

FINAL AGENDA

COUNCIL MEETING AGENDA

MAY 12, 2010

5:00PM

ATLANTIC CITY COUNCILMEMBERS

WILLIAM MARSH, PRESIDENT

STEVEN MOORE, VICE PRESIDENT

MOISSE DELGADO

DENNIS MASON

FRANK GILLIAM, JR.

AARON RANDOLPH

TIMOTHY MANCUSO

MARTY SMALL

GEORGE TIBBITT

- 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 No. 26 of 2010 was signed by the MAYOR on April 29, 2010

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

CIVIL ACTION: CRDA vs. SALVATORE VINCE VS. CITY OF ATLANTIC CITY, ET AL.

NOTICE OF CLAIM: JAMES CHEESEMAN; REBER V. BERNAT; WENDY S. HUFF; NAYARA ARAUJO DEMELO; ALENE BETHEL; JACQUELIN RICCI; MICHAEL BEST; AKM D. ALAM; CARLY HERTLINE; GUY WEEKES; NANCY DEFELICE VS. CITY OF ATLANTIC CITY, ET AL.

8 & 9) PUBLIC COMMENT on AGENDA ITEMS and GOOD and WELFARE

PUBLIC HEARING ON THE 2010 MUNICIPAL BUDGET

EXECUTIVE SESSION

- P/A** 329 – (a) Fundenberg-Carr, Lisa vs. City of Atlantic City
- (b) Ordinance #29
- (c) City Council Aides

**10) ORDINANCES
FIRST READING**

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| MASON
FAILED | 8-F | AN ORDINANCE to AMEND CHAPTER 57A of the CODE of the CITY of ATLANTIC CITY. |
| MOORE & MASON
PASSED | 9-A | AN ORDINANCE to AMEND CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (City Council Division) |
| MOORE
PASSED | 9-B | AN ORDINANCE to AMEND CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (City Clerk Division) |
| GILLIAM
PASSED | 9-C | AN ORDINANCE to VACATE the PAPER ALLEYWAY in BLOCK 129. |
| GILLIAM
PASSED | 9-D | AN ORDINANCE to VACATE PORTIONS of RIDER AVENUE, LINCOLN TERRACE and an UNNAMED ALLEY at the INTERSECTION of BALTIC AVENUE. |
| MARSH
PASSED | 9-E | AN ORDINANCE to REPEAL ATLANTIC CITY ORDINANCE 59 of 2008. |

NEW BUSINESS ORDINANCES
FIRST READING

MARSH 9-F AN ORDINANCE to REPEAL ATLANTIC CITY
 PASSED CITY ORDINANCE 70 of 2009.

SECOND READING ORDINANCE (S)

MANCUSO & MOORE 27 AN ORDINANCE REVISING the BEGGING
 PASSED ORDINANCE.

MOORE 28 REFUNDING BOND ORDINANCE of the CITY of
 ADJOURNED ATLANTIC CITY, in the COUNTY of ATLANTIC,
 (6-23-2010) NEW JERSEY, PROVIDING for the REFUNDING of
 ALL or a PORTION of the OUTSTANDING
 REFUNDING BONDS of the CITY, dated
 DECEMBER 15, 2000 ISSUED in the ORIGINAL
 PRINCIPAL AMOUNT of \$28,245,000, appropriating
 \$11,000,000 therefor and AUTHORIZING the
 ISSUANCE of \$11,000,000 REFUNDING BONDS of
 the CITY for FINANCING the COST thereof.

MARSH & TIBBITT 29 AN ORDINANCE REVISING ORDINANCE NO. 61 of
 ADJOURNED 2004 ENTITLED, “AN ORDINANCE ADOPTING the
 (Special Meeting 5-19-2010) CITY of ATLANTIC CITY RETIREMENT BENEFITS
 PROGRAM JUNE 1, 2004”.

SMALL, DELGADO & MOORE 30 AN ORDINANCE to EXTINGUISH the REVERTER in
 PASSED the DEEDS for the PROPERTY at 810 ADRIATIC
 AVENUE and 351 N. OCEAN AVENUE.

GILLIAM & RANDOLPH 31 AN ORDINANCE ADOPTING a REDEVELOPMENT
 PASSED PLAN for the RIVERSIDE REDEVELOPMENT
 AREA.

MARSH & TIBBITT 32 AN ORDINANCE amending CHAPTER 57 of the
 PASSED CODE of the CITY of ATLANTIC CITY which
 REGULATES JOB TITLES within CITY
 GOVERNMENT. (Police Civilian Division)

REGULAR RESOLUTIONS

- H 264 – CHANGE ORDER NO. 2 with ZARWIN, BAUM, DEVITO, KAPLAN, SCHAEER and TODDY for CONTINUED LEGAL SERVICES in AREAS of GENERAL MUNICIPAL and LABOR MATTERS - \$111,244.36.
- H 268 – CHANGE ORDER NO. 3 with MICHAEL A. ARMSTRONG and ASSOCIATES for LEGAL SERVICES in AREAS of GENERAL MUNICIPAL and LABOR MATTERS - \$11,414.83.
- H 269 – CHANGE ORDER NO. 1 with RILEY & RILEY, for ADDITIONAL 2010 LEGAL SERVICES for BOTH LIABILITY and GENERAL MUNICIPAL MATTERS. - \$150,000.00.
- H 275 – CHANGE ORDER NO. 1 with MARGOLIS EDELSTEIN, ESQ. for ADDITIONAL LEGAL SERVICES in WORKERS COMPENSATION MATTERS for one (1) YEAR from JUNE 1, 2009 through MAY 31, 2010 - \$12,500.00.
- H 278 – CHANGE ORDER NO. 3 with STRADLEY, RONON, STEVENS & YOUNG, LLP for ADDITIONAL LEGAL SERVICES from FEBRUARY 1, 2009 to JANUARY 31, 2010 to COMPLETE LIABILITY MATTERS - \$41,713.57.
- P 323 – VENDOR’S LIST to ISSUE WARRANTS BEGINNING with #1. AIR and GAS TECHNOLOGIES, INC. - \$1,728.25 and ENDING with #29. LEXIS NEXIS \$1,435.00.
- P 332 – AUTHORIZATION to ISSUE a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$124,489.94.
- P 335 – AUTHORIZATION to ISSUE a WARRANT to the ESTATE of OFFICER KEVIN WILKINS for ACCUMULATED BENEFIT HOURS - \$1,875.18.
- P 336 – AUTHORIZATION to ISSUE a WARRANT to OFFICER MARTA STOTT who RETIRED on MARCH 1, 2010 - \$1,358.38.
- P 337 – AUTHORIZATION to ISSUE a WARRANT to FIRE CAPTAIN ROBERT McGUIGAN, who RETIRED on MAY 1, 2010 - \$100,526.46.
- P 340 – EMERGENCY TEMPORARY APPROPRIATIONS for 2010 TEMPORARY BUDGET.
- P 357 – AUTHORIZATION for CONTRACT with PHOENIX ADVISOR, INC. for CERTAIN FINANCIAL ADVISORY SERVICES.

CONSENT

- P 324 – AUTHORIZATION for SUBLEASE AGREEMENT with DIANNE KELLY for CRAFTER’S COTTAGE #2 between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER’S BASIN.

- P 325 – AUTHORIZATION for SUBLEASE AGREEMENT with STEVE & CAROL CUJET for CRAFTER’S COTTAGE #6 between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER’S BASIN.
- P 326 – AUTHORIZATION for SUBLEASE AGREEMENT with MARY LOU FAULK & CHERYL ALLEN for CRAFTER’S COTTAGE #10 between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER’S BASIN.
- P 327 – AUTHORIZATION for SUBLEASE AGREEMENT with NANCY BROWNSTONE for a Portion of BUILDING #3 between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER’S BASIN.
- P 328 – TAX REFUNDS DUE to OVERPAYMENT.
- P 330 – AUTHORIZATION to ISSUE a WARRANT to CHARLOTTE BARRIE for OUT of TITLE BACK PAY from MARCH to DECEMBER, 2009 - \$2,194.44.
- P 331 – AMUSEMENT GAMES.
- P 333 – AUTHORIZATION to ISSUE a WARRANT to THE NATIONAL RHYTHM & BLUES MUSIC SOCIETY, INC. and NU MILLENNIUM ENTERTAINMENT for “THE DAY of EVENT” on SATURDAY, JUNE 5, 2010 at GARDNER’S BASIN - \$13,200.00.
- P 334 – AUTHORIZATION to ATTEST to a GRANT APPLICATION, and SUBSEQUENT AGREEMENT, between the CITY of ATLANTIC CITY and the NEW JERSEY DEPARTMENT of HEALTH and SENIOR SERVICES for FFY 2011 - \$684,400.00.
- P/A 338 – CITY COUNCIL hereby TRANSFERS CAROLE SMITH, CLERK TYPIST, from the OFFICE of CITY CLERK to CLERK TYPIST position in the ADMINISTRATIVE BRANCH of PUBLIC SAFETY effective MAY 10, 2010.
- P/A 339 – CITY COUNCIL hereby TRANSFERS NORMA CUSENZA, CLERK TYPIST, from the OFFICE of CITY CLERK to HEALTH AIDE position in the ADMINISTRATIVE BRANCH of HEALTH & HUMAN SERVICES, effective MAY 4, 2010.
- P 341 – AUTHORIZATION for SUBLEASE AGREEMENT with SUSAN LEOPARDI for CRAFTER’S COTTAGE #3 between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER’S BASIN.
- P 342 – PUBLIC AUCTION for PERSONAL PROPERTY, specifically MOTOR VEHICLES and ELECTRICAL EQUIPMENT, to be HELD on THURSDAY, MAY 27, 2010 at 11:00 A.M. at PUBLIC WORKS TOW LOT.
- P 344 – AUTHORIZATION to ATTEST a GRANT AGREEMENT with the COUNTY of ATLANTIC for the MEALS ON WHEELS PROGRAM from AUGUST 1 to DECEMBER 31, 2010 - \$3,997.50.
- P 345 – CITY COUNCIL desires to EXAMINE the REZONING of PORTIONS of “DUCK ISLAND” (BLOCKS 799 to 825) to become an ALTERNATE ENERGY ZONE.

- P 346 – AUTHORIZATION to ISSUE a WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS for WORKERS COMPENSATION CLAIMS - \$81,809.92 and for PERMANENT PARTIAL DISABILITY CLAIMS - \$80,898.36.
- P 347 – AUTHORIZATION to ISSUE a WARRANT to INSURANCE AGENCIES, INC. for the CRIME POLICY PREMIUM COVERAGE for EMPLOYEES effective 5/2/10 and EXPIRES 5/2/11 - \$21,256.00.
- P 348 – AUTHORIZATION to ATTEST to an AGREEMENT with LUZON, INC. for ENVIRONMENTAL REMEDIATION at SCATTERED REMEDIATION SERVICES, NOT to EXCEED - \$200,000.00.
- P 349 – AUTHORIZATION to ADVERTISE for a REQUEST for PROPOSALS for DENTAL and PRESCRIPTION COVERAGE for CITY EMPLOYEES, to be RECEIVED at a DATE to be DETERMINED.
- P 350 – RESOLUTION NO. 81 of 2010 is AMENDED to ADD ADDITIONAL VENDORS to STATE CONTRACT.
- P 351 – AUTHORIZATION to ADVERTISE for a REQUEST for PROPOSALS for SURFING SCHOOL CAMP to be RECEIVED by the CITY SOLICITOR at a DATE to be DETERMINED.
- P 352 – AUTHORIZATION to ADVERTISE for a REQUEST for PROPOSALS for SOLAR ENERGY INSTALLATION on the ROOFTOP of CITY’S PUBLIC WORKS BUILDING, ALBANY AVENUE, at a DATE to be DETERMINED.
- P 353 – CITY COUNCIL hereby APPROVES and AUTHORIZES the LANE REVISIONS on ATLANTIC AVENUE between OHIO and ARKANSAS AVENUES.
- P 355 – AUTHORIZATION for a CONTRACT with SILK ASSOCIATES REAL ESTATE for PROFESSIONAL REAL ESTATE BROKER and BUSINESS DEVELOPMENT SERVICES.
- P 356 – AUTHORIZATION for the TAX COLLECTOR to PREPARE and ISSUE ESTIMATED TAX BILLS for the CITY for the THIRD INSTALLMENT of 2010 TAXES.

PULL FROM CONSENT

- H 343 – AUTHORIZATION for COMPTROLLER to MAKE PAYMENTS to JOHN C. MATTHEWS, ESQUIRE for PROFESSIONAL SERVICES as PROVIDED for in the TERMS of AGREEMENT with the ZONING BOARD of ADJUSTMENT.
- P 358 – CITY COUNCIL HEREBY APPROVES the LAND EXCHANGE AGREEMENT in CONNECTION with the RIVERSIDE REDEVELOPMENT AREA.

- P 359 – RESOLUTION ESTABLISHING the NUMBER of HOURS a LOCAL EMPLOYEE MUST WORK to be ELIGIBLE for COVERAGE UNDER the STATE HEALTH BENEFITS PROGRAM (SHBP) and SCHOOL EMPLOYEES’ HEALTH BENEFITS PROGRAM (SEHBP).
- H 360 – CITY COUNCIL hereby TRANSFERS FRANK DUFFY, CLERK TYPIST, from the OFFICE of CITY CLERK to CLERK TYPIST position in the ADMINISTRATIVE BRANCH of PUBLIC SAFETY effective MAY 17, 2010.

NEW BUSINESS
RESOLUTION(S)

- P 361- AUTHORIZATION to APPLY for and OBTAIN a GRANT from THE UNITED STATES DEPARTMENT of JUSTICE FY2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM - \$116,003.00.
- P 363- AUTHORIZATION to ATTEST to a LEASE AGREEMENT with PERRY ARSENIS, DBA PER MARC LLC, for DOING BUSINESS AT 1339 PACIFIC AVENUE, for 15 DAYS, commencing on MAY 16, 2010 and terminating on MAY 31, 2010 -\$1,645.00.

- 12) **OTHER PENDING BUSINESS**
- 13) **ROSEMARY ADAMS, CITY CLERK**
RHONDA WILLIAMS, DEPUTY CITY CLERK