

# FINAL AGENDA

## COUNCIL MEETING AGENDA

AUGUST 4, 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, SR.

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. 49 of 2010 was signed by the MAYOR on JULY 22, 2010.
- 6) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS

CIVIL ACTION..... AC PROFESSIONAL FIREFIGHTERS LOCAL 198; ILAN/ELIYHAUE PEREZ vs. SIMONE PEREZ; RONALD NURSE; BJS REALTY, LLC vs. CITY of ATLANTIC CITY.

NOTICE OF CLAIM ..... HARRY R. FRUSCIO; GUY WEEKES; TAWANYA FISHER; B. N., a MINOR; JUN PENG; BINAK JONUZI vs. CITY of Atlantic City.

**PUBLIC HEARING on AMENDMENTS to the 2010 MUNICIPAL BUDGET.**

**RESOLUTION(S) moved to the FRONT of the AGENDA**

- P 521 - CITY COUNCIL hereby RECOGNIZES ASSISTANT CHIEF TEROY COLLINS for the sixty-five (65) YEARS of DEDICATED SERVICE that he gave to the ATLANTIC CITY COMMUNITY and CONGRATULATES HIM on HIS RETIREMENT

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

**EXECUTIVE SESSION**

- P/A 571 a) DeVALLE vs. CITY of ATLANTIC CITY  
 b) SOLICITOR’S OFFICE – Organization and Staffing  
 c) THE DUNES

**10) ORDINANCES  
FIRST READING**

DELGADO & TIBBITT PASSED	15-A	AN ORDINANCE to AMEND the ATLANTIC CITY CODE CHAPTER 210 REGULATING ROLLING CHAIRS.
GILLIAM & RANDOLPH PASSED	15-B	AN ORDINANCE DESIGNATING an ALTERNATIVE ENERGY OVERLAY DISTRICT.
GILLIAM & RANDOLPH PASSED as AMENDED	15-C	AN ORDINANCE to AMEND the MAXIMUM HEIGHT STANDARDS in the RESORT COMMERCIAL DISTRICTS.

**NEW BUSINESS ORDINANCE(S)**

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**SECOND READING ORDINANCE (S)**

MARSH & GILLIAM PASSED	50	AN ORDINANCE amending CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within CITY GOVERNMENT. (Planning & Development Director)
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MOORE & RANDOLPH PASSED	51	BOND ORDINANCE providing for various CAPITAL IMPROVEMENTS of the CITY of ATLANTIC CITY, in the COUNTY of ATLANTIC, NEW JERSEY, APPROPRIATING the AGGREGATE AMOUNT of \$11,954,542 and AUTHORIZING the ISSUANCE of \$11,354,542 BONDS or NOTES of the CITY to FINANCE a PORTION of the COST.
DELGADO & RANDOLPH PASSED	52	AN ORDINANCE to AMEND the ATLANTIC CITY CODE CHAPTER 210 REGULATING ROLLING CHAIRS to DELETE STATIONARY ROLLING CHAIRS and SET FINES for PENALTIES and VIOLATIONS.
MOORE PASSED	53	AN ORDINANCE to ACCEPT a DEED to PROPERTY in the CITY of ATLANTIC CITY PRESENTLY owned by ATLANTIC CITY AFFORDABLE HOUSING aka MERCY HOUSING, INC.
DELGADO & GILLIAM PASSED	54	AN ORDINANCE AMENDING ATLANTIC CITY CODE CHAPTER 233-41.
MARSH & RANDOLPH PASSED	55	AN ORDINANCE AMENDING CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within CITY GOVERNMENT. (Business Administrator)
DELGADO, RANDOLPH & GILLIAM PASSED	56	AN ORDINANCE to AMEND ATLANTIC CITY CODE CHAPTER 233, REGULATING TAXICABS, JITNEYS and LIMOUSINES.

## 11) REGULAR RESOLUTIONS

- P/A 527 - EMERGENCY TEMPORARY APPROPRIATIONS.
- P 534 - VENDOR'S LIST beginning with #1. ENCLAVE CONDOMINIUM ASSOCIATION - \$23,903.70 and ending with #19. WEST GROUP PAYMENT CENTER - \$340.62.
- P 538 - CHANGE ORDER #3 with SCIBAL ASSOCIATES for THIRD PARTY CLAIM ADMINISTRATION AUTOMOBILE/GENERAL LIABILITY CLAIMS ADMINISTRATION for an ADDITIONAL (1) ONE MONTH, SEPTEMBER 2010 - \$7,491.67.
- P 539 - CHANGE ORDER #4 with MUNICIPAL RISK MANAGERS for an ADDITIONAL (1) ONE MONTH of SEPTEMBER 2010 - \$48,333.33.
- P/A 540 - AUTHORIZATION to ISSUE a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY

- P 554 - RESOLUTION 98 of 2010 for TUOHY & TUOHY is hereby AMENDED to INCLUDE GENERAL LITIGATION.
- P/A 556 - AUTHORIZATION for the MAYOR and his DESIGNEES to NEGOTIATE with REVEL ENTERTAINMENT GROUP whereby REVEL DONATES FUNDS for the DEMOLITION of the REAR PORTION of the PIER and IMPROVEMENTS to the PIER.
- P 568 - THE MAYOR has NOMINATED THE HONORABLE BRUCE F. WEEKES to a NEW TERM as JUDGE of the MUNICIPAL COURT for a TERM of (3) three years from OCTOBER 11, 2009, and until his SUCCESSOR is APPOINTED and CONFIRMED.

**CONSENT RESOLUTIONS**

- P 528 - REFUND DUE to OVERPAYMENT of TAXES.
- P 529 - A MERCANTILE LICENSE is hereby GRANTED to MASSAGE PARADISE for CHUN L. XIAO and TIAN BAO CHEN and to LIMEI MA, of MA LIMEI, to OPERATE as a MASSEUR/MASSEUSE.
- H 530 - AGREEMENT with the ATLANTIC CITY SPECIAL IMPROVEMENT DISTRICT for the CLEANING of the BOARDWALK, PUBLIC RESTROOM FACILITIES, BEACHES and STAFFING an INFORMATION CENTER at BRIGHTON PARK and the BOARDWALK for a term of ONE YEAR from AUGUST 1, 2010 for NO ADDITIONAL SUM to the CITY.
- H 531 - AUTHORIZATION to ISSUE a WARRANT to JAMES ROSSI, who is to RETIRE AUGUST 1, 2010 - \$151,062.25.
- H 532 - AUTHORIZATION to ISSUE a WARRANT to JAMES DAVIS who is to RETIRE AUGUST 1, 2010 - \$43,162.40.
- P 533 - AUTHORIZATION to ISSUE a WARRANT to JOSEPH POLILLO, who RETIRED effective JULY 1, 2010 - \$10,667.54.
- H 535 - RESOLUTION 479 of 2010 is hereby RESCINDED in ENTIRETY and now AUTHORIZES a WARRANT to ROBERT EVANS, who RETIRED JULY 1, 2010 - \$172,079.81.
- H 537 - AUTHORIZATION to ISSUE a WARRANT to FIREFIGHTER CHRISTOPHER CARSON for BACK-PAY for EDUCATIONAL INCREMENT INCREASE - \$5,049.77.
- P 542 - AUTHORIZATION to MAKE APPLICATION for LOAN/GRANT for the THIRD WARD FULLY ACCESSIBLE PARK and OUTDOOR RECREATION PROJECT.
- P 544 - THE RENEWAL of MERCANTILE LICENSES are hereby GRANTED for MASSAGE PARADISE and to DIN HAO II to OPERATE MASSAGE PARLORS.

- P 545 - AUTHORIZATION to ISSUE a WARRANT to LYDIA RIVERA-OLIVER who is to RETIRE effective AUGUST 1, 2010 - \$9,464.74.
- P 546 - AUTHORIZATION to ADVERTISE for RFP for VENDING SERVICES at ATLANTIC CITY FACILITIES at a DATE to be DETERMINED.
- H 547 - AUTHORIZATION to ISSUE a WARRANT to MICHAEL DUNFORD who is to RETIRE effective AUGUST 1, 2010 - \$11,027.57.
- H 548 - AUTHORIZATION to ISSUE a WARRANT to DANIEL COHEN who is to RETIRE effective AUGUST 1, 2010 - \$107,162.76.
- P 549 - AUTHORIZATION to ISSUE a WARRANT to EVELYN BOOZE who is to RETIRE effective AUGUST 1, 2010 - \$14,698.19.
- P 550 - AUTHORIZATION to ADVERTISE for an RFP for a GRANT WRITER at a DATE to be DETERMINED.
- H 551 - AUTHORIZATION to ISSUE a WARRANT to WILLIAM McKNIGHT who is to RETIRE effective AUGUST 1, 2010 - \$261,208.48.
- H 552 - AUTHORIZATION to ISSUE a WARRANT to BARBARA BLACK-TAYLOR who is to RETIRE effective AUGUST 1, 2010 - \$45,799.88.
- H 553 - AUTHORIZATION to ISSUE a WARRANT to OFFICER JOSEPH ALUISE who is to RETIRE effective AUGUST 1, 2010 - \$9,871.01.
- P 555 - THE DEPARTMENT of PLANNING & DEVELOPMENT is AUTHORIZED to SOLICIT BIDS for the IMPROVEMENT to the OUTDOOR RECREATION AREA of the BOYS & GIRLS CLUB, at a DATE to be DETERMINED.
- P 557 - AUTHORIZATION to APPLY to the STATE GREEN ACRES PROGRAM for APPROVAL of a DIVERSION of a PORTION of the BEACH at TENNESSEE AVE to allow running a CABLE under the BEACH in connection with the FISHERMEN'S ENERGY PROPOSED TURBINE FACILITY.
- P 558 - AGREEMENT with CORPORATE EMPLOYEE BENEFITS, LLC for AUTOMOBILE/GENERAL LIABILITY CLAIMS ADMINISTRATION for a term of (1) ONE YEAR from AUGUST 5, 2010.
- P 559 - AGREEMENT with THE LL CLEAN COMPANY d/b/a TOWELS-by-DOCTOR JOE for JANITORIAL SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 560 - AGREEMENT with FCF ASSOCIATES t/a COLMAR HOME CENTER for BUILDING, HARDWARE, LUMBER & MISCELLANEOUS SUPPLIES for the use of PUBLIC WORKS DEPARTMENT – OPEN-END CONTRACT

- P 561 - AUTHORIZATION to ADVERTISE for LAND SALE of VARIOUS PROPERTIES at PUBLIC AUCTION on THURSDAY, SEPTEMBER 2, 2010 at 10:00am in ROOM 206, CITY HALL.
- P 562 - AUTHORIZATION to ISSUE a WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS for WORKER'S COMPENSATION CLAIMS - \$6,448.99 and to PERMANENT PARTIAL DISABILITY - \$100,089.86.
- P 563 - AGREEMENT with PJP of N.J. d/b/a CITY SUPPLY COMPANY for JANITORIAL SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 564 - AGREEMENT with DUBELL LUMBER COMPANY for BUILDING, HARDWARE, LUMBER & MISCELLANEOUS SUPPLIES for the USE of the PUBLIC WORKS DEPARTMENT – OPEN- END CONTRACT.
- P 565 - AGREEMENT with SOUTH JERSEY PAPER PRODUCTS for JANITORIAL SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 566 - AGREEMENT with INTERLINE BRANDS d/b/a AMSAN for JANITORIAL SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 567 - AUTHORIZATION to SIGN the GRANT APPLICATION and EXECUTE the GRANT AGREEMENT with THE NEW JERSEY DEPARTMENT of TRANSPORTATION for the BICYCLE LANE, from JACKSON AVENUE to ROOSEVELT PLACE and the BOARDWALK PROJECT.
- P 569 - AUTHORIZATION to SIGN the GRANT APPLICATION and EXECUTE the GRANT AGREEMENT with THE NEW JERSEY DEPARTMENT of TRANSPORTATION for the VENTNOR AVENUE RESURFACING, from JACKSON AVENUE to BARTRAM AVENUE PROJECT.
- P 570 - AGREEMENT with CONTRACTOR SERVICE t/a WDDS ENTERPRISES, INC. for BUILDING, HARDWARE, LUMBER & MISCELLANEOUS SUPPLIES for the use of the PUBLIC WORKS DEPARTMENT – OPEN-END CONTRACT.
- P 572 - AGREEMENT with CENTRAL POLY-BAG CORPORATION for JANITORIAL SUPPLIES for the use of VARIOUS DEPARTMENTS - OPEN-END CONTRACT.
- P 573 - AGREEMENT with BILLOWS ELECTRIC for ELECTRICAL, SURVEILLANCE with RELATED-EQUIPMENT & SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 574 - AGREEMENT with MARLAC ELECTRONICS, INC. for ELECTRICAL, SURVEILLANCE with RELATED EQUIPMENT & SUPPLIES for the use of VARIOUS DEPARTMENTS – OPEN-END CONTRACT.
- P 575 – AUTHORIZATION to ADVERTISE for BIDS for SIDEWALK HANDICAPPED RAMP CONSTRUCTION at VARIOUS LOCATIONS (CDBG) to be received at 11:00am at PURCHASING BOARD at a DATE to be DETERMINED.

- P 576 - AUTHORIZATION to ADVERTISE for BIDS for RESTORATION to FIRE STATION No. 2 (CDBG) at 11:00am at PURCHASING BOARD at a DATE to be DETERMINED.

**NEW BUSINESS RESOLUTION(S)**

- P 536 - CHANGE ORDER #1 with ZARWIN, BAUM, DEVITO, KAPLAN, SCAHER, TODDY, P.C. for ADDITIONAL LEGAL SERVICES - \$75,000.
- P 541 - CHANGE ORDER #1 with STRADLEY, RONON, STEVENS & YOUNG, LLP for ADDITIONAL LEGAL SERVICES - \$30,000.00.
- P 543 - CHANGE ORDER #2 with RILEY & RILEY for ADDITIONAL LEGAL SERVICES - \$150,000.00.
- P 577 - THE CDBG 2010 ACTION PLAN is hereby AMENDED to ADD FUNDS to SUPPORT a NEIGHBORHOOD SUPERMARKET.
- P 578 - THE CDBG 2010 ACTION PLAN is hereby AMENDED to ADD FUNDS for the BARRIER REMOVAL PROJECTS.
- P 579 - THE CDBG 2010 ACTION PLAN is hereby AMENDED to FUND a MAIN STREET RENTAL REHABILITATION PROJECT.
- P 580 - AGREEMENT with WARRINER'S CONSTRUCTION, INC. for ENHANCEMENTS to the MEMORIAL PLAZA & GROUNDS of the WESTSIDE ALL WARS MEMORIAL BUILDING - \$90,310.00.
- P 581 - AUTHORIZATION for the BORGATA HOTEL CASINO & SPA to ENGAGE a COMPETENT OPERATOR for a PYROTECHNICS DISPLAY inside the BORGATA'S EVENT CENTER in conjunction with the RIHANNA performance on SATURDAY, AUGUST 14, 2010.
- P 582 - AUTHORIZATION to ISSUE a WARRANT to the NATIONAL RYTHYM & BLUES MUSIC SOCIETY, INC. and NU MILLENIUM ENTERTAINMENT for THE DAY of EVENT on SATURDAY, AUGUST 28, 2010 - \$23,875.00.
- P 583 - CITY COUNCIL hereby SUPPORTS the ESTABLISHMENT of a NATIONAL COMPREHENSIVE CENTER for FATHERS CHAPTER in ATLANTIC CITY, NJ.

**12) OTHER PENDING BUSINESS**

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