

**MINUTES OF THE MERCER COUNTY
IMPROVEMENT AUTHORITY REORGANIZATION
MEETING HELD ON TUESDAY, FEBRUARY 3, 2009
12 NOON**

The Mercer County Improvement Authority met on the above date and time at the Mt. View Golf Course Clubhouse with the following present:

Charles L. Marciante, Chairman; John P. Thurber, Vice Chairman; Morris Rubino, Treasurer; Christine Stearns, Assistant Treasurer; Christiana Foglio-Palmer, Member; Anthony Verrelli, Member; Phillip S. Miller, Executive Director; Allan C. Collins, Deputy Executive Director; Margarita Stanislavskaya, Chief Financial Officer; Patrick Cane, Chief of Enforcement; Daniel Napoleon, Chief of Recycling; Catherine Tamasik, General Counsel; Carol Navarro, Executive Assistant; Charlotte Flansburg, Assistant CFO.

Also Present: Andrew Watson, Enforcement Counsel

Absent: Anthony Davis, Member

CALL TO ORDER

At this time, Chairman Marciante called the meeting to order.

EXECUTIVE DIRECTOR'S STATEMENT

“WRITTEN ADVANCE NOTICE OF THE TIME, DATE AND PLACE OF THIS MEETING, AS REQUIRED BY CHAPTER 231, P.L. 1975 OPEN PUBLIC MEETINGS ACT, WAS GIVEN THURSDAY, JANUARY 29, 2009 BY MAILING A COPY OF THE AGENDA THEREOF TO THE TRENTON TIMES, THE TRENTONIAN AND ALL OTHER MERCER COUNTY NEWSPAPER AND RADIO STATIONS, TO THE MERCER COUNTY CLERK AND MUNICIPAL CLERKS. THE SAME WAS ALSO POSTED ON THE BULLETIN BOARD OF THE LOBBY OF THE COUNTY ADMINISTRATION BUILDING, THE MERCER COUNTY COURTHOUSE AND THE MERCER COUNTY IMPROVEMENT AUTHORITY.”

APPROVAL OF THE AGENDA

Mr. Rubino made a motion, seconded by Mr. Thurber that the agenda be approved as amended, which was adopted by the unanimous vote of the members present.

Minutes – Reorganization Meeting

February 3, 2009

Page Two

APPROVAL OF THE MINUTES

Mr. Thurber made a motion, seconded by Mr. Verrelli that the minutes of the Regular Meeting held on January 13, 2009 be approved as submitted.

PRESENTATION OF THE BILLS FOR BOARD REVIEW

Mr. Thurber made a motion seconded by Ms. Stearns that the following disbursements be approved as submitted:

Operating - \$2,837,255.71; County Equipment and Improvements Series 2005A - \$297,218.06; Sovereign Bank Arena – Trigen Equipment and Lease - \$49,500.00; which was adopted by the unanimous vote of the members present.

EXECUTIVE DIRECTOR’S REPORT

Mr. Miller gave updates on the Courthouse. The demolition is progressing and bids were issued on January 31, 2009 with pre-bid meeting scheduled for February 11, 2009. Project labor agreement has been completed also.

MANEX

The Request for Expression of Interest (RFEI) has been completed and mailed.

BUILDING FOUR REDEVELOPMENT PROJECT

Mr. Miller reported that there are three (3) properties left on the site and are presently in private hands. Appraisals have been completed on all three and have identified who the owners are.

RECYCLING

Mr. Miller informed the Board that we did have a full-page ad on what and what not to recycle and will do this ad again. Dan Napoleon, Chief of Recycling, will be in Pennington giving a presentation with the Environmental Commission on recycling on February 18th.

At this time, Mr. Miller gave a brief description of the resolutions that are placed on today’s agenda.

Minutes – Reorganization Meeting
February 3, 2009
Page Three

At this time, Mr. Miller spoke of the accident outside of the Sovereign Bank Arena prior to the Disney Show, killing a little girl and injuring seven.

RESOLUTION PROPOSALS

Resolution Authorizing a Contract with Mercadien Technologies for Extraordinary Unspecifiable Services

Mr. Rubino introduced the following resolution, seconded by Mr. Thurber.

RESOLUTION NO. 2009-08

RESOLUTION AUTHORIZING A CONTRACT WITH MERCADIEN TECHNOLOGIES FOR EXTRAORDINARY UNSPECIFIABLE SERVICES

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony Davis

Resolution of the Mercer County Improvement Authority Appointing General Counsel to the Authority

Mr. Thurber introduced the following resolution, seconded by Mr. Rubino.

RESOLUTION NO. 2009-09

RESOLUTION OF THE MERCER COUNTY IMPROVEMENT AUTHORITY APPOINTING GENERAL COUNSEL TO THE AUTHORITY

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony Davis

Resolution of the Mercer County Improvement Authority Appointing Government Relations Counsel to the Authority

Mr. Thurber introduced the following resolution, seconded by Mr. Rubino.

Minutes – Reorganization Meeting
February 3, 2009
Page Four

RESOLUTION NO. 2009-10

**RESOLUTION OF THE MERCER COUNTY IMPROVEMENT AUTHORITY
APPOINTING GOVERNMENT RELATIONS COUNSEL TO THE AUTHORITY**

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony M. Davis

Resolution of the Mercer County Improvement Authority Appointing Enforcement Counsel to the Authority

Mr. Thurber introduced the following resolution, seconded by Mr. Rubino.

RESOLUTION NO. 2009-11

**RESOLUTION OF THE MERCER COUNTY IMPROVEMENT AUTHORITY
APPOINTING ENFORCEMENT COUNSEL TO THE AUTHORITY**

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony M. Davis

Resolution of the Mercer County Improvement Authority Appointing Financial Advisor to the Authority

Mr. Thurber introduced the following resolution, seconded by Mr. Rubino.

RESOLUTION NO. 2009-12

**RESOLUTION OF THE MERCER COUNTY IMPROVEMENT AUTHORITY
APPOINTING FINANCIAL ADVISOR TO THE AUTHORITY**

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony M. Davis

Minutes – Reorganization Meeting

February 3, 2009

Page Five

Resolution of the Mercer County Improvement Authority Awarding Contract for Arbitrage Compliance Services

Mr. Thurber introduced the following resolution, seconded by Mr. Verrelli.

RESOLUTION NO. 2009-13

**RESOLUTION OF THE MERCER COUNTY IMPROVEMENT AUTHORITY
AWARDING CONTRACT FOR ARBITRAGE COMPLIANCE SERVICES**

Adopted: Ayes: 6 Nays: 0 Absent: 1

Ayes: Anthony Verrelli, Christiana Foglio-Palmer, Charles L. Marciante, Morris S. Rubino, John P. Thurber, Christine Stearns

Absent: Anthony M. Davis

OLD BUSINESS

Old Business was discussed during the Executive Director's Report.

NEW BUSINESS

Chairman Marciante asked if we were doing anything with global energy? Mr. Miller stated that he is reviewing and is involved on the county front looking within the school districts for renewable energies. Looking through the various sections of the stimulus bill to see what areas are applicable and to see if there is any money for the courthouse as well as any other areas.

REORGANIZATION – ELECTION OF OFFICERS

At this time, Phillip S. Miller, Executive Director, will serve as Chairman.

CHAIRMAN

Mr. Miller announced that nominations were in order for the naming of a Chairman to the Mercer County Improvement Authority. Mrs. Palmer made a motion, seconded by Mr. Thurber that Charles L. Marciante be nominated as Chairman. There being no further nominations, Mr. Miller called for the vote.

Minutes – Reorganization Meeting

February 3, 2009

Page Six

VICE-CHAIRMAN

Mr. Miller announced that nominations were in order for the naming of a Vice-Chairman to the Mercer County Improvement Authority. Chairman Marciante made a motion, seconded by Mr. Verrelli that John P. Thurber be nominated as Vice Chairman. There being no further nominations, Mr. Miller called for the vote.

TREASURER

Mr. Miller announced that nominations were in order for the naming of a Treasurer to the Mercer County Improvement Authority. Mrs. Palmer made a motion, seconded by Mr. Thurber that Morris S. Rubino be nominated as Treasurer. There being no further nominations, Mr. Miller called for the vote.

ASSISTANT TREASURER

Mr. Miller announced that nominations were in order for the naming of Assistant Treasurer to the Mercer County Improvement Authority. Mrs. Palmer made a motion, seconded by Mr. Thurber that Christine Stearns be nominated as Assistant Treasurer. There being no further nominations, Mr. Miller called for the vote.

At this time, Mr. Miller turned the meeting over to the Chairman and congratulated the Board Members on their appointments.

EXECUTIVE SESSION

There was no need to convene into Executive Session.

At this time, Ms. Tamasik discussed Trenton Studios. Ms. Tamasik informed the Board that the case is over and tomorrow the court is entertaining a motion to dismiss the matter. Mr. Miller stated that the Authority took title but under the Redevelopment Agreement with the City of Trenton, it is City and County. Mrs. Palmer stated that there is a default in the Redevelopment Agreement and mortgage. Ms. Tamasik stated that the title came back to the Authority on the basis of the default of the Redevelopment Agreement. There is a reverted clause in the Agreement and the deeds were written in such a way to reflect the same reversion to the MICA in default. The MICA does hold the title and has held the title since the litigation has been pending. There is an Agreement between the City and the MICA for redevelopment. Mr. Miller informed the Board that he would like to review the Agreement to make sure that it is clear. Mrs. Palmer stated that the Agreement was not very clear.

Minutes – Reorganization Meeting

February 3, 2009

Page Seven

She suggested that we get what we need from the City before the next round of RFP's. Mr. Miller stated that operationally we have been proceeding with cleaning of the old but he will review the document. Mrs. Palmer questioned if there still was clean up at the site being completed. Mr. Collins stated that there is asbestos and ground contamination. Mrs. Palmer stated that we should consider cleaning the site in the interim for the next round of RFP's.

Time and Place of Next Meeting

The next regular meeting of the Mercer County Improvement Authority will be held on Tuesday, March 10, 2009 at Noon at the Mountain View Clubhouse, 890 Bear Tavern Road, Ewing, New Jersey.

Respectfully submitted,

Joanne Constance
Clerk to the Board

