

# FINAL AGENDA

## COUNCIL MEETING AGENDA

JULY 8, 2009

5:00 PM

### ATLANTIC CITY COUNCILMEMBERS

WILLIAM MARSH, PRESIDENT

DENNIS MASON, VICE PRESIDENT

TIMOTHY MANCUSO

JOHN J. SCHULTZ

STEVEN MOORE

MARTY SMALL

EUGENE ROBINSON

GEORGE TIBBITT

G. BRUCE WARD

- 1) PLEDGE OF ALLEGIANCE - INVOCATION
- 2) ROLL CALL
- 3) OPEN PUBLIC MEETING ACT
- 4) APPROVAL OF MINUTES
- 5) REPORTS AND RECOMMENDATIONS FROM THE MAYOR  
ORDINANCE NOS. 31, 32, 33, 34, 35, 36 were signed by THE MAYOR on JUNE 26, 2009.
- 6) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS

CIVIL ACTION . . . . . Matthew Sykes; Gladys Ridley & Damon Toombs; vs City of Atlantic City, et al.

NOTICE OF CLAIM. . . . . Francisco M. Santiago; Benjamin Demby; Adrienne Coleman; Melvin Jones;  
Atlantic City Electric; Jean Owsinski; Nathan Cornish vs ACPD & City of Atlantic  
City.

**PUBLIC COMMENT on AGENDA ITEMS****8) ORDINANCES  
FIRST READING**

MANCUSO PULLED	9-H	AN ORDINANCE to AMEND the ATLANTIC CITY CODE CHAPTER 4 entitled ADMINISTRATION of GOVERNMENT.
MARSH PULLED	11-A (Revised)	AN ORDINANCE to AMEND the ATLANTIC CITY CODE CHAPTER 4, ARTICLE VIII which REGULATES JOB TITLES within the CITY GOVERNMENT. (DEPARTMENT OF PUBLIC SAFETY.)
WARD PASSED	11-B	AN ORDINANCE to ACCOMMODATE the FLOW of TRAFFIC on MADISON AVENUE
MASON PASSED	11-C	AN ORDINANCE to AUTHORIZE the GRANT OF an EASEMENT in ORDER to IMPROVE TRAFFIC CONDITIONS and SAFEGUARD the FLOW and MOVEMENT of TRAFFIC in the CITY of ATLANTIC CITY.
TIBBITT PASSED	11-D	AN ORDINANCE AMENDING CHAPTER 4 SECTION 15 to CHANGE the ORDER of BUSINESS at EACH REGULAR MEETING
MOORE PASSED	11-E	AN ORDINANCE to AMEND the ATLANTIC CITY CODE CHAPTER 57 which REGULATES JOB TITLES within the CITY GOVERNMENT. (NEIGHBORHOOD SERVICES, PUBLIC WORKS & ENGINEER DIVISION.)

**SECOND and FINAL READING**

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|---------------------------|----|---|
| MOORE & MASON<br>PASSED   | 37 | AN ORDINANCE amending CHAPTER 57 of THE CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (DEPT. OF ADMINISTRATION).               |
| MANCUSO & SMALL<br>PASSED | 38 | AN ORDINANCE AUTHORIZING the CONVEYANCE to the HOUSING AUTHORITY & URBAN REDEVELOPMENT AGENCY of The CITY of ATLANTIC CITY of CERTAIN CITY OWNED LAND.                    |
| SMALL<br>PASSED           | 39 | AN ORDINANCE AMENDING CHAPTER 57 of THE CODE of the CITY OF ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (DEPARTMENT of HEALTH & HUMAN SERVICES). |

**9) REGULAR RESOLUTIONS**

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|---|------|--|
| P | 497- | CHANGE ORDER #1 with THOMAS G. SMITH, ESQ., for EXTRA WORK as SPECIAL PROSECUTOR - \$3,524.57.   |
| P | 530- | VENDORS LIST beginning WITH #1. AC NORSE \$2,242.29 and ending with #28. ATLANTIC PALACE CONDO - \$8,298.81.   |
| P | 534- | CHANGE ORDER #1 with ALLIANCE OF GOVERNMENTAL AUDITORS, LLC to INCLUDE additional services - \$10,078.75.  |
| P | 536- | CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of DAFIQ Q. "FLIP FLOP" RASHEED and OFFERS its CONDOLENCES to the FAMILY.   |
| P | 538- | AUTHORIZATION for COMPTROLLER to ISSUE a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$ 337,883.72.  |
| H | 539- | THE CITY ADMINISTRATION is hereby REQUESTING that CITY COUNCIL WAIVE their HIRING FREEZE with regards to FILLING the POSITION of an ENVIRONMENTAL SPECIALIST TRAINEE - \$12,000.00 (HALF YEAR SALARY). |

- P 540- CHANGE ORDER #1 with MICHAEL A. ARMSTRONG & ASSOCIATES to INCLUDE additional services -\$50,000.00.
- P 541- CHANGE ORDER #1 with DECOTIIS, FITZPATRICK, COLE & WISLER, LLP to INCLUDE additional services -\$75,000.00.
- P 542- CHANGE ORDER #1 with ZARWIN, BAUM, DEVITO, KAPLAN, SCHAER & TODDY, P.C. to INCLUDE additional services -\$25,000.00.
- P 543- CHANGE ORDER #1 with TUOHY & TUOHY to INCLUDE aforementioned WORK - \$70,000.00.
- P 544- CHANGE ORDER #1 with STRADLEY, RONON, STEVENS & YOUNG, LLP to INCLUDE additional services -\$75,000.00.
- P 546- AGREEMENT with CERTIFIED VALUATION, INC., for DEFENSE OF 2009 APPEALS for a PERIOD of ONE (1) YEAR from 6/1/09 to 5/31/10 - \$200,000.00
- P/A 548- EMERGENCY TEMPORARY APPROPRIATIONS. (#13)
- P 551- CHANGE ORDER #1 with WARRINER’S CONSTRUCTION, INC. to INCLUDE additional services -\$1,200.00.

### CONSENT

- P 528- REFUND due to OVERPAYMENT
- P 529- MERCANTILE LICENSES are hereby ISSUED for MASSAGE THERAPY STUDIO and STRESS THERAPY STUDIO for SEVERAL LOCATIONS.
- P 531- A REVOCABLE LICENSE is GRANTED to ANGELICA MORA for INSTALLATION and MAINTENANCE of SEVERAL SIGNS that ENCROACH upon THE CITY’S RIGHT-OF-WAY at 2327 Atlantic Avenue - \$1.00.
- P 532- MERCANTILE LICENSES are hereby ISSUED as MASSEUR-MASSEUSE at the MASSAGE PARADISE & JUNG-SU PARK/NATIONAL SPA.
- P 533- A REVOCABLE LICENSE is GRANTED to JOHN EXADAKTILOS for INSTALLATION and MAINTENANCE of a PROJECTING SIGN that ENCROACHS upon THE CITY’S RIGHT-OF-WAY at 2400-2406 ATLANTIC AVENUE - \$1.00.
- P 535- CITY COUNCIL APPROVAL to REDUCE the HEIGHT of the SAND DUNES to ELIMINATE VISUAL OBSTRUCTION of the BEACH and OCEAN from the BOARDWALK.

- P 545- RESOLUTION NO. 163 of 2009 is hereby AMENDED to ADD ADDITIONAL VENDORS, specifically TO AMEND ESTIMATED total on POLICE & HOMELAND SECURITY EQUIPMENT & SUPPLIES under the STATE CONTRACT VENDORS with The GRANT/FUNDS AWARDED PROGRAM.
- P 547- AGREEMENT with ALLIED FIRE & SAFETY EQUIPMENT COMPANY, INC. for FIRE ALARM INSPECTION, TESTING and MAINTENANCE at VARIOUS CITY BUILDINGS from JULY 1, 2009 to DECEMBER 31, 2011 - \$74,250.00.
- P 549- THE TAX COLLECTOR is hereby AUTHORIZED and DIRECTED to CANCEL TAX SALE CERTIFICATE #07-00158 on BLOCK 82 LOT 4 a/k/a 129 PACIFIC AVENUE.
- P 550- AUTHORIZATION to ISSUE a WARRANT to PATRICK W. SHIELDS who is to RECEIVE RETROACTIVE PAY - \$779.52.
- P 552- RESOLUTION NO. 398 awarding an AGREEMENT with ROBERT J. CATALNO & ASSOCIATES for a SURVEY for RFQ for INSTALLATION of ARTIFICIAL TURF SHELLEM ROYAL (DOLPHIN) FIELD & PETE PALITO FIELD is NOW RESCINDED in its ENTIRETY.
- P 553- RESOLUTION No. 483 of 2009 is HEREBY AMENDED to REFLECT a REFUND to LIEN HOLDER for BLOCK 589, LOT 23 -\$4,518.20.
- P 554- AUTHORIZATION to ISSUE a WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS For WORKER'S COMPENSATION CLAIMS - \$39,713.36 and to PERMANENT PARTIAL DISABILITY - \$44,326.64.

**NEW BUSINESS  
RESOLUTION(S)**

- P 537- AUTHORIZE an AGREEMENT with MARATHON ENGINEERING & ENVIRONMENTAL SERVICES, INC. for PHASE I PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT RIVERSIDE BUSINESS PARK, -\$1,575.00.
- P 556- AMENDED SUBLEASE AGREEMENT is APPROVED between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER'S BASIN and JERRY NEWTON to PERMIT OPERATION at COTTAGE #3.
- P 557- (EUGENE ROBINSON v. JOHN SCHULTZ, et al.)
- P 558- AMENDED SUBLEASE AGREEMENT is APPROVED between the ATLANTIC CITY HISTORICAL WATERFRONT FOUNDATION t/a HISTORIC GARDNER'S BASIN and the FLYING CLOUD CAFÉ to PERMIT OPERATION.
- P 559- AUTHORIZE an AGREEMENT with REVENUE & FINANCE CONSULTANT SERVICES for PROFESSIONAL SERVICES in the areas of FINANCIAL, BUDGETARY and OTHER MATTERS - \$15,600.00.

- P/A 560 TEMPORARY APPROPRIATION BUDGET (# 14).
- P 561- AUTHORIZE an AGREEMENT with CHURCHILL P.C. for a SURVEY to be USED for RFQ for INSTALLATION of ARTIFICIAL TURF SHELLEM ROYAL (DOLPHIN) FIELD and PETE PALITTO FIELD.
- H 562- CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of FRANCES J. (CALLENDER) GABRIEL.
- P 563- CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of MARCUS BROWN.

**10) OTHER PENDING BUSINESS**

**11) CITIZENS COMMENT OR GOOD AND WELFARE**

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