

# FINAL AGENDA SPECIAL MEETING

## COUNCIL MEETING AGENDA

FEBRUARY 11, 2010

5:00PM

### ATLANTIC CITY COUNCILMEMBERS

WILLIAM MARSH, PRESIDENT

STEVEN MOORE, VICE PRESIDENT

MOISSE DELGADO

DENNIS MASON

FRANK GILLIAM, JR.

MARTY SMALL

TIMOTHY MANCUSO

GEORGE TIBBITT

- 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. 01, 03, 04, 05, 06 and 07 of 2010 were signed by the MAYOR on January 28, 2010.
- 6) PRESIDENT OF COUNCIL AD HOC COMMITTEE REPORTS
- 7) COMMUNICATIONS AND PETITIONS
  - CIVIL ACTION..... CRDA vs RALPH SMERASKI; CRDA vs S.J.P. ENTERPRISES, INC. THE BANK, THE ACMUA and THE ATLANTIC CITY SEWERAGE COMPANY; CRDA vs MARTHA and LEE RAGOZZINE, THE ACMUA and THE ATLANTIC CITY SEWERAGE COMPANY vs CITY of ATLANTIC CITY.
  - NOTICE OF CLAIM ..... ALTHEA MOWATT; ANGELA SMITH; SANDRA BRUDON; RASHAD JAMAL FLOYD; ALBERTA OLSSON; JOHN ANTOS; MR. NURSE; WILLIAM GRIGGS; PETER JONES; MARIA SAPIENZA vs CITY of ATLANTIC CITY.

RESOLUTION(S) moved to the FRONT of the AGENDA

- P 156 - CONGRATULATIONS TO THE FOUR STUDENTS of the OCEANSIDE CHARTER SCHOOL who WON ORATORICAL CONTEST held February 2, 2010 at the ALL WARS MEMORIAL BUILDING DURING THEIR BLACK HISTORY MONTH CELEBRATION.

ORDINANCE on SECOND READING moved to the FRONT of the AGENDA

ALL COUNCIL PASSED	11	AN ORDINANCE to PROVIDE for ADDITIONAL NAME and DESIGNATION to the BLOCK of MASSACHUSETTS AVENUE between ATLANTIC and PACIFIC AVENUES after MELVIN WEINBERG.
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RESOLUTION(S) moved to the FRONT of the AGENDA cont'd

- P 132 - CITY COUNCIL hereby CONGRATULATES SUSAN SAPP on her RETIREMENT from the SUPERIOR COURT of NEW JERSEY after thirty (30) YEARS of SERVICE and WISHES HER much SUCCESS in the FUTURE.
- P 151 - THE GOVERNING BODY hereby APPOINTS AARON RANDOLPH who resides at 145 S. RHODE ISLAND AVENUE, APT. 803, in the FIRST WARD, to fill the VACANT OFFICE of COUNCILMEMBER REPRESENTING the FIRST WARD until the ATLANTIC COUNTY CLERK CERTIFIES the RESULTS of the NOVEMBER 2, 2010 GENERAL ELECTION

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

EXECUTIVE SESSION

- H 125 - a) S. N. et als vs the CITY of ATLANTIC CITY.  
b) FLESHER vs CITY of ATLANTIC CITY.

**10) ORDINANCES  
FIRST READING**

MANCUSO PASSED	3-A	AN ORDINANCE ADOPTING CHANGE for TRAFFIC PATTERN of WINDSOR AVENUE between WINCHESTER and VENTNOR AVENUES.
MARSH PULLED	3-B	AN ORDINANCE AUTHORIZING an AGREEMENT for a FIVE-YEAR TAX PHASE-IN

MARSH & MOORE PASSED	3-C	AN ORDINANCE amending CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within CITY GOVERNMENT. (Dept of Administration; Human Resources)
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**NEW BUSINESS ORDINANCE(S)****-0-****SECOND READING ORDINANCE (S)**

MASON PASSED as AMENDED	02	AN ORDINANCE to RECEIVE DONATED LAND for a PUBLIC PURPOSE.
MARSH, MOORE & GILLIAM PASSED as AMENDED	08	AN ORDINANCE CREATING an ADVISORY BOARD to be known as the ATLANTIC CITY ADVISORY BOARD on MULTI CULTURAL AFFAIRS and CREATING the OFFICE of BI-LINGUAL and MULTI-CULTURAL AFFAIRS within the DEPARTMENT of HEALTH and HUMAN SERVICES.
MARSH, MOORE & WARD PASSED	09	AN ORDINANCE to ADVERTISE for SALE the LAND and PREMISES: 15 S. CONGRESS AVE Block 130/lot 33 34 S. CONGRESS AVENUE Block 131/lot 24
MOORE PASSED	10	AN ORDINANCE amending CHAPTER 209 A SECTIONS 6B of the CODE of the CITY of ATLANTIC CITY to INCREASE the RENTAL FEES for the WESTSIDE ALL WARS MEMORIAL BUILDING.
TIBBITT & MASON PASSED	12	AN ORDINANCE to ACQUIRE a LEASEHOLD INTEREST in REAL PROPERTY for the PURPOSE of HOUSING the INTERNAL AFFAIRS DIVISION of the POLICE DEPARTMENT.
MARSH & TIBBITT PASSED	13	AN ORDINANCE amending CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (Public Works)
MARSH , MOORE & TIBBITT PASSED as AMENDED	14	AN ORDINANCE amending CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (Director of Public Safety, Director of Neighborhood Services, City Solicitor and Business Administrator)

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| MARSH & MOORE<br>PASSED   | 15 | AN ORDINANCE amending CHAPTER 57 of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT. (Department of Revenue and Finance) |
| MARSH & TIBBITT<br>PASSED | 16 | AN ORDINANCE amending CHAPTER 4, ARTICLE VIII of the CODE of the CITY of ATLANTIC CITY which REGULATES JOB TITLES within the CITY GOVERNMENT.                        |

### **REGULAR RESOLUTIONS**

- P/A 109 - THE PLANNING BOARD has ENGAGED and APPOINTED FLEISHMAN, DANIELS LAW OFFICES, LLC as its LEGAL COUNSEL - \$33,000.00.
- P 112 - AUTHORIZATION to ATTEST to a CONTRACT with SWIFT LAW FIRM, LLC, CLAIRE S. SWIFT, ESQ. for the PURCHASE of LEGAL SERVICES in the AREA of POOL ATTORNEY/CONFLICT CASES - \$15,000.0. for a TERM not to EXCEED (11) MONTHS, commencing FEBRUARY 2, 2010 and ending DECEMBER 31, 2010.
- H 113 - AUTHORIZATION to ISSUE a WARRANT to ROBERT SOLARI, who RETIRED FEBRUARY 1, 2010 - \$232,921.36.
- H 114 - AUTHORIZATION to ISSUE a WARRANT to FIRE CAPTAIN MATTHEW LAWLER, who RETIRED FEBRUARY 2, 2010 - \$150,178.89.
- H 115 - AUTHORIZATION to ISSUE a WARRANT to JAMES H. REVELLE, who RETIRED FEBRUARY 1, 2010 - \$232,921.36.
- P 116 - AUTHORIZATION is ISSUE a WARRANT to ERNEST C. JUBILEE II, for BACK PAY - \$772.21.
- H 117 - AUTHORIZATION to ISSUE a WARRANT to FIRE CAPTAIN JAMES R. BOYLE, who RETIRED FEBRUARY 1, 2010 - \$164,960.64.
- H 118 - AUTHORIZATION to ISSUE a WARRANT to FIREFIGHTER ANDRE BYRD who RETIRED FEBRUARY 1, 2010 - \$61,290.39.
- H 119 - AUTHORIZATION to ISSUE a WARRANT to FIRE CAPTAIN GARY M. RZEMYK, who RETIRED FEBRUARY 1, 2010 - \$190,779.94.
- H 120 - AUTHORIZATION to ISSUE a WARRANT to FIREFIGHTER CHARLES KRALY III, RETIRED FEBRUARY 1, 2010 - \$57,432.02.
- H 121 - AUTHORIZATION to ISSUE a WARRANT to FIREFIGHTER ARNOLD CHIOLA, who RETIRED FEBRUARY 1, 2010 - \$111,732.10.

- P 126 - AGREEMENT with DECOTIIS, FITZPATRICK, COLE & WISLER, LLP, for the PURCHASE of LEGAL SERVICES in TAX MATTERS for a TERM not to EXCEED ONE YEAR, commencing FEBRUARY 1, 2010 and ending JANUARY 31, 2011 - \$150,000.00.
- H 129 - AUTHORIZATION to ISSUE a WARRANT to POLICE CAPTAIN JOSEPH FAIR, JR., who RETIRED FEBRUARY 1, 2010 - \$262,537.88.
- P 130 - CHANGE ORDER #1 with FLEISHMAN DANIELS LAW OFFICES, LLC. for LITIGATION COSTS for the YEAR 2009 - \$4,060.00.
- H 131 - AUTHORIZATION to ISSUE a WARRANT to WILLIAM WATERS, who RETIRED FEBRUARY 1, 2010 - \$25,913.77.
- P 134 - THE MAYOR has APPOINTED and CITY COUNCIL CONFIRMS MICHAEL A. SCOTT as the BUSINESS ADMINISTRATOR, EFFECTIVE IMMEDIATELY.
- P 135 - THE MAYOR has APPOINTED and CITY COUNCIL CONFIRMS PAUL JERKINS as the DIRECTOR of PUBLIC WORKS, EFFECTIVE IMMEDIATELY.
- P/A 138 - VENDOR'S LIST beginning with #1. ACCO BRANDS - \$1,281.00 and ending with #21. GENERAL SALES ADM. - \$1,866.21.
- P 139 - THE MAYOR has APPOINTED and CITY COUNCIL CONFIRMS CHRISTINE M. PETERSON as the DIRECTOR of PUBLIC SAFETY, EFFECTIVE IMMEDIATELY.
- P 142 - AUTHORIZATION for a WIRE TRANSFER to SCIBAL ASSOCIATES for LIABILITY CLAIMS - \$13,223.58.
- P 144 - CITY COUNCIL hereby EXPRESSES its APPRECIATION to CHAIRPERSON JACQUELINE CAROLE, for HER YEARS of SERVICE and EXTENDS BEST WISHES on HER FUTURE ENDEAVORS.
- P 145 - CITY COUNCIL hereby EXPRESSES its APPRECIATION VICE CHAIRPERSON HERBERT THOMAS, for HIS YEARS of SERVICE and EXTENDS BEST WISHES on HIS FUTURE ENDEAVORS.
- P 146 - CITY COUNCIL hereby EXPRESSES its APPRECIATION to SECRETARY LORRAINE GRANT-OUTTEN, for HER YEARS of SERVICE and EXTENDS BEST WISHES on HER FUTURE ENDEAVORS.
- D 152 - THE GOVERNING BODY hereby APPOINTS STEPHANIE STEWART who resides at 314 MADISON AVENUE, in the FIRST WARD, to fill the VACANT OFFICE of COUNCILMEMBER REPRESENTING the FIRST WARD until the ATLANTIC COUNTY CLERK CERTIFIES the RESULTS of the NOVEMBER 2, 2010 GENERAL ELECTION.
- D 153 - THE GOVERNING BODY hereby APPOINTS BRIGETTE REID who resides at 211 S. METROPOLITAN AVENUE, in the FIRST WARD, to fill the VACANT OFFICE of COUNCILMEMBER REPRESENTING the FIRST WARD until the ATLANTIC COUNTY CLERK CERTIFIES the RESULTS of the NOVEMBER 2, 2010 GENERAL ELECTION.

CONSENT

- P 108 - AGREEMENT with FOUNDATION TITLE for PROFESSIONAL TITLE WORK for ONE YEAR beginning MARCH 1, 2010 to FEBRUARY 28, 2011 - \$10,000.00.
- P 110 - AGREEMENT with the COUNTY OF ATLANTIC to PREPARE the MEALS for the MEALS on WHEELS PROGRAM for a TERM of ONE YEAR from JANUARY 1, 2010 to DECEMBER 31, 2010 - \$189,187.05.
- P 111 - AUTHORIZATION to APPROVE a CONTRACT for the PURCHASE of LANGUAGE INTERPRETING SERVICES from PARA-PLUS TRANSLATIONS, INC. for ONE YEAR commencing FEBRUARY 1, 2010 and ending JANUARY 31, 2011 - \$30,000.00.
- P 122 - CITY COUNCIL hereby ACCEPTS the BID from SAL VALENTINO, for the ESTATE of VINCENT VINEZIA, as the HIGHEST BIDDER for 2506 CAMAROTA TERRACE, REAR for \$6,500.00.
- P 123 - JITNEY PERMIT No. 6 is hereby APPROVED.
- P 124 - AUTHORIZATION to ADVERTISE for (1) NEW and UNUSED 2010 TORO MULTI-PRO 5700 SPRAYER with RELATED EQUIPMENT and SUPPLIES or EQUIVALENT for the use of PUBLIC WORKS to be RECEIVED, TUESDAY MARCH 2, 2010, CITY HALL, ROOM 206 at 11:00 am.
- P 128 - AUTHORIZATION to ADVERTISE a REQUEST for QUALIFICATION STATEMENTS for RISK MANAGEMENT CONSULTANT/LIABILITY and WORKERS COMPENSATION INSURANCE BROKER of RECORD SERVICES (Select Coverages); and QUALIFICATION STATEMENTS for RISK MANAGEMENT CONSULTANT/LIABILITY and BROKER of RECORD SERVICES (Select Coverages with Workers Compensation Self Insured and Self Administered) to be received by the CITY SOLICITOR'S OFFICE, Room 406, CITY HALL, at a DATE to be DETERMINED.
- P/A 133 - AUTHORIZATION to ADVERTISE for REQUEST for QUALIFICATIONS for SPECIAL COUNSEL to the MAYOR to REPRESENT the MAYOR in GENERAL MUNICIPAL MATTERS to be RECEIVED by the CITY SOLICITOR'S OFFICE, Room 406, CITY HALL, at a DATE to be DETERMINED.
- P 137 - AGREEMENT with TEMPO SYSTEMS COMPANY, L.P., for MAINTENANCE on TIME TRAK PROGRAM for ONE YEAR effective FEBRUARY 1, 2010 thru JANUARY 31, 2011 - \$11,346.48.
- P 140 - AUTHORIZATION to ISSUE a WARRANT to ROBERT BENCH for a REFUND, which is 90% of the MUNICIPAL FEE PAID for an APPLICATION to RENEW the LICENSE No. 0102-33-163-004 for the 2009-2010 license year.
- P 141 - AUTHORIZATION to ADVERTISE for BIDS for DEMOLITION of 517 NORTH OHIO AVENUE for NEIGHBORHOOD SERVICES to be RECEIVED, TUESDAY MARCH 9, 2010, CITY HALL, ROOM 206 at 11:00 am.

- P 143 - AUTHORIZATION for WIRE TRANSFER to MEDICAL and LEGAL PROVIDERS for WORKER'S COMPENSATION CLAIMS – \$66,251.29 and for PARTIAL DISABILITY – \$87,747.04
- P 147 - AUTHORIZATION for an IRREVOCABLE LICENSE AGREEMENT with the BOARD of EDUCATION of ATLANTIC CITY, for the PROPERTY BOUNDED by WINDSOR, RICHMOND, VENTNOR and WINCHESTER AVENUES described as Block 226, Lot 1 to CONSTRUCT a NEW ELEMENTARY SCHOOL where PORTIONS of the ROOF, STAIRS and FOUNDATION will ENCROACH into the CITY'S RIGHT of WAY - \$1.00.
- P 148 - AUTHORIZATION for a LICENSE AGREEMENT with ATLANTIC CITY BOARD of EDUCATION whereby the ACBOE PERMITS the CITY to UTILIZE a PORTION of its PROPERTY bounded by WINDSOR, RICHMOND, VENTNOR and WINCHESTER AVENUES for a PEDESTRIAN RIGHT-of-WAY - \$1.00.
- P 149 - AGREEMENT with the LIBERTY TITLE AGENCY & ABSTRACT, INC. for the purposes of PROFESSIONAL TITLE SEARCHES, TITLE COMMITMENT, REPORTS and SETTLEMENT SERVICES for GREEN ACRES ACQUISITIONS OPEN ORDER for LAND SETTLEMENTS for a PERIOD of ONE YEAR beginning MARCH 1, 2010 to FEBRUARY 28, 2011 - \$10,000.00.

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

- P 104 - AGREEMENT with ALAIMO GROUP CONSULTING ENGINEERS for PROFESSIONAL SERVICES FOR EMERGENCY AND CALL-ON ENGINEERING INCLUDING BUB NOT LIMITED TO GENERAL ENGINEERING MATTERS AND TRAFFIC ENGINEERING MATTERS - \$25,000.00
- H 155 - AGREEMENT with POLISTINA ASSOCIATES, LLC FOR PROFESSIONAL LAND SURVEYOR for PROFESSIONAL SERVICES FOR PROFESSIONAL LAND SURVEYOR \$25,000.00.
- P 157 - AUTHORIZATION to ISSUE a WARRANT to ROBERT L. TARVER, JR. for ACCUMULATED VACATION and SICK TIME - \$6,977.14.
- P 158 - AUTHORIZATION to ISSUE a WARRANT to STEVEN YOUNG who did not receive a raise for 2010 - \$1,600.00.

**12) OTHER PENDING BUSINESS**

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