WORK SESSION MINUTES OF THE WILDWOOD COMMISSIONERS IN THE COUNTY OF CAPE MAY, NEW JERSEY

Wednesday, June 24, 2015
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 Bittner, Solicitor
Christopher Fox, Administrator
Marc DeBlasio, Remington & Vernick
Jason Hesley, Tax Assessor
Gary Zeigler, Water Dept.
John Davis, Code Enforcement
Steve Booy, Zoning Official
Ron Harwood, Fire Prevention
Lori Rosensteel, Tax Collector
Cyndi Garland, QPA
Hope Pinto, HR
Susan Plaza, Treasurer's Office
Christopher Wood, City Clerk
Lisa Brown, Aide to the 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
June 10, 2015 Work Session
June 10, 2015 Regular Meeting
June 10, 2015 Executive Session
June 17, 2015 Special Meeting

Pending questions from the Board these Minutes will be approved during the Regular meeting. There were none.

RESOLUTIONS
City Clerk read the resolutions listed on the agenda.

A. Authorizing Return of Escrow Balance Deposits re: Application #03-12 424 Dock St., LLC, 424 Dock St. ($1,522.50)
B. Authorizing Tax Collector to create duplicate certificate #200-0047
C. Authorizing Contracts with certain approved State Contract Vendors for Contracting Units pursuant to N.J.S.A.40A:11-12a (various)
D. Authorizing the advertisement for the acceptance of bids re: Maintenance and Repair of Central Air Conditioning and Heating Service in the July 1, 2015 edition of the Atlantic City Press with bids being accepted on Thursday, July 16, 2015 at 10:00 am
E. Approving Agreement for Vendor Coordination Services re: City sponsored events
F. Authorizing refund of Tourism Development Fees (TDF) to William A. Diehl, Jr. ($300.00)
G. Authorizing refund of Bus Permit Fees, parking portion only to T&L Transportation ($125.00)
H. Authorizing advertisement for RFQP re: Architectural and Engineering Services, in the July 1, 2015 edition of the Atlantic City Press
I. Approving a Memorandum of Understanding with the County pertaining to equipment used for the County-Wide Regional Urban Search Team
J. Authorizing payment of bills in the amount of $1,258,387.02 dated June 19, 2015
K. Authorizing filing of all reports and other data contained in this agenda

ADDENDUM:

I. Authorizing Change Order No. 3 as submitted by Remington, Vernick & Walberg Engineers on behalf of Asphalt Paving Systems re: USDA Sanitary Sewer Replacement – Phase 4, Reconstruction of Leaming Avenue from Atlantic Ave to Ocean Ave (increase of $175,725.00 for a new total of $3,319,496.04)
II. Authorizing Change Order No. 4 as submitted by Remington, Vernick & Walberg Engineers on behalf of Asphalt Paving Systems re: USDA Sanitary Sewer Replacement, Phase 4, Reconstruction of Arctic Ave from Cresse to

Hildreth Avenues and from Bennett to Leaming Avenues (increase of $204,826.25 for a new total of $3,524,322.29)

ORDINANCE:

1033-15 Ordinance Granting Consent to and Authorizing Atlantic City Electric Company to erect and maintain poles and to string wires thereon and to lay conduits and place wires therein, with all the necessary fixtures and appliances for its lines, in, upon, over and under certain public highways, streets and alleys in the City of Wildwood for purposes of transmitting and distributing electricity through and over said wires, to furnish light, heat, and power individuals, corporations, commercial entities and municipalities **(SECOND READING/PUBLIC HEARING/ADOPTION)**

1034-15 Ordinance Amending Ordinance No. 1003-14 and Chapter 4 entitled "Beach and Resort Regulations Section 1.7 Animals" of the Revised General Ordinances, Leash Requirements **(SECOND READING/PUBLIC HEARING/ADOPTION)**

UNFINISHED BUSINESS

- Hearing, Rental Housing Applications – 314-16 E. Poplar Avenue, 5011 New Jersey Avenue, 325 E. Magnolia Avenue, 4205 Pacific Avenue, 3421 Pacific Avenue

The hearings on the above properties will be done during the Regular Meeting.

COMMUNICIATIONS:

- None.

APPLICANTS:

- None.

NEW BUSINESS:

- None.

REPORTS:

- Engineer's Report – On file in the City Clerk's Office.

EXECUTIVE SESSION:

- Contractual Matter – K. Hovnanian, Purchase of Real Estate within the City of Wildwood
- Potential Litigation – Mercantile License Hearing
- Potential Litigation – Deans Transmission

ADJOURNED: There being no further business to be discussed, this meeting was adjourned at 3:32 p.m. Remarks as typed highlighted not verbatim as to subject matter.

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

PETER BYRON, COMMISSIONER

ANTHONY LEONETTI, COMMISSIONER

ERNEST TROIANO, JR., MAYOR

ATTEST:
CHRISTOPHER H. WOOD, CITY CLERK

DATE MINUTES APPROVED: July 8 2015
CHRISTOPHER H. WOOD, CITY CLERK

REGULAR COMMISSION MINUTES OF THE WILDWOOD COMMISSIONERS IN THE COUNTY OF CAPE MAY, NEW JERSEY

Wednesday, June 24, 2015
Commissioner's Meeting Room
Time: 3:32 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 Bittner, Solicitor
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Gary Zeigler, Water Dept.
John Davis, Code Enforcement
Steve Booy, Zoning Official
Ron Harwood, Fire Prevention
Lori Rosensteel, Tax Collector
Cyndi Garland, QPA
Hope Pinto, HR
Susan Plaza, Treasurer's Office
Christopher Wood, City Clerk
Lisa Brown, Aide to the City Clerk

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

EARLY PUBLIC COMMENT:
None.

APPROVAL OF MINUTES
June 10, 2015 Work Session
June 10, 2015 Regular Meeting
June 10, 2015 Executive Session
June 17, 2015 Special Meeting

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

RESOLUTIONS: City Clerk read the resolutions listed on the agenda.

263-6-15	Authorizing Return of Escrow Balance Deposits re: Application #03-12 424 Dock St., LLC, 424 Dock St. ($1,522.50)
264-6-15	Authorizing Tax Collector to create duplicate certificate #200-0047
265-6-15	Authorizing Contracts with certain approved State Contract Vendors for Contracting Units pursuant to N.J.S.A.40A:11-12a (various)
266-6-15	Authorizing the advertisement for the acceptance of bids re: Maintenance and Repair of Central Air Conditioning and Heating Service in the July 1, 2015 edition of the Atlantic City Press with bids being accepted on Thursday, July 16, 2015 at 10:00 am
267-6-15	Approving Agreement for Vendor Coordination Services re: City sponsored events
268-6-15	Authorizing refund of Tourism Development Fees (TDF) to William A. Diehl, Jr. ($300.00)
269-6-15	Authorizing refund of Bus Permit Fees, parking portion only to T&L Transportation ($125.00)
270-6-15	Authorizing RFQP re: Architectural and Engineering Services, in the July 1, 2015 edition of the Atlantic City Press
271-6-15	Approving a Memorandum of Understanding with the County pertaining to equipment used for the County-Wide Regional Urban Search Team
272-6-15	Authorizing payment of bills in the amount of $1,258,387.02 dated June 19, 2015

273-6-15 Authorizing filing of all reports and other data contained in this agenda

274-6-15 Authorizing Change Order No. 3 as submitted by Remington, Vernick & Walberg Engineers on behalf of Asphalt Paving Systems re: USDA Sanitary Sewer Replacement – Phase 4, Reconstruction of Leaming Avenue from Atlantic Ave to Ocean Ave. (increase of $175,725.00 for a new total of $3,319,496.04)

275-6-15 Authorizing Change Order No. 4 as submitted by Remington, Vernick & Walberg Engineers on behalf of Asphalt Paving Systems re: USDA Sanitary Sewer Replacement, Phase 4, Reconstruction of Arctic Ave from Cresse to Hildreth Avenues from Bennett to Leaming Avenues (increase of $204,826.25 for a new total of $3,524,322.29)

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

ORDINANCES:

033-15 Ordinance Granting Consent to and Authorizing Atlantic City Electric Company to erect and maintain poles and to string wires thereon and to lay conduits and place wires therein, with all the necessary fixtures and appliances for its lines, in, upon, over and under certain public highways, streets and alleys in the City of Wildwood for purposes of transmitting and distributing electricity through and over said wires, to furnish light, heat, and power individuals, corporations, commercial entities and municipalities **(SECOND READING/PUBLIC HEARING/ADOPTION)**

OTION TO OPEN PUBLIC HEARING
OTION: Troiano SECOND: Leonetti
OLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

ne.

TION TO CLOSE PUBLIC HEARING
TION: Troiano SECOND: Byron
LL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

TION TO ADOPT
TION: Troiano SECOND: Leonetti
L CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes
Mayor announced Ordinance 1033-15 has been adopted.

-15 Ordinance Amending Ordinance No. 1003-14 and Chapter 4 entitled "Beach and Resort Regulations Section 1.7 Animals" – of the Revised General Ordinances, Leash Requirements **(SECOND READING/PUBLIC HEARING/ADOPTION)**

ION TO OPEN PUBLIC HEARING
ON: Troiano SECOND: Byron
CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

ON TO CLOSE PUBLIC HEARING
N: Troiano SECOND: Leonetti
CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

N TO ADOPT
N: Troiano SECOND: Byron
ALL: Byron – Yes, Leonetti – Yes, Troiano – Yes
or announced Ordinance 1034-15 has been adopted.

COMMENT: During regularly scheduled Board of Commissioners Meeting. Remarks will limit to minutes per person. Deputy City Clerk will be keeper of time and advise speaker when time has Each member of the public will be permitted to speak only once per meeting. Criticism of public s will be directed to the Personnel Department during work hours only.

en, 217 E. Bennett Avenue: Mr. Brannen asked that the City put a plan in place to help with the roblems on Pacific Avenue. During heavy rainfall, he said, the streets get flooded and people speed street causing the floodwater to enter the properties. He also requested that the City take wires down g to torn down properties. He said the electric company just wraps the wires around the poles.

NFINISHED BUSINESS:

he following properties were referred to this meeting for a hearing on their rental license applications. The roperties will be discussed one at a time and the property owner, or representative will have an opportunity to peak. Ms. Bittner told the Board of Commissioners that they had the option to revoke a previously approved cense, approve the issuance of a license, deny the issuance of a license or issue a "Conditional" license for the elow properties. All persons representing the below properties were sworn in by the City Clerk.

26 W. Poplar Avenue, Gentile: The Gentile's were being represented by David Stefankiewicz, Esq. Mr. tefankiewicz said he's aware of the issues this property has had in the past, however, the owners are now being autious and have also hired a private security firm to look over the property. Mr. Davis said he had a problem ith the owner moving tenants in prior to receiving the Mercantile License, as well as complaints about the ash. The Gentile's have since cleaned the trash up. Mr. Davis recommended approving a conditional ercantile license for this property.

76-6-15 Approving the issuance of a Conditional Mercantile License for the property located at 126 W. Poplar Avenue

IOTION: Leonetti SECOND: Byron
OLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

205 Pacific Avenue, Delgado: This application was referred by the Police Department. Mr. Davis was naware of the reason of the referral and the Chief is out of town. It was the Board's decision to grant Mr. elgado a temporary 30 day Conditional License. Mr. Delgado will be contacted at the end of 30 days to view the license with the Chief of Police.

77-6-15 Approving the issuance of a Temporary 30 day Conditional Mercantile License for the property located at 4205 Pacific Avenue

IOTION: Byron SECOND: Leonetti
OLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

421 Pacific Avenue, Augsberger: Mr. Davis said this application was referred due to the applicant failing to btain the necessary construction permits. The necessary permits have since been obtained. It was the Board's cision to grant a full license.

78-6-15 Approving Mercantile License Application filed for 3421 Pacific Avenue

IOTION: Leonetti SECOND: Byron
OLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

011 New Jersey Avenue, Mangini: It was the Boards decision to grant a full license for this property

79-6-15 Approving the Rental Housing Mercantile License Application filed for 5011 New Jersey Avenue

OTION: Troiano SECOND: Leonetti
OLL CALL: Byron – Yes, Leonetti – Yes, Troiano – Yes

02 W. Baker Avenue, Ship Ahoy Motel: Mr. Varallo was asked to be present on short notice to review his plication. Mr. Varallo has moved people into his building without first obtaining a TCO, CO or Mercantile cense. Mr. Varallo will be operating this property as a hotel. Mr. Poudrier said there is no CO on the building r is it ADA compliant. Mr. Davis said the sidewalk is broken and needs repairs. Mr. Varallo said he's trying do everything he's been asked to do but when he calls for an inspection, he can't get ahold of anyone. Mayor oiano asked him why he occupied the building with no CO. Mr. Varallo said he made a mistake but he uldn't get ahold of anyone at the City for inspection. Mr. Davis said he's been issued a violation for upying the property. Mayor Troiano understands the frustrations of being a contractor and not being able to an inspection. He advised that the City should no longer tell people that if they get certain things done, they ll be issued a TCO or CO, so there is no confusion. Mr. Poudrier said Mr. Varallo has to guarantee that if meone shows up and is handicapped, that he will be able to accommodate them. If not, the City will suffer e repercussions. Mayor Troiano asked that someone get to the property tomorrow for inspection. Ron rwood said Mr. Varallo still has to register his property with the Fire Department. The Board agreed to offer Temporary 60 Conditional Mercantile License for this property. Once all requests are satisfied, a full license ll be granted.

0-6-15 Authorizing a Temporary 60 Conditional Mercantile License for the property located at 102 W. Baker Avenue

MOTION: Byron SECOND: Troiano
ROLL CALL: Byron – Yes, Leonetti – No, Troiano – Yes

314-316 E. Poplar Avenue: Mr. Davis said he took pictures of the property last week and that the property is a disaster. However, the owner has made some improvements. The concern is occupancy, as he's operating as a hotel, but has year round tenants living there. Mr. Harwood said the property is scheduled for a re-inspection on July 23rd. There are currently minor violations on the property. Steve Booy said he's never been in the property, but he understands that the first floor and second floor are two different categories. The entire building is heated. If the building was renting longer than 30 days in the past and they are still operating as such, they are a pre-existing, non-conforming use. Mayor Troiano said the Board should start looking at all of these classification and ordinances regarding rooming houses and make some amendments, as times have changed. The Board agreed to grant a Temporary 30 Day Conditional Mercantile License.

281-6-15 Approving the issuance of a Temporary 30 day Conditional Mercantile License for the property located at 314-316 E. Poplar Avenue

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

325 E. Magnolia Avenue: Mr. Harwood said this property has a lot of minor issues and suggested a Temporary 30 day Conditional Mercantile License be granted. Trash is also an issue at this location.

282-6-15 Approving the issuance of a Temporary 30 day Conditional Mercantile License for the property located at 325 E. Magnolia Avenue

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

200 E. Glenwood Avenue: This property has failed inspection various times. There are still outstanding fines and penalties on this property. Mr. Poudrier's major issue is with the holes in the fire wall. Mr. Poudrier has a call into Mr. Chiarella's contractor about the work being completed. Mr. Harwood said the property still has a $500.00 fine from 2014. Commissioner Byron asked if Mr. Chiarella can get a list of items that need to be completed. Mr. Chiarella said he receives them and every time everything is complete, he gets a new list of violations. Mr. Chiarella told the Board he is going to get an attorney to represent him as he feels he has good cause against the City. Mayor Troiano told Mr. Chiarella he rented the building without a mercantile license and it's not the City's responsibility to manage his property. The Board decided not to take any action at this time and to have Mr. Chiarella come back in three weeks. The Board has no problem with employees living on the first floor, but no one is to occupy the other units.

283-6-15 Referring the Rental Housing Mercantile License Application submitted for 200 E. Glenwood Avenue to be considered at a later date

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

EXECUTIVE SESSION:
The Regular Business Meeting was recessed at 5:01 p.m. by motion of Troiano seconded by Byron. The City Clerk read the subject(s) to be discussed and Executive Resolution No. 8-6-15 convening this meeting.

- Contractual Matter – K. Hovnanian, Purchase of Real Estate within the City of Wildwood
- Potential Litigation – Deans Transmission
- Potential Litigation – Mercantile License Hearing

RECONVENED: This meeting was reconvened at 5:49.
284-6-15 Rescinding Resolution No. 260-6-15 re: Revoking the Rental Housing Mercantile License Application for 103-105 W. Poplar Avenue

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

ADJOURNED: There being no further business, this meeting adjourned at 5:51 pm. Remarks as typed highlighted not verbatim as to subject matter.

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

Peter Byron, COMMISSIONER

Anthony Leonetti, COMMISSIONER

Ernest Troiano, Jr., MAYOR

ATTEST: _____
Christopher Wood, City Clerk

DATE MINUTES APPROVED: July 8, 2015