

Wednesday, April 2, 2014  
Commissioners Meeting Room  
Time: 3:30 p.m.

MEETING CALLED:

Meeting called to order by the Deputy Mayor.

PLEDGE OF ALLEGIANCE

City Clerk leads in the Pledge of Allegiance to the Flag.

ROLL CALL

City Clerk called the roll and the following Commissioners answered to their names:

Byron – here, Leonetti – here, Troiano – absent

OTHERS ATTENDING

Mary D'Arcy Bittner, Solicitor  
Lisa A. Brown, Aide to the City Clerk  
Steve Long, Police Chief  
James Grauel, Fire Prevention  
Dave Bannon, Code Enforcement  
Steven Booy, Zoning Official  
Christopher H. Wood, City Clerk

OPEN PUBLIC MEETING ANNOUNCEMENT

As per N.J.S.A. 10:4-12, City Clerk read the Open Public Meetings Act Announcement.

APPROVAL OF MINUTES:

None.

NEW BUSINESS:

- A. Rental Housing Mercantile License Renewals: 410 E. Magnolia Ave; 104 E. Montgomery Ave; 111-113 W. Montgomery Ave; 210 E. Davis Ave; 212 E. Davis Ave; 226 E. Roberts Ave; 3101 Park Blvd.; 312 E. Leaming Ave; 4110 Pacific Ave; 4110 Atlantic Ave; 220 E. Spencer Ave; 220-230 E. Garfield Ave; 146 E. Spicer Ave.

Commissioner Byron said the purpose of this Special Meeting is to review the above Rental Housing Mercantile License Applications which have been marked for concern by either the Chief of Police, Fire Prevention or Code Enforcement. The properties will be discussed one at a time and the property owner, or representative, will have an opportunity to speak. Ms. Bittner told the Board of Commissioners that they had the option to approve the issuance of a license, deny the issuance of a license or issue a "Conditional" license for the above properties. Chief Long's recommendation was based on how many calls for service were received for these properties over the past year. If the Police Department received six or more calls, the applications were marked for "Referral" and given to the Board Commissioners for consideration. All persons representing the above properties were sworn in by the City Clerk.

4110 Pacific Avenue, Anthony Piro: This application was presented to the Board during the March 19, 2014 Special Meeting. At that time, the Commissioners were not prepared to make a decision until they were assured all options for reducing problems at this property were explored and considered. The Commissioners deferred consideration from March 19 to today's Special Meeting. Mr. Piro reported the sign in front of his property will be coming down and the windows are being stuccoed. He gave the Police Department access to his video footage and is installing more cameras. Chief Long suggested that Mr. Piro do a better job of screening his tenants. Mr. Bannon said Mr. Piro installed an alarm on the back of the building to stop unwanted people from entering the property. Mr. Piro provided everyone with his emergency contact information. Ms. Bittner asked Mr. Piro if he's operating the property as a motel. Mr. Piro said yes, and that his tenants stay longer than 20 days. Mr. Booy told the Board he believes this property has pre-existing, non-conforming use status. The Commissioners acknowledged this property has been operating in the same capacity for as long as they could remember. The Board agreed to approve this license conditioned upon all Code Enforcement and Police Department requirements being adhered to.

- 161-4-13 Approving the 2014 Mercantile License for 4110 Pacific Avenue, subject to Code Enforcement  
And Police Department requirements being met

MOTION: Byron                      SECOND: Leonetti  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Absent

**4110 Atlantic Avenue, Mohmoud Mohmoud:** This application was presented in front of the Board during the March 19, 2014 Special Meeting. At that time the Commissioners suggested that Mr. Mohmoud meet with the Chief of Police to devise a plan to better control recurring problems, and they deferred consideration from March 19 to today's meeting. Mr. Mohmoud failed to meet with the Chief of Police. He said he feels the best solution is to hire more police officers. Chief Long noted that during the March 19 meeting Mr. Mohmoud made the statement that he hired police officers all summer long, but Chief Long could only confirm the hiring of police officers on five occasions. Chief Long also confirmed the 15 arrests made last summer for underage drinking was made on the sundeck of Mr. Mohmouds motel. Chief Long does not believe hiring more police officers is the answer. He said the city doesn't have enough police officers right now. **At this time, Mayor Troiano entered the meeting.** Ms. Bittner explained to Mr. Mohmoud that the City has an Ordinance that requires a bond be posted wherein the City can draw from that account for each call for service, but he can only be required to post that bond by the Hearing Officer. Mr. Mohmoud said he is not going to post a bond. He said he cannot stop renting in May and June because that's how he makes his money. Mayor Troiano again suggested that Mr. Mohmoud meet with the Police Chief and Code Enforcement to come up with a solution. Mayor Troiano said they are not there to put anyone out of business, but the rowdiness has to stop. The Board agreed to defer this application to the next meeting for consideration.

162-4-14 Referring the Rental Housing Mercantile License Application filed for 4110 Atlantic Avenue be considered at the April 11, 2014 Special Meeting

MOTION: Byron                      SECOND: Leonetti  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

**228-230 E. Garfield Avenue, James Georginis:** This application was presented to the Commissioners during the March 19, 2014 Special Meeting. At that time, the Mr. Georginis requested more time to prove his property should be granted a license. The Board agreed to and passed a Resolution deferring this application to today's meeting. Mr. Bannon informed the Board that Mr. Georginis failed to meet with the Fire Official to set up a Fire Inspection. Chief Long told Mr. Georginis that installing cameras is a good start, but it's not a "cure all". Mayor Troiano said it's a problem in itself when you have to install cameras to keep an eye on the bad guys living on your property. Mr. Grauel said Mr. Georginis still hasn't scheduled an inspection for 146 E. Garfield Avenue, and still hasn't paid the fine. The Board agreed to defer this application to the next meeting for consideration.

163-4-14 Referring the Rental Housing Mercantile License Application filed for 228-230 E. Garfield Avenue be considered at the April 11, 2014 Special Meeting

MOTION: Leonetti                      SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

**226 E. Roberts Avenue, Lena Palladino:** Ms. Bittner reviewed this application and noted an occupancy limit hasn't been certified by Code Enforcement. This application was referred by the Police Department. Chief Long said he referred this application because there were 11 calls made to this property wherein arrests were made. He's mainly concerned with unit 2. Mayor Troiano asked Ms. Palladino where she lived. She lives in Marmora but stated she is here a lot. Mayor Troiano asked if she had a manager in the County, which she doesn't. Ms. Palladino said she inherited her tenants all of whom she was able to remove from the property with the exception of the tenants in unit 2, which she is in the process of evicting at this time. After that, Ms. Palladino intends to rent on a seasonal basis. Mr. Bannon said he will set-up a time with Ms. Palladino to certify occupancy for this property. The Board agreed to approve this license conditioned upon occupancy limits being certified by Code Enforcement.

164-4-14 Approving the Rental Housing Mercantile License Application filed for 226 E. Roberts Avenue, conditioned upon occupancy limits being certified by Code Enforcement

MOTION: Leonetti                      SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

**410 E. Magnolia Avenue, Luigi Deriggi:** Ms. Bittner reviewed this application and stated it was referred to the Board by the Police Department. David Lee, property manager was present for the hearing. Chief Long said 15 calls for service were made to this property including disturbances, noise complaints, and thefts. July and August seemed to be the worst months. Mr. Lee said security was hired to oversee this property and he himself has secured the property as well. Mr. Lee said Mr. Deriggi is in the process of finding year-round tenants and is also in contact with North Wildwood to try and house four Class II officers in his property. Chief Long said there were two disturbances at that property in January. Mr. Lee said those people were removed from the property. Mr. Bannon said he hasn't had any issues with the property since the building was boarded up and all

violations have been abated. Mayor Troiano said he will issue a Conditional Mercantile license, which means if one substantial call is made, the license for this property will be revoked.

165-4-14 Approving the issuance of a Conditional Mercantile License for the property located at 410 E. Magnolia Avenue

MOTION: Troiano                      SECOND: Leonetti  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

312 E. Leaming Avenue, Maher Sedra: Ms. Bittner reviewed this application and said it was referred to the Board by the Police Department and Code Enforcement. Chief Long said there were 6 calls made to this property wherein one resulted in an arrest. Mr. Sedra said he made that tenant leave and that he is no longer renting the first floor. He is going to use that unit for himself and his other unit is rented year-round with possible tenants. Mr. Bannon said the sidewalk is in need of repair. Mayor Troiano said he appreciates Mr. Sedra doing everything he's been asked to do and the Board agreed to approve his license.

166-4-14 Approving the Rental Housing Mercantile License Application filed for 312 E. Leaming Avenue

MOTION: Troiano                      SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

210-212 E. Davis Avenue, Fred Xenidis: Because these properties are connected, they will be discussed and considered simultaneously. Ms. Bittner reviewed the applications and noted these properties were listed among the worst. Mayor Troiano said he's very aware of these properties. These properties were referred by the Police Department. Chief Long said there were 49 calls for service made for 210 E. Davis Avenue, wherein 8 calls were for underage drinking arrests and noise complaints. There were 47 calls for service made for 212 E. Davis Avenue consisting of noise complaints, two arrests and underage drinking. Mr. Bannon said multiple trash violations were issued during the summer months. Mayor Troiano said Mr. Xenidis rents to kids who create a lot of problems with underage drinking. The Mayor has had numerous phone calls about this property. Mr. Xenidis said he rents to his son and his sons friends, as well as family friends. He has a signature list where his tenants need to sign. He's going to have cameras installed, although he knows that's not a solution to the problem. He said he isn't an absentee landlord, he lives right over the bridge. He has commissioned with two ex-state police who will be at the property six hours a day, seven days a week. He's placing strict rules on his tenants and will have every tenant and their parents sign the lease, which will stipulate the rules. Chief Long said Mr. Xenidis did contact him and has acknowledged the issues happening at the property. Chief Long is satisfied with the ideas Mr. Xenidis has come up with to resolve the problems. Mayor Troiano appreciates Mr. Xenidis's efforts and feels comfortable enough to approve the licenses for the above properties.

167-4-14 Approving the Rental Housing Mercantile License Application filed for 210-212 E. Davis Avenue

MOTION: Leonetti                      SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

111-113 W. Montgomery Avenue, Carolyn Johnson: Ms. Bittner said this application was referred by Code Enforcement but has since been approved, therefore, no action needs to be taken.

104 E. Montgomery Avenue, Jonathan Andreozzi: Ms. Bittner reviewed the application submitted for this property, stating it was referred to the Board by the Police Department. Chief Long said 16 calls for service were made for this property, including a situation with a barricaded subject. Other than that, the Chief didn't see anything major. Mayor Troiano is concerned with the calls to the property for an attempt to serve warrants and suggested Mr. Andreozzi consider better clientele. Mr. Andreozzi said he's had one issue with one tenant who has since moved. Chief Long hasn't had any issues with the property in the past 3 months. The Board agreed to approve the license for this property

168-4-14 Approving the Rental Housing Mercantile License Application filed for 104 E. Montgomery Avenue

MOTION: Byron                      SECOND: Leonetti  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

3101 Park Boulevard, Ben and Gail Bernhardt: Ms. Bittner reviewed the application submitted for this property, stating it was referred by the Police Department. Chief Long said there were 31 calls for service made to this property consisting of one arrest for underage drinking. Ms. Bittner noted the property manager they listed on the application did not reside in Cape May County. Ms. Bernhardt provided her with a contact person who lives in West Wildwood. The Bernhardt's said their tenants now are in their 80's and that they have installed video cameras in the common hallways. The Board agreed to approve this license.

169-4-14 Approving the Rental Housing Mercantile License Application filed for 3101 Park Boulevard

MOTION: Leonetti SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

220 E. Spencer Avenue, Jerry Dublewski: This application was considered during the March 19, 2014 Special Meeting wherein it referred to the Zoning Board for review and rescheduled for today's meeting. The Board has not yet received an opinion from the Zoning Official.

170-4-14 Refraining from taking any action until an opinion is given by the Zoning Official

MOTION: Troiano SECOND: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

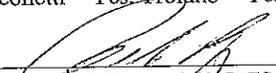
RESOLUTIONS:

- 171-4-14 Approving contract with Beach Buddy Events for June 28, 2014 music concert on the beach
- 172-4-14 Approving contract with Beach Buddy Events for August 16, 2014 music concert on the beach
- 173-4-14 Rescinding Resolution authorizing RFPQ for Beach Shuttle Services and authorizing re-advertisement of same

MOTION: Byron SECOND: Leonetti  
ROLL CALL: Byron – Yes, Leonetti – Yes Troiano – Yes

ADJOURNED: There being no further business to be discussed, this meeting was adjourned at 5:18 p.m. Remarks as typed highlighted not verbatim as to subject matter.

MOTION: Troiano SECONDED: Byron  
ROLL CALL: Byron – Yes, Leonetti – Yes Troiano – Yes.

  
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PETER BYRON, COMMISSIONER

  
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ANTHONY LEONETTI, COMMISSIONER

  
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ERNEST TROIANO, JR., MAYOR

ATTEST:   
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CHRISTOPHER H. WOOD, CLERK

DATE MINUTES APPROVED: April 9, 2014  
CHRISTOPHER H. WOOD, CITY CLERK