

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

APPLICATION NUMBER: 2015-01-1311

Thursday - April 16, 2015

Public hearing in the
above-referenced matter, taken at the CASINO
REINVESTMENT DEVELOPMENT AUTHORITY, 15 South
Pennsylvania Avenue, Atlantic City, New Jersey,
before Karen A. Haworth, a New Jersey Certified

1 Court Reporter (CCR), nationally certified
2 Registered Professional Reporter (RPR),
3 nationally certified Certificate of Merit holder
4 (CM), nationally certified Certified Realtime
5 Reporter (CRR), a Delaware Certified Shorthand
6 Reporter (CSR), nationally certified Certified
7 LiveNote™ Reporter (CLR), and Notary Public of
8 the State of New Jersey, on the above date,
9 commencing at 10:06 a.m., there being present:

10

11

12

13 APPEARANCES:

14 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

15

16 LANCE B. LANDGRAF, JR.

Chairman

17

18 ROBERT L. REID

Land Use Regulation and Enforcement Officer

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1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

2

3 SCOTT G. COLLINS, ESQUIRE

Riker, Danzig, Scherer, Hyland & Perretti

4

5 J. TIMOTHY KERNAN

Kernan Consulting Engineers

6

7

8

9 COUNSEL FOR THE APPLICANT:

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11 NICHOLAS F. TALVACCHIA, ESQUIRE

Cooper, Levenson, April, Niedelman &

12 Wagenheim, Esquires

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I N D E X

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WITNESS(ES)	PAGE NO.
JOHN LAMEY	
Direct Examination	
By: Mr. Talvacchia	12
ANTHONY HIBBELN	
Direct Examination	
By: Mr. Talvacchia	22
ALLEN VALENTINE - member of the	77
audience	

EXHIBITS MARKED AND/OR REFERRED TO:

- A-1
- A-2
- A-3
- A-4
- B-1

1 (Time noted: 10:06 a.m.)

2

3 LANCE LANDGRAF: Good morning. I'd
4 like to call to order the April 16th Land Use
5 Regulation and Enforcement Division hearing.

6 If you would please rise and join
7 me in the Pledge of Allegiance.

8 (The Pledge of Allegiance was
9 recited at this time.)

10 LANCE LANDGRAF: Thank you.

11 This hearing has been noticed in
12 accordance with the Senator Byron M. Baer Open
13 Public Meetings Act.

14 We just have one item on the agenda
15 today and that's the Atlantic County Improvement
16 Authority's Boardwalk improvement project.
17 That's application number 2015-01-1311.

18 I'll dispense with my reading
19 through the description of the project and
20 introduce Mr. Talvacchia.

21 NICHOLAS TALVACCHIA: Good morning,
22 Mr. Landgraf. For the record, Nick Talvacchia,
23 of the firm Cooper, Levenson, on behalf of the
24 Atlantic County Improvement Authority.

25 We're pleased to be here today with

1 an exciting project for Atlantic City. It's a
2 capital improvement project that has multiple
3 components on the Boardwalk.

4 Before I begin, I just want to
5 introduce John Lamey, the executive director of
6 the Improvement Authority, my associate, Rebecca
7 Lafferty, and we also have Anthony Hibbeln, who
8 is the engineer for one component of the
9 project. However, he is familiar with the whole
10 project, so he can talk to some of the technical
11 issues that have been raised.

12 LANCE LANDGRAF: Mr. Talvacchia,
13 are they going to be providing testimony today?

14 NICHOLAS TALVACCHIA: Yes.

15 LANCE LANDGRAF: Why don't we have
16 them all sworn, or do you want to do them one at
17 a time? We can do them all at once.

18 NICHOLAS TALVACCHIA: Anthony and
19 John.

20

21

22

23 JOHN LAMEY,

24 having been duly sworn in by Scott
25 Collins, Esquire, was examined and

1 testified as follows:

2

3

4

5

ANTHONY HIBBELN,

6

having been duly sworn in by Scott

7

Collins, Esquire, was examined and

8

testified as follows:

9

10

SCOTT COLLINS: Thank you.

11

NICHOLAS TALVACCHIA: Has anybody

12

ever said they're not going to tell the truth?

13

Just kidding.

14

So, again, we're pleased to be

15

here. And we appreciate the efforts of

16

Mr. Landgraf, Mr. Reid and the entire CRDA staff

17

in getting this on the agenda.

18

So, this is a review and

19

recommendation under Section 31 of the Municipal

20

Land Use Law. Section 31 requires that a

21

governmental entity proposing a capital

22

improvement project submit the plan to the local

23

agency that has jurisdiction for land use; in

24

this case, the CRDA, for what's known as a

25

review and recommendation. So, this is,

1 technically, not a site plan application as we
2 normally know it to be.

3 The statute requires, in the case
4 of the outdoor advertising component of the
5 project, that there be notice in accordance with
6 the Municipal Land Use Law, which we did provide
7 an affidavit to that effect.

8 LANCE LANDGRAF: Can we just
9 confirm with Mr. Reid that we've got proper
10 notice? It was a very long list.

11 ROBERT REID: Yes. Yes.

12 LANCE LANDGRAF: The project runs
13 the length of the Boardwalk, so it was a very
14 long list.

15 ROBERT REID: Yeah. I reviewed the
16 proof of service, and service -- the notice is
17 adequate.

18 NICHOLAS TALVACCHIA: Thank you.
19 All right. Thank you.

20 And we appreciate the efforts of
21 the CRDA in helping to generate the list,
22 because it was a rather lengthy list because it
23 covered, literally, the City of Ventnor, too --
24 into the City of Ventnor, all the way down to
25 past Vermont Avenue.

1 So, in any event --

2 So, the project has multiple
3 components.

4 TIMOTHY KERNAN: I was just going
5 to ask, Nick. Any idea what that cost was for
6 the certified mailings?

7 NICHOLAS TALVACCHIA: Yeah. We
8 know exactly, to the penny. What was it? It
9 was six dollars and like 42 cents per letter.
10 We had about 200 letters. So, \$1,200 and
11 something dollars just for the mailing. Plus,
12 whatever.

13 So, in any event, the project has
14 multiple components. I'm not going to go into
15 detail, but from a broad perspective, there are
16 --

17 One element is the matrix. That's
18 the double-sided LED signs. They're
19 approximately 21 square foot on each side, about
20 16 feet, eight inches high. And they will be
21 placed from Roosevelt to Vermont. So, while the
22 project goes to Jackson, that component does not
23 go all the way to Jackson. That's important,
24 because as you get past Vermont -- I mean,
25 Roosevelt, it becomes substantially residential.

1 So, that component does not go beyond Roosevelt.

2 What does extend the entire length
3 of the project, that is, Jackson to Vermont, are
4 the new lights, LED lights, to replace the
5 existing city lights. These LED lights will
6 provide a much brighter Boardwalk and yet,
7 because they are pointed down, you'll have less
8 light above. So, you'll have more light where
9 you want it and less above the lights.

10 There is a --

11 At three or four locations on the
12 Boardwalk there will be a -- let me see -- audio
13 video computerized laser kind of show on the
14 Boardwalk, which I don't fully understand, but
15 we'll have somebody explain that in more detail,
16 which will provide a great entertainment feature
17 for people visiting Atlantic City. It's one
18 more reason to come to the Boardwalk. It will
19 enliven the Boardwalk.

20 Some interesting parts about this
21 project, too. The LED stations will have
22 charging stations for cell phones, wifi for the
23 entire beach and the Boardwalk, complimentary,
24 and on top of the matrices is the ability to
25 have kind of like a light show sequenced from

1 each of them. So, you can kind of do
2 coordinated things with concerts or whatever on
3 there. Again, we'll have more discussion about
4 that.

5 And overall, this is a \$32 million
6 project. And there's public funding. There's
7 some private funding.

8 The City of Atlantic City is the
9 landlord, who consented to this application.
10 The City of Atlantic City supports the project
11 fully. CRDA is in the process of providing some
12 of the funding for the project. We expect that
13 to be finalized soon.

14 And overall, we think it's going to
15 really provide a new element of excitement to
16 the Boardwalk.

17 It will also provide a security
18 element, because, in addition to the new lights
19 which will brighten the Boardwalk, there's
20 security cameras being placed along a
21 significant part of the Boardwalk, which will
22 provide live feed to the Atlantic City Police
23 Department. And so one more element in showing
24 people that Atlantic City is, in fact, a safe
25 place to visit.

1 So, I think I covered the main
2 components of the project and the location.

3 I would like to have Mr. Lamey, who
4 has been sworn, stand up and talk about this
5 from the perspective of the improvement
6 authority.

7

8 EXAMINATION BY

9 NICHOLAS TALVACCHIA:

10 Q. John, you've been sworn.

11 A. Sure.

12 Q. You're the executive director of
13 the Improvement Authority?

14 A. That's correct.

15 Q. All right. So, talk about this
16 project a little bit.

17 A. Sure.

18 Nick kind of covered the components
19 of the project, but what I'd like to talk about
20 is how we got here and where we're going.

21 The City of Atlantic City had come
22 to us and asked us if we could facilitate a
23 project on the Boardwalk for them where the
24 structure would be that we would lease certain
25 locations on the Boardwalk and then we would

1 sublease them to a company to provide security,
2 safety and revenue-generating opportunities for
3 the city.

4 So, we went through a public
5 procurement process initially, and, as a result
6 of that procurement process, we entered into a
7 sublease with Impactivate Networks to provide
8 the matrices that are up there now.

9 Those initial phase of the matrices
10 is in a test phase, but there are going to be
11 110 locations for the matrices when the project
12 is complete. And we anticipate, provided we get
13 the necessary approvals, that it's going -- that
14 phase of that initial proponent of the project
15 is going to be complete by, hopefully, Memorial
16 Day? 4th of July? Memorial Day or 4th of July.
17 We'll work on that.

18 So, then the --

19 Impactivate had presented some
20 concepts for expanding the project with some
21 additional components, which were presented to
22 the city. And the city had a desire to
23 undertake those additional components also.

24 But, we recognize that since there
25 are public funds involved, that these additional

1 components, which Nick mentioned are the lights,
2 the security cameras, the 3-D imaging show, are
3 also going to be subject to a public procurement
4 process.

5 So, we are in the process. And we
6 anticipate, on Monday, that we will be releasing
7 bids for these additional components of the
8 projects, which is the portion of the project
9 that would be funded by CRDA.

10 We anticipate that those responses
11 will be received May 20th. And we will award
12 shortly thereafter, contingent on the funding --
13 final funding approval and loan agreements with
14 CRDA and the land use approvals.

15 NICHOLAS TALVACCHIA: Any questions
16 of Mr. Lamey about the project?

17 LANCE LANDGRAF: I have a couple.

18 John, the --

19 And this was a long process to get
20 to this point. I do agree with that.

21 The timing of the second phase,
22 I'll say, --

23 JOHN LAMEY: Mmm-hmm.

24 LANCE LANDGRAF: -- the 3-D
25 elements, the lighting shows and that kind of

1 stuff, once --

2 Your bid is out the 20th?

3 JOHN LAMEY: The bid's out the
4 20th. We expect to award shortly after May
5 20th.

6 The way the bid is structured,
7 there's a 150 day time for completion of the
8 project. It will be phased in, depending on,
9 you know, when -- the lead time for certain
10 items that they need. But, everything should be
11 in place by November.

12 LANCE LANDGRAF: Okay. Fall of
13 this year?

14 JOHN LAMEY: Right.

15 NICHOLAS TALVACCHIA: In time for
16 the holiday season, hopefully.

17 LANCE LANDGRAF: Yeah.

18 The matrix, though, the --
19 You have the test up of about 10 or
20 11 or so --

21 JOHN LAMEY: Correct.

22 LANCE LANDGRAF: -- or maybe even a
23 little more than that now.

24 JOHN LAMEY: Correct.

25 LANCE LANDGRAF: That's going to be

1 --

2 You're hoping for Memorial Day or
3 July 4th for those to be complete, --

4 JOHN LAMEY: That's correct.

5 LANCE LANDGRAF: -- 110
6 applications of those?

7 JOHN LAMEY: Yeah. That's correct.

8 LANCE LANDGRAF: And I think we'll
9 wait until Tim's comments on some of that.

10 The concern we have with those --
11 that part of the project is light pollution and
12 noise.

13 NICHOLAS TALVACCHIA: Yeah. We'll
14 be able to address that.

15 LANCE LANDGRAF: We've had those
16 discussions as we go through.

17 Because the test was perfect. You
18 know, we could hear it, we could see what they
19 look like. You don't usually get that when
20 you're coming through like a process like this.
21 So, this was nice to be able to see what we're
22 going to get.

23 And at times, it was rather loud,
24 and we were able to work through that and bring
25 that noise level down.

1 So, we'll get into that when we get
2 into our engineer's comments.

3 But, I think that's --

4 Do you have anything else for John?

5 ROBERT REID: No.

6 SCOTT COLLINS: No.

7 NICHOLAS TALVACCHIA: I'd like to

8 --

9 TIMOTHY KERNAN: I'll ask one of my
10 comments now.

11 JOHN LAMEY: Sure.

12 TIMOTHY KERNAN: Is the location of
13 these three or four 3-D show -- light and audio
14 shows still undetermined, or you --

15 JOHN LAMEY: It's undetermined. We
16 are requesting that the prepossess --

17 And the way that we --

18 The specifications are really
19 performance specs, where they're -- where we're
20 asking them to propose various locations for
21 these. Once we review the responses, we're
22 going to, obviously, work with the city and CRDA
23 to make sure that those are the -- those
24 locations are acceptable.

25 LANCE LANDGRAF: Because I would

1 imagine it's going to -- they're going to know
2 what space they need, how they need to project
3 --

4 JOHN LAMEY: Correct.

5 LANCE LANDGRAF: -- these areas,
6 which is something that we're not experts in.

7 JOHN LAMEY: Correct.

8 LANCE LANDGRAF: We certainly know
9 where we would like to see people gather.

10 JOHN LAMEY: Correct.

11 LANCE LANDGRAF: But, they need to
12 tell us where -- or you guys -- where they
13 should be --

14 JOHN LAMEY: Right.

15 LANCE LANDGRAF: -- from a
16 logistics standpoint, I would say.

17 JOHN LAMEY: So, we are asking them
18 to propose those locations. And we will review
19 those locations and determine where they will
20 be, along with you.

21 LANCE LANDGRAF: I guess --

22 Thank you. That's just what I was
23 going to ask.

24 TIMOTHY KERNAN: Will they be
25 mounted on buildings or their own freestanding

1 poles, structures?

2 JOHN LAMEY: I think that that -- I
3 think that that is still to be determined, but I
4 think it's going to be subject to their
5 proposal. They're proposing to us how they're
6 going to accomplish that.

7 LANCE LANDGRAF: Two other things
8 that have come up in my discussions with other
9 Boardwalk properties. And I'll mention the
10 concern about Tropicana --

11 JOHN LAMEY: Mmm-hmm.

12 LANCE LANDGRAF: -- and the project
13 that we approved a couple of months back that
14 they're beginning to start with.

15 We want to make sure that there's
16 coordination with them. And that may affect the
17 number of matrices you have in this light show
18 on top of the poles in front of their property.

19 JOHN LAMEY: Right. It is our
20 intention to work with Tropicana. Actually,
21 we've already had discussions with Tropicana to
22 make sure that this project is integrated with
23 their project. We don't want to have conflicts.

24 LANCE LANDGRAF: Yeah. Because
25 their -- their presentation on the front of

1 their building, their facade improvements, would
2 include different screens.

3 JOHN LAMEY: Right.

4 NICHOLAS TALVACCHIA: Mr. Landgraf,
5 just so you know, Impactivate has met with
6 Tropicana. In fact, just yesterday was a
7 meeting. And they're working collaboratively to
8 make sure it all works together.

9 LANCE LANDGRAF: Great. Thank you.

10 TIMOTHY KERNAN: That would be
11 dynamite if you really integrate some of the
12 shows.

13 JOHN LAMEY: Exactly. I think it
14 has to be.

15 TIMOTHY KERNAN: So, you're aware
16 there are palm tree structures where there will
17 be lights right on the beach, between the dune
18 and the Boardwalk?

19 JOHN LAMEY: Yes.

20 TIMOTHY KERNAN: Okay.

21 LANCE LANDGRAF: Also, the
22 locations that will push up towards Vermont
23 Avenue, right now, that area of the Boardwalk is
24 -- past Revel is mostly almost all vacant.
25 We're in the process of rebinding some of that

1 area for different types of uses. Some might
2 include residential. So, you might ask for some
3 leeway of that area, you know, about the
4 locations of those matrices. Signage, I guess
5 I'll call it.

6 But, for now, I mean, it's wide
7 open up there, so it really doesn't matter.

8 Just a concern in the future. Like
9 you did, you had a concern at the southern end
10 of the Boardwalk -- or western end of the
11 Boardwalk as you close into the residential area
12 there, that end of the Boardwalk. Or you're
13 looking at some residential uses in that area.
14 Maybe not single family, but certainly not the
15 glitz we have through the rest of the Boardwalk.

16 JOHN LAMEY: Okay.

17 LANCE LANDGRAF: Just take that
18 into consideration.

19 NICHOLAS TALVACCHIA: Understood.
20 Thank you.

21 LANCE LANDGRAF: Okay. I think
22 that's --

23 NICHOLAS TALVACCHIA: And he'll be
24 available throughout the proceedings.

25 LANCE LANDGRAF: Okay.

1 NICHOLAS TALVACCHIA: I'd like to
2 have Anthony Hibbeln, who is an engineer,
3 testify. He's been sworn. I'm going to qualify
4 him.

5 Anthony prepared the plans that
6 were submitted to the authority and each of the
7 sheets.

8 Now, he -- his company works for
9 Impactivate, in terms of helping them with their
10 plan, but his plan was done for the Improvement
11 Authority, and it shows all the components on
12 the project, on the plan, for ease of reference,
13 and see how everything works out.

14

15 EXAMINATION BY

16 NICHOLAS TALVACCHIA:

17 Q. So, Anthony, you were sworn.

18 You're a licensed professional
19 engineer?

20 A. Yes. In four states, including New
21 Jersey.

22 Q. Okay. And under your direction,
23 you prepared the plans that were submitted to
24 the CRDA?

25 A. Yes, I have.

1 Q. And you're familiar with them, of
2 course?

3 A. Yes, I am.

4 NICHOLAS TALVACCHIA: I'd like to
5 offer this witness as an expert.

6 LANCE LANDGRAF: He's acceptable.
7 Thank you.

8 NICHOLAS TALVACCHIA: Thank you.

9

10 BY NICHOLAS TALVACCHIA:

11 Q. So, Anthony, first of all, let's
12 make a representation -- or can you represent
13 that the plan set that we're showing is the same
14 plan set that was submitted in our application
15 submission?

16 A. It is. There has been one revision
17 in February.

18 The plan date that you have is
19 December. The February revision date includes a
20 labeling system. So, we've labeled the matrices
21 with numbers, consecutively, from end-to-end.

22 LANCE LANDGRAF: Could you give us
23 that specific revision date?

24 ANTHONY HIBBELN: Yes. That is a
25 February 10th -- February 10th, 2015.

1 SCOTT COLLINS: I think what we'll
2 do is we'll mark the application -- what was
3 submitted as A-1, and then anything you want as
4 you go from there.

5 So, A-1 would be the application
6 that was submitted.

7 NICHOLAS TALVACCHIA: Okay.

8 SCOTT COLLINS: This would be A-2.

9 NICHOLAS TALVACCHIA: Okay.

10 BY NICHOLAS TALVACCHIA:

11 Q. So, again, for purposes of the
12 record, the A-2, other than the labeling of the
13 matrices on the plan, substantively, everything
14 else is the same as what was submitted?

15 A. It is.

16 I did take a few notes on it in red
17 pen, just for calculations, but it's the same
18 plan.

19 Q. We supplied this plan to them
20 electronically, so --

21 A. Okay.

22 Q. So, in any event, Anthony, why
23 don't you --

24 First of all, we have, on the first
25 page, basically, the whole oceanfront of the

1 city. Can you, with your pen, point to the
2 entire project and then where just the matrices
3 are so we get a sense of that?

4 A. Sure.

5 The plan itself orients the
6 shoreline with north in an upward direction on
7 the plan.

8 So, from the eastern edge here,
9 where the inlet is, all the way down to the city
10 line with Ventnor to the left side of the plan.
11 Jackson Avenue then forming that city line all
12 the way up past the Revel, to Vermont Avenue.

13 Q. Indicate Vermont, again, on the
14 plan.

15 A. Vermont Avenue is on the right side
16 of the --

17 Q. Number 14?

18 A. -- plan.

19 Sheet number 14, as this is an
20 index.

21 Q. So, the shaded area along the --
22 along the inlet is not -- all that is not part
23 of the application. Correct?

24 A. That is right.

25 As the shaded area continues up the

1 page on the right side, that could become some
2 future area.

3 We note, as Lance pointed out
4 earlier, that that's, as yet, undetermined. And
5 so that this project itself before you does not
6 contain any improvements in that section of the
7 plan here.

8 Q. And the shaded area really
9 overstates the project location. The project
10 location is solely along the Boardwalk or on the
11 Boardwalk?

12 A. That's right. It overstates it.
13 We flew an airplane to a low
14 elevation for a high-resolution photograph from
15 end-to-end to collect survey data, supplemented
16 that and reconciled it with an actual field
17 survey from end-to-end of the Boardwalk. That
18 was done at the commencing of the project design
19 in April of last year.

20 We have hard data, then, above the
21 Boardwalk and very specific hard data on the
22 structure of the Boardwalk underneath, where our
23 field survey crews obtained that data, which is
24 all important for laying out these improvements
25 to fit with the actual structure and the

1 accouterments that are out there already.

2 Q. So, Anthony, can you indicate on
3 the plan -- and maybe by the numbers -- the
4 location of just the matrices?

5 A. Certainly.

6 As you flip through these plans,
7 the matrices --

8 Q. Before we --

9 A. Oh.

10 NICHOLAS TALVACCHIA: So, Scott,
11 this A-2 is multiple sheets. Do you want to
12 just identify A-2 as --

13 I forget. How many sheets do we
14 have? 15 or 16?

15 ANTHONY HIBBELN: 15.

16 NICHOLAS TALVACCHIA: 15?

17 SCOTT COLLINS: And we'll just call
18 them out by sheet. So, what we had just
19 referred to was -- had been sheet 1. You're now
20 moving on to sheet 2 of --

21 ANTHONY HIBBELN: Yes.

22 SCOTT COLLINS: -- A-2.

23 ANTHONY HIBBELN: Yes.

24 So, sheet 1, being an overall index
25 and key map.

1 Sheets 2 and 3 go to the point
2 earlier at the hearing about the notification.
3 Very specific maps designating the landowners,
4 tax unit numbers, and color coded so that the
5 proper notification could go out.

6 Starting on the west end of the
7 Boardwalk, at the boundary with Ventnor, plan
8 sheet 4 then picks up with the detailed high
9 ores aerial photography with an overlay of the
10 ground survey.

11 The matrices, as Nick pointed out
12 earlier, are not located in this area.

13

14 BY NICHOLAS TALVACCHIA:

15 Q. Can you just describe the streets?
16 You have Jackson Avenue on one end and --

17 A. Jackson.

18 Q. And what's at the other end of the
19 sheet?

20 A. All the way from Newton, Jackson,
21 Delaware, to Columbia, then Delancey, whereas we
22 put a matched line there and continued to the
23 next sheet.

24 Q. So, no matrices in that area?

25 A. No matrices in this area. As you

1 could see with the aerial photograph, it is
2 residential in nature.

3 Q. While you're on that sheet, what is
4 going in that part of the project?

5 A. In the county's improvement plan,
6 then, they designate that, at each street end
7 would be a pole, where a camera would be
8 mounted. And that camera would have a pan,
9 tilt, zoom feature to it so that these cameras
10 could then be fibered back to the public safety
11 and police department so they could control
12 those cameras with a joystick and visually see
13 what's going on out there on a number of screens
14 before them at the desk in a control room at
15 public safety/police department.

16 So, this camera actually is not
17 only covering the Boardwalk, but since it's 360
18 degree, they can and probably will pan
19 throughout, be able to look into the yards, up
20 the streets, on the beach. And then the camera
21 will park itself if no one is operating the
22 joystick, so it will be able to record.

23 Q. And in addition, are new lights
24 being located in place of the existing lights?

25 A. Right now, the intent is, in this

1 section, to leave the lights that are there.

2 They just went up and turned on in April.

3 We had gone back and forth, working
4 with the ACIA, to see if -- if lights should be
5 replaced there or not.

6 We're going to start the lights a
7 couple sheets later, so bear with me and I'll
8 let you know when the lights start.

9 But, right here, this section
10 happened to just go into operation last April.

11 Q. Okay. Next sheet, please.

12 A. Sheet 5.

13 Q. And identify the two streets on the
14 left side of the plan and the right side of the
15 plan.

16 A. Sure.

17 So, we pick up right where we left
18 off, at Delancey, from sheet 4, and we continue
19 that on sheet 5, Delancey, all the way through
20 to Elberon Avenue.

21 Elberon then would be a matched
22 line to the next sheet.

23 Again, if you look at the aerial
24 photography data, it is still residential in
25 this area. The street end poles, for security

1 cameras, will go at each end of the street and
2 cover this area. Again, this is --

3 This lighting just went live last
4 April, and there's no intent, right now, to
5 change the lighting here yet.

6 Q. Okay. Next sheet.

7 A. That brings us to sheet 6. 6 picks
8 up at Elberon and continues to the east, just
9 past Providence Avenue.

10 I'd like to point out here that
11 this sheet contains Roosevelt Avenue. Roosevelt
12 and Albany form the blocks which coincides with
13 the bridge into town.

14 And the Boardwalk actually widens.
15 Okay? The widening of the Boardwalk, then, we
16 do have a little bit of residential here; vacant
17 lots, commercial parking lot and the old
18 Atlantic Club Casino.

19 So, at this point, at Roosevelt,
20 the street end poles will continue. However,
21 we'll start the LED down lights with an LED
22 entertainment light show lamp head on top of
23 that and the matrices.

24 A sequence will begin at this point
25 on the Boardwalk, where it widens with the

1 seating plaza, to create a sequence of 70 feet
2 between light -- down light poles and 140 feet
3 between the matrices. So, the matrices and the
4 light poles are all sequenced in a pattern from
5 this point forward as we move through the
6 sheets.

7 At this point, it might be a good
8 idea to show you --

9 Did you see the down lights and --

10 LANCE LANDGRAF: While Anthony is
11 looking for that, I guess I'm a little puzzled
12 with some of the LED light fixtures.

13 The 164 LED light fixtures, is that
14 going to go down now from what was originally
15 proposed? Because it was our understanding that
16 the LEDs were going all the way to the Ventnor
17 border.

18 ANTHONY HIBBELN: They will.

19 LANCE LANDGRAF: Oh. Eventually.
20 So, it's just a timing thing.

21 NICHOLAS TALVACCHIA: To the
22 Ventnor border.

23 ANTHONY HIBBELN: Oh. I thought
24 you said Vermont. To Ventnor.

25 NICHOLAS TALVACCHIA: From Jackson

1 Avenue.

2 LANCE LANDGRAF: From Jackson to
3 Albany, you've indicated that you're going to
4 leave up the lights that are there now, the new
5 lights that the CRDA put up as of last year.
6 Now, this is the first time I'm hearing that the
7 LED won't go all the way to the Ventnor border.

8 So, that's a little bit of a
9 question mark to me with regard to, first of
10 all, the funding of the project, which is in
11 this board's jurisdiction. But, that's
12 something new.

13 I don't necessarily disagree with
14 it, other than uniformity of the lighting along
15 the entire Boardwalk. We would like that to be
16 consistent.

17 So, that would be a comment that we
18 would make.

19 The other aspect of that is, I
20 don't have an issue at all with not putting the
21 three-tiered LED light show from there down,
22 because I think that would be inappropriate in
23 the residential nature of the area.

24 But, the disparity with the
25 lighting might be a little bit of a question

1 mark.

2 ANTHONY HIBBELN: Okay.

3 LANCE LANDGRAF: Is that something
4 that's changed recently? Because that's the
5 first I'm hearing it.

6 NICHOLAS TALVACCHIA: I'm asking
7 Mr. Lamey.

8 But, the lights that were installed
9 less than two years ago by the CRDA were a
10 substantial increase in lighting levels from the
11 --

12 LANCE LANDGRAF: Oh, absolutely.

13 NICHOLAS TALVACCHIA: So ...

14 JOHN LAMEY: The funding request
15 for the funding for these additional components
16 specified Jackson Avenue to Vermont.

17 LANCE LANDGRAF: Right. And that's
18 what I'm saying. What Anthony just said there
19 is -- is that's not the case.

20 NICHOLAS TALVACCHIA: The LED
21 lights do not go from, basically, Roosevelt to
22 Jackson. Can you --

23 JOHN LAMEY: I'll have to clarify
24 that.

25 LANCE LANDGRAF: We would ask that

1 to be clarified for us.

2 JOHN LAMEY: Yeah.

3 LANCE LANDGRAF: Because that's a
4 little bit of a concern, one, from the budgetary
5 process that Mr. Lamey brought up, as well as
6 the consistency and uniformity of the Boardwalk
7 of what's up there and what will be up there.

8 ANTHONY HIBBELN: Sure.

9 LANCE LANDGRAF: And then
10 truthfully, one of the main reasons that the
11 CRDA was amenable to -- at least we haven't yet
12 voted on funding it, but at least looking at
13 funding it was the fact that the LED lights, the
14 new LED lights, were needed to make the security
15 cameras work.

16 ANTHONY HIBBELN: Yes.

17 LANCE LANDGRAF: So, that concerns
18 me, now that we have from Albany Avenue to
19 Jackson, that would not have the lighting that
20 everyone fought so hard for to make these
21 cameras work.

22 We need to confirm with the police
23 department that the existing lighting is
24 adequate or are we going to, at some point,
25 replace them with the LEDs.

1 ANTHONY HIBBELN: I think you got
2 -- you hit the nail on the head.

3 What happened was, the new lights
4 went in, and to get the photometrics, the old
5 lights had to stay up. So, in that section,
6 we're running both lights, and it --

7 LANCE LANDGRAF: When you say "both
8 lights" --

9 ANTHONY HIBBELN: The cobra head
10 lamps along with the Victorian lamps.

11 LANCE LANDGRAF: I don't think the
12 cobra heads are still operating now. Are they?

13 ANTHONY HIBBELN: They had been up
14 to a few months ago.

15 LANCE LANDGRAF: Okay. That's
16 certainly something we'll need some more
17 information on.

18 NICHOLAS TALVACCHIA: We'll clarify
19 that, Lance.

20 ANTHONY HIBBELN: Okay. So, if we
21 did extend that, it would be more lights.

22 LANCE LANDGRAF: Well, how many
23 lights is it from Albany to Jackson?

24 ANTHONY HIBBELN: That's the 164
25 number.

1 LANCE LANDGRAF: Okay.

2 NICHOLAS TALVACCHIA: But, you were
3 saying, in that section, how many there are.

4 ANTHONY HIBBELN: Oh. Oh. Hold
5 on. From Albany to Jackson. Okay.

6 LANCE LANDGRAF: Albany --

7 ANTHONY HIBBELN: That would be 36
8 more to the --

9 189.

10 LANCE LANDGRAF: Okay. So, from --
11 What you're telling me, from Albany
12 to Vermont, it's 164.

13 ANTHONY HIBBELN: Correct.

14 LANCE LANDGRAF: All right.

15 TIMOTHY KERNAN: Yeah. That's not
16 what the application said.

17 LANCE LANDGRAF: No. No. So, we
18 would -- we would need that information
19 verified.

20 ANTHONY HIBBELN: Okay. Yeah. I
21 think there's a discrepancy of 38 lights.

22 LANCE LANDGRAF: I would not --

23 I would have an issue with leaving
24 up the lights the CRDA put up and the cobra
25 heads. That plan was originally designed to put

1 up the new lights that are up there now and to
2 take down those 40 cobra heads that are there.

3 ANTHONY HIBBELN: Cobra heads.

4 LANCE LANDGRAF: That's just, to
5 use a pun, you know, light pollution.

6 ANTHONY HIBBELN: Yeah.

7 LANCE LANDGRAF: You know, that's
8 just not aesthetically-pleasing to have these
9 old cobra heads and these new lights up at the
10 same time.

11 So, that's something that we would
12 be --

13 We need to get that resolved.

14 ANTHONY HIBBELN: Okay. I'll work
15 with Guy Partings and the ACIA to --

16 LANCE LANDGRAF: Yeah.

17 ANTHONY HIBBELN: -- to come to a
18 final --

19 LANCE LANDGRAF: And someone from
20 our office -- from the CRDA.

21 ANTHONY HIBBELN: Yes. Mmm-hmm.

22 LANCE LANDGRAF: So, we need to get
23 that hammered out. Okay.

24 NICHOLAS TALVACCHIA: All right.

25 Thanks.

1 LANCE LANDGRAF: Thank you.

2 ANTHONY HIBBELN: That is the --

3 NICHOLAS TALVACCHIA: We're off the
4 mark now.

5 This will be A-3. This is the
6 proposed LED light?

7 ANTHONY HIBBELN: Yes.

8 NICHOLAS TALVACCHIA: Scott, do you
9 want to mark this? Do you want me to mark it?

10 SCOTT COLLINS: You can. This is a
11 spec sheet for the --

12 ANTHONY HIBBELN: Yes, it is.

13 NICHOLAS TALVACCHIA: Just for the
14 LED light.

15 SCOTT COLLINS: For the light
16 itself.

17

18 BY NICHOLAS TALVACCHIA:

19 Q. So, Anthony, let's try to move this
20 along.

21 A. Sure.

22 Q. Let's run through these sheets.
23 So, starting at Roosevelt, you have the LED
24 lights. What else do we have going on?

25 A. The matrices, the LED theatrical

1 head on top of the LED down light and the street
2 end poles.

3 Q. Okay. Then let's flip the sheet.
4 Let's keep --

5 And that, basically, now, is what
6 happens as we go down to Vermont? Is that the
7 pattern?

8 A. Yes, that is the pattern.

9 Q. Okay.

10 A. The pattern is interrupted by the
11 three piers. And the pattern works with the
12 location of those piers so that it blends in.
13 There's nothing on the pier itself, obviously,
14 but the pattern completes and then commences
15 again after each pier.

16 Q. Okay. So, from Roosevelt to
17 Vermont we have security cameras, the matrices
18 and the LED lights, plus the theatrical LED on
19 top of the lights?

20 A. Mmm-hmm.

21 Q. Okay. And that goes from Vermont
22 to Roosevelt?

23 A. Yes.

24 Q. Okay. So, just if you want to just
25 go through those sheets to illustrate it.

1 TIMOTHY KERNAN: Nick, if I can
2 interrupt.

3 Do you have a cut sheet for the
4 theatrical component that sits on top of the
5 down lighting?

6 NICHOLAS TALVACCHIA: Do you have
7 that, Anthony?

8 ANTHONY HIBBELN: I brought it on
9 the computer. I apologize for not printing the
10 hard copy.

11 TIMOTHY KERNAN: That's fine. I
12 just want to make it clear that this is not the
13 entire fixture.

14 ANTHONY HIBBELN: That's right.

15 TIMOTHY KERNAN: There's more to
16 it.

17 LANCE LANDGRAF: If you look at
18 sheet 15 of 15 --

19 NICHOLAS TALVACCHIA: You have 15
20 of 15. Go to the last sheet.

21 LANCE LANDGRAF: Just so the public
22 and everybody else can see what's being
23 proposed. It's like a three-tiered color --

24 NICHOLAS TALVACCHIA: 15 of 15. Do
25 you have 15?

1 ANTHONY HIBBELN: It's not on this.

2 NICHOLAS TALVACCHIA: Oh.

3 TIMOTHY KERNAN: Building the
4 record, Scott Collins, I just wanted to make
5 sure he was clear that it's -- there's a little
6 more to it.

7 ANTHONY HIBBELN: Yeah. And it is,
8 as Lance has pointed out, not --

9 LANCE LANDGRAF: I have a copy of
10 it here. It's a three-tiered multicolored, and
11 then it changes with the LED coloring to create
12 this light show on top of each of the light
13 poles.

14 ANTHONY HIBBELN: There's 16
15 million shades of colors. And that will be tied
16 back to the computer control room, which will be
17 able to synchronize with music. They'll be able
18 to play patterns, they'll be able to run
19 patterns a month from a string of lights. From
20 end-to-end of the Boardwalk, you'll see almost
21 an "S."

22 NICHOLAS TALVACCHIA: Anthony, why
23 don't you come back here so the --

24 ANTHONY HIBBELN: Sure.

25 TIMOTHY KERNAN: But, you can only

1 get 16 million?

2 ANTHONY HIBBELN: We tried to get
3 one more shade in there.

4 NICHOLAS TALVACCHIA: All right.
5 So ...

6 ANTHONY HIBBELN: There is one
7 difference on there to point out real quickly.
8 During the prototyping of that lamp with the
9 ACIA, they asked if that lamp could be a little
10 higher. And the difference between that down
11 light I just showed you and the lamp head will
12 be, now, about three feet rather than stacked
13 right on top of it.

14 LANCE LANDGRAF: Okay.

15 ANTHONY HIBBELN: So, there will be
16 a little separation.

17 And that helps the visuals of the
18 pattern, as these will be synchronized with each
19 other.

20 LANCE LANDGRAF: Okay. So that the
21 overall height of it might be 23 feet instead of
22 20?

23 ANTHONY HIBBELN: That's right.
24 That's kind of why I pointed it out. It's --

25 LANCE LANDGRAF: Okay.

1

2 BY NICHOLAS TALVACCHIA:

3 Q. So, Anthony, continue them.
4 You're, right now, on what's shown as
5 section number 8 on the plan. Why don't we just
6 flip through it, --

7 A. Sure.

8 Q. -- since it's the same exact
9 equipment?

10 A. As you go to --

11 LANCE LANDGRAF: Anthony, if you
12 could hold right there for one second.

13 Just so everyone knows that this is
14 the sheet that shows Boardwalk Hall?

15 ANTHONY HIBBELN: Yes.

16 LANCE LANDGRAF: What sheet number
17 is that?

18 ANTHONY HIBBELN: On sheet 9, this
19 picks up on Boardwalk Hall to the north side of
20 the Boardwalk and the Kennedy Plaza venue of the
21 Boardwalk on the south side of Boardwalk Hall.

22 LANCE LANDGRAF: The reason I
23 wanted to kind of point that out is if anybody
24 wants to go out and see what these things
25 physically look like, the matrices that are out

1 there now.

2 ANTHONY HIBBELN: Yes.

3 LANCE LANDGRAF: They have ten or
4 so put in. They've been in since Miss America
5 last September.

6 ANTHONY HIBBELN: Yes. This is the
7 test area.

8 LANCE LANDGRAF: And, you know,
9 it's nice for us to be able to see that, as the
10 CRDA and the public.

11 ANTHONY HIBBELN: Impactivate
12 Networks did work with ABC during the pageant.
13 So, part of that test was to take live feeds
14 from ABC and put that on the ten boards during
15 the event, which worked out very well.

16 So, I think the test went extremely
17 successful, beyond our -- our wildest dreams
18 there on that.

19

20 BY NICHOLAS TALVACCHIA:

21 Q. So, Anthony, just while you're
22 talking about that, so these matrices can all be
23 coordinated to, theoretically, show a concert
24 and do all kinds of things; public service
25 announcements, obviously, advertisements and

1 whatnot. Correct?

2 A. Correct. 15 percent of each hour
3 is given back to the city for their purposes,
4 whether it's public safety, public messaging or
5 advertising city events.

6 Q. Clarification. 15 percent of the
7 time.

8 A. Time.

9 Q. Not necessarily of every single
10 hour.

11 A. Right.

12 Q. It's going to be allocated as the
13 parties think it's most beneficial.

14 A. The matrix then will be, as I say,
15 able to accept content, live content, pretaped.
16 It could pattern the content to synchronize with
17 each matrix or it could run a sequence of
18 synchronize, yet not exactly the same time. So,
19 if you want to see a moving train across each of
20 the matrices as it goes down, that could happen,
21 too. It's all computer controlled, as would be
22 the lights and the light show on top of the
23 theatrical lamp.

24 Q. And explain the theatrical lamp at
25 the top of the LEDs. What does that do?

1 A. The theatrical lamp ties and
2 unifies the Boardwalk as entertainment value.
3 And it could become a sponsorable event that
4 will also bring in revenue during that time.

5 The light pattern I just spoke of,
6 those 16 million colors -- shades of colors,
7 would also tie back with what the matrix can do.
8 And the matrix could be then tied back to those
9 light shows to enhance the light show. Not only
10 just the theatrical heads, but graphics and
11 colors on the screens that would provide more of
12 an entertainment value rather than --

13 These are not static billboards;
14 these are entertainment --

15 It's beyond the TV, an outdoor TV,
16 because of the computer controls that this will
17 have.

18 Q. What's the approximate --

19 I know it's 21 square feet, the
20 matrix board. What's the dimensions?

21 A. The dimensions are on that sheet
22 there.

23 LANCE LANDGRAF: It's -- it's in
24 inches. 37 and a half by 80 and 9/16ths. So,
25 the engineers can figure out the exact. But,

1 4 x 6, roughly?

2 ANTHONY HIBBELN: Yeah. Just under
3 four.

4 NICHOLAS TALVACCHIA: 36 --
5 More like three, right? 37 --

6 LANCE LANDGRAF: Yeah. 3 by --

7 NICHOLAS TALVACCHIA: 3 x 6 or
8 seven feet?

9 LANCE LANDGRAF: Yeah.

10 NICHOLAS TALVACCHIA: Okay. That
11 gives you a context; that these are not, you
12 know, Expressway-size boards, which are 940 or
13 60 square feet.

14 LANCE LANDGRAF: Right. And
15 there's cameras associated with these as well
16 for more of Impactivate or the advertisers' use,
17 but they can also be tied into the matrix
18 system.

19 ANTHONY HIBBELN: That's right.
20 The proposal before you would include security
21 cameras mounted on the matrix as well as the
22 street end poles, which gives us better coverage
23 for the crowded, more commercial area of the
24 Boardwalk.

25 The camera systems, again, are all

1 tied back to the Atlantic City Police Department
2 and public safety building.

3 The cameras are technologically
4 advanced; that a separate stream will go back
5 for crowd counting and other advertisement data
6 collection so that the advertiser or the sponsor
7 will know that there's a certain demographic to
8 target during these advertisement periods.

9 Let's move on here. As you can
10 see, at the edge of sheet 9 is the Pier Shops.
11 And that then, in front of the Pier Shops, on
12 the Boardwalk, will be nothing. We will work
13 with the A -- well, the bidders will work with
14 the ACIA to determine if any additional lights,
15 down lights, are necessary in that space, but it
16 would have to be worked out with the doorways
17 and the lights on the underside of the bridges.

18 The piers I'm referring to have a
19 bridge connection. So, the down lighting there,
20 a final determination will be made to make sure
21 the lumens are bright enough in that area.

22 TIMOTHY KERNAN: Anthony, while
23 you're talking about the lumens, can you just
24 describe these lights in general, as far as
25 intensity and coverage away from the lights and

1 what we expect to see on the Boardwalk surface?

2 ANTHONY HIBBELN: Yes.

3 The photometrics of the lamps --

4 This is a sample here. I brought
5 the other sample. It's on the computer as well.
6 I thought we would present this electronically.

7 But, the photometrics of the lamps
8 will be set up to provide over 2.5 foot candles
9 on the Boardwalk. Each of them will have
10 automatic brightness controllers to accommodate
11 any ambient light in the area.

12 The beauty of the LED is it is
13 dimmable. No one wants to sit there and dim
14 each light, so an automatic brightness control
15 will be able to read the lumens that comes back
16 off the Boardwalk, adjusts the brightness level
17 to whatever setting.

18 As that setting goes from a hundred
19 percent down, it does increase the life of the
20 LED. These LEDs will be rated at a hundred
21 thousand hours, which puts you out, probably, 12
22 years. And as the brightnesses are dimmer, that
23 gives you more years that -- into the life.

24 TIMOTHY KERNAN: That two and a
25 half foot candle, is that a minimum or an

1 average?

2 ANTHONY HIBBELN: That's an
3 average.

4 We'll supply a foot candle coverage
5 as we submit plans. I believe the
6 specifications, all bidders will need to submit
7 that for the review by the ACIA.

8

9 BY NICHOLAS TALVACCHIA:

10 Q. And, Anthony, is 2.5 foot candles
11 brighter than the Boardwalk typically is?

12 A. Yes, it is. We've looked at
13 preliminary studies with light meters and found
14 that the variances is very large. There's some
15 very dark spots along the Boardwalk, typically
16 where some of the casinos have moved out, and
17 then there's some very bright spots of where
18 they're still operating. There are other places
19 along the Boardwalk that some of the smaller
20 shops just don't have that same brightness as
21 the casinos have.

22 So, the variances is very
23 divergent.

24 Q. So, will this help even out the
25 overall --

1 A. This will even out and it will be a
2 uniform intensity of light.

3 Q. Talk about how, because these are
4 downward-facing lights, the light above?

5 A. Right. These are full cutoffs,
6 what I showed you there. So, you don't have
7 that lighting of the night sky. It's dark sky
8 compliant with these cutoffs.

9 So, all that --

10 Q. Because the current lights just are
11 all around, right; above, side, below?

12 A. It's a --
13 Below, more or less.

14 Q. Below. Right.

15 A. These LEDs --
16 You know, when the fog rolls in,
17 you're still going to get some refraction of
18 light all over, but on a typical LED, the LED is
19 on light florescent or sodium or metal halide.
20 That light is a point source that will go
21 straight down, it doesn't -- it doesn't refract
22 out. When we put the lens on that light, that's
23 how we get the refraction.

24 So, that LED straight beam of light
25 can be refracted to whatever disbursement we

1 need.

2 And I'll just show you as an
3 example. The disbursement we're looking for is
4 elongated, as in these ellipses, across the
5 length of the Boardwalk and across to the edge
6 of the Boardwalk.

7 LANCE LANDGRAF: Can we have those
8 marked? Because they're not on our plan.

9 ANTHONY HIBBELN: Sure.

10 These are just samples. It's not
11 the exact --

12 LANCE LANDGRAF: It gives us an
13 idea of what the light will look like.

14 ANTHONY HIBBELN: Yes.

15 NICHOLAS TALVACCHIA: Is that A-4?

16 SCOTT COLLINS: A-4. Yeah.

17 ANTHONY HIBBELN: So, the
18 photometric --

19 NICHOLAS TALVACCHIA: This is an
20 example of how -- control.

21 ANTHONY HIBBELN: So, that plan
22 shows an elongation of how we're going to
23 refract that straight LED beam of light to cover
24 the length of the Boardwalk and to cover across
25 the Boardwalk.

1 NICHOLAS TALVACCHIA: Anthony,
2 would it be able to cover some of the area
3 between the Boardwalk and the dune?

4 ANTHONY HIBBELN: Yes. We were
5 asked if that could happen as well.

6 So, the bidders will be required to
7 submit plans showing that that space between the
8 Boardwalk and the dune also has enough lighting
9 for security reasons.

10 TIMOTHY KERNAN: It looks like the
11 brightest spot, which is right underneath the
12 lights, are around six foot candles?

13 ANTHONY HIBBELN: In that sample,
14 yes.

15 TIMOTHY KERNAN: In that sample.

16 ANTHONY HIBBELN: Yes.

17 TIMOTHY KERNAN: How about the
18 three colored lights that are above for the
19 show? Does that give out much?

20 ANTHONY HIBBELN: That will be in
21 colors. It will happen only on certain -- in
22 certain points of time; during the night,
23 obviously.

24 And those are reflected lights.
25 So, if you're looking back at that sample on

1 page 15, you notice that each wave canopy, if
2 you will, is larger than the one underneath it.
3 The LED is actually underneath that wave panel
4 and reflects off the larger panel above it, back
5 down.

6 LANCE LANDGRAF: Back down. Okay.

7 ANTHONY HIBBELN: Down.

8 LANCE LANDGRAF: Will the LED
9 lights themselves be turned down or lowered when
10 the light show starts?

11 ANTHONY HIBBELN: There -- there's
12 been discussions that that would enhance the
13 light show. So, we'll work -- the bidder would
14 work with the ACIA to determine --

15 NICHOLAS TALVACCHIA: And the CRDA.

16 ANTHONY HIBBELN: And the CRDA.

17 LANCE LANDGRAF: We would like to
18 have a safe-enough light level, --

19 ANTHONY HIBBELN: Right.

20 LANCE LANDGRAF: -- but we would
21 also like to enhance the show.

22 ANTHONY HIBBELN: And that kind of
23 --

24 LANCE LANDGRAF: More bang for your
25 buck, so to speak.

1 ANTHONY HIBBELN: That went back to
2 that separation level as well so that we could
3 obtain the correct lighting level and have
4 enough space so that one light doesn't compete
5 with the other.

6 LANCE LANDGRAF: Okay. All right.

7 ANTHONY HIBBELN: Okay?

8

9 BY NICHOLAS TALVACCHIA:

10 Q. So, Anthony, okay --

11 NICHOLAS TALVACCHIA: Are you good,
12 Tim, for right now? Okay.

13

14 BY NICHOLAS TALVACCHIA:

15 Q. So, if you just want to flip
16 through the sheets just to show the continuation
17 down the Boardwalk.

18 A. Sure.

19 As we get into sheet 11, from
20 Dr. Martin Luther King, Jr. Boulevard, all the
21 way up to just past the amusement pier on Ocean
22 Avenue, to the east side.

23 Q. That would be Central Pier.

24 A. Central Pier.

25 And the lighting, as you can see on

1 this, is much tighter because there's no bridge
2 over the Boardwalk. So, we'll be able to
3 achieve those photometrics there.

4 Then continuing on sheet 12, all
5 the way up past Steel Pier and the Trump Taj
6 Mahal, the last light is right -- I would say
7 approximately 25 feet from the bridge to that
8 pier. And that bridge does have down lighting
9 in the ceiling of the bridge for the Boardwalk.

10 LANCE LANDGRAF: One thing on that,
11 Anthony, back to that page. That Steel Pier,
12 you may want to reach out to Steel -- Anthony
13 Catanoso with regard to the expansion of that,
14 because they are expanding that to the west, if
15 you will.

16 ANTHONY HIBBELN: Yes.

17 NICHOLAS TALVACCHIA: Right here.

18 LANCE LANDGRAF: Mr. Talvacchia,
19 you might be familiar with what they're doing
20 there.

21 ANTHONY HIBBELN: He --

22 NICHOLAS TALVACCHIA: They are
23 putting a Ferris Wheel there.

24 ANTHONY HIBBELN: Yeah. He has
25 reached out to Impactivate Networks. I'm not

1 sure if he's spoken to the ACIA yet, but he has
2 reached out to us and our team has had numerous
3 conversations.

4 LANCE LANDGRAF: Just to the
5 location of that one matrix -- one or two
6 matrices' locations so it doesn't conflict with
7 the entrance to his pier.

8 ANTHONY HIBBELN: Mmm-hmm.

9 LANCE LANDGRAF: So, that's all I'm
10 concerned about.

11 I'm sure he's reached out to you
12 for advertising. I'm sure that's part of what
13 he's reaching out for.

14 TIMOTHY KERNAN: And that pier may
15 expand again all the way west to the Landshark?

16 LANCE LANDGRAF: We've seen some
17 preliminary ideas on that, nothing concrete yet.

18 ANTHONY HIBBELN: Landshark is
19 shown on that sheet as well.

20 I know that sheet 13 continues from
21 the Taj Mahal, past the former Showboat, up to
22 and including the Revel, with the Garden Pier
23 shown to the south side. There are locations
24 within the Garden Pier itself, being city-owned,
25 which will contain additional security camera

1 poles.

2 LANCE LANDGRAF: Is the matrix
3 going out into there as well? Are they going to
4 have --

5 ANTHONY HIBBELN: No. The matrix
6 stays on the pattern.

7 NICHOLAS TALVACCHIA: Are the
8 security cameras on the pier property?

9 ANTHONY HIBBELN: Yes.

10 NICHOLAS TALVACCHIA: Security
11 cameras only.

12 ANTHONY HIBBELN: Yes.

13 LANCE LANDGRAF: Okay.

14 ANTHONY HIBBELN: And then on sheet
15 14 continues that pattern just past the Revel,
16 across Metropolitan, Rhode Island, Victoria, and
17 then terminating at Vermont Avenue, where we'll
18 pick up some -- I think there's an aerial line
19 that went to direct burial for electricity and
20 possible fiber connections. And that will be
21 the end of it.

22 As you pointed out earlier, we can
23 remain flexible on those three blocks, as it's
24 yet to be determined on the development of those
25 three lots.

1 LANCE LANDGRAF: Right.

2 One concern you may have, too, and
3 I'm sure, through your survey, you've seen the
4 condition of the Boardwalk on those last two --

5 ANTHONY HIBBELN: The condition
6 changes tremendously.

7 LANCE LANDGRAF: You may want to --

8 ANTHONY HIBBELN: The contractor
9 will have a little more difficulty.

10 LANCE LANDGRAF: Well, and I know
11 there's plans to renovate that section, so you
12 may want to coordinate that with the city's
13 plans and the Army Corps renovation of the sea
14 wall. And I don't know if they've put that
15 section out to bid yet, but there's --
16 obviously, it's going to need to be repaired --

17 ANTHONY HIBBELN: Mmm-hmm.

18 LANCE LANDGRAF: -- if they're
19 going to continue that Boardwalk all the way
20 around to Gardner's Basin.

21 ANTHONY HIBBELN: Mmm-hmm.

22 LANCE LANDGRAF: Just be aware that
23 you may want to hold off those last two blocks
24 until they redeck it.

25 ANTHONY HIBBELN: Right. Right.

1 LANCE LANDGRAF: Or, as they're
2 redecking it, it might be easier to put your
3 stuff in.

4 ANTHONY HIBBELN: It might be
5 easier. Right.

6 LANCE LANDGRAF: Logistics is all
7 that is, really.

8 NICHOLAS TALVACCHIA: I think
9 that's Anthony's testimony.

10 I know Tim has a report prepared
11 and, if you want, we can go into that. He
12 addresses a number of issues.

13 TIMOTHY KERNAN: You pretty much
14 addressed all of my comments.

15 Early on, you each touched on noise
16 a little bit. It would only be, I guess, for
17 those three stations along the Boardwalk.
18 There's no noise coming out of the lights or the
19 cameras.

20 ANTHONY HIBBELN: Yes.

21 TIMOTHY KERNAN: Just the animated
22 --

23 ANTHONY HIBBELN: That's right.

24 I will point out that the camera,
25 security camera, does have a very small audio

1 component; that the police department will be
2 able to convey a vocal message to someone in the
3 very near vicinity. But, that is entirely the
4 police department's control. It will not be
5 under any other control. Certainly not by
6 Impactivate, nor by any contractor who puts it
7 in.

8 But, again, if the ACIA, if the
9 city, if CRDA need to get a public message out,
10 that would be routed through the police
11 department and the public safety building.

12 LANCE LANDGRAF: There is audio
13 associated with the matrices, though.

14 NICHOLAS TALVACCHIA: Yes.

15 TIMOTHY KERNAN: Oh. Okay.

16 LANCE LANDGRAF: Okay. That's
17 really the noise that I was more concerned
18 about.

19 NICHOLAS TALVACCHIA: Yeah. Sound.
20 Not noise.

21 LANCE LANDGRAF: Sound. Correct.
22 Thank you.

23 ANTHONY HIBBELN: The matrix itself
24 will have audio.

25 And I want to point out that,

1 during the test, we did hear a lot of opinions
2 on the speakers. We think we addressed them as
3 soon as we could. Certainly, we did in our
4 perspective.

5 But, going forward with the
6 matrices, certain elements have been included to
7 enhance the quickness. So, the control room
8 that will control each speaker will have an IP
9 address to each of these speakers. We could
10 control that with, literally, the slide of a
11 button on screen to --

12 NICHOLAS TALVACCHIA: So, each
13 matrix is individually controlled for sound.

14 ANTHONY HIBBELN: To address each
15 side of each matrix. We can now control each
16 side.

17 They are set at a minimum level,
18 just for people in the vicinity of the screen,
19 and we can adjust each one of those, again, back
20 to the ambient noise around it. Or if we just
21 want to turn it off completely because there's
22 so much other music, say from a beach bar, we'll
23 just turn the audio off on that speaker or set
24 of speakers. And that now can be addressed
25 literally, individually, one-half to the other

1 half of that board.

2 TIMOTHY KERNAN: So, will there be
3 an employee that's operating these matrices on a
4 daily basis?

5 ANTHONY HIBBELN: Yes. The control
6 room, once set up, will also be able to control
7 remotely as well on the fly.

8 TIMOTHY KERNAN: But, someone will
9 be constantly -- maybe not overnight, but while
10 people are on the Boardwalk, they'll be
11 constantly monitored?

12 ANTHONY HIBBELN: Yes. Yes.

13 And then one more point to that.
14 We will have a feedback loop so that we'll be
15 able to determine ambient noise. Almost like
16 the automatic brightness controller for the
17 light. The system will actually alert the
18 employee. On the Impactivate side, we'll have
19 alerts from our system that says wait a minute,
20 something is picking up loud noise over here,
21 and then will alert us to either turn it down or
22 turn it up or turn it off, depending on that
23 alert.

24 NICHOLAS TALVACCHIA: Anything
25 else?

1 ANTHONY HIBBELN: So, we won't --
2 hopefully, we won't have to wait for a
3 complaint. We'll be able to be proactive and
4 adjust that before any complaints are --

5 LANCE LANDGRAF: I'm not sure who
6 should answer the question. Maybe it's John or
7 possibly you, Anthony. The content on the
8 matrices, PG rated?

9 NICHOLAS TALVACCHIA: Yes. There
10 are --

11 And, John, maybe you should address
12 that.

13 JOHN LAMEY: There's provisions in
14 the sublease agreement with the city that guide
15 what the content can include.

16 And obviously, you know, as Anthony
17 said, any -- there will be somebody available 24
18 hours to change anything that needs to be
19 changed. But, there are guidelines established
20 with the city to make sure that the content is
21 appropriate.

22 NICHOLAS TALVACCHIA: Family
23 friendly?

24 LANCE LANDGRAF: Family friendly.
25 Right.

1 ANTHONY HIBBELN: And there are
2 also federal guidelines as well that we're in
3 compliance with.

4 LANCE LANDGRAF: Okay. Good.
5 And these are advertising signs? I
6 mean --

7 NICHOLAS TALVACCHIA: Oh, they are
8 outdoor advertising signs that will have a
9 public component, but they are designed to
10 create some revenue for the city and also, to,
11 you know -- it helps fund the whole project, in
12 terms of the light shows and all those other
13 things.

14 So, yes, no question about it.
15 Lawyer advertising is banned on all these
16 things.

17 TIMOTHY KERNAN: Is it --
18 The idea you mentioned about
19 coordinating with events going on. So, when the
20 summer beach concerts are happening.

21 NICHOLAS TALVACCHIA: Yeah. And
22 you could have a sponsor, Tim.

23 TIMOTHY KERNAN: The whole
24 Boardwalk is going to be blaring country music?

25 ANTHONY HIBBELN: That's the plan,

1 but we'd have to work with the promoter of each
2 of those --

3 NICHOLAS TALVACCHIA: Right. And
4 there could be a sponsor of that event. You
5 know, streaming that event, there would be a
6 sponsor or like anything else.

7 So, yes. That's the idea, is to
8 create opportunities for that to occur.

9 TIMOTHY KERNAN: Unless you don't
10 like country music, it's a great idea.

11 ANTHONY HIBBELN: It's the only
12 kind of music.

13

14 BY NICHOLAS TALVACCHIA:

15 Q. Real quick, talk about the wifi
16 capability and the charging station.

17 A. Certainly.

18 TIMOTHY KERNAN: Anthony -- and now
19 that you're talking about that, Anthony, if
20 there would be any type of electrical
21 disturbance that -- along this network of fiber
22 underneath the Boardwalk and all that with --

23 ANTHONY HIBBELN: Certainly. I'll
24 pick up on that. And that goes right to the
25 wifi, actually.

1 So, each of the matrices -- and
2 this is -- this is the component, as Nick
3 pointed out earlier, that's not something that
4 the ACIA has gotten their proposals, but this is
5 something that Impactivate had provided on the
6 matrix.

7 The wifi system will actually send
8 out the signal from each matrix and -- from the
9 bottom of each matrix and from the top oceanside
10 of each matrix. Those signals will mesh with
11 each other so that there's a unified field --
12 wifi field or hot spot, if you will, that, if
13 you're on your mobile device, phone or tablet,
14 you'll be able to walk through this area from --
15 from the first matrix, maybe a hundred feet
16 west, all the way beyond the last matrix a
17 hundred feet or more.

18 TIMOTHY KERNAN: Down to the
19 water's edge?

20 ANTHONY HIBBELN: A hundred 50 feet
21 or more.

22 And out to the water's edge.

23 So, all of these signals from each
24 matrix are intermeshed and will provide unified
25 coverage from the face of the buildings, across

1 the Boardwalk, out to the ocean -- over the
2 dunes and out to the ocean.

3 There is probably a small shadow,
4 if you will, if you're on the oceanside of the
5 dune, right next to that snow fence. Sitting
6 down there, you might -- you might not get it.
7 But, essentially, that coverage, I'm told from
8 our wifi experts -- Ruckus is the firm that's
9 providing this equipment -- will be the largest
10 hot spot in the world, continuous.

11 So, I was very impressed with that,
12 and I think we're going to get a lot of press
13 once this is up and running.

14 The electromagnetic -- or electro
15 -- electronic interference, one of the things
16 that this project relies upon is fiber optic
17 network. And that fiber optic network will be
18 contained in hard conduit attached to the
19 underside of the Boardwalk in a fashion that
20 will be safe and long lived. It's a little bit
21 beyond what --

22 Normally, you see a cable company
23 just string a cable from hook to hook. This is
24 in hard conduit. It's protected from the
25 elements, protected from third-party

1 unauthorized acts.

2 And that fiber is important because
3 at each of these 140 foot centers, those signals
4 will be taken from wifi and put into the fiber
5 and back to the control room and back to the --
6 back onto the Internet, essentially.

7 So, it's almost like putting wifi
8 in your office or in your house. This wifi will
9 be one of the strongest and largest footprints
10 with very large capacity input because there's
11 so many aggregation points to cover it. Okay?

12 So, having that system means we
13 didn't want to interfere with anything else with
14 these RF signals and controller -- DMX
15 controllers. All of that, since we have the
16 fiber backbone, will, essentially, be done
17 through that fiber and we won't be sending out
18 signals to lights to change colors using radio
19 frequencies or any other electromagnetic
20 frequency. It's all hard fibered.

21 LANCE LANDGRAF: And that was
22 actually key to some of the safety aspects of
23 this whole project with the police.

24 ANTHONY HIBBELN: That's right.

25 LANCE LANDGRAF: Because if anybody

1 was here for the concerts last summer, --

2 ANTHONY HIBBELN: Once those crowds
3 come --

4 LANCE LANDGRAF: -- you couldn't --
5 you couldn't get a cell signal because it was
6 just so overcrowded.

7 Now you're going to have wifi. It
8 helps the police department and just the general
9 public.

10 ANTHONY HIBBELN: Right.

11 We talked with Tom, over at
12 Homeland Security. And there is a capability in
13 the matrix that, if we need to, we can hand off
14 these fiber connections to them at any point in
15 time. It's a temporary event that, if they're
16 coming in for the Miss America pageant, they
17 will be able to get to the fiber, which gives
18 them that backbone back to their systems, if
19 they need it. They do have other options with
20 the systems they presented to the city and the
21 state, but they really -- they really felt that
22 this was a way for them to get back into the
23 fiber backbone of the country versus just
24 depending on AT&T and Verizon's wireless.

25 At some point, all this wireless

1 has to come back to a fiber, and now here's the
2 way to connect.

3 LANCE LANDGRAF: Okay.

4 NICHOLAS TALVACCHIA: Tim, did he
5 answer your question?

6 TIMOTHY KERNAN: Yes.

7 NICHOLAS TALVACCHIA: I think we're
8 done on our side.

9 TIMOTHY KERNAN: Yeah. I would
10 just make one more comment, and I won't go
11 through my report.

12 So, while the advertising signs
13 aren't expressly permitted along the Boardwalk,
14 where the city code allows these signs, they can
15 be up to 60 square feet, and you're proposing
16 21.

17 NICHOLAS TALVACCHIA: It's
18 approximately 21 square feet. Yes.

19 TIMOTHY KERNAN: And they can be up
20 to 130 feet and you're not even 17 feet in
21 width. So, you are well below the maximum
22 allowed and where the permanent --

23 NICHOLAS TALVACCHIA: And we point
24 out, the CRDA master plan that was adopted
25 several years ago, if you actually look through

1 the illustrations, shows these kind of lights
2 and panels and LED on the Boardwalk to enliven
3 the Boardwalk.

4 TIMOTHY KERNAN: It sure does.

5 LANCE LANDGRAF: And I would say,
6 the way the application is coming before us, as
7 a capital improvement project, it kind of brings
8 it in in a different light than looking at the
9 city ordinance. There's different issues with
10 that.

11 NICHOLAS TALVACCHIA: Right.

12 LANCE LANDGRAF: So, from that
13 aspect, this is a review and recommendation on
14 the project, and we hope you would take some of
15 our comments to heart.

16 Again, some concern with regard to
17 the lights from Albany down to Jackson.

18 NICHOLAS TALVACCHIA: Mmm-hmm. We
19 will clarify that point.

20 TIMOTHY KERNAN: You know, let me
21 just throw in one last comment.

22 I believe that Dixon -- Kevin Dixon
23 and Associates are putting together the specs
24 for the bid? And some plans?

25 NICHOLAS TALVACCHIA: Yes.

1 TIMOTHY KERNAN: Maybe a little
2 more detailed plans.

3 So, maybe the CRDA officers could
4 get a copy of those and staff here could, you
5 know, just make sure that there's no drastic
6 changes to those plans and specs compared to
7 what we just heard today.

8 NICHOLAS TALVACCHIA: Mr. Lamey,
9 that's acceptable, correct?

10 JOHN LAMEY: That's no problem.
11 There are no significant changes,
12 but, yeah, that's not a problem at all.

13 LANCE LANDGRAF: Okay. Thank you.

14 SCOTT COLLINS: Tim, let me just
15 get your letter in, too. You noted that you had
16 done a review letter -- done a review of the
17 plans and issued a letter.

18 TIMOTHY KERNAN: Yes. A letter
19 dated tax day, April 15th.

20 SCOTT COLLINS: We'll mark that as
21 B-1 for the record.

22 TIMOTHY KERNAN: And there are some
23 additional comments that --

24 NICHOLAS TALVACCHIA: What was
25 that, Scott? Was that B-1?

1 SCOTT COLLINS: B-1. Yes

2 TIMOTHY KERNAN: There are some
3 additional comments that will just be part of
4 that record, dealing with how -- what's
5 proposed, all the different components, how it
6 conforms or doesn't conform to the city code.

7 LANCE LANDGRAF: Mr. Talvacchia, if
8 you have nothing else at this time, we'll open
9 it up to the public.

10 NICHOLAS TALVACCHIA: We do not.
11 Thank you.

12 LANCE LANDGRAF: Anybody in the
13 public wishing to have any comments or questions
14 about this application, please step forward,
15 state your name. Just step to the podium and
16 present your comment.

17 MALE MEMBER OF THE AUDIENCE: My
18 name is Allen Valentine. I'm actually just here
19 for personal reasons.

20 First of all, I want to say that,
21 Mr. Talvacchia, I think that this is a fantastic
22 project for the city.

23 A little bit of background. I own
24 Elite Casino Marketing Group, here in Atlantic
25 City. We are a provider of live entertainment

1 all over town. We had five production shows
2 here in Atlantic City last summer; The Magic of
3 Rob Lake, Beatle Mania, the burlesque show at
4 the Borgata.

5 This is exciting, because I
6 advertise all over town. I buy rolling chairs,
7 I buy billboards, a lot of advertising on
8 Comcast, a full page in AC Weekly.

9 So, this is a wonderful opportunity
10 for me to advertise. This is exciting. It is.

11 However, there's another side of
12 the coin. As a resident of the Enclave
13 building, which is at the foot of Roosevelt --

14 May I approach to hand these out?
15 Are you gentlemen familiar with the
16 Enclave?

17 LANCE LANDGRAF: Yes.

18 MEMBER OF THE AUDIENCE (ALLEN
19 VALENTINE): Great.

20 So, you're looking at a photo out
21 the window of my balcony.

22 NICHOLAS TALVACCHIA: Could I see a
23 copy, please?

24 MEMBER OF THE AUDIENCE (ALLEN
25 VALENTINE): I only have this one.

1 NICHOLAS TALVACCHIA: Oh. Okay.

2 MEMBER OF THE AUDIENCE (ALLEN
3 VALENTINE): Here. I'll share it with you.
4 So, this is off my balcony, the
5 first page.

6 SCOTT COLLINS: Excuse me. If this
7 is going to be more than just a questioning, if
8 you're going to be providing testimony, we
9 should swear you in first.

10 MEMBER OF THE AUDIENCE (ALLEN
11 VALENTINE): Sure. Absolutely.

12

13

14

15 ALLEN VALENTINE,
16 having been duly sworn in by Scott
17 Collins, Esquire, was examined and
18 testified as follows:

19

20 SCOTT COLLINS: And could you just
21 state your name one more time?

22 MEMBER OF THE AUDIENCE (ALLEN
23 VALENTINE): Allen Valentine.

24 So, the first photo is just off my
25 balcony, along with 800 residents that face

1 north, against the city.

2 And I've been here for 30 years.

3 I'm a homeowner, year-round. Love my view.

4 And we are concerned -- and we just
5 got wind of this about three days ago -- about
6 how these plasma TVs and the lumens -- I'm sorry
7 -- the matrix.

8 NICHOLAS TALVACCHIA: The LEDs.

9 MEMBER OF THE AUDIENCE (ALLEN
10 VALENTINE): LEDs. I'm sorry.

11 NICHOLAS TALVACCHIA: Well, that's
12 important because there's a much sharper cutoff
13 of an LED than a plasma. If you've ever watched
14 an LED TV, you walk to the side of the stage
15 quickly?

16 MEMBER OF THE AUDIENCE (ALLEN
17 VALENTINE): Right.

18 NICHOLAS TALVACCHIA: The same
19 thing going up looking down?

20 MEMBER OF THE AUDIENCE (ALLEN
21 VALENTINE): Right.

22 NICHOLAS TALVACCHIA: That's an
23 important factor. Because electric, dead on,
24 looking at it ground level, is where you get the
25 most impact, in terms of brightness.

1 MEMBER OF THE AUDIENCE (ALLEN

2 VALENTINE): Sure.

3 NICHOLAS TALVACCHIA: You're at a
4 sharp angle from where you are above, looking at
5 it.

6 MEMBER OF THE AUDIENCE (ALLEN

7 VALENTINE): Can you turn to this photo?

8 NICHOLAS TALVACCHIA: That's laser.

9 MEMBER OF THE AUDIENCE (ALLEN

10 VALENTINE): All right. You can see where the
11 LED --

12 LEDs? Am I calling it right? Or
13 matrix? What do you refer to them as? LEDs?

14 These LEDs are currently on the
15 Boardwalk. You can see how bright they are.

16 NICHOLAS TALVACCHIA: What LEDs?
17 I'm sorry.

18 MEMBER OF THE AUDIENCE (ALLEN

19 VALENTINE): These are where they are right now.

20 NICHOLAS TALVACCHIA: Oh. I see.

21 MEMBER OF THE AUDIENCE (ALLEN

22 VALENTINE): Do you see this number right here?
23 You could see where they are right now.

24 And then I'll go back to your very
25 first photo right here. Mr. Talvacchia said

1 something in his opening statement, I think,
2 about residents of the Enclave. I disagree,
3 respectfully. And he said that there is no
4 residents from the Atlantic Club to Roosevelt.
5 But, there is. There's 800 people at the
6 Enclave.

7 And we just found out about this.
8 And a lot of phone calls, e-mails, text messages
9 have been going around in the last 24 hours. I
10 told them there's no way that these plasmas are
11 going to be facing the Enclave. But, they are.

12 Correct?

13 NICHOLAS TALVACCHIA: Yes.

14 MEMBER OF THE AUDIENCE (ALLEN
15 VALENTINE): They're going to be facing the
16 building.

17 So, I know that a lot of the people
18 in our building are -- I have lunch with them.
19 I know them. They're going to start circling
20 the wagons. I think this could get bad.

21 So, I thought I would just come
22 here on my own. I'm not an attorney. Just a
23 local businessman who has a nice view and
24 doesn't want to lose it.

25 I want to see if there's some type

1 of compromise or some discussion that could take
2 place to talk about this.

3 LANCE LANDGRAF: The photo -- the
4 nighttime photo that you show, Nick, can we ask
5 Anthony or anybody? Is that where --

6 Because there's no LED lights on
7 the Boardwalk now.

8 NICHOLAS TALVACCHIA: Are these the
9 matrices --

10 When was this photo taken?

11 MEMBER OF THE AUDIENCE (ALLEN
12 VALENTINE): Last night.

13 NICHOLAS TALVACCHIA: Last night.

14 MEMBER OF THE AUDIENCE (ALLEN
15 VALENTINE): It's bright. Come on over to our
16 place tonight. Stand out on the balcony. You
17 can see these bright. And they are so far away.
18 And to bring these to the doorstep of the
19 Enclave brings you to the last photo,
20 particularly the last photo, that truck.

21 NICHOLAS TALVACCHIA: Mr. Valentine
22 --

23 MEMBER OF THE AUDIENCE (ALLEN
24 VALENTINE): If I park that truck outside your
25 house --

1 NICHOLAS TALVACCHIA: Well,
2 Mr. Valentine, you do know that you bought a
3 unit next to the Resort Commercial zone, a
4 casino zone, the most intensive zone in
5 Atlantic City, and that right next to you is
6 proposed a Hard Rock Casino Hotel, which would
7 have much, much brighter lights than what we're
8 proposing? You're aware of all that, right?

9 You didn't buy away from a
10 commercial zone; you bought right next door to a
11 commercial zone, the most intensive commercial
12 zone in the state of New Jersey.

13 You can't -- you cannot argue that
14 lights are something that you're --

15 You happen to have a benefit
16 because it's been undeveloped for 20 years. I
17 grew up in that neighborhood. That's a
18 commercial zone, always has been, always will
19 be. And lights go with that and noise goes with
20 that, impacts go with that, parking problems go
21 with that. If you didn't want that, you could
22 have gone to Ventnor or Margate or Longport.
23 But, you chose to be next to a casino zone. You
24 can't be here complaining today that you're
25 surprised there's going to be lights. I'm

1 sorry.

2 MEMBER OF THE AUDIENCE (ALLEN
3 VALENTINE): I'd love to hear from you
4 gentlemen.

5 LANCE LANDGRAF: Can we confirm
6 that there's --

7 There's no LED lights on the
8 Boardwalk now, from my understanding.

9 MEMBER OF THE AUDIENCE (ALLEN
10 VALENTINE): There is --

11 NICHOLAS TALVACCHIA: The matrices.

12 LANCE LANDGRAF: The matrices, but
13 not LED lights.

14 MEMBER OF THE AUDIENCE (ALLEN
15 VALENTINE): Do you see these TV sets, for lack
16 of description?

17 LANCE LANDGRAF: That's the
18 matrices. Right.

19 MEMBER OF THE AUDIENCE (ALLEN
20 VALENTINE): Matrices.

21 What you're seeing that's so bright
22 here in these photos are these.

23 LANCE LANDGRAF: Okay. That's what
24 I was --

25 MEMBER OF THE AUDIENCE (ALLEN

1 VALENTINE): Come on over tonight. You can
2 stand --

3 Oh, yeah. Without a doubt.

4 TIMOTHY KERNAN: Actually, he
5 raises a great point. It's true. The casino
6 district comes right up to that.

7 NICHOLAS TALVACCHIA: Right to
8 Roosevelt. The redevelopment --

9 TIMOTHY KERNAN: That's what the
10 district master plan envisioned, was to activate
11 the Boardwalk with --

12 MEMBER OF THE AUDIENCE (ALLEN
13 VALENTINE): What point does it serve having
14 them face the Enclave? Which, honestly, it's a
15 dead zone.

16 And also, from this photo, who do
17 we really -- who is seeing this? What customers
18 are you reaching?

19 LANCE LANDGRAF: Well, we're hoping
20 that that end of the Boardwalk will be
21 enlivened. You know, there is the projections
22 of that area being developed in the future. If
23 you look at our master plan, that area is zoned
24 for development.

25 MEMBER OF THE AUDIENCE (ALLEN

1 VALENTINE): I know it well. I know it well.

2 LANCE LANDGRAF: There might not be
3 casinos, but there will be new development,
4 commercial development, in that area.

5 MEMBER OF THE AUDIENCE (ALLEN
6 VALENTINE): We were hoping Jim Allen and the
7 Semitone were going to come in. I work for the
8 company in Florida. We are really routing for
9 these guys.

10 But, for now, it's a dead zone.

11 Maybe there's a compromise. Maybe
12 the panels just are turned off on the one side
13 that face the Enclave and we just leave the side
14 on that's facing north so if you're staying at
15 Tropicana and you're looking down, you see the
16 lights, it's exciting.

17 Will you at least consider a
18 compromise?

19 TIMOTHY KERNAN: Would it make a
20 difference depending on how that land is
21 developed?

22 MEMBER OF THE AUDIENCE (ALLEN
23 VALENTINE): I'm sorry?

24 TIMOTHY KERNAN: Is your request to
25 then have it be revisited at a future date?

1 MEMBER OF THE AUDIENCE (ALLEN
2 VALENTINE): Yes. That would be great.

3 Look, I'm by myself today. I am
4 sure you're going to hear from residents of the
5 Enclave. There's a lot of them.

6 And I actually had a conversation
7 with a few people who said there's no way
8 they're going to have --

9 They told me I was crazy because
10 they looked at the brief information that they
11 had and they said that these -- these are not
12 going to be pointing at the building. I said,
13 I'll come over today and take a listen. I did
14 listen. And you're confirming it. You're
15 saying they're going to be pointed right at the
16 building.

17 So, yeah, with software, it's very
18 easy to turn them off on that side once it gets
19 developed and then we have that conversation
20 down the road.

21 But, if you would at least consider
22 it, it would stop a lot of litigation, it would
23 stop a lot of hassles. I would ask it be
24 something you guys consider.

25 LANCE LANDGRAF: One thing I will

1 tell you is that this application comes before
2 us not as a typical site plan. This is a review
3 and recommendation. Typically, if this was a
4 standard site plan coming in from a private
5 developer, we would have a lot more leeway in
6 what we could ask them to do and actually force
7 them to do.

8 MEMBER OF THE AUDIENCE (ALLEN
9 VALENTINE): Right.

10 LANCE LANDGRAF: Because this is a
11 capital improvement project, it's a government
12 entity coming before another government entity,
13 we can provide review and recommendation.

14 I would ask you guys to at least
15 take some consideration into that. Maybe at
16 some time, maybe you can dim those sides or turn
17 them off until that area of the Boardwalk does
18 develop.

19 But, it's not something that we can
20 force upon them. It's not a --

21 They're not asking us for approval
22 is what I'm trying to say.

23 MEMBER OF THE AUDIENCE (ALLEN
24 VALENTINE): Would that impact your business at
25 all?

1 JOHN LAMEY: Sir?

2 NICHOLAS TALVACCHIA: I can't
3 answer that.

4 TIMOTHY KERNAN: Sir, why don't you
5 provide a little more testimony? You see the
6 Boardwalk every night when you go home. Can you
7 tell us a little bit about the number of folks
8 that are nearby you versus further east up the
9 Boardwalk?

10 MEMBER OF THE AUDIENCE (ALLEN
11 VALENTINE): The Enclave, especially during the
12 summer, is packed with residents. We all sit on
13 our balcony and enjoy the view.

14 TIMOTHY KERNAN: I'm talking about
15 walking pedestrians on the Boardwalk.

16 MEMBER OF THE AUDIENCE (ALLEN
17 VALENTINE): Oh, geez.

18 My office is this. I just look out
19 my office window every day. There's nobody
20 here. There's nobody here, especially during
21 the winter. And to have these on at night
22 during the winter, facing us and blaring at us,
23 it makes no sense at all.

24 And by the way, I'm going to be
25 buying -- I'm going to be buying, probably,

1 signage from this company.

2 Full disclosure. I think it's a
3 great idea, but I just think it makes no sense.
4 It makes no sense. So ...

5 And there's got to be studies
6 somewhere about foot traffic, but, you know, in
7 30 years looking out my window, walking here
8 with my wife every day, we call this the dead
9 zone. And now that the Atlantic Club is closed,
10 it's even more of a dead zone to Tropicana.
11 So ...

12 But, the security cameras, the
13 lighting, with their planning, is fantastic.
14 It's going to help the area, it's going to help
15 the city. It's a good thing.

16 We're just saying, the side of
17 these matrices, LEDs that are facing the
18 building, for now, consider turning them off.

19 NICHOLAS TALVACCHIA:
20 Mr. Valentine, nobody in this room here has the
21 authority to make any commitments.

22 MEMBER OF THE AUDIENCE (ALLEN
23 VALENTINE): I know. But, they can make a
24 recommendation. Correct?

25 LANCE LANDGRAF: That's something

1 --

2 What we'll do --

3 And just so you're aware of how we
4 operate with this land use board, we prepare
5 what's called a hearing officer report. And
6 then once we do that, we'll take your comments
7 into that.

8 MEMBER OF THE AUDIENCE (ALLEN
9 VALENTINE): Great.

10 LANCE LANDGRAF: And we'll put
11 those concerns in that report. And then we
12 submit that to our full board, and then that
13 gets sent out to the applicant as our resolution
14 documenting our review and comments.

15 MEMBER OF THE AUDIENCE (ALLEN
16 VALENTINE): Okay. And then --

17 LANCE LANDGRAF: So, we certainly
18 acknowledge your concerns.

19 MEMBER OF THE AUDIENCE (ALLEN
20 VALENTINE): Great.

21 LANCE LANDGRAF: It concerns me a
22 little bit seeing how bright that is up there in
23 front of the Boardwalk, but I also look at the
24 fact that our master plan has much more planned
25 for on the Boardwalk; more lights, more

1 activities. We want to bring it back to what it
2 used to be in its heyday. And that may conflict
3 with some of your residential activities -- not
4 activities, but your living.

5 TIMOTHY KERNAN: Enjoyment.

6 LANCE LANDGRAF: Enjoyment in that
7 particular area. Because you are adjacent to
8 that recreation. The Boardwalk is the city's
9 recreation area.

10 MEMBER OF THE AUDIENCE (ALLEN
11 VALENTINE): Right. But, right now, you're
12 ending it at Roosevelt. Correct? You're
13 actually going past Roosevelt with these LEDs.
14 To Jackson.

15 NICHOLAS TALVACCHIA: Well, that's
16 because it's zoned residential.

17 MEMBER OF THE AUDIENCE (ALLEN
18 VALENTINE): Because it's zoned residential.

19 NICHOLAS TALVACCHIA: It's zoned
20 residential. We're in a zoned commercial area.

21 MEMBER OF THE AUDIENCE (ALLEN
22 VALENTINE): So, you're saying past Roosevelt is
23 residential?

24 NICHOLAS TALVACCHIA: Is that the
25 exact block?

1 LANCE LANDGRAF: It starts --

2 TIMOTHY KERNAN: It's on the wall
3 behind you.

4 LANCE LANDGRAF: I don't think
5 that's a zoning map. That's just the Tourism
6 District.

7 NICHOLAS TALVACCHIA: Yeah. The
8 Hard Rock or the Gateway redevelopment plan goes
9 to Roosevelt.

10 MEMBER OF THE AUDIENCE (ALLEN
11 VALENTINE): So, then there you go. So, we are
12 considered residential.

13 NICHOLAS TALVACCHIA: No. You're
14 Lincoln --

15 No. You're Enclave.

16 MEMBER OF THE AUDIENCE (ALLEN
17 VALENTINE): It goes to --
18 We're at Lincoln.

19 NICHOLAS TALVACCHIA: No. I grew
20 up there. You're at Lincoln Place.

21 MEMBER OF THE AUDIENCE (ALLEN
22 VALENTINE): Right.

23 NICHOLAS TALVACCHIA: Roosevelt is
24 --

25 MEMBER OF THE AUDIENCE (ALLEN

1 VALENTINE): One block. Correct.

2 NICHOLAS TALVACCHIA: And that's
3 zoned commercial.

4 MEMBER OF THE AUDIENCE (ALLEN
5 VALENTINE): Right.

6 NICHOLAS TALVACCHIA: You're zoned
7 residential.

8 MEMBER OF THE AUDIENCE (ALLEN
9 VALENTINE): Right. But, these lines --

10 NICHOLAS TALVACCHIA: But, you're
11 next door to an area zoned commercial.

12 MEMBER OF THE AUDIENCE (ALLEN
13 VALENTINE): Right.

14 NICHOLAS TALVACCHIA: We can't
15 build a brick wall separating the impacts from a
16 commercial zone to a residential.

17 MEMBER OF THE AUDIENCE (ALLEN
18 VALENTINE): I totally understand.

19 LANCE LANDGRAF: We will certainly
20 make note of your comments in our review.

21 MEMBER OF THE AUDIENCE (ALLEN
22 VALENTINE): Great.

23 And the other members of the
24 Enclave that are interested, is there a
25 follow-up hearing or is this it? Like are they

1 --

2 SCOTT COLLINS: Just to clarify
3 what we're doing here and to follow-up on what
4 Mr. Landgraf said, this is a public hearing.
5 Everyone within the certain area was given
6 notice. It was published in the newspaper.

7 This is the opportunity for the
8 ACIA to present to the public what it is that
9 they're proposing.

10 As Mr. Landgraf said, this is not a
11 proceeding that will result in an action by
12 CRDA. This is our action.

13 And for the public, this is your
14 opportunity to speak to, in this case, the ACIA
15 or whatever government entity was proposing
16 something like this. This is your opportunity
17 to express your concerns.

18 This is -- as Mr. Talvacchia said,
19 this is sort of a joint-venture between the ACIA
20 and the city itself. Those are the parties who
21 you should address your concerns with.

22 MEMBER OF THE AUDIENCE (ALLEN
23 VALENTINE): Okay. Got it.

24 TIMOTHY KERNAN: There will be a
25 CRDA board meeting where this is taken up.

1 NICHOLAS TALVACCHIA: But, there's
2 no comment.

3 TIMOTHY KERNAN: But I don't know
4 --

5 It's not a public meeting as it
6 relates to this project.

7 NICHOLAS TALVACCHIA: Tim, they
8 don't allow a comment on a vote. This is the
9 opportunity.

10 TIMOTHY KERNAN: Okay.

11 LANCE LANDGRAF: Okay.

12 MEMBER OF THE AUDIENCE (ALLEN
13 VALENTINE): It just brings me to that last
14 photo of how you gentlemen would feel with
15 something this close to your home. And I
16 realize --

17 I see what you're saying. I see
18 your point. This is going to impact our lives.
19 So ...

20 And if it was necessary, if there
21 was a reason for it, it made sense, I could say
22 sure. But, as of right now, where we are with
23 that part of town, it makes no sense at all.

24 LANCE LANDGRAF: Truthfully, we
25 hope there is a reason for it.

1 MEMBER OF THE AUDIENCE (ALLEN
2 VALENTINE): So do I. If The Hard Rock would
3 have built there, they would have built --

4 I knew their plans very well. Jim
5 Allen came over to the Enclave, gave a really
6 good -- you know, full disclosure to all the
7 residents there, explained everything. It was
8 wonderful. And it would have been loud, it
9 would have been noisy and there would have been
10 lights there. But, that makes sense. But, to
11 put these LEDs pointing at the building when
12 there's nobody there, when there's nobody on the
13 Boardwalk? Nobody.

14 So, a year from now, I'll take some
15 photos of nobody on the Boardwalk, with these
16 lights on, and e-mail them over to you
17 gentlemen.

18 TIMOTHY KERNAN: You provide some
19 good testimony. I imagine they're taking that
20 to heart.

21 MEMBER OF THE AUDIENCE (ALLEN
22 VALENTINE): Oh.

23 NICHOLAS TALVACCHIA: It's just
24 something we can't address here because the city
25 is a partner and he has a Board of Directors and

1 there's contracts and --

2 MEMBER OF THE AUDIENCE (ALLEN
3 VALENTINE): I get that.

4 JOHN LAMEY: So, I think we need to
5 take a look at your comments in the context of
6 the entire project, how it impacts the project,
7 and see what we should do.

8 MEMBER OF THE AUDIENCE (ALLEN
9 VALENTINE): Especially when I'm for the
10 project.

11 JOHN LAMEY: Right.

12 MEMBER OF THE AUDIENCE (ALLEN
13 VALENTINE): This is a good thing for the town.
14 I've been here for 30 years.

15 We have a good company. We're good
16 in town. We know a lot of the same people.
17 This is a good thing.

18 So, I just hope you take it to
19 heart.

20 Thank you for your time.

21 LANCE LANDGRAF: Thank you,
22 Mr. Valentine.

23 NICHOLAS TALVACCHIA: Mr. Lamey
24 will do that.

25 LANCE LANDGRAF: Thank you very

1 much.

2 Does anyone else in the public wish
3 to speak?

4 Sir?

5 MALE MEMBER OF THE AUDIENCE: Good
6 morning. My name is Marquis Lewis. I'm with
7 Tyco Integrated Security.

8 And I just have a quick question
9 about the PTZ cameras. Are the cameras already
10 spec'd out or are you looking for an interview
11 to suggest which model to use?

12 JOHN LAMEY: We --

13 There are minimums --

14 The cameras are tied with the
15 police and the safety and the security of the
16 system. So, there are minimum standards that
17 they require.

18 MEMBER OF THE AUDIENCE (MARCUS
19 LEWIS): Okay.

20 JOHN LAMEY: You know, so when the
21 bid specs go out, we'll be requesting that you
22 -- you know, these cameras or equal.

23 MEMBER OF THE AUDIENCE (MARCUS
24 LEWIS): I got you. Okay.

25 JOHN LAMEY: And they will make a

1 determination --

2 MEMBER OF THE AUDIENCE (MARCUS
3 LEWIS): Which brand, model.

4 JOHN LAMEY: Right.

5 MEMBER OF THE AUDIENCE (MARCUS
6 LEWIS): Okay.

7 JOHN LAMEY: And what the
8 deviations are and everything and what will fit
9 the bill.

10 MEMBER OF THE AUDIENCE (MARCUS
11 LEWIS): Great.

12 Okay. That's it. Thank you.

13 NICHOLAS TALVACCHIA: Thank you.

14 LANCE LANDGRAF: Thank you.

15 Does anyone else from the public
16 wish to speak?

17 Hearing none, we'll close the
18 public portion.

19 Mr. Talvacchia, anything?

20 NICHOLAS TALVACCHIA: No. I want
21 to thank you for your time and attention and
22 members of the public and, of course, CRDA staff
23 for listening to us. And we're excited about
24 this project.

25 Thank you.

1 LANCE LANDGRAF: Okay. Tim,
2 anything from your end?

3 TIMOTHY KERNAN: No.

4 LANCE LANDGRAF: Rob, are we good?

5 ROBERT REID: No. I'm good.

6 LANCE LANDGRAF: Scott?

7 SCOTT COLLINS: All set.

8 LANCE LANDGRAF: Okay. We'll close
9 the hearing on this matter.

10 And thanks, Nick.

11 NICHOLAS TALVACCHIA: Thank you.

12 LANCE LANDGRAF: Thank you, guys.
13 Good presentation. Sorry about the computer
14 glitch.

15 I didn't get your e-mail, Rebecca,
16 so --

17 REBECCA LAFFERTY: I'm sorry. I
18 think I was communicating with Rob on that.
19 But, sorry.

20 LANCE LANDGRAF: Sorry.

21 Our next land use board meeting is
22 May 7th, at 10 a.m.

23 And if there's no other public
24 comment, we'll close the hearing at this point.

25 NICHOLAS TALVACCHIA: Thank you.

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(This public hearing concluded at
11:27 a.m.)

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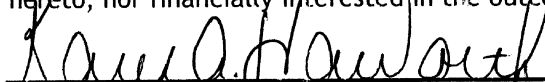
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