

ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS

Stillwater Building

201 Shore Road, Northfield, New Jersey 08225

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Minutes of Special Meeting

July 21, 2015

PURPOSE OF SPECIAL MEETING	To discuss the implications and consequences of the intergovernmental agreement between the Atlantic County Executive and the Mayor of Atlantic City regarding sharing of taxes under the proposed Casino Property Taxation Stabilization Act, and to consider action by resolution on that subject.
CALL TO ORDER	A special meeting of the Atlantic County Board of Chosen Freeholders was called to order by Chairman Frank D. Formica at 4 p.m., Standard Time, on the above-mentioned date at the Stillwater Building, 201 Shore Road, Northfield, New Jersey.
OPEN PUBLIC MEETING STATEMENT	Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meetings Act, Chairman Formica announced that adequate notice of this meeting, as required by said Act, has been published in <i>The Press of Atlantic City</i> , and mailed to <i>The Current</i> , <i>The Daily Journal</i> , <i>The Hammonton Gazette</i> and <i>The Hammonton News</i> ; posted on the bulletin boards at 1333 Atlantic Avenue, Atlantic City, the Stillwater Building, 201 Shore Road, Northfield and the County Clerk's Office in Mays Landing.
PRAYER AND FLAG SALUTE	The prayer was led by Freeholder Bell followed by the flag salute led by Chairman Formica.
ROLL CALL	<p>The following roll call was recorded: PRESENT: Bell, Bertino, Carman, Coursey, Dase, Marino, Pauls, Risley, and Formica. ABSENT: None.</p> <p>A quorum was present.</p>
RESOLUTION NO. 395 Urging Governor Christie to honor the intergovernmental agreement between the Atlantic County Executive and the Atlantic City Mayor	Freeholder Risley moved and Freeholder Bertino seconded a motion to urge Governor Christie to honor the intergovernmental agreement between the Atlantic County Executive and the Atlantic City Mayor.
PUBLIC COMMENT	<p>Chairman Formica opened the meeting to the public at 4:03 p.m.</p> <p>Senator James Whelan, stated that the fundamental problem with the agreement is that it's not fair to the residents of Atlantic City. He</p>

opposed the resolution and explained the reasons why he believed it was not fair.

Councilman Frank Gilliam, Atlantic City Council President, conveyed there is no agreement because the Mayor cannot make an agreement without legislative approval. He stated he was opposed to the Resolution.

Atlantic City Councilman Tim Mancuso stated this is not the City against the County. The Mayor had no authority to agree to the County's agreement.

Atlantic County Executive Dennis Levinson stated that the 13.5% agreed upon by the Mayor and the Executive was based on the average of the last 15 year which was calculated at 13.5%. The percentage was agreed on by the Mayors Association and Freeholder Mazzeo. Mr. Levinson elaborated on the impact to municipalities.

Fourth Ward Councilman William Marsh stated the fundamental problem with the agreement is there was no discussion with the Atlantic City Council prior to the agreement being made.

Former Freeholder-at-Large Jim Schroeder, resident of Port Republic stated Atlantic City is teetering on bankruptcy. That's not good for Atlantic City or Atlantic County. He is opposed to Resolution No. 395. The PILOT needs to be signed.

Ken Haeser, Mayor of Weymouth Township urged the Board to pass Resolution No. 395-2015. This Resolution is a way to keep the County tax rate down.

Atlantic City George Tibbitt, Councilman stated Mayor has no authority to make a deal with the County Executive. He stated he had some concerns with the PILOT but not agreement.

Atlantic City Councilman Aaron Randolph, requested the Board pull Resolution 395-2015.

Galloway Township Councilman Tony Coppola, expressed we all want to see Atlantic City succeed. If you live in Atlantic County the success of Atlantic City is going to impact everyone.

Bob McDevitt, Atlantic City resident, stated you're asking the Governor to ignore the PILOT bill and recognize the agreement between County Executive Levinson and Mayor Guardian. He insists the Atlantic City Council gets a vote.

Keith Davis, resident of Linwood stated he is a taxpayer and small business owner. PILOT legislation has flaws because there were some items left out. Issue is fairness. Bill does not outline how the County is

to receive the PILOT funding. How are we going to ensure that everyone is taxed equally and fairly in Atlantic County? Supports Resolution No. 395-2015.

Jim Franklin, resident of Linwood, discussed his concern with aspects of the PILOT.

There being no further comments, Chairman Formica closed the public portion at 4:49 p.m.

Chairman Formica opened the floor to comments by the Board of Freeholders.

Freeholder Ernest Coursey stated he was disturbed that a “Special Meeting” was called regarding this issue. He also stated he objected to the negative statements regarding Atlantic City. Will not support Resolution No. 395-2015.

Freeholder Will Pauls commented, he has been a member of the Board for two years, have supported resolutions from both parties.

Freeholder Colin Bell voiced his concern regarding the agreement between the County Executive and the Mayor. He stated to avoid further casino tax appeals the PILOT Program needs to be enacted.

Freeholder Jim Bertino stated his concern has always been that the residents throughout the County are treated fairly.

Freeholder John Risley agreed that the Bill is flawed.

**MOTION TO AMEND
RESOLUTION NO. 395**

Freeholder Pauls moved and Freeholder Carman seconded a motion to amend the title of Resolution No. 395 and changing the “Now, Therefore, Be it Resolved”.

Freeholder Pauls indicated he amended the Resolution after giving consideration to the comments following the Mayor’s meeting.

Freeholder Carman stated he supported the amendment because the PILOT does not stipulate what the City or the County is to receive.

Freeholder Bell expressed that nothing in the Bill has changed and this amendment is last minute and this amendment does exactly the wrong thing.

**MOTION TO TABLE
THE AMENDMENT**

Freeholder Bell moved and Freeholder Coursey seconded a motion to table the amendment.

The above-mentioned motion to table the amendment failed following the roll call: AYES: Bell, Coursey. NAYS: Bertino, Carman, Dase, Marino, Pauls, Risley and Formica.

Freeholder Marino stated that things have changed. An article in The Press on July 14 references that Kevin Lavin, the Governor's appointed representative recommended changes to the legislation.

Chairman Formica stated he contacted Kevin Lavin and he confirmed that he recommends changes to the legislation.

Freeholder Pauls commented on his reasoning for bringing forth the amendment. He stated he was offended that the reason for the amendment was political.

Freeholder Dase stated his concern is getting the best deal for the taxpayers. The vagueness of the Bill is of concern.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Carman, Dase, Marino, Pauls, Risley and Formica. NAYS: Bell and Coursey.

**RESOLUTION NO. 395
AS AMENDED
Resolution as amended
in support of the Atlantic
County Mayors
Association's unanimous
resolution urging
Governor Christie to
conditionally veto A3981
in order to honor the
intergovernmental
agreement between the
Atlantic County
Executive and the
Atlantic City Mayor**

Freeholder Paul moved and Freeholder Carman seconded a motion to support of the Atlantic County Mayors Association's unanimous resolution urging Governor Christie to conditionally veto A3981 in order to honor the intergovernmental agreement between the Atlantic County Executive and the Atlantic City Mayor.

PUBLIC COMMENTS

Chairman Formica opened the meeting to the public at 5:44 p.m.

Atlantic City Councilman Gilliam stated it was disingenuous to move forward with language that Atlantic City had an agreement. There was not an agreement.

Atlantic County Executive Levinson stated that we want the Governor to spell out what Atlantic City will receive and what percentage Atlantic County will receive.

Joyce Mollineaux, Atlantic City resident, stated that the Board originally was going to support the PILOT Program and should support the PILOT program.

Senator Whelan stated how is it fair that in 2014 the County received \$15 million plus under the eight casinos and under this Resolution 13.5% you get \$20 million.

Councilman Mancuso stated that the 13.5% is going to jeopardize the PILOT Program. He recommended tabling the Resolution.

Chairman Formica closed the meeting at 6:02 p.m.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Carman, Dase, Marino, Pauls and Risley. NAYS: Bell and Coursey. ABSTAIN: Formica.

ADJOURNMENT

Chairman Formica entertained a motion to adjourn the meeting. Freeholder Bell moved and Freeholder Coursey seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at 6:04 p.m.

Submitted by,

Sonya G. Harris
Clerk of the Board