

FINAL AGENDA  
COUNCIL MEETING AGENDA

OCTOBER 21, 2009

5:00PM

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. 56 and 57 of 2009 were signed by the Mayor on October 8, 2009.
- 6) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS

Affidavit of Tax Bill Mailing submitted by Theresa Elbersen, Tax Collector

CIVIL ACTION.....Catherine Bresmon, Donald Dudek, Jacques Polanco, Casino Reinvestment  
Development Authority, Angel S. Perez-Cano vs City of Atlantic City

NOTICE OF CLAIM .....Migdalia Diaz, Thomas Flanagan, III, Peter Joseph Higgins, Steven Greenwood,  
Renee Darlene Hood, Pamela & Stewart Lander, Andrew J. Lubaczewski;  
Pasqua D'Amore, Olga M. Mitchell vs City of Atlantic City, et al.

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

**EXECUTIVE SESSION**

- P 787- a) PATRICIA SEIF vs CITY OF ATLANTIC CITY  
b) MICHAEL OLDROYD vs CITY OF ATLANTIC CITY

**9) ORDINANCES  
FIRST READING**

- |                          |      |  |
|--------------------------|------|--|
| MARSH<br>PASSED          | 17-A | AN ORDINANCE TO ACCEPT A DEED TO PROPERTIES IN THE CITY OF ATLANTIC CITY PRESENTLY OWNED BY ATLANTIC CITY AFFORDABLE HOUSING AKA MERCY HOUSING, INC. |
| MASON<br>PULLED 10-21-09 | 17-B | AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND USE DEVELOPMENT ORDINANCE, CHAPTER 163 OF THE ATLANTIC CITY CODE                                |
| MARSH<br>PASSED          | 17-C | AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION TO PENNSYLVANIA AVENUE BETWEEN PACIFIC AVENUE AND THE BOARDWALK AFTER RAYMOND KOT.    |

**SECOND READING ORDINANCES**

- |                                   |    |   |
|-----------------------------------|----|---|
| MASON<br>ADJOURNED UNTIL 11-10-09 | 58 | AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE RIVERSIDE REDEVELOPMENT AREA.  |
| MASON &<br>MOORE<br>PASSED        | 59 | AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION TO THE BLOCK OF MARMORA AVENUE BETWEEN DR. MARTIN LUTHER KING BLVD. AND KENTUCKY AVENUE AFTER DR. WILLIE B. CLAYTON, JR. |

**10) REGULAR RESOLUTIONS MOVED TO THE FRONT OF THE AGENDA**

- P 782- CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of EDWARD BANNISTER.
- P 784- CITY COUNCIL hereby RECOGNIZE LLOYD WILLIAM MOORE as ONE of IT'S WORTHY CITIZENS of the CITY OF ATLANTIC CITY.
- P 821- CITY COUNCIL hereby JOINS in the MOURNING of the PASSING of JOANNE M. WILLIAMS.
- P 824- CITY COUNCIL hereby RECOGNIZES, SALUTES and JOINS, JETHRO MEMORIAL PRESBYTERIAN CHURCH in its ONE-HUNDRED ANNIVERSARY CELEBRATION.

**REGULAR RESOLUTIONS**

- H 730- THE RECOMMENDED SETTLEMENT with BOARDWALK REGENCY for TAX COURT APPEALS is hereby AUTHORIZED and APPROVE - \$836,010.46.
- H 733- CHANGE ORDER #1 with JOHN M. ECCLES JR., LLC for ADDITIONAL LEGAL SERVICES (FORECLOSURE ATTORNEY) -\$25,000.00
- H 759- THE CITY of ATLANTIC CITY will not CONTRACT with any ATTORNEY or ATTORNEYS LAW FIRM for LEGAL SERVICES where the ATTORNEY or such LAW FIRM CURRENTLY or on PRIOR OCCASION represented PERSONS or ENTITIES in ANY ACTIONS or MATTERS that ARE or WERE ADVERSE to the CITY.
- H 771- CHANGE ORDER #1 for OPEN END AGREEMENT with POWELL, BIRCHMEIER & POWELL.
- H 772- CHANGE ORDER #1 for OPEN END AGREEMENT with ERIC M. BERNSTEIN & ASSOCIATES, LLC
- H 773- CHANGE ORDER #1 for OPEN END AGREEMENT with BARKER, SCOTT & GELFAND.
- P 798- AUTHORIZATION to ATTEST an AGREEMENT with THE RODGERS GROUP, LLC for ACCREDITATION CONSULTING SERVICES for ONE (1) YEAR starting 11-1-2009 ending 10-31-2010 - \$50,000.00.
- H 800- CHANGE ORDER #2 with DECOTIIS, FITZPATRICK, COLE & WISLER, LLP for GENERAL MUNICIPAL and LABOR MATTERS - \$100,000.00
- H 802- CHANGE ORDER NO. 1 with LUCAS E. PHILLIPS, JR., ESQ., for LABOR MATTERS FROM 2-1-2009 to 1-31-2010 in the amount NOT TO EXCEED \$25,000.00.
- P 808- AUTHORIZATION to ADVERTISE for BIDS for DWAYNE HARRIS MEMORIAL FIELD RENOVATION, PHASE 1 BASEBALL FIELD to be RECEIVED TUESDAY, NOVEMBER 17, 2009 at CITY HALL, COUNCIL CHAMBERS, ROOM 206 AT 11:00 A.M.

**CONSENT**

- P 785- AUTHORIZATION to ISSUE a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$31,508.52.
- P 795- CHANGE ORDER NO. 1 with DR. GARY M. GLASS for NINE (9) MONTHS extend AGREEMENT from 1-1-2009 THRU 9-30-2009 - \$8,550.00.
- P 796- VENDOR'S LIST beginning with #1 EVIDENT, INC. - \$1,192.00 and ending with #10 ARTHUR BUNTING - \$2,259.99.
- H 788- AUTHORIZATION to ISSUE a WARRANT to OFFICER DEBORAH SHIELDS, who is to RECEIVE BACK PAY -\$10,323.06.
- P 789- AUTHORIZATION to ISSUE a WARRANT to OFFICER GREGORY ATKINSON, who is to RECEIVE LONGEVITY BACK PAY -\$6,114.87.
- P 790- AUTHORIZATION to ATTEST an AGREEMENT with ATLANTICARE HEALTH SERVICES, INC. ATLANTICARE OCCUPATIONAL MEDICINE for a HAZMAT SURVEILLANCE PHYSICAL & EXIT EXAMINATION, for a PERIOD ONE YEAR COMMENCING 11-1-2009 and ENDING 10-31-2010 for -\$25,000.00.
- P 791- AUTHORIZATION to ISSUE a WARRANT to OFFICER JAMES L. ANDROSS III, who is to RECEIVE LONGEVITY INCREASE - \$5,753.16.
- P 792- AUTHORIZATION to ISSUE a WARRANT to OFFICER FRANKIE A LANE, who is to RECEIVE EDUCATION BACK PAY -\$3,459.58.
- P 793- AUTHORIZATION to ISSUE a WARRANT to OFFICER JOSEPH PROCOPIO, who is TO RECEIVE an INCREASE - \$811.70
- P 794- AUTHORIZATION to ISSUE a WARRANT to OFFICER WILLIAM LOGAN, who is to RECEIVE LONGEVITY INCREASE - \$7,140.48.
- P 797- AUTHORIZATION to ATTEST to the GRANT APPLICATION for the ENERGY EFFICIENCY CONSERVATION with THE UNITED STATES DEPARTMENT OF ENERGY not to exceed - \$25,000.00.
- P 799- AMUSEMENT GAMES LICENSE.
- P 801- EMERGENCY TEMPORARY APPROPRIATIONS.
- P 803- AGREEMENT with DR. GARY M. GLASS for PSYCHIATRIC EVALUATION & TESTING for POLICE OFFICERS to INCLUDE EXPERT TESTIMONY in APPEALS for a term of ONE (1) YEAR commencing 10-1-09 and ending 9-30-2010 not to exceed - \$25,000.00.
- P 804- REFUND DUE TO OVERPAYMENT of TAXES.

- P 805- AUTHORIZATION to ADVERTISE for BIDS for ARTIC AVENUE RESULFACING & SIGNALIZATION CONTROL IMPROVEMENTS, BOSTON AVENUE to TEXAS AVENUE (CDBG), to be RECEIVED TUESDAY, NOVEMBER 24, 2009, CITY HALL, COUNCIL CHAMBERS, ROOM 206 at 11:00AM.
- P 806- CITY COUNCIL RELEASES the PERMORMANCE BOND for 24 NO. VIRGINIA AVENUE LLC, BLOCK 136, LOT 13.
- P 807- AUTHORIZATION for ADVANCE TRAVEL EXPENSES for DIRECTOR RONALD CASH, from the DEPARTMENT OF HEALTH & HUMAN SERVICES to attend the AMERICAN PUBLIC HEALTH ASSOCIATION CONVENTION in PHILADELPHIA, PA from NOVEMBER 7<sup>TH</sup> to NOVEMBER 11<sup>TH</sup>, 2009 - \$2,091.86.
- P 809- AUTHORIZATION to ADVERTISE for BIDS for FURNISH & DELIVER BOARDWALK LUMBER to be RECEIVED TUESDAY, NOVEMBER 24, 2009 at CITY HALL, COUNCIL CHAMBERS, ROOM 206 AT 11:00 A.M.
- P 810- AUTHORIZATION to ATTEST an AGREEMENT with SPECIALTY VEHICLE SOLUTIONS LLC, for SUPPLYING SPECIAL EQUIPMENT - \$119,834.00.
- P 811- AUTHORIZATION for WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS for WORKER'S COMPENSATION CLAIMS \$38,780.27 and for PERMANENT PARTIAL DISABILITY \$194,623.40.
- P 812- REFUND DUE TO OVERPAYMENT of TAXES.
- P 813- AUTHORIZATION to ISSUE a WARRANT to FIREFIGHTER ADRIAN WILSON to RECEIVE BACK PAY - \$732.96.
- P 814- AUTHORIZATION to ATTEST to a GRANT APPLICATION to RECEIPT of the GRANT MONIES for the MARINE DEBRIS REMOVAL PROJECT.
- P 815- RESOLUTION 363-09 is HEREBY AMENDED to REFLECT that THE CITY OF ATLANTIC CITY will RECEIVE \$895,028.00 for the JAG GRANT of which the CITY will KEEP \$522,769.00 and THE BALANCE will be DISBURSED ACCORDING to the INTERLOCAL AGREEMENT.
- P 816- RESOLUTION 519-09 is HEREBY AMENDED to REFLECT that THE CITY OF ATLANTIC CITY will RECEIVE \$191,563.00 for the JAG GRANT of which the CITY will KEEP \$126,778.00 and THE BALANCE of \$64,785.00 will be DISBURSED ACCORDING to the INTERLOCAL AGREEMENT.
- P 817- CITY OF ATLANTIC CITY hereby RECOGNIZES the CONTRIBUTION to NEW JERSEY and ACCOMPLISHMENTS of CONGRESSMAN FRANK A. LoBIONDO and COMMENDS HIM for RECEIVING SPECIAL HONOR from the CHELSEA NEIGHBORHOOD ASSOCIATION.

- P 818- CITY OF ATLANTIC CITY hereby RECOGNIZES the SIGNIFICANT CONTRIBUTIONS and ACCOMPLISHMENTS of ALYCE PARKER and COMMENDS her for RECEIVING THIS SPECIAL HONOR from the CHELSEA NEIGHBORHOOD ASSOCIATION.
- P 819- THE CITY of ATLANTIC CITY hereby RECOGNIZES the CONTRIBUTION to NEW JERSEY and ACCOMPLISHMENTS of CURTIS BASHAW and COMMENDS HIM for RECEIVING THIS SPECIAL HONOR from the CHELSEA NEIGHBORHOOD ASSOCIATION.
- P 820- CITY OF ATLANTIC CITY hereby RECOGNIZES and COMMENDS the ATLANTIC CITY DAY NURSEY and it's PRESIDENT, LYNN GIBSON and EXTENDS SPECIAL THANKS on BEHALF of the CHILDREN OF ATLANTIC CITY.

**NEW BUSINESS**  
**RESOLUTION(S)**

- P 823- JITNEY LICENSE PERMIT #185 is hereby APPROVED.
- P 825- CHANGE ORDER #1 with EXCEPTIONAL MEDICAL TRANSPORTATION for THREE MONTHS, AUGUST, SEPTEMBER and OCTOBER, 2009 - \$0.

**11) OTHER PENDING BUSINESS**

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