

MINUTES OF A SPECIAL MEETING OF THE WILDWOOD COMMISSIONERS
IN THE COUNTY OF CAPE MAY, NEW JERSEY

13

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

MEETING CALLED:

Meeting called to order by the 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 – here

OTHERS ATTENDING

Mary D'Arcy Bittner, Solicitor
Terry Oslar, Wildwood Police Dept.
Dave Bannon, Code Enforcement
James Grauel, Capt. of Fire Dept.
Lisa Brown, Aide to City Clerk
Christopher 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. Hearing, Rental Housing Mercantile License Renewals;
135-137 E. Roberts Ave
106 E. Youngs Ave
112 E. Youngs Ave
117 E. Youngs Ave
119 E. Youngs Ave
437 W. Baker Ave
406 E. Magnolia Ave
107 E. Lincoln Ave
302 E. Juniper Ave
236 W. Pine Ave
441 W. Oak Ave
115 E. Rio Grande Ave
209 E. Spicer Ave
4311 Pacific Ave
155 E. Garfield
Properties carried over from prior meetings;
146 E. Spicer Ave
228-230 E. Garfield Ave
144 E. Roberts Ave
220 E. Spencer Ave
217 E. Baker Ave
3900 Atlantic Ave
236 E. Spicer Ave
4311 Pine Ave

Ms. Bittner said the purpose of this Special Meeting is to review the above Rental Housing Mercantile License Application 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 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 Commissioners for consideration. All persons representing the above properties were sworn in by the City Clerk.

146 E. Spicer Avenue, James Georginis: Ms. Bittner reviewed the application and stated it was referred by the Police Chief, Code Enforcement and Fire Prevention. Mr. Bannon stated this property is closed and still has outstanding violations. He recommended no license be issued. The Board agreed to deny the renewal of this license.

238-4-13 Denying issuance of the 2014 Mercantile License Renewal for the property located at 146 E. Spicer Avenue

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

228-30 E. Garfield Avenue, James Georginis: Ms. Bittner reviewed the application and noted Mr. Georginis has operated has operated this business without a license in the past. Mr. Oslar stated there were 15 calls made to this property, in which 4 calls resulted in arrests, 2 involved CDS violations, along with noise complaints and sexual offense. Mr. Bannon said all violations on this property have been abated. Mr. Grauel said this property is in compliance for Fire. Mr. Bannon recommended a six month conditional license. The Board agreed to grant a six month conditional license, conditioned upon Mr. Georginis linking his video feed to the Police Department. Mr. Georginis was informed if there are no problems at this location during the next six months, he may receive a regular license, however, if one legitimate call for service is received, his license will be revoked.

239-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at 228-30 E. Garfield Avenue, contingent upon owner linking video feed to the Wildwood Police Department

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

144 E. Roberts Avenue, Kathy and Jerry Publeski: Mr. Bittner reviewed the application. Tom Marshetti, property manager, told the Board that he has five leases left and is in the process of trying to find them homes: Mr. Marshetti wants to operate the property strictly as a motel. Mr. Bannon said there were a few minor code violations, but they will be taken care of after the meeting. Mr. Bannon suggested the Board approve a six month conditional license. The Board agreed to issue a six month conditional license and informed the owners and manager that if one legitimate call for service is made to this property, the license will be revoked.

240-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at 144 E. Roberts Avenue

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

217 E. Baker Avenue, Kathy and Jerry Publeski: Ms. Bittner reviewed this application. Tom Marshetti, property manager, informed the Board that he has two leases remaining at this property. This property will also operate strictly as a motel. He said he's aware that the police response to this location is high, and he's working on that. He's screening all tenants and no longer accepts Social Service placements. The Board agreed to grant a six month conditional license for this property.

241-4-14 Approving the issuance of a Six Month Conditional Mercantile for the property located at 217 E. Baker Avenue

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

220 E. Spencer Avenue, Kathy and Jerry Publeski: Ms. Bittner reviewed this application. Tom Marshetti, property manager, informed the Board that this property will operate strictly as a motel. The Board agreed to grant a six month conditional license.

242-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at 220 E. Spencer Avenue

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

3900 Atlantic Avenue, Lawrence Howard: Ms. Bittner reviewed this application and said she spoke with Mr. Howard's attorney, Mr. Stefankeiwicz, who requested his hearing be postponed. Mayor Troiano was not

inclined to wait. Commissioner Leonetti said he spoke with Mr. Howard's property manager and is comfortable with taking action today. The Board agreed to grant a six month conditional license.

242A-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at
3900 Atlantic Avenue

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

236 E. Spicer Avenue, Lawrence Howard: Ms. Bittner reviewed this application and said she spoke with Mr. Howard's attorney, Mr. Stefaniewicz, who requested his hearing be postponed. Mayor Troiano was not inclined to wait. Commissioner Leonetti said he spoke with Mr. Howard's property manager and is comfortable with taking action today. The Board agreed to grant a six month conditional license.

242B-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at
236 E. Spicer Avenue

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

302 E. Juniper Avenue, John Galloway: Ms. Bittner reviewed this application and noted it was referred by the Police Department. Mr. Oslar said there were two police calls made to this property, but the reason it was referred is because one of those calls resulted in 25 arrests for underage drinking. The other call was for noise where a warning was issued. Mr. Galloway said he was not aware of the 25 arrests. Mr. Galloway stated that he rents to high school graduates. Ms. Bittner informed Mr. Galloway that the maximum occupancy permitted is 8. Mr. Grauel said the owner should schedule an appointment with Fire Prevention for an inspection. The Board agreed to grant the full renewal of this Mercantile License.

243-4-14 Approving the issuance of a Mercantile License for the property located at 302 E. Juniper Avenue

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

406 E. Magnolia Avenue, Roy Nagel: Ms. Bittner reviewed the application and stated it was referred by the Police Department and Code Enforcement. Mr. Oslar said 9 calls were made to this property. 6 calls were for noise and underage drinking, wherein 4 arrests were made. The owner has also been put on notice as a nuisance property in the past. Mr. Nagel said he was notified of the 2 calls in August, however, a lot of his neighbors called the police which was actually for 410 E. Magnolia, not 406 E. Magnolia. Mr. Nagel told the Board he is going to police this property this year. Mr. Grauel said he would sign off on the application. The Board agreed to grant a six month conditional license.

244-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at
406 E. Magnolia Avenue

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

107 E. Lincoln Avenue, Georgia Reed: Ms. Bittner reviewed the application and stated it was referred by the Police Department and Code Enforcement. Mr. Oslar said there were 37 police calls made to this property. There have been 8 additional calls just this year. Of the 37 police calls, 6 arrests were made, 2 calls were for overdoses. This property is on the squad list as a nuisance property. Mr. Bannon has had multiple problems with trash and property maintenance issues. Ms. Reed said she has recently cleaned up her property. Mr. Grauel said the property is in compliance with Fire Prevention. Mayor Troiano said this property is deplorable and is a constant problem. Ms. Bittner noted this property is in violation of the zoning ordinance because it's a motel but has year round tenants occupying the units. Mayor Troiano feels it's best to deny the renewal of this license and wouldn't be comfortable with issuing a new license until the property is cleaned up and operates on a seasonal basis only. Commissioner Byron would feel more comfortable with issuing a 90-day conditional license. The Board agreed to deny the renewal of this license until the property is in compliance. Mr. Bannon told Ms. Reed to meet with him tomorrow morning so he could help her.

245-4-14 Denying the issuance of the 2014 Mercantile License Renewal for the property located at 107 E.
Lincoln Avenue

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

16 115 E. Rio Grande Avenue, Adam Glazer: Ms. Bittner reviewed the application and stated it was referred by the Police Department and Code Enforcement. Mr. Oslar said 6 calls were made to this property, wherein 3 arrests were made. There was a call for a stabbing, drugs, and a gun. Mr. Bannon said this property has been on the list for a few years but all violations have since been abated. Mr. Glazer said all tenants have been evicted with the exception of Unit C, who is a good tenant. Mr. Bannon suggested a conditional license be issued for this property. The Board agreed to issue a six month conditional license and required Mr. Glazer to have a property manager in place within five days.

246-4-14 Approving the issuance of Six Month Conditional Mercantile License for the property located at 115 E. Rio Grande Avenue and Requiring a Property Manager be named within five days

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

236 W. Pine Avenue, Allison Hunter: Ms. Bittner reviewed the application and stated it was referred by the Police Department and Code Enforcement. Ms. Bittner informed the Board that Ms. Hunter is appearing in court on May 5th to evict her tenants. Mr. Oslar said the Police Department received 20 calls to this location. 5 of those called resulted in arrests, wherein 3 of those arrests were for possession of heroin. 107 bags of heroin were seized during a raid. Mr. Bannon said there are currently 12 violations placed on this property and this is the first time Ms. Hunter is applying for the Mercantile License. Mr. Bannon suggested it would be beneficial for the Board to deny this license in order to give Ms. Hunter time to evict her tenants and bring her property up to code. At that point she may reapply. The Board agreed to deny this application.

247-4-14 Denying the issuance of the 2014 Mercantile License for the property located at 236 W. Pine Avenue

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

135-37 E. Roberts Avenue, Sony JaSeverance: Ms. Bittner reviewed the application and stated it was referred by Code Enforcement. Inspector John Davis said this property has property code violations. Mr. Davis received a letter from the contractor hired to repair the violations, and work has been started. Mr. Bannon suggested the Board grant a six month conditional license due to past problems with juveniles, and trash, during the summer season. The Board agreed.

248-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at 135-37 E. Roberts Avenue

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

437 W. Baker Avenue, Paul Berden: Ms. Bittner reviewed this application and stated it was referred by Code Enforcement. Mr. Bannon said this property has 10 violations including paint, trash, sidewalk and grass. The owner has until June 1st to abate these violations. The Board agreed to grant a six month conditional license.

248A-4-14 Approving the issuance of a Six Month Conditional Mercantile License for the property located at 437 W. Baker Avenue

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

153-155 E. Garfield Avenue, Jim Goodroe: Ms. Bittner reviewed the application and stated it was referred by the Police Department and Code Enforcement. Mr. Oslar said 35 calls were made to the Police Department for this property, 6 were nuisance type calls and only 1 call resulted in an arrest. There were other calls for noise, unwanted guests and thirteen 911 hang-up calls. Mr. Bannon said the owner has abated all violations. Mr. Goodroe said he has a payphone in front of his property which is where the 911 hang-up calls are coming from. Mayor Troiano advised him to remove the payphone. John Davis said he would contact the telephone company tomorrow. The Board agreed to approve the renewal of this license.

249-4-14 Approving the renewal of the Mercantile License for the property located at 153-155 E. Garfield Avenue

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

209 E. Spicer Avenue, Frank Mangini: Ms. Bittner reviewed this application and stated it was referred by the Police Department and Code Enforcement. She also noted the owner lives on the premises. Mr. Oslar said 46

calls were made to this property which included 6 calls for drugs, 1 heroin overdose, County search warrant, and 14 noise complaints. Mr. Bannon said there were 20 violations on the property which were abated today. He has 5 outstanding violations and is due for re-inspection tomorrow. Mr. Mangini said he will never do winter rentals again. The Board agreed to grant a conditional one-year mercantile license. 17

250-4-14 Approving the issuance of a Conditional One Year Mercantile License for the property located at 209 E. Spicer Avenue

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

RESOLUTIONS:

Resolutions C, D, and H were removed from the agenda and Resolution I was tabled as the Board is awaiting additional information.

- 251-4-14 Authorizing Emergency Temporary Appropriations
- 252-4-14 Awarding Purchase of a 4x4 SUV from Day Chevrolet (\$37,183.84)
- 253-4-14 Authorizing Non-Fair and Open contract with Avalon Carpet and Tile (\$23,043.00)
- 254-4-14 Authorizing 2014 Fireworks
- 255-4-14 Acknowledging two (2) employees have applied for Housing Rehabilitation grants and determining that no conflict exists

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

EXECUTIVE SESSION:

The Regular Business Meeting was recessed at 6:00 p.m. by motion of Leonetti seconded by Byron. The City Clerk read the subject(s) to be discussed and Executive Resolution No. 9-4-14 convening this meeting.

- Potential Litigation – Dog Beach
- Matter of Litigation – DeMarzo and Lashman vs. Taylor

RECESSED: There being no further business to be discussed, this meeting was recessed at 6:34 p.m. Remarks as typed highlighted not verbatim as to subject matter.

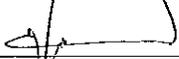
MOTION: Leonetti SECONDED: Byron
ROLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes.



PETER BYRON, COMMISSIONER



ANTHONY LEONETTI, COMMISSIONER



ERNEST TROIANO, JR., MAYOR



ATTEST: CHRISTOPHER H. WOOD, CLERK

DATE MINUTES APPROVED: 4mo. 28 2014
CHRISTOPHER H. WOOD, CITY CLERK