

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR JUNE 2020**

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 2020, 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 2020, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August 2020.

**ATLANTIC COUNTY IMPROVEMENT AUTHORITY
CERTIFICATION OF THE ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the annual audit report for the fiscal year ended December 31st, 2019 has been completed and filed with the Atlantic County Improvement Authority pursuant to N.J.S.A. 40A:5A-15; and

WHEREAS, N.J.S.A. 40A:5A-17, requires the governing body of each authority to, within 45 days of receipt of the annual audit, certify by resolution to the Local Finance Board that each member thereof has personally reviewed the annual audit report, and specifically the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board, and

WHEREAS, the members of the governing body have received the annual audit and have personally reviewed the annual audit, and have specifically reviewed the sections of the annual audit report entitled "General Comments" and "Recommendations," in accordance with N.J.S.A. 40A:5A-17,

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Atlantic County Improvement Authority hereby certifies to the Local Finance Board of the State of New Jersey that each governing body member has personally reviewed the annual audit report for the fiscal year ended December 31st, 2019, and specifically has reviewed the sections of the audit report entitled "General Comments" and "Recommendations," and has evidenced same by group affidavit in the form prescribed by the Local Finance Board.

BE IT FURTHER RESOLVED that the secretary of the authority is hereby directed to promptly submit to the Local Finance Board the aforesaid group affidavit, accompanied by a certified true copy of this resolution.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August 2020.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING A MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT
OF NARTP BUILDING 2 AT THE NATIONAL AVIATION RESEARCH AND
TECHNOLOGY PARK, FURTHER AUTHORIZING AN APPLICATION FOR GRANT
FUNDING FROM THE US ECONOMIC DEVELOPMENT ADMINISTRATION AND
FURTHER AUTHORIZING THE COST OF A/E SERVICES FOR
THE PRELIMINARY PROJECT COST ESTIMATE**

WHEREAS, the Atlantic County Improvement Authority (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 advancement of the National Aviation Research and Technology Park (the “**Park**”) is a key component to the efforts being undertaken by the Authority, the National Aviation Research Park Corporation (the “**NARTP**”) and the Atlantic County Economic Alliance (the “**ACEA**”) to diversify the local and regional economy; and

WHEREAS, the Authority is the developer and owner of the first building at the Park which was completed in December of 2019 and is ninety eight percent occupied as of this date; and

WHEREAS, there is interest from other potential tenants within the Aviation Industry who have expressed a desire to locate in the Park and certain opportunities exist to facilitate the continuation of the effort; and

WHEREAS; the proposed Memorandum of Agreement (the “**MOA**”) between the NARTP, the ACEA and the Authority establishes a framework for development of the second building with grant funds provided by a US Economic Development Administration (“**USEDA**”) and funds provided by Atlantic Operating Group, LLC, a private Opportunity Zone (OZ) investment group; and

WHEREAS, the Park consists of approximately 55 acres leased to NARTP from the Federal Aviation Administration (the “**FAA**”) through 2065 and the MOA further contemplates that the NARTP will assign development rights for the parcel for the building to the Authority, the Authority will develop and own the building, and sub-lease it to the Investment Group for the duration of the FAA lease; and

WHEREAS, since the USED A Grant funds for this purpose are available only to Public entities, the MOA contemplates that the Authority as developer and owner would be the applicant for, and recipient of, the Grant funds, but that the Atlantic Operating Group will engage and incur the costs of a consultant to prepare the application; and


WHEREAS, it is necessary for the Authority as developer to provide a preliminary cost estimate prepared by a professional architect/engineer; and

WHEREAS; it is the Authority's desire to continue to utilize its capabilities to build on the momentum and continue to advance the effort.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director and Counsel are hereby authorized to negotiate and execute the Memorandum of Agreement between the National Aviation Research and Technology Park, the Atlantic Operating Group and the Authority in substantially in accordance with the terms and conditions presented; and

BE IT FURTHER RESOLVED by the Board of Commissioners that the Authority is authorized to be the applicant for the referenced USEDADA Grant and that the Executive Director and/or Chairman as appropriate is authorized to execute any and all required documents required for the application and acceptance of the grant funds if awarded; and

BE IT FURTHER RESOLVED by the Board of Commissioners that the Executive Director is authorized to procure the services of a Professional Architect/Engineer to generate conceptual drawings and develop a preliminary cost estimate for the development of building 2 for an amount not to exceed \$10,000.00.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August 2020.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CHANGE ORDER TO THE
AGREEMENT WITH MB MARKLAND CONSTRUCTION FOR CERTAIN ADA
IMPROVEMENTS TO THE ESTELL MANOR PARK NATURE RESERVE**

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 December 12th, 2019 the Board of Commissioners of the Atlantic County Improvement Authority authorized the execution of a Shared Services Agreement with the County of Atlantic for the Authority to manage the Public Bid Cycle and to provide Project Management Services in the form of oversight in the execution of the project in accordance with the County's specifications and the requirements of the Community Development Block Grant Program for their Community Development Block Grant Funded ADA Handicapped Ramp and Walkway Improvements to the Estell Manor Nature Reserve ("the Project") for an amount of \$6,000.00; and

WHEREAS, on February 18th, 2020 the Authority advertised for bids for the Project; and

WHEREAS, on March 10th the Authority received five (5) bids ranging from a high \$187,000 to a low of \$101,200; and

WHEREAS, the low bid of \$101,200 was submitted by K Concrete, LLC from South Dennis, however the proposal was determined to be non-responsive since they did not include pricing for deduct alternates or the requested unit prices and did not acknowledge the Addendum of same; and

WHEREAS, ACIA staff reviewed the bid package of the next lowest bidder, MB Markland at \$108,900.00 and determined it was responsive and in compliance with the NJ Local Public Contracts Law requirements and recommended award to MB Markland in the amount of \$108,900.00; and

WHEREAS, on March 12th, 2020 the Board of Commissioners of the Atlantic County Improvement Authority authorized an agreement with MB Markland for the Project in accordance with their proposal for an amount not to exceed \$108,900.00; and

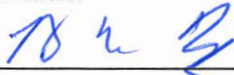
WHEREAS, during the course of construction a new concrete footing depth discrepancy was discovered on the contract drawings and unknown/historic footings were encountered resulting in the need for additional wall forms, rebar, concrete, backfill and compaction; and

WHEREAS, an unknown irrigation main required foundation sleeves and conduit, and septic tank conflicts with the proposed grade of a surface walkways required relocation of the walkway forms, and

WHEREAS, upon review with the County Department of Facilities and the contractor and accounting for previous work against the contingency a contract increase of \$6,032.59 is deemed appropriate; and

WHEREAS, funding for this project is being provided through the County's CDBG funds under a separate agreement with the Authority.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic County Improvement Authority that in consideration of the recitations contain herein that the Executive Director is authorized to execute a change order with MB Markland for the Project for an amount not to exceed \$6,032.59 for an amended contract amount of \$114,032.59 subject to the approval of the Atlantic County Board of Freeholders.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August, 2020.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH AMERICAN
DEMOLITION FOR THE DEMOLITION OF 2519 CENTENNIAL AVENUE,
ATLANTIC CITY**

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, by resolution adopted November 14, 2019 the Board of Commissioners of the Atlantic County Improvement Authority authorized a shared services agreement with Atlantic City for the Authority for the purposes of holding contracts and providing program administration and project management services for the City-Wide Demolition Program ("Scope of Services"); and

WHEREAS, by resolution adopted March 12th, 2020 by the Board of Commissioners of the Atlantic County Improvement Authority approved the appointment of a pool of contactors consisting of Iaconelli Contracting, Winzinger Inc., Transformation Enterprises, American Demolition of Egg Harbor Township, Carroll Demolition, Brinks Tank Services, Delphi Contracting and Geppart Brothers to draw upon as individual properties are identified and cleared for demolition in emergency situations in accordance with the Local Public Contracts Law; and

WHEREAS, the City of Atlantic City Bureau of Licensing has determined that the attached residential structure located at 2519 Centennial Avenue is in violation of the Uniform Construction code as an unsafe structure, Chapter 104 of the City Code entitled: Buildings Abandoned and Chapter 108 of the City code entitled: Buildings Unfit and is an Imminent Hazard; and

WHEREAS, both the uniform Construction Code and Chapter 108 of the City Code provide for the demolition of the structure as a remedy to the violations; and

WHEREAS, based on that determination the City requested that the Authority proceed with the demolition of the property in accordance with the above referenced agreement; and

WHEREAS, on April 9th, 2020 based on the responses to a Request for Quotations sent to each the participants in the pool of Emergency Demolition Contactors the Authority authorized an agreement American Demolition Corporation in the amount of \$31,350.00; and

WHEREAS, 2519 Centennial was an attached dwelling to 2121 Centennial that were constructed around 1920; and

WHEREAS, upon inspection of the common foundation consisting of timber beams on brick piers which was exposed during the course of the demolition, the City's Division of Construction required an opinion from a structural engineer regarding the structural integrity of the foundation; and

WHEREAS, upon inspection Czar Engineering determined the existence of certain

deficiencies and developed a plan to underpin the foundation; and

WHEREAS, the Director of Projects determined that the proposed fee of \$7,800.00 for the additional work is reasonable and in line with industry standards; and

WHEREAS, since there is a balance in the contingency allowance of \$2,850.00 the amount of the increase in the contract requested is \$4,950.00 for a new contract amount of \$36,300.

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 change order for the additional work as required by the aforementioned plan in the amount of \$4,950.00 to the agreement with American Demolition Corp. for the demolition of the property located 2519 Centennial Avenue in Atlantic City for a new contract amount not-to-exceed \$36,300.00.



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August, 2020.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN
EXTENSION AND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING
WITH THE COUNTY OF ATLANTIC FOR THE PURPOSES OF ACCEPTING
FUNDING FOR CERTAIN ECONOMIC DEVELOPMENT INITIATIVES AND
FURTHER PROVIDING FOR THE DISBURSEMENT OF SAID FUNDS; 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, the Authority has previously engaged the services of Angelou Economics in order to conduct a comprehensive economic study of the region which the Authority serves and to put forth recommendations for the economic development of said region; and

WHEREAS, in a report dated September 25, 2015, Angelou Economics did in fact put forth a number of recommendation for the economic development of the region including the formation of Regional Economic Development Corporation so as to aggressively market and recruit new industries and business to the region; and

WHEREAS, pursuant to said recommendation the Atlantic County Economic Alliance, Inc., has been established so as to attract targeted industries, to establish regional economic development cooperation, to seek industry diversification and to foster a strong entrepreneurial system; and

WHEREAS, the National Aviation Research and Technology Park is a non-profit entity dedicated to develop an advanced aviation research park, adjacent to the FAA's William J. Hughes Technical Center, along Delilah Road in Egg Harbor Township; and

WHEREAS, Angelou Economics has endorsed the County's and Authority's determination that the National Aviation Research and Technology Park as a critical component of regional efforts to diversify and develop Atlantic County's resources; and

WHEREAS, by resolution adopted December 10th, 2015 the Board of Commissioners of the Atlantic County Improvement Authority approved a Memorandum of Understanding with the County whereby the Authority accepted funding from the County provided by the Atlantic County Utilities Authority pursuant to N.J.S.A. 40A:5A-12.1 in the amount of Five Hundred Thousand Dollars (\$500,000) annually, in installments commencing in 2016, for a period of five (5) years to fund the Atlantic County Economic Alliance and Three Hundred Thousand Dollars (\$300,000) annually to provide funding for the National (formally Stockton University) Aviation Research and Technology Park, for a period of five (5) years; and

WHEREAS, the said resolution further authorized disbursement agreements from the Authority to the Atlantic County Economic Alliance in the amount of \$500,000 per year for five years and with the National Aviation Research and Technology Park in the amount of \$300,000.00 for 3 years; and

WHEREAS; by resolution adopted January 10th, 2019 the Board of the Atlantic County Improvement Authority authorized an amendment to the Memorandum of Understanding with the County whereby the Authority would accept additional funding from the County in the amount of Three Hundred Thousand Dollars (\$300,000) annually, in installments commencing in 2019, for a period of two (2) additional years to provide funding to the National Aviation Research and Technology Park; and

WHEREAS; said agreements expire January 15th, 2021; and

WHEREAS; At the Board meeting of the Atlantic County Utilities Authority on June 18th, 2020, a 5 year extension to the funding agreement with the County and an amendment increasing the funding amount designated for the National Aviation Research and Technology Park by \$100,000.00 per year was authorized; and

WHEREAS, it is anticipated that prior to the expiration of the current agreement the County will authorize the amendment and 5 year extension and in turn wish to extend and amend the agreement with the Authority accordingly; and

WHEREAS, the Authority is desirous of providing assistance to the County in advancement and implementation of the economic initiatives set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Atlantic County Improvement Authority as follows:

1. That the Executive Director shall be and is hereby authorized execute the extension to the Memorandum of Understanding with the County whereby the Authority shall accept funding from the County in the amount of Five Hundred Thousand Dollars (\$500,000) annually, in installments commencing in 2021, for a period of five (5) years to fund the Atlantic County Economic Alliance; and

2. That pursuant to the extension and amendment to the Memorandum of Understanding the Authority shall also receive the sum of Four Hundred Thousand Dollars (\$400,000) annually, in installments commencing in 2021, for a period of five (5) years to fund the National Aviation Research and Technology Park; and

3. Funding shall be paid in installments by the County to the Authority on or about February 1st, May 1st, August 1st, and November 1st of each year; and

4. That pursuant to said Memorandum of Understanding the Authority, upon receipt of said funds, shall be responsible for administering and disbursing same to said non-profit entities, as funds are received and accordingly is hereby authorized to extend the disbursement agreement with the Atlantic County Economic Alliance for a period of 5 years under the same terms and conditions;

5. That pursuant to said Memorandum of Understanding the Authority, upon receipt of said funds, shall be responsible for administering and disbursing same to said non-profit entities, as funds are received and accordingly is hereby authorized to extend the disbursement agreement with the National Aviation Research and Technology Park for an additional 5 years and amend the amount to be disbursed to \$400,000.00 annually; and

5. Without limitation on any other requirement in the said agreement or in any other agreement or law governing disbursement or use of funds provided hereunder, all agreements with the two non-profit entities shall require the said entities to provide annual financial summary reports to the Authority, the County and the ACUA which shall account for and describe the use of all funding provided by the County under this Memorandum of Understanding and which reports shall be provided on or before April 1st for the prior calendar year in a form that is acceptable to the ACUA, County and Authority.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: August 13th, 2020

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 August, 2020.