

REGULAR MEETING

CITY COUNCIL

JANUARY 8, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, January 8, 2008 at 8:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

**PRESENT:**

David G. Brown, Councilman; Brian Unger, Councilman; Dr. Mary Jane Celli, Council Vice-President; Michael DeStefano, Council President

**OTHERS PRESENT:**

Mayor Adam Schneider; Howard Woolley, Business Administrator; James G. Aaron, City Attorney; Ronald Mehlhorn, Finance Director; Irene A. Joline, City Clerk

**ABSENT:** Anthony Giordano, Councilman

The pledge of allegiance was recited. Certification was read.

**READING AND APPROVAL OF PREVIOUS MINUTES:**

December 26, 2007

Motion was made by Councilperson Celli seconded by Councilperson Brown to approve the minutes of December 26, 2007 - Ayes 4 - Absent 1 Giordano

**CONSIDERATION OF ORDINANCES**  
**PUBLIC HEARING AND FINAL CONSIDERATION**

**#52-07** ORDINANCE AMENDING CHAPTER 230 "MERCANTILE LICENSES", 230-2 "GENERAL MERCANTILE LICENSES", SUBSECTION I. "LICENSE FEES" OF THE CODE OF THE CITY OF LONG BRANCH (INTRODUCED: 12/26/07)

A motion was made by Councilperson Celli to open the public hearing on this ordinance was seconded by Councilperson Unger.

After ample time was given and no one responded, a motion was made by Councilperson Celli, seconded by Councilperson Unger to close the public hearing.

A motion by Councilperson Celli, seconded by Councilperson Unger to adopt said ordinance on third and final reading was adopted upon the following roll call vote: Ayes 4 - Absent 1 Giordano

**ORDINANCES FOR INTRODUCTION: (Public Hearing set for 1/22/2008)**

**#1-08** CALENDAR YEAR 2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14)

A motion was made by Councilperson Celli seconded by Councilperson Unger to introduce on first reading, advertise and post according to law and set the public hearing for January 22, 2008 - Ayes 4 - Absent 1 Giordano

**#2-08** AN ORDINANCE DELETING SECTION 11(G) "REQUIRED IMPROVEMENTS" WITHIN CHAPTER 300 "SUBDIVISION OF LAND", ARTICLE V "MISCELLANEOUS PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER MANAGEMENT"

A motion was made by Councilperson Celli seconded by Councilperson Unger to introduce on first reading, advertise and post according to law and set the public hearing for January 22, 2008 - Ayes 4 - Absent 1 Giordano

**#3-08 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY IN AND BY THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$2,205,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF**

A motion was made by Councilperson Unger seconded by Councilperson Brown to introduce on first reading, advertise and post according to law and set the public hearing for January 22, 2008 - Ayes 4 - Absent 1 Giordano

**PUBLIC PARTICIPATION:**

A motion by Councilperson Unger to open the public portion of the meeting was seconded by Councilperson Celli.

**Kevin Brown - 162 Broadway**

Spoke regarding R3-08 and asked what items were donated. Council President DeStefano responded.

Went on to speak regarding the Bond Ordinance that was added and eminent domain.

**Barbara Gonos - 49 Delaware Avenue, West Long Branch**

Spoke regarding eminent domain and the taking of property. Played a song.

**Lori Ann Vendetti - 33, 38 Ocean Terrace**

Read a release regarding MTOTSA and eminent domain and the misquote in the newspaper regarding her settling.

**Michelle Bobrow - 295 Ocean Boulevard**

Spoke regarding the Citizens Campaign educating the public. Went on to speak against eminent domain.

**Bill Nordahl - 67 Marine Terrace Apt. 3**

Spoke out against eminent domain and wants all ordinances pertaining to the taking of homes for development be rescinded.

**Denise Hoagland - 68 Ocean Terrace**

Spoke regarding R25-08. Asked if Phase III was what was under construction now.

Mr. Aaron stated it was a future phase to the south of where phase II will be built.

Mrs. Hoagland asked why it was being extended.

Mr. Aaron stated that the development includes a hotel which is going to be less expensive than the Ocean Place Resort. The concept is taking a longer time than the developer anticipated.

Mrs. Hoagland then went on to speak regarding the redevelopment team.

Mr. Aaron stated that they are the professionals that have been retained by the City.

**Cathy Lowell – 279 Long Branch Avenue**

Spoke regarding the constant stench from the Long Branch Sewer Authority. Has redevelopment been taken into account?

Mayor Schneider stated that yes; the City has spoken with them a number of times. Some of what they took in from the Jerry Morgan site, the waste led to various problems, not all.

Mr. Woolley stated that the activity that is going on there is being conducted by professionals who are employed by NJNG Company. They are sampling the creek for pollutants.

Mr. Aaron stated if you need more information, the Sewer Authority is a separate Authority and has its own meetings and you can get the information as to when they meet and you can direct them directly to the executive officers of the Sewerage Authority.

**Donna Peterson – 104 Rockwell Avenue**

Spoke regarding Pier Village developers and Pier Village losing money. Spoke regarding the Governors statements made on TV today. Went on to speak about affordable housing and taxes.

**Harold Bobrow – 295 Ocean Boulevard**

Asked about R25-08. Asked about tax rebates.

Mr. Aaron stated, yes for two, not determined for three.

Mr. Bobrow asked who the parties were that are building Phase III and where do I get the information.

Mr. Aaron stated from the developer.

Spoke regarding the Cable renewal. Now is the time to broadcast the meetings. It could be part of the contractual agreement. Went on to speak about Hovnanian stock.

Stated he was submitting a resume to the City to be part of the Planning Board.

**Marco Diaz – Rockwell Avenue**

Spoke regarding All Neighbors Foundation and asked for help. Council and administration gave him directions as to where funding could be obtained.

**Robert Allison – 268 New Ocean Avenue**

Represents a significant portion of the entire block and would like to bring to the attention an ordinance in effect since 2000 in terms of parking. Would like to see the present ordinance amended. The No Parking is from Seaview Avenue to Avenel.

Mayor Schneider stated that this was just discussed at the workshop meeting.

Mr. Allison went on to speak regarding a petition being submitted and read what the ordinance reads now and what the petition change calls for.

Copy of the petition that was submitted is on file in the City Clerk's office.

**Vincent Giordano - 246 Ocean Avenue**

Echoed the sentiments of Mr. Allison, above.

**Evelyn Allison - 286 Ocean Avenue**

Reiterated what the above two individuals said.

**Vince LaPore - Long Branch**

Spoke regarding Council acting as the Redevelopment Agency. Went on to speak regarding the Asbury Park Press staff writer, Middlesex redevelopment plan, Beachfront South and Broadway Gateway being unconstitutional, Ordinance # 1-08 CAP ordinance, and the Cicalese case.

**Bernadette Sheridan - 42 Marine Terrace**

She is the niece of Anna DeFaria and stated that the next generation will take over the fight.

After ample time was given and no one else came forward, a motion was made by Councilperson Brown seconded by Councilperson Unger to close the public participation.

**RESOLUTIONS:**

On file in the Clerks Office and the City's Web Site.

**APPLICATIONS:**

1. APPROVAL OF A RAFFLE LICENSE FOR THE SAN ALFONSO RETREAT HOUSE
2. APPROVAL OF JUAN D. PEIRANO AS AN ACTIVE MEMBER OF THE WEST END ENGINE COMPANY
3. APPROVAL OF A RAFFLE LICENSE FOR THE PTSO LONG BRANCH COUNCIL

Motion by Councilperson Unger, seconded by Councilperson Brown to approve the listed applications was approved upon the following roll call vote: Ayes 4 - Absent 1 Giordano

**MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:**

**Councilman Brown** - No Comment

**Councilman Giordano** - Absent

**Councilman Unger** - Vince LaPore brought up an interesting point I hadn't quite thought about it that I am a member of the redevelopment agency and I do take that seriously and I have been working on a proposal, a policy proposal as well as an eminent domain ordinance. Its difficult because its difficult to get professional help but working on it its an arcane subject however I want you to know Vince that I am going to present it probably early in March. It doesn't look like it's going to get done in January or February because I'm going to be away for much of January. In that I do want to, since, I think Rev. Brown brought it up and I did consider eminent domain to have been a policy disaster in the MTOTSA neighborhood and I would like to see the City adopt an infill approach as well as a collaborative community based approach there as well as in Beachfront South and I think and I'm very excited about what we can do in Beachfront South and as a member of the Redevelopment Agency I've been talking actually to development firms that use community based development that don't use eminent domain, that don't come in and threaten people but actually come in and get to know the community and say, hey, would you like to work together on this, the City for example wants to revive the beachfront or in the case that I was, presented to me, it was a bay front and it was successful and they worked together, they didn't use eminent domain, they got the community involved, I don't think the developers became billionaires but everybody was happy in the long run so that's what I'd like to bring as a member and I hope to have a proposal to the Council and to the Mayor to debate and discuss sometime in early March. Thank you.

**Dr. Celli** - I have three things this evening. The lady that always comes up and publicizes our wonderful library, I just want you to know she is home, she is recovering, she is having some difficulty walking because she did have a very bad fall, she had a hip replacement but I just thought you'd like to know she did say hello to everybody. Mr. Brown, next week is Martin Luther King week, do you want to talk about it or do you want me to?

**Mr. Brown** - I want you to.

**Dr. Celli** - Monday we begin our week of Martin Luther King. There is a service or some kind of dedication Monday, Tuesday, Wednesday, Thursday, Friday, Saturday and Sunday and of course we have the walk on Sunday and there is also a program on Monday so if you could make it, I'm sure one of us could give you all the information, I'm not going to take your time and read it all to you but I would ask if you can, please partake. I also as you all have noticed tonight we have a Council member missing and Anthony has gone through the last six weeks of h-e-double L if I could say it. I think most of you know he lost his mother over the weekend and on behalf of the City and I think all of you in this room, we offer him our sincerest condolences. Thank you.

**Mr. DeStefano** - No comment.

### **ADJOURNMENT**

This meeting adjourned at 9:30 p.m.