

FINAL AGENDA
COUNCIL MEETING AGENDA

FEBRUARY 08, 2012

5:00 P.M.

ATLANTIC CITY COUNCILMEMBERS

PRESIDENT WILLIAM MARSH

VICE PRESIDENT STEVEN MOORE

MOISSE DELGADO

TIMOTHY MANCUSO

FRANK GILLIAM, JR.

AARON RANDOLPH

RIZWAN MALIK

MARTY SMALL, SR.

GEORGE TIBBITT

- 1) PLEDGE OF ALLEGIANCE - INVOCATION
- 2) ROLL CALL

P 98 - CITY COUNCIL HEREBY RECOGNIZES AND CONGRATULATES AHMAD ROBINSON FOR HIS ACCEPTANCE INTO THE PEOPLE TO PEOPLE STUDENT AMBASSADOR CLASS OF 2012.

P 75 - CITY OF ATLANTIC CITY HEREBY RECOGNIZES PERRY MAYS FOR HIS COMPASSION AND COMMITMENT TO THE COMMUNITY AND WISHES HIM THE VERY BEST IN HIS RETIREMENT FROM ATLANTICARE, AFTER THIRTY-TWO (32) YEARS OF DEDICATED AND DEVOTED SERVICE.

JOHN PALMIERI, EXECUTIVE DIRECTOR CRDA, PRESENTATION

- 3) OPEN PUBLIC MEETING ACT

KEITH MILLS, GREEN ACRES GRANT ASSISTANCE- PUBLIC HEARING -
CHELSEA HEIGHTS RECREATION COMPLEX

P 136 - AGREEMENT WITH THE STATE FOR THE CHELSEA HEIGHTS RECREATION COMPLEX RENOVATION AND LINKAGE PROJECT.

P 103 - CITY COUNCIL GIVES ITS ADVICE AND CONSENT TO THE APPOINTMENT OF G. BRUCE WARD, ESQ. AS CHIEF JUDGE OF THE ATLANTIC CITY MUNICIPAL COURT TO SERVE THE UNEXPIRED TERM UNTIL OCTOBER 10, 2012 AND UNTIL HIS SUCCESSOR IS APPOINTED AND QUALIFIED.

4) APPROVAL OF MINUTES

5) REPORTS AND RECOMMENDATIONS FROM THE MAYOR

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6) PRESIDENT OF COUNCIL COMMITTEE REPORTS

7) COMMUNICATIONS AND PETITIONS

CIVIL ACTION. DELFIN ALMODOVAR, JR. V JULIE L. CASH, ET ALS V CITY OF ATLANTIC CITY.

NOTICE OF CLAIM JAMES LAWLOR; MONICA CORLEY; TINA WATSON; F. PAULA CASTORAN; JOSUE LUNA VILLANUEVA V THE CITY OF ATLANTIC CITY.

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

EXECUTIVE SESSION

- P 100 – a) JOSH VADELL V CITY OF ATLANTIC CITY (WORKER’S COMPENSATION)
- b) PRESENTATION OF CASINO TAX APPEALS
- c) DUFFY SETTLEMENT

**10) ORDINANCES
FIRST READING**

MARSH & GILLIAM PASSED	2-A	AN ORDINANCE AMENDING CHAPTER 57, ARTICLE III, SCHEDULE A, SECTION 8-TITLES ENUMERATED & ARTICLE IV, SCHEDULE B, SECTIONS 9 - CITY COUNCIL.
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GILLIAM & RANDOLPH PASSED	2-B	AN ORDINANCE AMENDING CHAPTER 143.
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GILLIAM & RANDOLPH PASSED	2-C	AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR THE ATLANTIC CITY BEACH BETWEEN ARKANSAS AVENUE AND ST. JAMES PLACE
GILLIAM & DELGADO PASSED	2-D	AN ORDINANCE AMENDING CHAPTER 204 PEACE AND GOOD ORDER, ARTICLE VII – DISORDERLY CONDUCT and SECTIONS 204-29 and 30 and ADDING SECTION 204-31.
GILLIAM POSTPONED	2 -E	AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR THE ATLANTIC AVENUE CORRIDOR REDEVELOPMENT AREA.
MALIK POSTPONED	2-F	AN ORDINANCE AMENDING CHAPTER 4-47 and 57 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES JOB TITLES WITHIN THE CITY GOVERNMENT. (PUBLIC WORKS)
SMALL & GILLIAM PASSED	2-G	AN ORDINANCE TO AMEND CHAPTER 170-18 THROUGH 170-20.3 ARTICLE III, BIRTH, DEATH AND MARRIAGE CERTIFICATES: SEARCH AND COPY CHARGES.
MARSH & RANDOLPH PASSED	2-H	AN ORDINANCE TO AMEND ATLANTIC CITY CODE CHAPTER 4, ADMINISTRATION OF GOVERNMENT.
MALIK & MARSH PASSED	2-I	AN ORDINANCE ESTABLISHING A LEASEHOLD AGREEMENT BETWEEN THE CITY OF ATLANTIC CITY AND B&B PARKING, INC. PURSUANT TO N.J.S.A. 40A:12-5.
MOORE & RANDOLPH PASSED	2-J	AN ORDINANCE AMENDING CHAPTER 57 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES JOB TITLES WITHIN THE CITY GOVERNMENT. (REVENUE & FINANCE)
TIBBIT & RANDOLPH PASSED	2-K	AN ORDINANCE AMENDING CHAPTER 57 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES JOB TITLES WITHIN THE CITY GOVERNMENT. (PUBLIC SAFETY)

RANDOLPH & GILLIAM 2-L
 PASSED

AN ORDINANCE TO AMEND THE ATLANTIC CITY CODE CHAPTER 233 REGULATING TAXICABS, JITNEYS AND VEHICLES FOR HIRE.

NEW BUSINESS ORDINANCE (S)

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ORDINANCES on SECOND AND FINAL READING

MARSH, TIBBITT & 1
 GILLIAM
 ADJOURNED UNTIL 2/22/2012

AN ORDINANCE AUTHORIZING OF A LEASE OF MUNICIPAL PROPERTY LOCATED AT 1100 ALBANY AVENUE TO CLEAN ENERGY A CALIFORNIA CORPORATION (“CE”) TO DESIGN, CONSTRUCT, OPERATE AND MAINTAIN A COMPRESSED NATURAL GAS FUELING STATION.

GILLIAM & DELGADO 2
 ADJOURNED UNTIL 2/22/2012

AN ORDINANCE AMENDING CHAPTER 104 AND 163 OF THE CODE OF ATLANTIC CITY CONCERNING PARTIALLY-BOARDED BUILDINGS.

RANDOLPH, TIBBITT & 3
 GILLIAM
 PASSED

AN ORDINANCE AUTHORIZING THE FILING OF A DEED OF REVERSION FOR LOT 19 OF BLOCK 305, LOCATED AT 535 ATLANTIC AVENUE.

MOORE & GILLIAM 4
 PASSED

AN ORDINANCE AUTHORIZING THE ACQUISITION BY QUIET TITLE ACTION OF ORPHAN LOTS HISTORICALLY USED AS ALLEYS WITHIN THE CITY OF ATLANTIC CITY TO ENCOURAGE REDEVELOPMENT.

TIBBITT, RANDOLPH & 5
 GILLIAM
 PASSED

AN ORDINANCE AMENDING CHAPTER 57 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES JOB TITLES WITHIN THE CITY GOVERNMENT.
 (Public Safety)

TIBBITT, GILLIAM &
MOORE
PASSED

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AN ORDINANCE AMENDING CHAPTER
57 OF THE CODE OF THE CITY OF
ATLANTIC CITY WHICH REGULATES
JOB TITLES WITHIN THE CITY
GOVERNMENT.
(Public Safety)

11) CONSENT RESOLUTIONS

- P 95 - CITY COUNCIL HEREBY JOINS IN THE MOURNING OF THE PASSING OF CANDACE DORNAN.
- P 96 - CITY COUNCIL WISHES TO APPOINT DONNA SHEA, 6TH WARD, AS A MEMBER OF THE OF THE FINE ARTS COMMISSION FOR A (4) YEAR TERM EXPIRING DECEMBER 31, 2015.
- P 99 - CITY COUNCIL HEREBY ACCEPTS THE CONTRIBUTION OF \$47,040.00 FROM DPL OF FLORIDA, INC. TO BE USED FOR THE BENEFIT OF THE CHELSEA HEIGHTS RECREATION COMPLEX RENOVATION AND LINKAGE PROJECT.
- P 119 - AUTHORIZATION TO ENTER INTO AN AMENDMENT TO TAX SETTLEMENT AGREEMENT WITH DGMB CASINO, LLC - \$10,200,000.00.
- P 121 - AUTHORIZATION TO ENTER INTO A TAX SETTLEMENT AGREEMENT WITH PINNACLE ENTERTAINMENT INC. – \$8,200,000.00.
- P 127 - VENDOR’S LIST BEGINNING WITH #1. LYDA.COM INC. - \$1,750.00 AND ENDING WITH #25. MCELWEE & QUINN, LLC \$1,500.00.
- P 134 - BUDGET APPROPRIATIONS.
- P 139 - AUTHORIZATION TO ISSUE A WIRE TRANSFER TO SCIBAL ASSOCIATES FOR LIABILITY CLAIMS - \$97,639.08.
- P 28 - AGREEMENT WITH AMERICAN NATIONAL RED CROSS FOR ADMINISTRATIVE SERVICES INCLUDING RELOCATION FOR ONE (1) YEAR BEGINNING JANUARY 1, 2012 THROUGH DECEMBER 31, 2012 -\$75,000.00.
- P 46 - AGREEMENT WITH PAUL TENDLER, ESQ. FOR LEGAL SERVICES IN GENERAL MUNICIPAL AND LITIGATION MATTERS - \$35,000.00.
- P 91 - AGREEMENT WITH JEFFREY J. WALDMAN, ESQ. AS CONFLICTS MUNICIPAL PROSECUTOR - \$20,000.00.
- P 101- CITY COUNCIL RATIFIES THE PRIOR LEGAL SERVICES OF JEFFREY WILSON AND AUTHORIZES PAYMENT - \$2,000.00
- P 102 - AMUSEMENT GAMES LICENSE.

- P 104 - JITNEY PERMIT #40 is HEREBY APPROVED.
- P 105 - AGREEMENT WITH PHOENIX ADVISOR, INC. FOR REAL ESTATE BROKERAGE AND BUSINESS DEVELOPMENT SERVICES.
- P 106 - REFUND DUE TO OVERPAYMENT OF TAXES.
- P 107 - AUTHORIZATION TO ISSUE A WARRANT TO JENNETTE SMALLS, WHO RETIRED FEBRUARY 1, 2012 - \$31,753.01.
- P 108 - AUTHORIZATION TO ISSUE A WARRANT TO BRUCE WEEKES. WHO RETIRED FEBRUARY 1, 2012 - \$46,723.93.
- P 109 - AGREEMENT WITH AHERA CONSULTANTS, INC. FOR CERTIFIED ASBESTOS CONSULTANT SERVICES FOR A TERM ENDING DECEMBER 31, 2012 - \$40,000.00.
- P 110 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR AN INTEGRATED PEST MANAGEMENT PROGRAM FOR ALL CITY OWNED FACILITIES INCLUDING SURF STADIUM, TO BE RECEIVED TUESDAY, MARCH 6, 2012 AT 11:00AM.
- P 111 - AUTHORIZATION TO ADVERTISE FOR BIDS TO FURNISH AND DELIVER COMMUNICATIONS UNIFORMS TO BE RECEIVED TUESDAY, MARCH 6, 2012 AT 11:00AM.
- P 113 - AUTHORIZATION TO ISSUE A WARRANT TO FIDELITY NATIONAL PROPERTY & CASUALTY INSURANCE COMPANY FOR FLOOD INSURANCE ON CITY PROPERTIES - \$55,146.00.
- P 115 - AGREEMENT WITH FTI CONSULTING FOR PROFESSIONAL VALUATION AND CONSULTING FOR A TERM NOT TO EXCEED ONE YEAR (1) YEAR, COMMENCING JANUARY 1, 2012 ENDING DECEMBER 31, 2012.
- P 116 - AGREEMENT WITH THE TEMPO SYSTEMS COMPANY, L.P., FOR ONE YEAR EFFECTIVE FEBRUARY 1, 2012 THRU JANUARY 31, 2013, FOR ANNUAL MAINTENANCE OF SOFTWARE ON TIME TRAK PROGRAM - \$12,030.00.
- P 117 - CITY COUNCIL WISHES TO APPOINT THOMAS J. FORKIN, 1ST WARD, AS A MEMBER OF THE FINE ARTS COMMISSION FOR A (4) YEAR TERM EXPIRING DECEMBER 31, 2015.
- P 118 - AGREEMENT WITH FLEISHMAN, DANIELS LAW OFFICES, LLC AS LEGAL COUNSEL TO THE PLANNING BOARD - \$17,000.00.
- P 123 - AGREEMENT WITH ARCHONIX SYSTEMS, LLC FOR THE ANNUAL LICENSE AND SUPPORT FEE FOR 2012 FOR THE C-PLIMS COMPUTER SYSTEM - \$41,905.00.
- P 124 - AGREEMENT WITH FOUNDATION TITLE FOR PROFESSIONAL TITLE WORK FOR (1) YEAR BEGINNING JANUARY 1, 2012 - \$1,000.00.

- P 125 - AGREEMENT WITH GARDEN STATE OFFICE SYSTEMS & EQUIPMENT FOR MAINTENANCE FOR THE CITY'S LEKTREIVER FOR ONE YEAR EFFECTIVE JANUARY 1, 2012 - \$24,683.00.
- P 126 - AUTHORIZATION TO CANCEL THE TAX SALE CERTIFICATE #11-00416 OF BLOCK 307/LOT 10.02 a/k/a 109 NORTH CONGRESS AVENUE.
- P 128 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A 2012 RECREATIONAL TRAILS PROGRAM GRANT
- P 129 - AUTHORIZATION TO CANCEL THE TAX BALANCES OF VARIOUS CRDA PROPERTIES.
- P 130 - AUTHORIZATION TO CANCEL THE TAX BALANCE FOR 205 N. NEW HAMPSHIRE.
- P 131 - AUTHORIZATION TO CANCEL THE TAX BALANCES OF VARIOUS PROPERTIES NOW HELD BY CRDA.
- P 133 - AUTHORIZATION TO CANCEL THE TAX BALANCE ON BLOCK 82/LOT 7, 19 S. NEW HAMPSHIRE AVENUE.
- P 135 - AUTHORIZATION TO ISSUE A WIRE TRANSFER TO MEDICAL AND LEGAL PROVIDERS FOR PERMANENT PARTIAL DISABILITY- \$48,143.37 AND TO WORKER'S COMPENSATION CLAIMS - \$139,846.76.
- P 137 - AUTHORIZATION TO ADVERTISE FOR BIDS TO FURNISH & DELIVER EQUIPMENT TO RETROFIT LIGHTING CITY HALL BUILDING (ENERGY RECOVERY ACT GRANT) TO BE RECEIVED ON TUESDAY, MARCH 6, 2012 AT 11:00AM.
- P 138 - AUTHORIZATION FOR DISPOSAL OF SURPLUS PROPERTY AND VEHICLES ON AN ONLINE AUCTION WEBSITE BEGINNING 9:00AM, TUESDAY, FEBRUARY 28, 2012 AND ENDING MARCH 12, 2012 3:30PM.
- P 140 - AUTHORIZATION TO ACCEPT A SUBGRANT AWARD OF THE FISCAL YEAR 2010 FROM THE N.J. STATE POLICE, OFFICE OF EMERGENCY MANAGEMENT - \$15,000.00.
- P 141 - AGREEMENT WITH ATLANTICARE PHYSICIAN GROUP, PA FOR BASELINE EXAMS FOR MEDICAL SURVEILLANCE FOR (1) YEAR COMMENCING FEBRUARY 1, 2012 TO JANUARY 31, 2012 - \$37,000.
- P 142 - AGREEMENT WITH FOUNDATION TITLE FOR PROFESSIONAL TITLE WORK BEGINNING JANUARY 1, 2012 TO DECEMBER 31, 2012 - \$25,000.00.

PULLED FROM CONSENT

- P 97 - AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE STATE EFFECTIVE 2012.
- H 112 - AUTHORIZATION TO CIRCULATE AN RFQ FOR AN ADVERTISEMENT/AGENT CONSULTANT TO IMPLEMENT A PROGRAM OF COST SAVINGS FOR THE CITY'S VARIOUS FESTIVALS AND ENTERTAINMENT UNDERTAKINGS TO BE RECEIVED MARCH 20, 2012.
- H 114 - AGREEMENT WITH WHEELS EAST, INC. D/B/A/ ATLANTIC COUNTY HARLEY DAVIDSON FOR THREE (3) 2012 FLHTP HARLEY DAVIDSON POLICE MOTORCYCLES - \$61,497.00.
- P 132 - AMENDMENT TO THE 2012 TEMPORARY BUDGET.
- P 120 - AGREEMENT WITH RUTALA ASSOCIATES FOR GRANT WRITING CONSULTANT FOR A TERM OF (1) ONE YEAR COMMENCING JANUARY 1, 2012 - \$60,000.00.
- P 122 - AGREEMENT WITH RUTALA ASSOCIATES FOR SUSTAINABLE ENERGY CONSULTANT SERVICES FOR A TERM OF (1) ONE YEAR COMMENCING JANUARY 1, 2012 - \$30,000.00.

**NEW BUSINESS
RESOLUTION(S)**

- P 143 - AGREEMENT WITH GENERAL CODE PUBLISHERS CORP. ENGAGED FOR THE CODIFICATION OF THE ORDINANCES OF THE CITY OF ATLANTIC CITY - \$18,000.00.
- P 144 - THE ENGINEER IS AUTHORIZED TO PREPARE PLANS AND SPECIFICATION FOR VARIOUS IMPROVEMENTS TO THE SURF STADIUM.
- P 145 - AUTHORIZATION to EXPLORE THE EXTENT OF LEGITIMATE INTERESTS IN ATLANTIC CITY AS THE LOCATION FOR MEDIA PRODUCTION EFFORTS AND TO POSSIBLY ESTABLISH A FILM COMMISSION.
- P 146 - AUTHORIZATION TO ADVERTISE FOR BIDS FOR OVERHEAD DOOR PREVENTIVE MAINTENANCE AT VARIOUS CITY-BUILDINGS FOR A PERIOD OF THREE (3) YEARS COMMENCING MAY 1, 2012 TO APRIL 30, 2015 TO BE RECEIVED AT 11:00a.m. TUESDAY, MARCH 6, 2012.
- P 147 - CITY COUNCIL WISHES TO APPOINT ALMA JOHNSON, FOURTH WARD, AS A MEMBER OF THE FINES ARTS COMMISSION FOR A TERM OF FOUR (4) YEARS, COMMENCING JANUARY 1, 2012 AND EXPIRING DECEMBER 31, 2015.

12) **OTHER PENDING BUSINESS**

13) **RHONDA WILLIAMS, CITY CLERK
MONICA WEBB, ASSISTANT CITY CLERK**