

FINAL AGENDA
COUNCIL MEETING AGENDA

NOVEMBER 10, 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 No. 59 of 2009 was signed by the Mayor on October 22, 2009.
- 6) PRESIDENT OF COUNCIL COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS

Add/Omitted Affidavit of Tax Bill Mailing submitted by Theresa Elbersen, Tax Collector

CIVIL ACTION..... JOHN ANTOS; BAYVIEW LOAN SERVICING, LLC.; JUAN WIGGINS;
TAYLOR ROCK MANAGEMENT COMPANY, LLC.; JOSEPH EL.
MCDANIEL SIMMON; JOHN LOUGHNEY & DAVID DAVIDSON; CASINO
REINVESTMENT DEVELOPMENT AUTHORITY; ARTHUR C.
SNELLBAKER, SR.; CHRISTOBAL J. POLANCO; GREGORY LASKEY, ET.
AL. VS. CITY OF ATLANTIC CITY.

NOTICE OF CLAIM DAWNE WALKER; VERIZON; ERICA VALEUS; SIMONE J. EDMOND; DONNA M.
MURISAN; JOCELYN EARLE; MICHAEL DOHERTY; KYRIAKOS DEMOU;
MILDRED WEEKES IRREVOCABLE TRUST; MARY ELLEN CIMINO; EDWARD
FAUNCE, III VS. CITY OF ATLANTIC CITY, ET AL.

8) PUBLIC COMMENT on AGENDA ITEMS and GOOD and WELFARE

REGULAR RESOLUTION MOVED TO THE FRONT OF THE AGENDA

- P 822- CITY COUNCIL hereby INTRODUCES and APPROVES the proposed OPERATING BUDGET of SID for the FISCAL YEAR COMMENCING in JANUARY 1, 2010 and ending DECEMBER 31, 2010 - \$ 4,113,000.00.

EXECUTIVE SESSION

- P 857- (a) LAWTON vs. CITY OF ATLANTIC CITY
(b) ROBINSON vs. CITY OF ATLANTIC CITY

**9) ORDINANCES
FIRST READING**

MASON PULLED	17-B	AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND USE DEVELOPMENT ORDINANCE, CHAPTER 163 OF THE ATLANTIC CITY CODE.
WARD & MASON PASSED	18-A	AN ORDINANCE TO LEASE SPACE AT THE FAMILY LIFE CENTER, LOCATED AT 200 PHILADELPHIA AVENUE, EGG HARBOR CITY, NEW JERSEY.
WARD & MASON PASSED	18-B	AN ORDINANCE ESTABLISHING A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT PROGRAM AND AUTHORIZING ALL RELATED ACTIONS IN CONNECTION THERE WITH AS PROVIDED FOR IN THE NEW JERSEY ECONOMIC STIMULUS ACT OF 2009.

MASON & MOORE PASSED	8-C	AN ORDINANCE to PURCHASE BLOCK 325 LOT 1 A/K/A 1618 BALTIC AVENUE from SECOND BAPTIST CHURCH for \$875,000.00.
MOORE & MASON PULLED	18-D	AN ORDINANCE amending CHAPTER 57-21 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT.(Various Job Titles)
SMALL PASSED	18-E	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 and Human Services)
MARSH PASSED	18-F	AN ORDINANCE amending CHAPTER 57-23 of the CODE of the CITY of ATLANTIC CITY which regulates JOB TITLES within the CITY GOVERNMENT. (Legislative Counsel)

SECOND READING ORDINANCES

MASON ADJOURNED 11-24-09	58	AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE RIVERSIDE REDEVELOPMENT AREA.
MARSH PASSED	60	AN ORDINANCE TO ACCEPT A DEED TO PROPERTIES IN THE CITY OF ATLANTIC CITY PRESENTLY OWNED BY ATLANTIC CITY AFFORDABLE HOUSING A/K/A MERCY HOUSING, INC.
MARSH PASSED	61	AN ORDINANCE TO PROVIDE FOR AN ADDITIONAL NAME AND DESIGNATION TO PENNSYLVANIA AVENUE BETWEEN PACIFIC AVENUE AND THE BOARDWALK AFTER RAYMOND KOT.

10) REGULAR RESOLUTIONS

- P 730- THE RECOMMENDED SETTLEMENT with BOARDWALK REGENCY for TAX COURT APPEALS is hereby AUTHORIZED and APPROVED- \$836,010.46.
- P 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.
- P 771- CHANGE ORDER #1 for OPEN END AGREEMENT with POWELL, BIRCHMEIER & POWELL - \$25,000.00.
- P 772- CHANGE ORDER #1 for OPEN END AGREEMENT with ERIC M. BERNSTEIN & ASSOCIATES, LLC – \$25,000.00.
- P 773- CHANGE ORDER #1 for OPEN END AGREEMENT with BARKER, SCOTT & GELFAND-\$25,000.00.
- P 800- CHANGE ORDER #2 with DECOTIIS, FITZPATRICK, COLE & WISLER, LLP for GENERAL MUNICIPAL and LABOR MATTERS - \$100,000.00
- P 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 838- CHANGE ORDER NO. 3 with HEALTH ASSOCIATES, for EXTRA WORK - \$8,000.00.
- P 851- AGREEMENT with HEALTHMED for PRE-EMPLOYMENT PHYSICALS to RETURN to WORK for a term of ONE (1) YEAR, NOVEMBER 1, 2009 through OCTOBER 21, 2010 – \$ 70,000.00.
- P 852- CHANGE ORDER NO. 3 with EDMUNDS & ASSOCIATES for EXTRA WORK- \$420.00. TOTAL NOT TO EXCEED - \$26,855.30.
- H 853- 2009 TRANSFER BUDGET APPROPRIATION.
- P 854- AUTHORIZATION for COMPTROLLER to ISSUE WIRE TRANSFERS to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$1,341.49.
- P 855- CITY COUNCIL APPROVES the FIVE-YEAR CONSOLIDATED PLAN for FISCAL YEARS 2010-2014 and the FISCAL YEAR 2010 ANNUAL ACTION PLAN.
- H 861- CITY COUNCIL recognizes A. RANDO BAKERY in celebration of its 100th year in business in ATLANTIC CITY.

CONSENT

- P 786- REFUND DUE TO OVERPAYMENT.
- H 788- AUTHORIZATION to ISSUE a WARRANT to OFFICER DEBORAH SHIELDS, who is to RECEIVE BACK PAY -\$10,323.06.

- P 826- VENDOR'S LIST beginning with #1. FLUIDICS - \$2,212.55 and ending with # 27. REMOTEC - \$1,275.00.
- P 827- AMUSEMENT GAMES LICENSE.
- P 828- CITY COUNCIL AUTHORIZES the release of the PERFORMANCE BOND for ATLANTICARE REGIONAL MEDICAL CENTER for SETTING PROPERTY CORNERS at LOTS 3.01 & 3.02, BLOCK 158 - \$1,375.00.
- P 829- AGREEMENT with ATLANTIC CITY RESCUE MISSION for a TERM of ONE YEAR from JANUARY 1, 2010 through DECEMBER 31, 2010 as OPEN-END CONTRACT.
- P 830- CITY COUNCIL AUTHORIZES the release of the PERFORMANCE BOND for GLOBAL TECH HOLDINGS for the OHIO AVENUE SUBDIVISION at BLOCK 631, LOTS 2 & 3 – \$1,000.00.
- P 831- AUTHORIZATION to ACCEPT the bids of THE LAND SALES ENUMERATED in RESOLUTION 760 of 2009.
- P 832- THE TAX COLLECTOR is hereby DIRECTED to EXTINGUISH and DISCHARGE all OUTSTANDING TAXES on VARIOUS PROPERTIES.
- P 833- AUTHORIZATION for a REVOCABLE LICENSE AGREEMENT with CMS GLASS – STEVE STRAUSS for 3 SIGNS and CANOPY facing ALBANY AVENUE at 210 N. ALBANY AVENUE, BLOCK 367, LOTS 27 & 27.01 – \$1.00.
- P 834- AGREEMENT with CONVERSE CONSULTANTS EAST, INC. for ENVIRONMENTAL SERVICES for A REMEDIAL INVESTIGATION AND ACTION WORKPLAN for BOYS & GIRLS CLUB/USRY DAYCARE CENTER BLOCK 441, LOTS 6 & 7 – \$9,800.00.
- P 835- CITY COUNCIL AUTHORIZES the release of the PERFORMANCE BOND from FROST HOMES, INC. for improvements 527/531 N. MASSACHUSETTS AVENUE Block 560, Lots 9 & 10- \$6,047.97.
- P 836- AGREEMENT with OCEAN CITY SECRETARIAL PRINTING for PRINTED MATTER FOR VARIOUS DEPARTMENTS for 2009/2010 – \$3,987.75.
- P 837- AUTHORIZATION for a TRIAL PERIOD AGREEMENT with METRIC GROUP, INC. for trial period of MULTI-PARKING METER EQUIPMENT.
- P 839- AUTHORIZATION to CANCEL the 2009 TAXES Block 163, Lot 29 -\$2,150.04 and the REVALUATION ABATEMENT CREDIT - \$503.40.
- P 840- AGREEMENT with CHAMP OFFICE PRODUCTS SOLUTIONS, LLC for PRINTED MATTER FOR VARIOUS DEPARTMENTS for 2009/2010 - \$3,091.50.
- P 841- TAX COLLECTOR is AUTHORIZED to ISSUE a REFUND to BETTY SIMON TRUSTEE, LLC. BLOCK 12, LOT 931 a/k/a 101 S. RALEIGH AVENUE - \$4,211.47.

- P 842- TAX COLLECTOR is AUTHORIZED to CANCEL the TAXES for 2009 BLOCK 729, LOT 7 – \$99.35.
- P 843- AUTHORIZATION for RIGHT OF ENTRY and LICENSE AGREEMENT with CRDA for the SOUTH INLET TRANSPORTATION IMPROVEMENT PROJECT.
- P 844- RESOLUTION NO. 749 of 2009 is hereby AMENDED to REFLECT that the AGREEMENT with DR. GLASS is a NEW AGREEMENT and NOT an AMENDATORY AGREEMENT.
- P 845- AUTHORIZATION for RIGHT OF ENTRY and LICENSE AGREEMENT with CRDA for the BOARDWALK REVITALIZATION PROJECT.
- P 846- RESOLUTION NO. 795 of 2009 is hereby AMENDED to REFLECT that the AGREEMENT with DR. GLASS is a NEW AGREEMENT and NOT an AMENDATORY AGREEMENT.
- P 847- AGREEMENT with GRAPHIX GROUP INC. d/b/a IMAGE GRAPHIX, INC. for PRINTED MATTER for VARIOUS DEPARTMENTS for 2009/2010 - \$5,412.15.
- P 848- AGREEMENT with STONE CONCRETE, INC. for REMOVAL of BOARDWALK DECKING & JOISTS and CONTRUCTION of PILE SUPPORTS, MISSISSIPPI to GEORGIA AVENUE – \$143,200.00.
- P 849- AUTHORIZATION to ISSUE a WARRANT to OFFICER FERINARD BERRIOS RODRIQUEZ for 2nd STEP INCREASE MISSED AUGUST 31, 2008 - \$683.97.
- P 850- INSERTION of ITEM of REVENUE, NJ STATE DEPARTMENT of TRANSPORTATION – \$190,000.00.
- P 856- AUTHORIZATION for WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS for WORKER’S COMPENSATION CLAIMS \$112,077.00 and for PERMANENT PARTIAL DISABILITY \$99,495.57.
- P 858- AGREEMENT with SHORE MANAGEMENT GROUP for a FOUR YEAR LEASE of BEACH LOT 22.
- P 859- AGREEMENT with DLT SOLUTIONS for AUTOCAD MAP 3D 2010 LEGACY LICENSES with ONE YEAR SUBSCRIPTION beginning NOVEMBER 2, 2009 through OCTOBER 31, 2010 - \$25,960.23.
- P 860- RESOLUTION 163 of 2009 is hereby AMENDED to MODIFY the VENDOR’S LIST.

NEW BUSINESS
RESOLUTION(S)

11) OTHER PENDING BUSINESS

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