



Casino Reinvestment Development Authority



**CASINO REINVESTMENT
DEVELOPMENT AUTHORITY
15 SOUTH PENNSYLVANIA AVENUE
ATLANTIC CITY, NJ 08401**

**MINUTES – PUBLIC MEETING 15-2
March 3, 2015**

PRESIDING: James Kehoe, Chair

PRESENT: Tom Ballance, Robert Bartolone for DCA Commissioner Richard Constable, Debra DiLorenzo, Edward Gant, Mark Giannantonio, Mayor Don Guardian, Gary Hill, Robert Mulcahy, David Rebeck for Acting Attorney General John Hoffman, Howard Kyle, Matthew Levinson, Robert Shaughnessy for State Treasurer Andrew Sidamon-Eristoff, Gary T. Puma, Richard Tolson

ABSENT: William Mullen, Frank Spencer

STAFF: John F. Palmieri, Val Berzins, Lisa Britt, Rosalind Kincaid, Lance Landgraf, Thomas Meehan, Oriana Mondragon, Donna Pless, Ali Reynolds, Bunny Rixey, Rick Santoro, Heather Walls, Paul G. Weiss, Esq.

OTHER ATTENDEES: Christopher Howard, Esq., Governor's Authority Unit

OPENING STATEMENT

The meeting was called to order by the Chair at 2:00 pm. Ms. Britt read a statement of compliance with the notice requirements of the Senator Byron M. Baer Open Public Meetings Act and called the roll.

RATIFICATION OF THE MINUTES OF January 20, 2015

The Chair requested a motion to approve the minutes of the January 20, 2015 Members' Meeting. A motion was made by Mr. Bartolone and seconded by Mr. Shaughnessy. Resolution 15-15 was approved by the unanimous vote of the members.

TREASURER'S REPORT

The Chair asked the members to review the Treasurer's report. A motion to approve and file the report was made by Mr. Kyle and seconded by Mr. Tolson. The Treasurer's report was approved and adopted by the unanimous vote of the members.

EXECUTIVE DIRECTOR'S REPORT

Mr. Palmieri updated the members on the status of the following projects and initiatives:

A. ATLANTIC CITY RESTAURANT WEEK

- i. Reminder that AC Restaurant Week continues through Friday, March 7
- ii. Over 70 restaurants participating



- iii. Visit acrestaurantweek.com for list of restaurants and to view menus and make reservations

B. BEST OF BASS PRO SHOP

- i. Ribbon Cutting (5:30 p.m.) and Soft Opening (6-10 p.m.) – April 15
- ii. Grand Opening – 8 a.m. – 9 p.m. – April 16

LAND USE REGULATION & ENFORCEMENT**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCES FOR CONSTRUCTION OF IMPROVEMENTS AT LOTS 3 AND 4 OF BLOCK 386 AND LOTS 9 AND 10 OF BLOCK 387, UNDER APPLICATION 2013-12-897**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Mr. Gant inquired what street the property is on. Mr. Palmieri responded that the property is on Sunset Avenue. Hearing no further member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Kyle and seconded by Mr. Bartolone. Resolution 15-16 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING A CERTIFICATE OF NONCONFORMITY FOR DANG THI TRAN UNDER APPLICATION 2014-11-1274

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Kyle and seconded by Mr. Tolson. Resolution 15-17 was approved by unanimous vote of the members.

ITEMS LISTED BELOW HAVE BEEN REVIEWED AND RECOMMENDED BY COMMITTEE FOR MEMBER APPROVAL**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING AN AGREEMENT BETWEEN GLOBAL SPECTRUM, LP AND AFL PS II, LLC D/B/A PHILADELPHIA SOUL**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A



motion was made by Mr. Hill and seconded by Mr. Levinson. Resolution 15-18 was approved by unanimous vote of the members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
CONSENTING TO CERTAIN MODIFICATIONS TO THE TERMS AND CONDITIONS
OF THE SENIOR DEBT OF HEADQUARTERS HOTEL ASSOCIATES, L.P., IN
FURTHERANCE OF THE CONVENTION CENTER HEADQUARTERS HOTEL
PROJECT**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Mulcahy and seconded by Mr. Ballance. Resolution 15-19 was approved by unanimous vote of the members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
ACCEPTING THE 2014 AUDITED FINANCIAL STATEMENTS SUBMITTED BY WISS
AND COMPANY LLC AND AUTHORIZING SUBMISSION OF THE AUDIT TO THE
GOVERNOR, STATE TREASURER AND THE LEGISLATURE**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Shaughnessy and seconded by Mr. Levinson. Resolution 15-20 was approved by unanimous vote of the members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
GRANTING A PRELIMINARY DETERMINATION OF PROJECT ELIGIBILITY FOR
THE BORGATA NIGHT CLUB EXPANSION PROJECT**

The resolution was read by title. Mr. Ballance and Mr. Giannantonio recused themselves. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Hill and seconded by Mr. Tolson. Resolution 15-21 was approved by unanimous vote of the eligible members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
AMENDING AND RESTATING ITS SECTION 125 MEDICAL INSURANCE BENEFITS
PLAN TO PERMIT THE PRE-TAX PAYMENT OF MEDICAL INSURANCE PREMIUMS
IN ACCORDANCE WITH P.L. 2011 CHAPTER 78**



The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Bartolone and seconded by Mr. Tolson. Resolution 15-22 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING AMENDED PROJECT APPROVAL, A SUPPLEMENTAL FUND RESERVATION IN AN AMOUNT NOT TO EXCEED \$30,000 FROM THE TOURISM DISTRICT AND COMMUNITY DEVELOPMENT FUND, AND THE NEGOTIATION AND EXECUTION OF A GRANT AGREEMENT WITH THE SCHULTZ-HILL FOUNDATION ALL IN FURTHERANCE OF THE 2015 ENTERTAINMENT FOR SENIORS PROJECT

The resolution was read by title. Mr. Hill and Mr. Kyle recused himself. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Jeannie Eisele from The Schultz-Hill Foundation thanked the Members for their support. Hearing no further public comment, the Chair requested a motion. A motion was made by Mr. Giannantonio and seconded by Mr. Shaughnessy. Resolution 15-23 was approved by unanimous vote of the eligible members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY APPROVING AMENDED LAND USE FEES AND ESCROW DEPOSIT REQUIREMENTS

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Gant and seconded by Mr. Levinson. Resolution 15-24 was approved by unanimous vote of the members.

RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY CONSENTING TO AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE NORTHEAST INLET RENEWAL AREA IN THE CITY OF ATLANTIC CITY DATED JANUARY 9, 2015, IN ACCORDANCE WITH P. L. 2011, CHAPTER 18

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Mr. Tolson inquired the location of the project. Mr. Palmieri responded that the project proposes a deck build from the existing Flagship building to the Boardwalk at Maine Avenue. Hearing no further member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair



requested a motion. A motion was made by Mr. Levinson and seconded by Mr. Tolson. Resolution 15-25 was approved by unanimous vote of the members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
EXTENDING THE CONTRACTS WITH APEX DEVELOPMENT, INC AND SITE
ENTERPRISES, INC FOR PRE-DEMOLITION ASBESTOS ABATEMENT SERVICES
ON AN AS NEEDED BASIS THROUGH MARCH 31, 2016 IN AN AGGREGATE
AMOUNT NOT TO EXCEED \$500,000**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Hearing no member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Shaughnessy and seconded by Mr. Gant. Resolution 15-26 was approved by unanimous vote of the members.

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
EXTENDING THE PROFESSIONAL SERVICES AGREEMENTS WITH ACER
ASSOCIATES LLC, MARATHON ENGINEERING & ENVIRONMENTAL SERVICES,
INC, BRINKERHOFF ENVIRONMENTAL SERVICES, INC AND T&M ASSOCIATES
TO PROVIDE ENVIRONMENTAL CONSULTING SERVICES ON AN AS-NEEDED
BASIS FOR A ONE YEAR PERIOD ENDING MARCH 1, 2016, WITH A TOTAL
SPENDING AUTHORIZATION NOT TO EXCEED \$639,000**

The resolution was read by title. Mr. Palmieri described the proposed action. The Chair requested member discussion. Mr. Rebeck inquired if this item covers services not performed under the Authority's asbestos/mold consulting contract. Mrs. Bunny Rixey responded that this contract is for site assessment. Mr. Tolson inquired if any one company performs all three of the services. Mr. Palmieri responded no. Hearing no further member discussion, the Chair opened the matter to public comment. Hearing no public comment, the Chair requested a motion. A motion was made by Mr. Levinson and seconded by Mr. Bartolone. Resolution 15-27 was approved by unanimous vote of the members.

PUBLIC COMMENT

No public comment

EXECUTIVE SESSION

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY
APPROVING AN EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS
AND PENDING AND ANTICIPATED LITIGATION MATTERS**



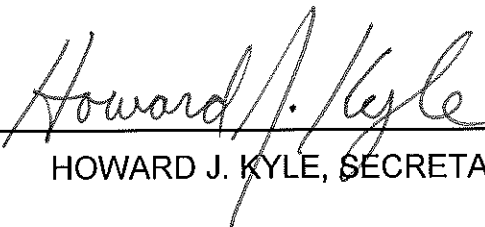
The resolution was read by title. The Chair requested a motion to go into executive session. A motion was made by Mr. Giannantonio and seconded by Mr. Levinson. Resolution 15-28 was approved by unanimous vote of the members.

After all discussion was complete, the Chair requested a motion to adjourn the executive session and return to the open public session portion of the Meeting. A motion was made by Mr. Tolson and seconded by Mr. Levinson. The motion was approved by unanimous vote of the members.

CERTIFICATION

I, HOWARD J. KYLE, Secretary of the Casino Reinvestment Development Authority, DO HEREBY CERTIFY that the foregoing is a true and correct copy of the Minutes of the Open Session of the Casino Reinvestment Development Authority conducted on:

March 3, 2015



HOWARD J. KYLE, SECRETARY