

TENTATIVE
COUNCIL MEETING AGENDA

NOVEMBER 16, 2016

5:00 PM

ATLANTIC CITY COUNCILMEMBERS

MARTY SMALL, SR. PRESIDENT

AARON 'SPORTY' RANDOLPH, VICE PRESIDENT

CHUEN 'JIMMY' CHENG

WILLIAM H. MARSH

MOISSE 'MO' DELGADO

KALEEM SHABAZZ

FRANK M. GILLIAM, JR.

GEORGE TIBBITT

JESSE O. KURTZ

- 1) ROLL CALL
- 2) PLEDGE OF ALLEGIANCE
INVOCATION: REVEREND ANTONIO GANDY, GREATER HOLY TRINITY BAPTIST CHURCH
- 3) OPEN PUBLIC MEETING ACT
- 4) REPORTS AND RECOMMENDATIONS FROM THE MAYOR
ORDINANCE NOS. 40 AND 43 OF 2016 WERE SIGNED BY THE MAYOR ON NOVEMBER 3, 2016.
RE-APPOINTMENT of MEA SOLOMON AS AN ALTERNATE MEMBER OF THE PLANNING BOARD FOR A TWO YEAR TERM TO COMMENCE JANUARY 2017
- 5) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 6) COMMUNICATIONS AND PETITIONS
("Matters related to Communications and petitions have been listed in the agenda and will not be read.")
CIVIL ACTION..... LB HONEY BADGER LLC; CARMEN ROMERO VS CITY OF ATLANTIC CITY, ET AL.
NOTICE OF CLAIM..... CATHERINE GUNN; SANDRA BROWN; FERN PETRARCHI; ASHLEY COBBS, LEGAL GUARDIAN to DT, A MINOR; TERRI HILLESHEIM; DONNA MARIE SHEA; PATRICIA PIZZA; MARY LOU JACKSON; ; VS CITY OF ATLANTIC CITY, ET AL.

7) **PUBLIC COMMENT ON GOOD AND WELFARE**

8) **RESOLUTIONS OF RECOGNITION**

676 - RECOGNITION OF BETTY LEWIS ON HER RETIREMENT FROM THE OFFICE OF PLANNING & DEVELOPMENT.

695- RECOGNITION OF THE DOUGHERTY FAMILY

696 - RECOGNITION OF MAUREEN FRANK ON HER RETIREMENT FROM THE ATLANTIC CITY FREE PUBLIC LIBRARY

9) **ORDINANCE(S) ON SECOND AND FINAL READING**

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10) **ORDINANCE(S) ON FIRST READING**

SHABAZZ 16-A ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE MIDTOWN-MLK AREA.

KURTZ 16-B AN ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES BOARDWALK TRAMS

PLANNING & DEVELOPMENT - Kaleem Shabazz, Chairman
Marty Small, Sr., Council President
Aaron Randolph, Council Vice President
Jesse O. Kurtz, Councilmember, 6th Ward

670 - AUTHORIZATION FOR LEASE AT AUCTION OF CITY-OWNED PROPERTY LOCATED AT 25 S. NORTH CAROLINA AVENUE

680 - AGREEMENT WITH TRIAD ASSOCIATES FOR CDBG/HOME CONSULTANT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT - \$95,400.00.

681 - RESOLUTION TO APPROVE A LIST OF QUALIFIED REHABILITATION ENTITIES.

682 - RESOLUTION TO ACCEPT GRANT AWARD FOR COMMUNITY-WIDE PETROLEUM SUBSTANCES CONTAMINATION - \$200,000.00 FOR INVESTIGATION AND REMEDIATION COSTS IF SITES AFFECTED BY HISTORIC FILL AND OTHER ENVIRONMENTAL CONDITIONS

- 683 - RESOLUTION TO ACCEPT A GRANT AWARD FOR COMMUNITY-WIDE PETROLEUM SUBSTANCES CONTAMINATION -\$200,000.00 FOR INVESTIGATION AND REMEDIATION COSTS AFFECTED BY UNDERGROUND STORAGE TANKS AND DISCHARGES OF PETROLEUM BASED SUBSTANCES
- 692 - ACCEPT GRANT AWARD FOR THE ATLANTIC CITY BROWNSFIELDS CLEANUP DELTA BASIN HOMES SITE - \$200,00.00
- 693 - AUTHORIZATION TO ACCEPT GRANT AWARD FOR ATLANTIC CITY BROWNFIELDS CLEANUP, BUNGALOW PARK SITE - \$163,658.00.

REVENUE & FINANCE - Marty Small, Sr., Council President, Chairman
Jesse O. Kurtz, Councilmember, 6th Ward
William Marsh, Councilmember, 4th Ward
Moisse Delgado, Councilmember-at-Large

- 677 - AUTHORIZATION TO ISSUE PAYMENT TO PAULA GELETEI, CITY CLERK FOR GENERAL ELECTION DUTIES- \$500.00.
- 678 - REFUND DUE TO OVERPAYMENT OF TAXES.
- 679 - REFUND TO PILGRIM OPERATIONS FOR POLICE SECURITY - \$1,080.00
- 685 - AUTHORIZATION TO ISSUE A WIRE TRANSFER FOR PAYMENTS ASSOCIATED WITH WORKERS' COMPENSATION PAYMENTS - \$29,304.60.
- 686 - AUTHORIZATION TO ISSUE A WIRE TRANSFER TO AMERIHEALTH CASUALTY SERVICES FOR LIABILITY CLAIMS - \$155,346.91.
- 687 - VENDOR'S LIST BEGINNING WITH #1 GUY J. RENZI & ASSOCIATES AND ENDING WITH JOSHUA MARCUS GROUP - \$105,766.25.
- 688 - AUTHORIZATION FOR PAYMENT TO RATIFY AND VALIDATE FOR SERVICES RENDERED BY CATHY TUOHY, ESQ. - \$4,576.00.

**HEALTH & HUMAN SERVICES,
LICENSING & INSPECTIONS &
TECHNOLOGY**

- Jesse O. Kurtz, Councilmember, 6th Ward, Chairman
Kaleem Shabazz, Councilmember, 3rd Ward
Moisse Delgado, Councilmember-at-Large

- 675 - AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS FOR LEASE OF BEACH TENTS AND RIGHTS TO COMMERCIAL ADVERTISING
- 689 - AMUSEMENT GAMES LICENSE.
- 690 - AUTHORIZATION TO TRANSFER JITNEY PERMIT #121 IS HEREBY APPROVED.

**PUBLIC SAFETY & -
PUBLIC WORKS**

Aaron Randolph, Councilmember, 1st Ward, Chairman
Kaleen Shabazz, Councilmember, 3rd Ward
William Marsh, Councilmember, 4th Ward

684 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR AN FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTER GRANT (AFG).

691 - CHANGE ORDER #1 WITH FIRST VEHICLE SERVICES, INC. FOR THREE MONTHS EXTENSION FOR FLEET MAINTENANCE - \$611,108.26

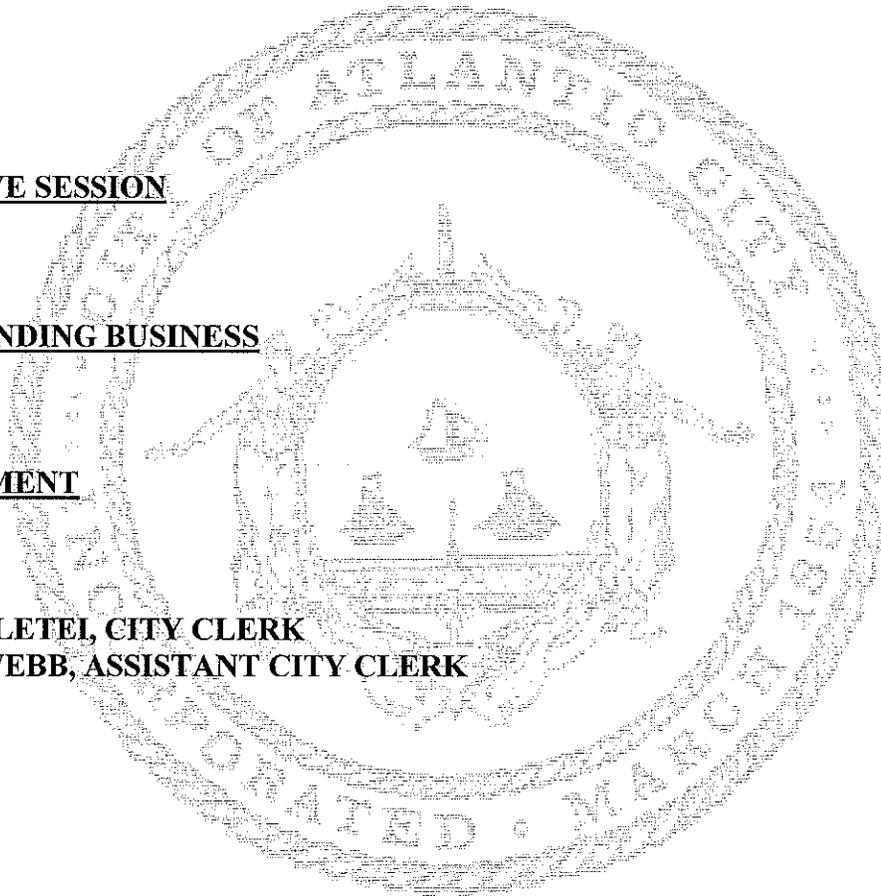
11) **EXECUTIVE SESSION**

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12) **OTHER PENDING BUSINESS**

13) **ADJOURNMENT**

14) **PAULA GELETEL, CITY CLERK
MONICA WEBB, ASSISTANT CITY CLERK**



RESOLUTIONS of RECOGNITION

Resolution of the City of Atlantic City

No. 676

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Legislative Counsel/ Robert Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by Legislative Counsel

Council Member ALL COUNCIL Presents the following Resolution:

RESOLUTION OF RECOGNITION OF BETTY LEWIS, PLANNING & DEVELOPMENT FOR HER YEARS OF SERVICE WITH THE CITY OF ATLANTIC CITY

WHEREAS, BETTY LEWIS has been a city employee in the Department of Planning and Development for 31 years; and

WHEREAS, BETTY LEWIS, has been a dependable, efficient and loyal city employee; and

WHEREAS, BETTY LEWIS, has been active as a union official during her tenure in city hall; and

WHEREAS, She has been a vocal advocate for the best interests of Atlantic City in her civic leadership roles; and

WHEREAS, Her example of service and dependability exists in several other city employees, who **BETTY LEWIS** has influenced; and

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Atlantic City hereby recognizes and commends **BETTY LEWIS** for her outstanding efforts on behalf of Planning and Development, and congratulates her on her well-deserved retirement, wishing her health, happiness, and prosperity in the future.

November 14, 2016 10:47 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 695

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Legislative Counsel/ Robert Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by Legislative Counsel

Council Member ALL COUNCIL Presents the following Resolution:

RESOLUTION HONORING THE DOUGHERTY FAMILY FOR THEIR YEARS OF SERVICE IN THE CITY OF ATLANTIC CITY

WHEREAS, The DOUGHERTY FAMILY has become known as Atlantic City's premier restaurant family; and

WHEREAS, Dock's Oyster House was established in 1897 by Harry Dougherty, grandfather to Frank and Joe Dougherty, and is the only restaurant in Atlantic City older than The Knife and Fork Inn, another Dougherty Family Restaurant. Over the past century, the Knife and Fork Inn has been one of the most historical establishments, dating back to 1912. It served as an exclusive men's drinking and dining club, with a separate 'ladies lounge' for women, who were not permitted in the bar; and

WHEREAS, The Knife and Fork survived the laws of prohibition, served famous elite as Enoch 'Nucky' Johnson and still remains, decades after the great depression. Hollywood celebrities such as Frank Sinatra and Bob Hope and wealthy vacationers could be found hob-bobbing alongside local politicians who would frequent the Knife and Fork. In 1927, ownership passed to the Latz family who managed the property until their son Andrew decided to find a buyer. Frank Dougherty, always intrigued with the iconic landmark, decided to purchase the property in 2005, and embarked on the ambitious renovation project, which successfully refurbished the historic restaurant to its original grandeur of the prohibition era and a new generation of guests; and

WHEREAS, THE DOUGHERTY FAMILY has a recent addition, which is Harry's Oyster Bar, named after Harry Dougherty, the founder of Dock's. Harry's is located in another historic location, just steps from the Boardwalk, in the Courtyard of the Dennis Hotel, which is now part of Bally's; and

WHEREAS, THE DOUGHERTY FAMILY was recently recognized by the MBCA at the 26th Annual Gala with the Community Spirit Award for their deep commitment to the City of Atlantic City, and likewise, the Council of the City of Atlantic City would like to recognize the **DOUGHERTY FAMILY**; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Atlantic City hereby recognizes and congratulates the **DOUGHERTY FAMILY** for being great members of the community and being part of the deep, rich history of the City, after all, Nucky ate there.

November 14, 2016 10:48 AM pg

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 696

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Legislative Counsel/ Robert Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by Legislative Counsel

Council Member ALL COUNCIL Presents the following Resolution:

RECOGNITION OF MAUREEN SHERR FRANK ON HER RETIREMENT AS DIRECTOR OF THE ATLANTIC CITY FREE PUBLIC LIBRARY

WHEREAS, MAUREEN SHERR FRANK recently retired from the Atlantic City Free Public Library after 38 years. She served in the capacity of Director since 1982; and

WHEREAS, MAUREEN made a tremendous impact throughout the community with unique educational incentives and advancements which stimulated interest and created various new services. Under her leadership, the Richmond Avenue Branch was opened; the modernization from print to digital was accomplished with computers, electronic resources and Internet access. The Atlantic City Heritage Collections were expanded; educational areas were created for children, teens and families. The Summer Reading program has achieved great strides in the amount of books read by youth, independently or together with their families over the summer and the implementation of STEM programs, which are so vital to progress in today's world and the promotion of education. The Atlantic City Free Public Library was among New Jersey's first libraries to create Teen Space and Makerspace; and

WHEREAS, Essential resources, services and training and an on-going effort to the changing needs of the community, were all provided under the leadership of **MAUREEN SHERR FRANK**. Her dedication, devotion and commitment, as well as her support of various cultural and educational activities and numerous community endeavors throughout the City of Atlantic City deserve to be commended; and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Atlantic City proudly recognizes **MAUREEN SHERR FRANK** for her significant achievements and important contributions on behalf of the Atlantic City Free Public Library, and hereby wishes her continued success in the next chapter of her life.

November 14, 2016 10:48 AM pg

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

1ST READING ORDINANCES

Ordinance

Ordinance No. 16-A

OF THE Date.....
CITY OF ATLANTIC CITY, N.J. Date to Mayor.....

Approved as to Form and Legality on Basis of Facts Set Forth Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Elizabeth Terenik, Director of Planning & Development

Prepared by the City Solicitor's Office

Council Member SHABAZZ Presents the following Ordinance:

ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE MIDTOWN-MLK AREA

WHEREAS, pursuant to N.J.S.A. 40A:12-1 et seq., Resolution No. 889 of 1994 of the City Council of Atlantic City, declared the entirety of the City of Atlantic City as an "Area in Need of Rehabilitation"; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan; and

WHEREAS, in order to facilitate the redevelopment of various properties located within an area of the City located along the Boardwalk between Indiana Avenue, Martin Luther King Boulevard, and Kentucky Avenue from the Boardwalk to Pacific Avenue together with properties located between Indiana Avenue and Martin Luther King Boulevard and between Pacific and Atlantic Avenue as shown on the attached exhibit A (the "Redevelopment Plan for Midtown-MLK Area"), the Atlantic City Planning Board, pursuant to N.J.S.A. 40A:12A-7e, reviewed a Redevelopment Plan for the Midtown-MLK Area which will allow for amusements and commercial business district uses with the intent of diversifying the City's tourism economy and further will serve to support and promote the overall development, redevelopment and rehabilitation of the MLK-Midtown Area within the City; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7e, the City of Atlantic City Planning Board did adopt Resolution No. 10 of 2016 as its official report and recommendation to the City Council of Atlantic City that the Redevelopment Plan, entitled "Redevelopment Plan for Midtown-MLK Area," and on file with the City Clerk's office, be adopted as it provides for the planning, development, redevelopment and rehabilitation of the Property; and

WHEREAS, the City Council has determined that it is in the best interest of the City to adopt the Redevelopment Plan, as recommended by the City Planning Board, to effectuate the redevelopment of the Property; and

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Atlantic City, State of New Jersey, as follows:

Section 1. The City hereby adopts the "Redevelopment Plan for Midtown-MLK Area" to facilitate the redevelopment of the City of Atlantic City.

Section 2. Council declares and determines that said plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the redevelopment of the Property in the designated area and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.; and

Section 3. The Governing Body of the City of Atlantic City shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

Section 4. The Redevelopment Plan shall supersede any other local development regulation and City of Atlantic City Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. In the event any clause section or paragraph of the ordinance is deemed invalid or unenforceable for any reason, it is the intent of City Council that the balance of the Ordinance remains in full force and effect to the extent it allows the City to meet the goals of the Ordinance.

Section 7. This Ordinance shall take effect after final adoption and publication according to law.

November 14, 2016 11:36 AM

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on

Adopted on second and final reading after hearing on.....

Approved By.../s/.....Date.....By Council.....Reconsidered Over
 Mayor Aye Nay

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

.../s/..... Paula Geletei, City Clerk

Ordinance

Ordinance No. 16-B

OF THE Date.11-16-2016.....
CITY OF ATLANTIC CITY, N.J. Date to Mayor.....

Approved as to Form and Legality on Basis of Facts Set Forth Factual contents certified to by

Deputy City Solicitor /s/ Michael J. Perugini

Director /s/ Dale Finch, Licensing & Inspections

Prepared by the City Solicitor's Office

Council Member KURTZ Presents the following Ordinance:

AN ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF THE CITY OF ATLANTIC CITY WHICH REGULATES BOARDWALK TRAMS

Section 1:

City Code Chapter 98 of the Code of the City of Atlantic City shall be amended as follows:

§ 98-1. Definitions.

For the purpose of this chapter, the following terms shall have the meaning indicated.

CONTRACTOR

That corporation, association or person currently holding a legal, written agreement with the City of Atlantic City to operate trams within Atlantic City's corporate limits.

DIRECTOR

The ~~Business Administrator of the City of Atlantic City or his designee~~ Director of Licensing & Inspections.

OPERATOR

The individual actually driver or operating the tram.

TRAM

Any electrical or motorized vehicle designed for transportation on the Boardwalk and subject to the terms and conditions of Chapter 92 of the Code of the City of Atlantic City regulating vehicular traffic on the Boardwalk. The "tram" shall consist of a power unit, which may ~~or may not~~ carry passengers, as well as up to three ~~and one additional~~ passenger coaches. The ~~minimum~~ maximum passenger capacity of a "tram", notwithstanding the number of coaches, shall be ~~18~~ 16 adults per coach. The "trams shall be so designed as not to exceed four miles per hour, and there shall be installed in the power unit of each tram a ~~governor~~ controlling device so as to ensure that the power unit of each tram does not exceed four miles per hour. Only new equipment at the time of award or renewal of contract shall be acceptable.

§ 98-3. Director's authority.

A. The Director of Licensing & Inspection shall have the responsibility and authority of assuring that contract bids and specifications are publicized, submitted and adhered to in all respects and that before any Boardwalk Motorized Tram ~~tram~~ Service ~~operation~~ is undertaken, a legal contract has been signed awarded by Council and implemented between the city and the successful bidder.

B. The Director shall take any Motorized Tram ~~tram~~ out of service which is found to be unsafe, unsanitary or not in a fit condition to properly carry passengers. Said Motorized Tram ~~tram~~ shall remain out of service until such time as it is repaired, cleaned up or put in good condition and received written approval by the Director for its reuse.

C. The Director, the Director of Planning and Development and the City Engineer shall determine what kinds of vehicles will be designated a Motorized Tram~~tram~~, as well as what kind of vehicle will be utilized and operated as a Motirized Tram~~tram~~. The Director shall give the contractor reasonable notice on any change of types of vehicles to be designated and/or utilized as Motorized Trams ~~trams~~.

D. The Director shall declare all agreements null and void should the contractor fail to abide by all applicable legal ordinances of the City of Atlantic City, as well as the statutes of the State of New Jersey and lawful rules and regulations of the proper officers of Atlantic City. The City Solicitor is authorized to take any legal steps to protect the city's legitimate interest.

E. The Director shall recommend from an advertised bid procedure an entity to operate trams in the City of Atlantic City. The recommendation will be submitted to the Council in the form of a resolution for the Mayor to have authority to execute an agreement between the city and the successful bidder. Said resolution may be appealed within 10 days to the Council.

F. For the purposes of this chapter, the Director is assigned supervision over the Motorized Trams ~~trams~~ while traveling either on the Boardwalk or to or from the warehouse identified at § 98-4G herein in order to assure the safe, lawful and timely operation of all Motorized Trams ~~trams~~.

G. The Director shall take official cognizance of any and all misconduct, fraud, subterfuge or harmful actions of any contractor or Motorized Tram ~~tram~~ driver, whether or not such actions are specifically covered in this chapter.

H. The Director shall take all prudent and reasonable steps to assure that the terms of this chapter are carried out, both with regard to the appointment and supervision of qualified personnel, including but not limited to the assignment of a Boardwalk Transportation Inspector, as well as the timely promulgation of all necessary department procedures such as (but not limited to) the publication of penalty charts, fines to be levied and all other disciplinary measures to be undertaken by the appropriate department.

§ 98-4. Contractor's responsibilities.

A. All potential contractors shall submit bids containing prices to be paid to the city in strict accordance with the form of advertisement and the Specifications and Instructions to Bidders as proposed by the Purchasing Office and the City Solicitor's office of Atlantic City. Potential contractors shall present their bids to the city on proposal blanks furnished by the Purchasing Department, filling in all blanks.

B. Two or more bids under different names are not permissible by one person.

C. All bids shall be accompanied by a detailed statement of the potential contractor's true financial worth (most recent auditor financial report) as stipulated in the Specifications and Instructions to Bidders.

D. Contractors shall be responsible for the immediate repair of any Boardwalk damage by and attributable to the operations of the Motorized Tram ~~trams~~. A contractor shall not be responsible for reasonable wear and tear to the Boardwalk.

~~E. If free passage of the Boardwalk is encumbered, interrupted or blockaded by the city in such a manner as to prevent the passage of the trams from Connecticut Avenue to Albany Avenue, then the annual base rental herein provided for shall be reduced as follows:~~

~~(1) If the trams are prevented from traveling over more than 50% of the tram route, the rental shall be reduced to a sum equal to 1/365 of the annual base rental for each day that the passage is encumbered, interrupted or blockaded.~~

~~(2) If the trams are prevented from traveling over less than 50% of the tram route, the rental shall be reduced by a sum equal to 1/365 of the annual base rental for each day that the passage is encumbered, interrupted or blockaded multiplied by the percentage of the tram route so encumbered, interrupted or blockaded.~~

~~F.~~

~~The contractor shall deliver to the Director certificates of insurance in full accordance with all stipulations set down in the signed legal agreement between the city and the contractor. Said stipulations must equal or exceed the requirements set forth in § 92-22 of the City Code of the City of Atlantic City. The contractor shall deliver such insurance certificates at least 21 days prior to the beginning of the first tram operation.~~

E. Before commencing the contract work, and as a condition precedent for payment, the Contractor shall purchase and maintain insurance, in conformance with the provisions contained in this Contract. This insurance will provide a defense and indemnify the City of Atlantic City its, officers, agents or employees against any such claim, damage, loss or expense that is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property (other than the work itself) including the loss of use, which arises out of the Contractor's operations under this agreement. This insurance shall apply regardless of whether the operations, actions, derelictions or failures to act from which the claim arises, are attributable to the Contractor, any of its consultants, officers, agents, subcontractors, employees, or anyone directly or indirectly employed by any of them including anyone for whose acts of the aforementioned may be liable by operation of statute, government regulation, or applicable case law or the City of Atlantic City, unless caused by the sole negligence of the City of Atlantic City .

Proof of this insurance shall be provided to the City of Atlantic City before the contract commences as set forth below. In no event shall the failure to provide this proof, prior to the commencement of the work, be deemed a waiver by the City of Atlantic City of Contractor's insurance obligations set forth herein.

In the event that the insurance company(ies) issuing the policy](ies) required by this Contract deny coverage to the City of Atlantic City, the Contractor will defend and indemnify the City of Atlantic City at the Contractor's expense.

Minimum Limits of Liability.

The Contractor must obtain the required insurance with the carrier rated A- VII or better by A.M. Best. The Contractor shall maintain at least the limits of liability as set forth below:

Commercial General Liability Insurance

\$ 1,000,000 Each Occurrence Limit (Bodily Injury and Property Damage)

\$ 2,000,000 General Aggregate

\$ 2,000,000 Product/Completed Operations Aggregate

Contractual Liability that will respond to indemnification clause included in the Contract shall be included in the policy. If the General Liability coverage for this operation is included in a policy that covers other operations or other locations, the General Aggregate shall apply separately to the services included in this contract.

Workers' Compensation and Employers' Liability Insurance

\$ 500,000 Each Accident

\$ 500,000 Each Employee for Injury by Disease

\$ 500,000 Aggregate for Injury by Disease.

If the Contractor is a Sole Proprietor, Partnership or LLC, Insurance Policy and Certificate must indicate that the proprietor/partners/members are "included".

Umbrella Liability Insurance

\$ 4,000,000 per occurrence

\$ 4,000,000 Aggregate.

Contractual Liability and the General Aggregate will be included on the same basis as the Commercial General Liability.

Additional Insured Status and Certificate of Insurance.

The City of Atlantic City, along with officers, agents and employees, shall be named as Additional Insureds for Operations on the contractors Commercial General Liability and Umbrella Liability Policy which must be primary and noncontributory with respect to the Additional Insureds.

It is expressly understood by the parties to this Contract that it is the intent of the parties that any insurance obtained by the City of Atlantic City is deemed excess, non-contributory and not co-primary in relation to the coverage(s) procured by the Contractor, any of its consultants, officers, agents, subcontractors, employees or anyone directly or indirectly employed by any of them or by anyone for whose acts any of the aforementioned may be liable by operation of statute, government regulation or applicable case law.

A Waiver of Subrogation Clause shall be added to the General Liability, Automobile and Umbrella policies in favor of the City of Atlantic City, and this clause shall apply to the City of Atlantic City's officers, agents and employees with respect to all projects during the policy term. It should also apply to the Contractor's Workers' Compensation policy if allowed by state law.

Prior to commencement of contract, Contractor shall submit a Certificate of Insurance in favor of the City of Atlantic City and an Additional Insured Endorsement (in a form acceptable to the City of Atlantic City) as required hereunder.

No Limitation on Liability.

In any and all claims against the Additional Insureds by any employee of the Contractor, anyone directly or indirectly employed by the Contractor or anyone for whose acts the Contractor may be liable, the indemnification obligation shall not be limited by any limitation on the amount or type of damage, compensation or benefits payable by or for the Contractor under workers' compensation acts, disability benefit acts or other employee benefit acts.

Cancellation, Renewal and Modification.

The Contractor shall maintain in effect all insurance coverage required under this Contract at the Contractor's sole expense and with insurance companies acceptable to the City of Atlantic City. The policies shall contain a provision that coverage will not be cancelled, not renewed, or a material change until at least thirty(30) days prior written notice has been given to the City of Atlantic City. Certificate of Insurance showing required coverage and written notice must be delivered to the City of Atlantic City prior to commencement of the Contract work. In the event the Contractor fails to obtain or maintain any insurance coverage required under this agreement, the City of Atlantic City may, at its sole discretion, purchase such coverage as desired for the City of Atlantic City's benefit and charge the expense to the Contractor, or, in the alternative, terminate this agreement.

F. (Reserved)

G. The contractor shall ~~must~~ maintain an approved location within the corporate limits of the City of Atlantic City for the storage of Motorized Transportation trams when the latter Motorized Trams are not in actual use. Said building is to be subject to the approval of the Director. Should the contractor need to transport the Motorized Tram from the Boardwalk, prior approval shall be required from the Atlantic City Police Department in accordance with the appropriate City Code.

H. (Reserved).

~~The contractor shall perform all necessary tram functions while providing all required trams, paraphernalia and employees for the lawful operation of said trams.~~

I. It shall be the responsibility of the contractor to provide that all drivers of trams are duly registered and licensed by the City of Atlantic City and that the fee of \$100 per driver is paid annually. The license year shall be April 1 to March 30, inclusive. submit an application for a Business License and License for each vehicle with the Mercantile Section on a form provided by the city and the following is to be attached:

1. ~~Notarized~~ Business License Application with annual fee of \$150.00
2. Proof of Insurance(s) and certificate of liability
3. ~~Notarized~~ Vehicle License Application with annual fee of \$100.00 per vehicle.
4. Non motorized coach (trailer) \$100.00 per non motorized coach.

These licenses shall be renewed annually.

J. The contractor shall not assign any of his contractual obligations or responsibilities, either in whole or in part, to any other operator or subcontractor.

K. The contractor shall indemnify and save harmless and defend the City of Atlantic City against any loss, financial or otherwise, as a result of any and all liabilities in connection with legal claims, court decisions or judgments resulting from property damage, injury, death or disputes of any kind resulting from the operation of the Motorized Tram. ~~trams.~~

L. The Motorized Tram is prohibited from operating on the Boardwalk between the hours of 6:00 AM and 10:00 AM. The contractor shall submit a schedule of hours, days and months of operation to the Director. Any changes to this schedule due to special events or conditions (i.e., Atlantic City Airshow, Miss America Parade) shall be submitted thirty (30) days in advance of changes being made and are subject to the approval of the Director.

~~The contractor will not charter the trams to private groups without the prior written approval from the Director. The contractor may arrange for special chartering of the trams with the Director. Ninety-six hours' notice must be given to the Director prior to any charter, as well as the time, route and fee to be paid for the charter.~~

M. The contractor will not manipulate the regular Motorized Tram ~~tram~~ schedule in any way for the purpose of providing a benefit to any casino, hotel or business at the expense of a competing enterprise. No regular scheduling of the Motorized Trams ~~trams~~ can be altered without written approval of the Director. No casino, hotel or business enterprise shall receive preferential treatment for the chartering of Motorized Trams ~~trams~~ or be given Motorized Tram ~~tram~~ service of any kind which unfairly impinges on or adversely affects another casino, hotel or business enterprise.

N. The contractor shall not charter the Motorized Tram to private groups without the prior written approval from the Director. The contractor may arrange for special chartering of the Motorized Tram with the Director. Four (4) days' notice shall be given to the Director prior to any charter, as well as the time, route and fee to be paid for the charter.

~~The contractor will submit all tram schedules to the Director for his written approval prior to implementation. Tram stops will be located on alternate street ends in each direction of its route. Only those street ends having addresses evenly divisible by 100 are counted for purposes of designating tram stops.~~

O. All employees shall wear a uniform showing, minimally, their first name for identification purposes. General design shall be approved by the Director whose approval shall not be unreasonably withheld. The contractor shall make certain that all employees possess neat and clean uniforms. The design of the uniform must have the written approval of the Director. No employee shall wear a uniform which might be mistaken for or is the same as any uniform worn by a casino hotel employee.

P. The contractor shall submit to the Director monthly ridership reports. The reports shall be submitted by the fifteenth (15) day after the close of the previous month-, including daily reports of the passes and revenue collected. Reports are to be cumulative in nature.

The contractor agrees that if special arrangements, including but not limited to discount prices, are made for large blocks of Motorized Tram~~tram~~ tickets, said arrangements must be offered to all persons and enterprises on an equal basis.

Q. ~~The contractor shall may not permit/solicit any advertising, paid or unpaid, on the Motorized Trams trams, inside or outside. All contractual agreements for advertising and specific content of advertising must be reviewed and approved by the Director of Licensing & Inspections. The City of Atlantic City will received fifty percent (50%) of all advertising proceeds.~~

R. (Reserved)

S. (Reserved)

~~Contractors shall heat or otherwise winterize all trams in operation between September 15 and April 15, or as the Director may require.~~

T. (Reserved)

~~Off Boardwalk operation of trams is limited to travel to and from the storage facility identified in § 98-4G of this chapter. Operation of a tram off Boardwalk for the transport of passengers is specifically prohibited.~~

U. The terminal points for the Motorized Trams trams shall be Garden Pier to the east and Albany Avenue to the west or as designated by the Director of Licensing & Inspections.

V. The contractor must provide the city with a performance and payment bond from a surety company authorized to do business in the city, as well as fulfilling all the other terms and stipulations set forth in the contract.

W. The contractor agrees to appoint the City Clerk of Atlantic City as its agent for the purpose of accepting service for all suits that may be instituted against them.

X. The contractor shall provide Motorized Trams trams which possess approved and acceptable inflatable tires which will not damage the Boardwalk. The Director, upon the advice and consultation of the City Engineer, shall have the right to require vehicle modifications in any instance relevant to the safe operation of the Motorized Trams trams and the protection of the integrity of the Boardwalk.

Y. The Contractor shall keep informed of and comply with all laws, ordinances and regulations in any manner affecting those engaged or employed in the work in any way affecting the conduct of this work, an all orders or decrees of bodies or tribunals having any jurisdiction or authority over the same. If any discrepancy or inconsistency shall be discovered, in relation to any such law, ordinance, regulation, order or decree, they shall forthwith report the same in writing to the City of Atlantic City. Contractor at all times shall observe and comply with and shall cause their agents and employees to observe and comply with, all such existing and future laws, ordinances, regulations, orders and decrees; and shall protect and indemnify the city of Atlantic City, their officers and agents against any claim or liability arising from or based upon the violation of any such law, ordinance, regulation, order or decree.

§ 98-5. Motorized Tram operating procedures.

A. No tram shall stand idle or in a stationary position unless it is picking up or discharging passengers, except at the terminal points.

B. No Motorized Tram tram shall exceed the speed of four miles per hour while operating on the Boardwalk.

C. ~~The motor or power units of the Motorized Trams trams shall be propelled by propane or electricity electric.~~ Governors or other approved mechanical devices shall be installed on the power units with the written approval of the Director and the concurrence of the City Engineer in order to ensure compliance with the speed limit.

D. ~~Off-Boardwalk operation of Motorized Trams trams is limited to travel to and from the storage facility identified in § 98-4G of this chapter. Operation of a Motorized Tram tram off-Boardwalk for the transport of passengers is specifically prohibited, unless approved by the Director, whose approval shall not be unreasonably withheld.~~

E. ~~No Motorized Tram tram shall may pass or ride abreast of another Motorized Tram tram traveling in the same direction.~~

F. ~~Motorized Trams must proceed along the in the second and fourth ribbons of the Boardwalk as directed by City Engineer and the Director, in the five-ribbon section, and the second and third ribbons of the Boardwalk in the four-ribbon section.~~

G. ~~Motorized Tram shall have a safety sound device which is approved in writing by the Director as well as a first aid packet and fire extinguisher.~~

~~Trams shall have no sound devices whatsoever unless specifically approved in writing by the Director.~~

H. ~~Motorized Tram operators shall be courteous to passengers at all times and shall not engage in the use of foul, profane, improper or abusive language.~~

~~Trams are prohibited from operating on the Boardwalk between 6:00 a.m. and 10:00 a.m.~~

I. ~~Motorized Tram operators shall not bypass passengers seeking a ride when seats are available.~~

There shall be a sufficient number of ~~Motorized Tram trams~~ operating at any given time to provide adequate service to the public. Such a determination will be made by the Director in consultation with the ~~City Engineer contractor.~~

J. ~~Motorized Tram fares shall not exceed \$2 one way.~~ shall be as follows:

May 1 to September 15 - \$4.00 one way and \$8.00 all day fare.

September 16 to April 30 - \$3.00 one way and \$5.00 all day fare.

This fare includes any and all applicable Federal, State and local taxes. An all-day fare in the amount of \$5 shall be available. The fare shall be prominently displayed on the outside of the vehicle.

K. Each Motorized Tram shall be operated by two (2) individuals, consisting of one (1) driver and one (1) conductor. The conductor shall collect fares, control ridership, and announce Motorized Tram stops.

§ 98-6. Tram operators and conductors: applications and qualifications.

A. No person shall operate a Motorized Tram ~~tram~~ unless application is made to the city for a driver's identification permit upon a form provided by the city, submitted to the City's Mercantile Section for a Motorized Tram Operator's License on a form provided by the City and the following is to be attached:

1. Application fee of \$100.00 (initial application) – Renewal application fee is \$60.00
2. Proof of Citizenship
3. Photo License Fee – \$10.00 (replacement of lost or stolen license is \$15.00)
4. Finger Print Application fee of \$20.00

B. Operator and Conductor shall submit to testing for addiction for the use of narcotics or intoxicating liquors and shall subject to annual drug testing at a facility selected by the City of Atlantic City at the cost of the Operator and Conductor

~~First-time applicants must be fingerprinted and photographed by the Atlantic City Police Department; renewal applicants may be fingerprinted and photographed at the discretion of the Director.~~

C. The Motorized Tram license is for a period of one year and shall be renewed annually. Application for renewal shall be submitted two months prior to the expiration of the current license.

~~The contractor shall make certain that all tram operators are registered with the city, that an identification permit has been issued and that the registration fee of \$100 has been paid. Identification permits will be good for one year. All permits must be renewed for the following year. A fee of \$50 shall accompany all renewal requests.~~

D. All applicants must be at least 18 years of age. Applicants must be of sound mind and body with proven ability to operate a motor vehicle.

E. Each operator/applicant driver shall produce a valid and current New Jersey CDL license with driver's license in his or her name.

F. (Reserved)

~~Operator/Applicants must not be addicted to the use of narcotics or intoxicating liquors.~~

G. (Reserved).

~~Applicants must have at least one year of driving experience. Applicants must be prepared to take and pass whatever relevant tests the Director may require.~~

H. (Reserved)

~~First-time applicants shall produce affidavits of their good character from at least two reputable Atlantic City citizens who have known the applicant personally. In addition, it may be required for the applicant to produce a reference from his or her last employer.~~

I. The applicant must answer all questions on the application form completely and truthfully and shall sign and swear or affirm to the accuracy of the statements made.

J. The applicant shall have a written promise of employment from the contractor attached to his or her application.

K. (Reserved)

~~Tram operators shall be courteous to passengers at all times and will not engage in the use of foul, profane, improper or abusive language.~~

L. (Reserved)

~~Tram operators shall not bypass passengers seeking a ride when seats are available.~~

M. Upon the satisfactory fulfillment of all necessary requirements, there shall be issued by the City ~~city~~ to the applicant a Motorized Tram Operator's License ~~tram driver's permit~~ which shall contain the photograph and signature of the ~~tram~~ operator. It shall be unlawful to remove or obliterate any official entry upon said license ~~permit~~. Motorized Tram Operator's License ~~Driver's identification permits~~ shall be valid for One Year up to and including the 30th day of March. ~~Permits shall be valid for one year only.~~ The Motorized Tram Operator's License shall be of such form and style as the Director prescribes, with the driver's license number from the State of New Jersey and the word "Operator" appearing clearly thereon, which shall be constantly and clearly displayed on the outside of the driver's coat or shirt when engaged in driving a commercial vehicle. The Motorized Tram Conductor's License shall be of such form and style as the Director prescribes, with the driver's license number from the State of New Jersey and the word "Conductor" appearing clearly thereon, which shall be constantly and clearly displayed on the outside of the driver's coat or shirt when engaged in driving a commercial vehicle. No Motorized Tram ~~tram~~ shall be operated except by a duly licensed person who is wearing such an identification card, conspicuously displayed.

§ 98-7. Affirmative action.

The contractor must comply with all laws of the State of New Jersey, all ordinances of the City of Atlantic City and Executive Order Nos. 2 of 1984 and 1 of 1985, involving affirmative action and minority business participation. Failure to continue in compliance shall be deemed a breach of the agreement.

§ 98-8. Action by City Council.

A. It is the intention of the City that the Motorized Trams ~~trams~~ be an attraction in the resort, and to that end it is the City's intent that the Motorized Trams ~~trams~~ be aesthetically pleasing and that the theme of the design and appearance of the Motorized Trams ~~trams~~ be consistent with and reflective of the rich history of the Boardwalk and the City.

B. The City Council of the City of Atlantic City reserves the right to reject the highest responsible bid solely for reasons of aesthetics. In the event that such bid is so rejected, all bids are rejected.

§ 98-9. Violations and penalties.

[Amended 11-25-2008 by Ord. No. 104]

A. The Director is hereby authorized to establish a penalty chart, stipulating maximum fines to be imposed by City inspectors, including police officers, for violations of this chapter. A fine for a first offense shall not exceed \$100; thereafter, a maximum of \$2,000.

B. In the event that the violator wishes to contest the charges and the fine imposed, the matter shall be appealed to the Director.

§ 98-10. Suspension, cancellation and revocation.

The Director may suspend, cancel or revoke the driving permit of any operator for good cause upon notice and opportunity to be heard.

Section 2. All Ordinances or parts of Ordinances inconsistent with any of the terms of this Ordinance are hereby repealed to the extent of such inconsistency or inconsistencies.

Section 3. This Ordinance shall take effect twenty (20) days after first publication thereof after final passage.

SH November 14, 2016 11:28 AM 16-B

DO NOT USE SPACE BELOW THIS LINE

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote		NV-Not Voting		AB-Absent		MOT-Motion		SEC-Second					

Adopted on first reading at a meeting of the Council of the City of Atlantic City, N.J. on

Adopted on second and final reading after hearing on.....

Approved By.../s/.....Date..... Reconsidered Over
 By Council.....Ride _____
 Mayor Aye Nay

This is a Certified True copy of the Original Ordinance on file in the City Clerk's Office.

.../s/..... Paula Geletei, City Clerk

Chairman: Kaleem Shabazz

Members: Marty Small, Sr., Council President, Aaron Randolph and Jesse Kurtz

PLANNING & DEVELOPMENT

Resolution of the City of Atlantic City

No. 670

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/Benjamin J. Kaufman

Director/s/ Dale Finch, Licensing & Inspections

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

RESOLUTION AUTHORIZING THE LEASE AT AUCTION OF CITY-OWNED PROPERTY LOCATED AT 25 S. NORTH CAROLINA AVENUE

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipality to lease by public auction real property not needed for public use; and

WHEREAS, the City of Atlantic City owns real property located at 25 S. North Carolina Avenue (the "Property") which is designated on the official Tax Map of the City of Atlantic City as Block 139, Lot 20; and

WHEREAS, the Property is not needed for any municipal purpose by the City of Atlantic City; and

WHEREAS, the City wishes to advertise for and receive bids at open public auction to lease the property for the purpose of operating a parking facility; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14(a), the City desires to fix a minimum rental and reserve the right to reject all bids.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Atlantic City that:

1. The Property is no longer needed for public municipal purposes and that the best interest of the public shall be served in leasing said property by public auction to the highest bidder at or above the minimum price of Nine Thousand Dollars (\$9,000.00) per month. The City Clerk shall advertise the time, date and place of the open public auction.
2. Authorization is hereby given to the City Clerk to give Notice of the aforesaid Lease at Public Auction by public ADVERTISEMENT thereof in the Atlantic City Press by TWO (2) INSERTIONS, at least ONCE A WEEK during two consecutive weeks, the last publication to be not earlier than seven (7) days prior to the auction, in accordance with N.J.S.A. 40A:12-14(a)
3. City Council reserves the right to reject all bids.

4. The Notice shall set forth all conditions, restrictions and limitations upon the tenancy subject to the lease.

5. No bids shall be accepted from any owner of property in Atlantic City for which any real estate taxes or municipal charges are due and unpaid at the time of auction.

tc November 14, 2016 10:48 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 680

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/Benjamin Kaufman

Director of Planning & Development, Elizabeth Terenik

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

RESOLUTION AWARDING CONTRACT TO TRIAD ASSOCIATES FOR CDBG/HOME CONSULTANT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

WHEREAS, the City of Atlantic City has advertised for and received Proposals under a fair and open process for **CDBG/HOME CONSULTANT FOR THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**; and,

WHEREAS, **TRIAD ASSOCIATES** has completed and submitted a Business Entity Disclosure Certification which certifies that **TRIAD ASSOCIATES** have not made any reportable contributions to a political or candidate committee in the City of Atlantic City and/or City Council in the previous one year, and that the contract will prohibit **TRIAD ASSOCIATES** from making any reportable contributions through the term of the contract, and

WHEREAS, the Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution;

NOW THEREFORE, BE IT RESOLVED by the City Council that the Mayor or his designee is hereby authorized to execute and the City Clerk to attest, if required, to the attached service agreement, to be approved as to form by the City Solicitor, between the City of Atlantic City and **TRIAD ASSOCIATES, 1301 W. Forest Grove Road, Bldg. 3, Vineland, New Jersey, 08360**, in the **TOTAL SUM OF NINETY FIVE THOUSAND FOUR HUNDRED DOLLARS (\$95,400.00)**, effective January 1, 2017 to December 31, 2017, for **CDBG/HOME CONSULTANT FOR THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT**; and

BE IT FURTHER RESOLVED that a Notice of this Action be **PUBLISHED in THE PRESS**, pursuant to N.J.S.A. 40A:11-1, et seq., as amended; and

BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer has been attached to this Resolution, showing the availability of funds from the 2016 Budget, Account No. G-14-16-020-644-399 and G-14-16-010-654-399, to satisfy the aforesaid award of agreement.

kc November 14, 2016 10:48 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 681

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director of Planning & Development /s/ Elizabeth Terenik

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

RESOLUTION TO APPROVE A LIST OF QUALIFIED REHABILITATION ENTITIES

WHEREAS, there exist within the City a number of properties which by virtue of being vacant, unfit for habitation, delinquent in real estate taxes, in disrepair, or in such condition as to create a nuisance or risk of public health or safety hazard, or criminal activity, or otherwise adversely affects the welfare of residents in proximity to such properties; and

WHEREAS, pursuant to the New Jersey Abandoned Property Rehabilitation Act, N.J.S.A. 55:19-78 et seq. (the "Act"), properties which exhibit the characteristics identified above are defined as "abandoned" properties and the City is authorized to take appropriate action to rehabilitate such properties, or, if they cannot be rehabilitated, to demolish and rebuild the structures on such properties; and

WHEREAS, the City adopted Ordinance No. 92-2015 dated December 9, 2015, which designated the Director of Licensing and Inspections as the public officer authorized to prepare a list of abandoned properties, and which directed such public officer to establish a list of abandoned properties throughout the City; and

WHEREAS, the Abandoned Property List has been established and all owners of such properties have been notified but have failed to rehabilitate their properties; and

WHEREAS, the City now desires to identify such entities as meet the criteria for Qualified Rehabilitation Entities (QREs) as defined in the Act for the purpose of commencing the rehabilitation of properties on the Abandoned Property List; and

WHEREAS, the City issued a Request for Qualifications (RFQ) and received fourteen (14) responses; and

WHEREAS, the City has determined that the entities who responded to the RFQ and are listed on Exhibit A attached hereto meet the criteria established by the Act for QREs; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Atlantic City as follows:

1. The City finds that the entities listed on Exhibit A meet the criteria for Qualified Rehabilitation Entities as defined in N.J.S.A. 55:19-80, and are therefore designated as QREs who may be appointed by the City to rehabilitate properties on the Abandoned Property List pursuant to the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq., subject to the establishment of a source of funding in each instance.

2. Nothing in this Resolution shall bind the City to retain, appoint or designate any specific QRE for any specific property, nor shall the City be obligated to conduct or perform any activity for which funding has not been designated. Any activities performed by the City to rehabilitate properties shall be dependent on and pursuant to the City's budgetary requirements and constraints, as well as the requirements of any funding which may be designated for that purpose.

November 14, 2016 10:49 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 682

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director/s/Elizabeth Terenik, Planning & Development

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

**RESOLUTION TO ACCEPT GRANT AWARD FOR
COMMUNITY-WIDE PETROLEUM SUBSTANCES CONTAMINATION
IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS FOR
INVESTIGATION AND REMEDIATION COSTS OF SITES AFFECTED BY
HISTORIC FILL AND OTHER ENVIRONMENTAL CONDITIONS**

WHEREAS, pursuant to Resolution No. 889 dated November 23, 1994 the City of Atlantic City in its entirety was determined to be an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14.; and

WHEREAS, there exist a number of sites throughout the City which are believed to be affected by historic fill and other environmental conditions which require investigation and remediation prior to putting such sites back into productive use; and

WHEREAS, addressing such conditions at sites throughout the City is worthwhile as it will prepare such sites for redevelopment and encourage private investment by developers who do not wish to bear the cost of remediating historic environmental conditions; and

WHEREAS, to assist in paying for such investigations, the City applied for and was awarded a Community-Wide Hazardous Substances Contamination grant from the US Environmental Protection Agency in the amount of \$200,000, which award letter is attached hereto as Exhibit A (the "EPA Investigation Grant"); and

WHEREAS, the City desires to accept the EPA Investigation Grant funding for the purposes indicated and take such action as is necessary to meet the requirements for the grant award; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Atlantic City as follows:

1. The City hereby accepts the EPA Community-Wide Hazardous Substances Contamination Investigation Grant in the amount of \$200,000 and the Mayor is hereby authorized to accept the grant award attached as Exhibit A and to execute and submit any and all grant documents necessary in connection therewith to secure funding in the amount of \$200,000 for site investigation activities to be conducted at various sites across the City.

2. Nothing in this Resolution shall bind the City to pay for or undertake any activities for which grant funding is not received and authorization of all environmental activities shall be dependent on and pursuant to the City's budgetary requirements and constraints, as well as the requirements of any grant actually received.

tc November 14, 2016 10:49 AM

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RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 683

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director/s/ Elizabeth Terenik, Planning & Development

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

**RESOLUTION TO ACCEPT GRANT AWARD FOR
COMMUNITY-WIDE PETROLEUM SUBSTANCES CONTAMINATION
IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS FOR
INVESTIGATION AND REMEDIATION COSTS OF SITES AFFECTED BY
UNDERGROUND STORAGE TANKS AND DISCHARGES OF
PETROLEUM BASED SUBSTANCES**

WHEREAS, pursuant to Resolution No. 889 dated November 23, 1994 the City of Atlantic City in its entirety was determined to be an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14.; and

WHEREAS, there exist a number of sites throughout the City which are believed to be affected by abandoned underground storage tanks and discharges of petroleum-based substances, which require investigation and remediation prior to putting such sites back into productive use; and

WHEREAS, addressing such conditions at sites throughout the City is worthwhile as it will prepare such sites for redevelopment and encourage private investment by developers who do not wish to bear the cost of investigating and remediating historic environmental conditions; and

WHEREAS, to assist in paying for such investigations, the City applied for and was awarded a Community-Wide Petroleum Substances Contamination grant from the US Environmental Protection Agency in the amount of \$200,000, which award letter is attached hereto as Exhibit A (the "EPA Investigation Grant"); and

WHEREAS, the City desires to accept the EPA Investigation Grant funding for the purposes indicated and take such action as is necessary to meet the requirements for the grant award; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Atlantic City as follows:

1. The City hereby accepts the EPA Community-Wide Petroleum Substances Contamination grant in the amount of \$200,000 and the Mayor is hereby authorized to accept the grant award attached as Exhibit A and to execute and submit any and all grant documents necessary in connection therewith to secure funding in the amount of \$200,000.00 for site investigation activities to be conducted at various sites across the City.

2. Nothing in this Resolution shall bind the City to pay for or undertake any activities for which grant funding is not received and authorization of all environmental activities shall be dependent on and pursuant to the City's budgetary requirements and constraints, as well as the requirements of any grant actually received.

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November 14, 2016 10:49 AM

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COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
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KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 692

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director/s/Elizabeth Terenik, Planning & Development

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

**RESOLUTION TO ACCEPT GRANT AWARD FOR
THE ATLANTIC CITY BROWNFIELDS CLEANUP
DELTA BASIN HOMES SITE
IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS**

WHEREAS, the City owns lots 1, 2 and 9 of block 542 located at 820 Wabash Avenue and 827 Adriatic Avenue and identified as the "Delta Basin Homes site," which site is vacant and has been the subject of numerous environmental investigations which have identified the presence of contamination in the soil and groundwater requiring remediation; and

WHEREAS, to remediate the contamination identified at the site, the City applied for and was awarded a remediation grant from the US Environmental Protection Agency in the amount of \$200,000 to pay for the costs of remediating the site, which award letter is attached hereto as Exhibit A (the "EPA Remediation Grant"); and

WHEREAS, the EPA Remediation Grant will pay up to \$200,000 towards the projected costs of the remediation activities at the Delta Basin Homes site, subject to a 16.7% match of funds from another source; and

WHEREAS, the total cost of remediation is projected to be approximately \$290,000 and the remaining costs not covered by the EPA Remediation Grant will be paid for by grants from the state Hazardous Discharge Site Remediation Fund ("HDSRF") and by the prospective purchaser of the Delta Basin site subject to an agreement of sale; and

WHEREAS, the City desires to accept the EPA Remediation Grant funding for the purposes indicated and take such action as is necessary to meet the requirements for the grant award; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Atlantic City as follows:

1. The City hereby accepts the EPA Site Remediation Grant in the amount of \$200,000 as set forth in Exhibit A and the Mayor is hereby authorized to execute and submit any and all grant documents necessary in connection therewith to secure funding in the amount of \$200,000 for Site Remediation activities to be conducted at the Delta Basin Homes site.

2. Nothing in this Resolution shall bind the City to pay for or undertake any activities which are not funded by the EPA Remediation Grant or any other grant funding or source of funds. Authorization of all environmental activities shall be dependent on and pursuant to the City's budgetary requirements and constraints, as well as the requirements of any funds actually received.

SH

November 14, 2016 10:49 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 693

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Benjamin J. Kaufman

Director/s/ Elizabeth Terenik, Planning & Development

Prepared by City Solicitor's Office

Council Member SHABAZZ presents the following Resolution:

**RESOLUTION TO ACCEPT GRANT AWARD FOR ATLANTIC CITY BROWNFIELDS CLEANUP,
BUNGALOW PARK SITE IN THE AMOUNT OF ONE HUNDRED SIXTY-THREE THOUSAND SIX
HUNDRED FIFTY EIGHT DOLLARS**

WHEREAS, the City owns lot 8 of block 432 located at 709 Mediterranean Avenue and identified as the "Bungalow Park site," which site is vacant and has been the subject of numerous environmental investigations which have identified the presence of contamination in the soil and groundwater requiring remediation; and

WHEREAS, to remediate the contamination identified at the site, the City applied for and was awarded a remediation grant from the US Environmental Protection Agency in the amount of \$163,658 to pay for the costs of remediating the site, which award letter is attached hereto as Exhibit A (the "EPA Remediation Grant"); and

WHEREAS, the EPA Remediation grant will pay up to \$163,658 towards the projected costs of the remediation activities at the Delta Basin Homes site, with no matching funds required; and

WHEREAS, the City desires to accept the EPA Remediation Grant funding for the purposes indicated and take such action as is necessary to meet the requirements for the grant award; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Atlantic City as follows:

1. The City hereby accepts the EPA Site Remediation Grant in the amount of \$163,658 as set forth in Exhibit A and the Mayor is hereby authorized to execute and submit any and all grant documents necessary in connection therewith to secure funding in the amount of \$163,658 for site remediation activities to be conducted at the Bungalow Park site.

2. Nothing in this Resolution shall bind the City to pay for or undertake any activities which are not funded by the EPA Remediation Grant or other grant funding and authorization of all environmental activities shall be dependent on and pursuant to the City's budgetary requirements and constraints, as well as the requirements of any grant actually received.

SH

November 14, 2016 10:49 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Chairman: Marty Small, Sr., Council President

Members: Jesse Kurtz, William Marsh and Moisse Delgado

REVENUE & FINANCE

Resolution of the City of Atlantic City

No. 677

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Legislative Counsel Robert L. Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by Legislative Counsel

Council Member ALL COUNCIL Presents the following Resolution:

RESOLUTION FOR PAYMENT TO PAULA GELETEI, CITY CLERK FOR GENERAL ELECTION DUTIES

BE IT RESOLVED, that pursuant to *N.J.S.A. 19:45-9*, City Council of the City of Atlantic City hereby authorizes the City Comptroller to ISSUE a WARRANT in the sum of **FIVE HUNDRED DOLLARS (\$500.00) per Election to PAULA GELETEI, MUNICIPAL CLERK** as payment for extra duties and services imposed upon and performed by her in connections with the General Election held on November 8, 2016.

November 14, 2016 10:50 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote				NV-Not Voting		AB-Absent		MOT-Motion		SEC-Second			

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 678

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/Benjamin J. Kaufman

Director of Revenue & Finance, Michael P. Stinson

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

RESOLUTION AUTHORIZING TAX REFUNDS

WHEREAS, taxes assessed for municipal purposes for various years on the attached BLOCK(S) and LOT(S) were paid in full; and

WHEREAS, those individuals and/or companies on the list attached have submitted a claim against the City of Atlantic City for a **REFUND DUE TO OVERPAYMENT**;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City **COMPTROLLER** is hereby **AUTHORIZED** to **ISSUE** a **WARRANT(S) FOR REFUND(S)** beginning with Spiotti & Esposito, \$342.74, and ending with Spiotti & Esposito, \$355.01, as per the list attached.

tc November 14, 2016 10:50 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 679

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/ Karl Timbers

Director of Revenue & Finance, Michael P. Stinson

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

REFUND TO PILGRIM OPERATIONS FOR POLICE SECURITY DUE TO OVERPAYMENT

BE IT RESOLVED by City Council of the City of Atlantic City that the City Comptroller is hereby authorized and directed to issue a warrant for payment to Pilgrim Operations, LLC, 12020 Chandler Blvd., Suite 200, North Hollywood, CA in the sum of **ONE THOUSAND EIGHTY DOLLARS (\$1,080.00)** an overpayment for police security for a two day film shoot at Steel Pier and Kennedy Plaza on July 2-3, 2016

tc November 14, 2016 10:51 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 685

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor /s/Karl Timbers

Nancy Egrie, Risk Manager

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

RESOLUTION AUTHORIZING PAYMENTS ASSOCIATED WITH WORKERS' COMPENSATION PAYMENTS

BE IT FURTHER RESOLVED that the City Comptroller is hereby authorized to issue a wire transfer in the total sum of **\$29,304.60** payments to be made on the attached list for workers' compensation claims.

tc November 14, 2016 10:51 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 686

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Assistant City Solicitor / Karl Timbers

Nancy Egrie, Risk Manager

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

RESOLUTION AUTHORIZING THIRD PARTY ADMINISTRATION PAYMENTS

BE IT RESOLVED by the Council of the City of Atlantic City that the City Comptroller is hereby authorized to issue a wire transfer to **Amerihealth Casualty Services** in the total sum of ONE HUNDRED FIFTY-FIVE THOUSAND THREE HUNDRED FORTY-SIX DOLLARS and NINETY-ONE CENTS (\$155,346.91) payments to be made on the City of Atlantic City's behalf to the claimants on the attached list for liability claims.

tc November 14, 2016 10:51 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 687

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Deputy City Solicitor /s/ Michael J. Perugini

Director/s/ Michael P. Stinson, Revenue & Finance

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

RESOLUTION AUTORIZING VENDOR'S LIST FOR PAYMENT OF VARIOUS BILLS

BE IT RESOLVED by the City of Atlantic City that the City Comptroller is hereby authorized and directed to issue **WARRANTS beginning with Guy J. Renzi & Associates and ending with Joshua Marcus Group.**

Vendor's List Total \$105,766.25

SH

November 14, 2016 10:51 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 688

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Deputy City Solicitor /s/Michael J. Perugini

Anthony Swan, Solicitor

Prepared by City Solicitor's Office

Council Member SMALL presents the following Resolution:

RESOLUTION AUTHORIZING PAYMENT TO RATIFY AND VALIDATE FOR SERVICES RENDERED BY CATHY TUOHY, ESQ.

WHEREAS, the City of Atlantic City had a need to acquire and retain legal services for the City Solicitor's Office; and

WHEREAS, due to the circumstances surrounding the various matters, the firm of **CATHY TUOHY, ESQ.**, was retained; and

WHEREAS, **CATHY TUOHY, ESQ.**, is now owed for professional services provided in 2016. The invoices submitted by the firm have been reviewed by the City Solicitor and have been deemed accurate and necessary.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Atlantic City ratifies the prior services rendered and authorizes and ratifies the payment of the prior services as aforementioned in the amount of **FOUR THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS (\$4,576.00)**; and

BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer has been attached to this resolution showing the availability of funds from account no. 6-01-10-105-000-291 and specifying the line item appropriation from the 2016 Budget to satisfy the aforementioned amount owed.

tc November 14, 2016 10:51 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 675

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Legislative Counsel/ Robert Tarver, Esq.

Business Administrator /s/ Jason Holt

Prepared by Legislative Counsel

Council Member KURTZ Presents the following Resolution:

RESOLUTION AUTHORIZING THE CITY TO ADVERTISE AND RECEIVE BIDS FOR LEASE OF BEACH TENTS AND RIGHTS TO COMMERCIAL ADVERTISING

WHEREAS, the City Council of Atlantic City seeks to implement measures to promote austerity; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Atlantic City hereby authorizes the City, pursuant to N.J.S.A. 40A:12-14 to advertise for and receive bids for the lease of beach tents/lifeguard shacks currently owned by the City of Atlantic City with a minimum bid threshold to be set at four thousand dollars (\$4000.00) per summer seasonal lease beginning May 15th and ending October 1st each year.; and,

BE IT FURTHER RESOLVED that the City Council of the City of Atlantic City hereby authorizes the City, pursuant to N.J.S.A. 40A:12-14 to advertise and receive bids for the lease of business and commercial advertising space on the back of lifeguard boats currently owned by the City of Atlantic City with a minimum bid threshold to be set at twenty five hundred dollars (\$2,500.00) per summer seasonal lease beginning May 15th and ending October 1st each year.

POSTPONED 11-2-16

November 14, 2016 10:52 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 689

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Asst. Solicitor /s/Eileen Lindinger

Director of Licensing & Inspections, Dale Finch

Prepared by City Solicitor's Office

Council Member KURTZ presents the following Resolution:

RESOLUTION AUTHORIZING AMUSEMENTS GAMES - STANLEY J. KISKA, PLAYCADE, LLC

BE IT RESOLVED by the City Council that the City of Atlantic City is a seashore resort and the premises set forth below are located in an amusement/entertainment area or a reorganized amusement park (pier) in said City; and

BE IT FURTHER RESOLVED that the person or corporation hereinafter named has the qualifications to hold a license under the provisions of the Amusement Games Licensing Law of the State of New Jersey, the Rules and Regulations issued by the Commissioner, and Ordinance No. 7 of 1960 of Atlantic City, as amended; and

BE IT FURTHER RESOLVED that an Amusement Games License is hereby issued to the person or corporation for the premises in the City of Atlantic City set forth below for the period from the date hereof to and including December 31, 2017, subject to the aforementioned Statute, Rules and Regulations, and Ordinance of said City; and

BE IT FURTHER RESOLVED that the issuance of said license is conditioned upon the licensee obtaining a license to operate at the hereinafter mentioned premises from the State of New Jersey; and

BE IT FURTHER RESOLVED that the issuance of said license(s), to be operated at said location(s), is limited to the facts as set forth in the application(s) filed:

<u>PREMISES</u>	<u>LICENSEE</u>	<u>TYPE OF GAME</u>
2629 Boardwalk		Stanley J. Kiska, Playcade, LLC
Arcade Games per attached list		

kc November 14, 2016 10:52 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
SMALL, PRESIDENT													
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

Resolution of the City of Atlantic City

No. 690

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Asst. City Solicitor /s/Eileen Lindinger

Director of Licensing & Inspections, Dale Finch

Prepared by City Solicitor's Office

Council Member KURTZ presents the following Resolution:

RESOLUTION AUTHORIZING TRANSFER OF JITNEY PERMIT #121

WHEREAS, RIDE AC, LLC, d/b/a NATHAN CHAIT, holder of JITNEY PERMIT NO. 121 and member of the ATLANTIC CITY JITNEYMEN'S ASSOCIATION, has paid all license fees incurred to date and now desires to dispose of PERMIT NO. 121; and

WHEREAS, JEAN PIERRE OSIAS, desires to be a member of the ATLANTIC CITY JITNEYMEN'S ASSOCIATION and to obtain a LICENSE PERMIT NO. 121 from said RIDE AC, LLC, d/b/a NATHAN CHAIT; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Atlantic City that a LICENSE TO OPERATE A JITNEY in said City, using PERMIT NO. 121 for a term ending June 30, 2017, under application made by JEAN PIERRE OSIAS, is hereby APPROVED.

kc November 14, 2016 10:54 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 684

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Deputy City Solicitor /s/ Michael J. Perugini

Director/s/ Chief Scott K. Evans, ACFD

Prepared by City Solicitor's Office

Council Member RANDOLPH presents the following Resolution:

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT
WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR AN
FEDERAL EMERGENCY MANAGEMENT AGENCY
ASSISTANCE TO FIREFIGHTER GRANT (AFG)**

WHEREAS, the Federal Emergency Management Agency is accepting applications for the FY2016 Assistance to Firefighter Grant (AFG); and

WHEREAS, this program is available to municipalities with full time Fire Departments and volunteer firefighter organizations; and

WHEREAS, the primary goal of the AFG to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical service organizations; and

WHEREAS, the City of Atlantic City is eligible to apply for this grant program; and-

WHEREAS, the City of Atlantic City carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

NOW, THEREFORE, BE IT RESOLVED that governing body of the City of Atlantic City formally approves that grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application to the Federal Emergency Management Agency on behalf of the City of Atlantic City.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Atlantic City and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

SH
November 14, 2016 10:54 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____ /s/ Paula Geletei, City Clerk

Resolution of the City of Atlantic City

No. 691

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified to by

Deputy City Solicitor /s/ Michael J. Perugini

Director/s/ Paul Jerkins, Public Works

Prepared by City Solicitor's Office

Council Member RANDOLPH presents the following Resolution:

RESOLUTION AUTHORIZING THREE MONTH EXTENSION OF CONTRACT WITH FIRST VEHICLE SERVICES, INC. FOR FLEET MAINTENANCE

WHEREAS, by Resolution No. 736 of 2013, the City of Atlantic City entered into an Agreement with **FIRST VEHICLE SERVICES, INC.** for **FLEET MANAGEMENT, MAINTENANCE AND REPAIR** for a period of (3) years with and option of two (2) one (1) year extensions in the amount of **SIX MILLION NINE HUNDRED SEVENTY-THREE THOUSAND THREE HUNDRED DOLLARS AND SEVENTY-THREE CENTS (\$6,973,300.73)** commencing October 1, 2013 and ending September 30, 2016; and

WHEREAS, by Resolution 730 of 2015, the City and First Vehicle, Inc. agreed to amend the contract price for year three (3) to Two Million Forty Four Thousand Four Hundred Thirty Three Dollars (\$2,044,433.00) for the period commencing on October 1, 2015 and ending September 30, 2016 for a total reduction of price in the amount of \$280,000.00.

WHEREAS, it is necessary to **EXTEND THE EXISTING CONTRACT FOR AN ADDITIONAL THREE (3) MONTHS from OCTOBER 1, 2016 TO DECEMBER 31, 2016** in the amount of **SIX HUNDRED ELEVEN THOUSAND ONE HUNDRED EIGHT DOLLARS AND TWENTY-SIX CENTS (\$611,108.26)** to be known as **CHANGE ORDER No. 1.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Atlantic City that the Mayor is hereby authorized to execute and the City Clerk to attest to an **Amendatory Agreement** with **FIRST VEHICLE SERVICES, INC.**, to **INCLUDE** the aforementioned extension of contract for (3) months (October, November, December 2016) in the total amount of **SIX HUNDRED ELEVEN THOUSAND ONE HUNDRED EIGHT DOLLARS AND TWENTY-SIX CENTS (\$611,108.26)** to be known as **CHANGE ORDER No. 1;** and

BE IT FURTHER RESOLVED that a Certificate from the Chief Financial Officer has been attached to this Resolution, showing the availability of funds from the 2016 Budget, Account No. 6-01-40-412-000-282, to satisfy the aforesaid award of agreement.

BE IT FURTHER RESOLVED that the aforementioned is contingent upon State approval.

SH

November 14, 2016 10:54 AM

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
CHENG							MARSH						
DELGADO							RANDOLPH						
GILLIAM							SHABAZZ						
KURTZ							TIBBITT						
							SMALL, PRESIDENT						
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Resolution on file in the City Clerk's Office.

DATE OF ADOPTION: _____

/s/ Paula Geletei, City Clerk