

FINAL AGENDA
COUNCIL MEETING AGENDA

OCTOBER 7, 2009

5:00PM

ATLANTIC CITY COUNCILMEMBERS

WILLIAM MARSH, PRESIDENT

DENNIS MASON, VICE PRESIDENT

TIMOTHY MANCUSO

JOHN J. SCHULTZ

STEVEN MOORE

MARTY SMALL

EUGENE ROBINSON

GEORGE TIBBITT

G. BRUCE WARD

- 1) PLEDGE OF ALLEGIANCE - INVOCATION
- 2) ROLL CALL
- 3) OPEN PUBLIC MEETING ACT
- 4) APPROVAL OF MINUTES
- 5) REPORTS AND RECOMMENDATIONS FROM THE MAYOR

ORDINANCE NOS. 50, 51, 52, 53, 54 AND 55 WERE SIGNED BY THE MAYOR ON SEPTEMBER 17, 2009

ORDINANCE NO. 49 OF 2009 WAS RETURNED UNSIGNED BY THE MAYOR; THEREFORE;
CITY CLERK CERTIFICATE BECOMES EFFECTIVE.

EXECUTIVE ORDER # 2 OF 2009 (OVERTIME COMPENSATION TO BE APPROVED BY THE MAYOR OR
CITY BUSINESS ADMINISTRATOR)

- 6) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS

CIVIL ACTION.....WALDY DELOSANTOS VS. JOHN DEVLIN, ET.ALS;
VS. CITY OF ATLANTIC CITY.

NOTICE OF CLAIMGUY WEEKES; COLLEEN BRIDGET PATTERSON; KEVIN MUNN;
RONALD J. LAWS; JANIS DIFABIO; DAMON SAULSBERRY; ALFRED HEHRE
VS. ROBERT DEMARCO, JR. DAVID CORR; SEAN L. BROOKS VS. A.C.P.D.;
VS. CITY OF ATLANTIC CITY.

REGULAR RESOLUTION(S) MOVED TO THE FRONT OF THE AGENDA

- P 735 - CITY COUNCIL hereby PRAISES and RECOGNIZES MICHAEL DAVIS for DEDICATING HIS TIME to the YOUTH of ATLANTIC CITY this SUMMER by VOLUNTEERING for the VENICE PARK COMMUNITY BASKETBALL LEAGUE.
- P 736 - CITY COUNCIL hereby PRAISES and RECOGNIZES MICHAEL HARGIS for DEDICATING HIS TIME to the YOUTH of ATLANTIC CITY this SUMMER by VOLUNTEERING for the VENICE PARK COMMUNITY BASKETBALL LEAGUE.
- P 740 - CITY COUNCIL hereby PRAISES and RECOGNIZES MAURICE HARGIS for DEDICATING HIS TIME to the YOUTH of ATLANTIC CITY this SUMMER by VOLUNTEERING for the VENICE PARK COMMUNITY BASKETBALL LEAGUE.
- P 741 - CITY COUNCIL hereby PRAISES and RECOGNIZES WILLIAM PORTER for DEDICATING HIS TIME to the YOUTH of ATLANTIC CITY this SUMMER by VOLUNTEERING for the VENICE PARK COMMUNITY BASKETBALL LEAGUE.
- P 748 - CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of FORMER COUNCIL MEMBER JOHN P. WHITTINGTON.

NEW BUSINESS RESOLUTION(S) MOVED TO THE FRONT OF THE AGENDA

- P 729 - CITY COUNCIL hereby WISHES to CONGRATULATE ROSEMARY ADAMS, CITY CLERK as TRI-COUNTY MUNICIPAL CLERK of 2009.

8) PUBLIC COMMENT on AGENDA ITEMS and GOOD and WELFARE

EXECUTIVE SESSION

- 0 -

**9) ORDINANCES
FIRST READING**

MASON
PASSED

16-A

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE RIVERSIDE REDEVELOPMENT AREA.

NEW BUSINESS ORDINANCE(S)

MOORE PASSED	16-B	AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION TO THE BLOCK OF MARMORA AVENUE BETWEEN DR. MARTIN LUTHER KING BLVD. AND KENTUCKY AVENUE AFTER DR. WILLIE B. CLAYTON, JR.
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SECOND READING ORDINANCES

SCHULTZ PASSED	56	AN ORDINANCE TO AMEND CERTAIN ATLANTLIC CODE SECTIONS TO INCREASE FINES IN ACCORDANCE WITH STATE LAW.
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TIBBITT & SCHULTZ PASSED	57	AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION TO THE BLOCK OF GEORGIA AND PACIFIC AVENUES TO THE BOARDWALK AT BOARDWALK HALL AFTER ARTURO “THUNDER” GATTI.
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10) REGULAR RESOLUTIONS CONTINUED

- H 730 - THE RECOMMENDED SETTLEMENT with BOARDWALK REGENCY for TAX COURT APPEALS is hereby AUTHORIZED and APPROVED - \$836,010.46.
- P 731 - AGREEMENT with POLICE ATHLETIC LEAGUE (PAL) of ATLANTLIC CITY for OPERATING EXPENSES for PAL LITTLE LEAGUE for the YEAR 2009 for ATLANTIC CITY YOUTH - \$5,000.00.
- H 733 - CHANGE ORDER #1 with JOHN M. ECCLES, JR., LLC for ADDITIONAL LEGAL SERVICES (FORECLOSURE ATTORNEY) - \$25,000.00.
- P 744 - CITY COUNCIL APPROVES the CORRECTIVE ACTION PLAN for the 2008 AUDIT REPORT.
- P 745 - VENDOR’S LIST beginning with #1 COMSOFT CORPORATION dba AQUIS COMMUNICATIONS - \$1,827.64 and ending with #22 OCTOBER PAYMENTS to STATE HEALTH BENEFITS DUE.
- P 749 - CHANGE ORDER #1 with DR. GARY M. GLASS to EXTEND the AGREEMENT for FIVE (5) MONTHS from MAY to SEPTEMBER 2009 for PSYCHIATRIC EVALUATIONS and FITNESS for DUTY evaluations - \$3,000.00.

- P 750 - AUTHORIZATION to ATTEST an AGREEMENT with DR. GARY M. GLASS for PSYCHIATRIC EVALUATIONS FOR CITY PERSONNEL for a TERM not to EXCEED ONE (1) YEAR COMMENCING OCTOBER 1, 2009 to SEPTEMBER 30, 2010 - \$15,300.00.
- P 756 - AUTHORIZATION to ISSUE a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$343,437.37.
- H 759 - THE CITY of ATLANTIC CITY WILL NOT CONTRACT with any ATTORNEY or ATTORNEYS LAW FIRM for LEGAL SERVICES where the ATTORNEY or such LAW FIRM CURRENTLY or on PRIOR OCCASION represented PERSONS or ENTITIES in any ACTION S or MATTERS that ARE or WERE ADVERSE to the CITY.
- P/A 760 - AUTHORIZATION to ADVERTISE for PUBLIC AUCTION for VARIOUS LAND SALES on WEDNESDAY, OCTOBER 28, 2009, CITY HALL, COUNCIL CHAMBERS, ROOM 206 at 10:00AM.
- H 771 - CHANGE ORDER #1 for OPEN END AGREEMENT with POWELL, BIRCHMEIER & POWELL.
- H 772 - CHANGE ORDER #1 for OPEN END AGREEMENT with ERIC M. BERNSTEIN & ASSOCIATES, LLC.
- H 773 - CHANGE ORDER #1 for OPEN END AGREEMENT with BARKER, SCOTT & GELFAND.

CONSENT

- P 690 - LICENSE AGREEMENT with ATLANTIC CITY-SCAPE ASSOCIATES, LLC, to CONDUCT and MAINTAIN a MINIATURE GOLF COURSE on KENNEDY PLAZA for a period commencing APRIL 10, 2009 through DECEMBER 31, 2009 - \$50,000.00.
- P 692 - AUTHORIZATION to ATTEST to an AGREEMENT with DEKBON COMMUNITY DEVELOPMENT CORP. to ALLOCATE HOME INVESTMENT PARTNERSHIP funds from the DEPARTMENT of HOUSING and URBAN DEVELOPMENT for 1409 DREXEL AVENUE and 351 N. OCEAN AVENUE .
- P 746 - A RESOLUTION to AUTHORIZE the EXECUTION of a CORRECTIVE QUIT CLAIM DEED to REPLACE a LOST, UNRECORDED DEED to the TRUSTEES of COMMUNITY BAPTIST CHURCH for the CONSIDERATION of \$1.00.
- P 747 - REFUND DUE to OVERPAYMENT of TAXES.
- P 751 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$3,497.50 (OVERTIME REIMBURSEMENT)
- P 752 - AUTHORIZATION to ADVERTISE for BIDS for UNIFORMS for the OFFICE of EMERGENCY MANAGEMENT, to be RECEIVED TUESDAY, NOVEMBER 17, 2009, CITY HALL, COUNCIL CHAMBERS, ROOM 206 at 11:00am.

- P 753 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$23,593.00
(FORMER MOTOR VEHICLE INSPECTION STATION BLOCK 542, LOTS 2 & 9)
- P 754 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$191,563.00.
(JUSTICE ASSISTANCE GRANT FY09)
- P 755 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$2,945.00.
(PUBLIC HEALTH PRIORITY FUNDING)
- P 757 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$694,400.00.
(WOMEN, INFANTS & CHILDREN)
- P 761 - INSERTION OF AN ITEM OF REVENUE IN THE 2009 BUDGET - \$108,198.00.
(H1N1 VACCINATIONS 10-1-09 to 7-30-10)
- P 762 - AGREEMENT with A.E. STONE, INC. for RECONSTRUCTION of TENNESSEE AVENUE,
CASPIAN AVENUE to ADRIATIC AVENUE - \$84,620.00.
- P 763 - AUTHORIZATION to ATTEST to an AGREEMENT with the ATLANTIC CITY
HISTORICAL MUSEUM for OPERATING EXPENSES - \$2,500.00
- P 764 - AUTHORIZATION and PERMIT for TRUMP TAJ MAHAL ASSOCIATES d/b/a
TRUMP TAJ MAHAL CASINO RESORT to ENGAGE a COMPETENT OPERATOR for the
FIREWORKS DISPLAYS inside TRUMP TAJ MAHAL'S MARK G. ETESS ARENA with the
DAUGHTRY CONCERT on FRIDAY, NOVEMBER 6, 2009.
- P 765 - AUTHORIZATION to ADVERTISE for REMOVAL of BOARDWALK DECKING & JOISTS
and CONSTRUCTION of PILE SUPPORTS MISSISSIPPI AVENUE to GEORGIA AVENUE
to be held TUESDAY, OCTOBER 27, 2009, CITY HALL, COUNCIL CHAMBERS, ROOM
206 AT 11:00am.
- P 766 - CITY COUNCIL RELEASES the PERFORMANCE BOND to MGM-MIRAGE t/a MAC
CORP. for the PLACEMENT of the CORNER MARKERS at BLOCK 574, LOT 1.09.
- P 767 - AUTHORIZATION to ISSUE a WIRE TRANSFER to the MEDICAL and LEGAL
PROVIDERS - \$136,442.82. and to the PERMANENT PARTIAL DISABILITY - \$150,426.43.
for WORKERS COMPENSATION CLAIMS.
- P 768 - JITNEY LICENSE PERMIT #145 is hereby APPROVED.
- P 769 - AUTHORIZATION to ADVERTISE for BIDS for FIREFIGHTER UNIFORMS & RELATED
EQUIPMENT for PUBLIC SAFETY DEPARTMENT, to be RECEIVED TUESDAY,
OCTOBER 27, 2009, CITY HALL, COUNCIL CHAMBERS, ROOM 206 at 11:00am.
- P 770 - JITNEY LICENSE PERMIT #14 is hereby APPROVED.
- P 774 - AUTHORIZATION to ATTEST to the GRANT APPLICATION and SUBSEQUENT
AGREEMENT between the CITY and the NEW JERSEY DEPARTMENT of HEALTH and
SENIOR SERVICES for INFLUENZA A-H1N1 SUPPORT and RELATED ACTIVITIES thru
the 2010 STATE HEALTH SERVICES GRANT - \$108,198.00.

- P 775 - AUTHORIZATION to ISSUE a WARRANT for PAYMENT to SOUTH ORANGE HOLDINGS, LLC to REDEEM TAX SALE CERTIFICATE #040429 on 600 N. PENNSYLVANIA - \$7,773.45.
- P 776 - AUTHORIZATION to ATTEST to the GRANT APPLICATION and SUBSEQUENT AGREEMENT between the CITY and the NEW JERSEY DEPARTMENT of LAW and PUBLIC SAFETY, DIVISION of STATE POLICE for PROJECT TITLE FY2009 EMAA - \$108,198.00
- P 777 - AUTHORIZATION to ATTEST a GRANT AGREEMENT with the COUNTY OF ATLANTIC for ADDITIONAL GRANT FUNDS for our MEALS ON WHEELS PROGRAM for a term of FIVE MONTHS from AUGUST 1, 2009 to DECEMBER 31, 2009 - \$16,623.75.
- P 778 - AUTHORIZATION for SUBMISSION of an APPLICATION and SUBSEQUENT AGREEMENT to EFFECTUATE the RECEIPT of the GRANT MONIES for the ATLANTIC CITY MUNICIPAL ALLIANCE GRANT for CALENDAR YEAR 2010 - \$28,695.00.
- P 779 - AUTHORIZATION to ATTEST to the GRANT APPLICATION and SUBSEQUENT AGREEMENT to EFFECTUATE the RECEIPT of the GRANT MONIES between the CITY and the NATURAL RESOURCES CONSERVATION PROGRAM SOIL for the SOIL EROSION and SEDIMENT CONTROL PLAN for NORTH RIVERSIDE DRIVE.
- P 780 - AUTHORIZATION to FORECLOSE IN REM certain TAX SALE CERTIFICATES.
- P 781 - AUTHORIZATION to ATTEST to the GRANT APPLICATION and SUBSEQUENT AGREEMENT to EFFECTUATE the RECEIPT of the GRANT MONIES between the CITY and the NEW JERSEY DEPARTMENT of ENVIRONMENTAL PROTECTION, BUREAU of NONPOINT POLLUTION CONTROL for the PHASE ONE-SITE INVESTIGATION PROJECT to the NORTH RIVERSIDE DRIVE PROJECT.

NEW BUSINESS
RESOLUTION(S)

- H 782 - CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of EDWARD BANNISTER.
- P 783 - CITY COUNCIL hereby RECOGNIZES and COMMENDS PAUL SANDLER for his OUTSTANDING CONTRIBUTIONS as HOST of GILDA'S CLUB SOUTH JERSEY'S ANNUAL MOVERS, SHAKERS, DIFFERENCE MARKERS.

11) OTHER PENDING BUSINESS

- 12) ROSEMARY ADAMS, CITY CLERK**
RHONDA WILLIAMS, DEPUTY CITY CLERK