director to execute an Agreement with Shoreland Construction, Inc. in the amount of \$706,420.00 for construction improvements at the County's Animal Shelter Interior Alterations project and to further authorize the Executive

Director to amend the Shared Services Agreement with the County of Atlantic to include the cost of the construction contract with Shore Builders



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13th, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SHARED SERVICES PROJECT MANAGEMENT AGREEMENT WITH THE ATLANTIC COUNTY INSTITUTE OF TECHNOLOGY (ACIT) IN THE AMOUNT OF \$16,500 FOR THE ACIT'S NURSING SUITES ALTERATIONS PROJECT

WHEREAS, 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-54 a purpose of the Authority is to plan, initiate and carry out construction projects within the County for public facilities to be utilized for governmental purposes and use; and

WHEREAS, the ACIT has requested a proposal from the Authority to provide Owner's Representative and Project Management services for the Nursing Suites Alterations Project (**the "Project"**); and

WHEREAS, the services and scope proposed by the Authority are based on discussions regarding the Project and our anticipation that the time spent will consist of on-site presence, off site availability, reporting and administrative functions, and will be split primarily between our Director of Projects, a Project Manager, and to a lesser extent some additional time will be required of our administrative staff; and

WHEREAS, the Authority submitted a proposal to oversee the professionals and contractor in accordance with the ACIT's schedule, budget, and project priorities; and

WHEREAS, the Authority will further serve as the liaison, advise the ACIT and act on their behalf to ensure the successful completion of the Project and that the ACIT's interests are represented in every decision in each phase of development; and

WHEREAS, since the ACIT has engaged professionals for the completion of the design development stage, will bid the Project and will hold the construction contract, the Authority proposed to provide full Project Management Services beginning with the Construction Administration Phase through Construction Closeout: and

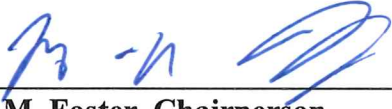
WHEREAS, the Authority proposed to provide such services in an amount not to exceed \$16,500.00; and

WHEREAS, the Board of Education took formal action on the proposal on April 22, 2024; 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, the Board of Commissioners of the Atlantic County Improvement Authority hereby authorize the Executive Director to execute a Shared

Services Agreement with the ACIT to provide Owner's Representative and Project Management Services for the Nursing Suites Alterations Project in the amount of \$16,500.00.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13th, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO
ENTER INTO A SHARED SERVICES PROJECT MANAGEMENT
AGREEMENT WITH THE COUNTY OF ATLANTIC IN THE AMOUNT
OF \$38,000.00 REGARDING STILLWATER BUILDING ROOF
REPLACEMENT PROJECT**

WHEREAS, 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-54 a purpose of the Authority is to plan, initiate and carry out construction projects within the County for public facilities to be utilized for governmental purposes and use; and

WHEREAS, the County of Atlantic has requested a proposal from the Authority to provide Owner's Representative and Project Management services for the Atlantic County's Stillwater Building Roof Replacement project (**the "Project"**); and

WHEREAS, the services and scope proposed by the Authority are based on discussions regarding the Project and our anticipation that the time spent will consist of on-site presence, off site availability and reporting and administrative functions, and will be split primarily between our Director of Projects and Engineering, a Project Manager, and to a lesser extent some additional time will be required of our administrative staff; and

WHEREAS, the Authority submitted a proposal to oversee the professionals and contractor in accordance with the County's schedule, budget, and project priorities; and

WHEREAS, the Authority will further serve as the liaison, advise the County and act on their behalf to ensure the successful completion of the Project and that the County's interests are represented in every decision in each phase of development; and

WHEREAS, since the County has engaged professionals for the completion of the design development stage and it is contemplated that the Authority will bid and hold the construction contracts, the Authority proposed to provide full Project Management Services beginning with the Bid Phase through Construction Closeout; and

WHEREAS, the Authority proposed to provide such services for the project in an amount not to exceed \$38,000.00; and

WHEREAS, the Board of Commissioners of Atlantic County took formal action on the proposal on June 4th, 2024, Resolution 293; 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, that upon approval by Atlantic County Board of Commissioners of the agreement, the Board of Commissioners of the Atlantic County Improvement Authority hereby authorizes the Executive Director to execute a Shared Services

Agreement with the County of Atlantic to provide Owner's Representative and Project Management Services for HVAC upgrades at the Atlantic County's Stillwater Roof Replacement Project in the amount of \$38,000.00.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13, 2024

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 13th day of June 2024.

Timothy D. Edmunds, P.E., Executive Director

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT
AUTHORITY APPOINTING NW FINANCIAL TO SERVE AS
FINANCIAL ADVISOR**

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, due to the Authority's activities related to supporting both the Public and Private sectors in the Community with their financing needs, and our continuing role in the Economic/Redevelopment Initiative and other activities, it is appropriate and necessary for the Authority to continue to enlist the services of a Financial Advisor to assist in advancing such efforts and the provide the expertise required to ensure that the interests of the Authority are protected; and

WHEREAS, over the past several years NW Financial has demonstrated their ability to analyze the feasibility of project proposals, structure financing packages, provide advice regarding debt issues and potential debt issues of the Authority, provide guidance related to activities undertaken as part of the Economic Development/Redevelopment Initiative and monitor and ensure compliance with our disclosure requirements on the Electronic Municipal Market Access (EMMA) website ; and

WHEREAS, NW Financial proposed fees in accordance with the attached fee schedule that are consistent with their fees charged over the past several years and are reasonable and consistent with industry standards; and

WHEREAS, NW's team continues to demonstrate the experience, knowledge and capacity to analyze the feasibility of project proposals, structure financing packages and provide advice regarding debt issues and potential debt issues of the Authority; 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 NW Financial is hereby re-appointed to serve as the Authority's Financial Advisor through June of 2024 in accordance with the attached Scope of Services and Fee Schedule.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13th, 2024

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 13th day of June, 2024.

Timothy D. Edmunds, Executive Director

Resolution 5 of June 8th, 2023

Schedule A

Compensation

For financial advisory services rendered in connection with the sale of bonds and notes, NW Financial proposes to be compensated based on the following schedule:

1. Bonds/Note Single Issuer General Obligation financings:

a. Notes:

For the issuance of general obligation note(s) in an amount up to \$10,000,000, NW Financial proposes to be compensated a flat fee of \$4,500. For the issuance of general obligation note(s) in an amount over \$10,000,000, NW Financial proposes to be compensated a flat fee of \$6,000. This amount shall be payable at the closing of the proposed note issuance.

b. Bonds:

For the issuance of general obligation bonds and or refunding bonds, NW Financial proposes to be compensated a flat fee of \$13,500 for any bond issuance up to \$15,000,000. For a bond issuance over \$15,000,000, NW Financial proposes to be compensated a flat fee of \$15,000. This amount shall be payable at the closing of the proposed bond/refunding issuance.

2. Complex/Unique/Multiple Issuer Financings:

The fee for the Authority financings that include multiple general obligation credits and/or issuers; 501(c)(3) credits; provide corporations or developers or other unique financing structures or credits will be negotiated and agreed upon between the parties based upon the number of issuers, size of the issue, complexity of the financing, issuer credit quality, requested services and other factors specific to the transaction.

3. Continuing Disclosure Services:

For the review of prior and current secondary market disclosure requirements and to complete and post the necessary continuing disclosure filings and postings to EMMA, NW Financial proposes to be compensated at the hourly rates noted above with a minimum fee of \$1,500 per annum.

4. General Consulting:

For general consulting services provided on projects or potential projects that does not include a sale of Notes and/or Bonds, or for a project where a final determination has not been made as to how the project will be financed, such as a redevelopment project or review assignment, NW Financial shall be compensated upon the hourly rates as follows:

Position	Hourly Rate (\$/hour)
Principal	\$225
Managing Director	\$205
Senior Vice President	\$195
Vice President	\$190
Associate	\$185

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A
PROFESSIONAL SERVICES AGREEMENT WITH LEW ENVIRONMENTAL FOR
RENTAL UNIT LEAD-BASED PAINT INSPECTIONS.**

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, New Jersey’s Lead-Safe Certification Law: Lead-Based Paint Inspections in Rental Dwelling Units: N.J.A.C.5:28 went into effect on July 22, 2022 requiring inspections prior to any new tenant or before July 2024; and

WHEREAS, the law requires under Section 1.B that a municipality provide for the required visual and potential lead dust wipe sampling either through a permanent local agency who performs such inspections; and

WHEREAS, in the case of a municipality that does not maintain such permanent local agency for inspections, the municipality shall hire a lead evaluation contractor, certified to provide lead paint inspections services by the Department of Community Affairs (DCA); and

WHEREAS, many municipalities will not have such a permanent agency or will not have the ability to meet the requirements of this new law; and

WHEREAS, on April 13, 2023, the Board of Commissioners of the Atlantic County Improvement Authority authorized a Professional Services Agreement with LEW Environmental to provide the professional services required to meet the requirements of N.J.A.C. 5:28A through Shared Services Agreements with municipalities in Atlantic County for one (1) year; and

WHEREAS, the Authority advertised for rental unit lead-based inspections services on May 7th 2024 and received responses from three (3) firms, LEW Environmental, Side by Side MRO, and INGT Lead Testing on May 30th 2024; and

WHEREAS, the Authority evaluated the proposals for cost, experience and ability to perform the inspections: and

WHEREAS, the Authority has for over 20 years used LEW Environmental for lead based paint inspection for our HOME Rehab Program and the rental unit lead-based paint inspection program.

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 Professional Services Agreement with LEW Environmental for rental unit lead-based paint inspections.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: June 13, 2024

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 13th day of June 2024.

Timothy D. Edmunds, Executive Director