

REGULAR MEETING

CITY COUNCIL

FEBRUARY 26, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, February 26, 2008 at 8:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

**PRESENT:**

David G. Brown, Councilman; Anthony Giordano, 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

The pledge of allegiance was recited. Certification was read.

**PRESENTATION** – BROADWAY AND THIRD AVENUE PROJECT

A presentation was made with regards to the Broadway and Third Avenue project. Present was Patrick McNamara, Esq., on behalf of Pax Construction. This will be a live / work residential as well as mixed retail development, restaurants and other commercial establishments. Mr. Moneforte went on to speak regarding the area in which this project covers and gave further details of the project.

**READING AND APPROVAL OF PREVIOUS MINUTES:**

January 22, 2008

Motion by Councilperson Celli to approve the minutes of January 22, 2008 was seconded by Councilperson Brown – Ayes 3 / Abstain 2 – Giordano, Unger

February 13, 2008

Motion by Councilperson Giordano to approve the minutes of February 13, 2008 was seconded by Councilperson Brown – Ayes 4 / Abstain 1 – DeStefano

**CONSIDERATION OF ORDINANCES**

**PUBLIC HEARING AND FINAL CONSIDERATION**

None

**ORDINANCES FOR INTRODUCTION:** (Public Hearing set for 3-11-2008)

**#5-08** AN ORDINANCE AMENDING 325-44 VEHICLES AND TRAFFIC OF THE ORDINANCES OF THE CITY OF LONG BRANCH – HANDICAPPED PARKING SPACE (233 WESTWOOD AVENUE)

A motion was made by Councilperson Celli, seconded by Councilperson Giordano to introduce on first reading, advertise and post according to law and set the public hearing for March 11, 2008 was carried out upon the following roll call vote: Ayes 5

## **PUBLIC PARTICIPATION:**

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

### **Robert Allison – 268 Ocean Avenue North**

Spoke regarding no parking on certain portion of Ocean Avenue. We would like to have no parking from 8 am until 9 pm on the residence side (west side). Went on to speak regarding the sidewalk café ordinance and ordinance 345-29, zoning.

### **Harold Cooper – 113 South 7<sup>th</sup> Avenue**

Spoke regarding the presentation made and everything being built should be as environmentally safe as possible. Went on to speak regarding resolution 63-08, toll hike. Asked for a resolution since 2002 for Council to adopt a resolution against the Presidents unilateral actions that was going to take place in Iraq.

### **David Massary – 799 Bowyer Avenue**

Spoke regarding geese feces. The problem is out of hand.

The Mayor asked that he stay until the end of the meeting to further carry on this discussion.

### **Diana Multare – 21 N. Bath Avenue**

Spoke regarding Geese Peace program and feels the City should get in touch with them. Went on to speak about the contract with the Monmouth County SPCA. It's a remarkable organization.

### **Austin Gelzer – 385 Ocean Boulevard**

Read a statement and quoted excerpts from an article written in the Asbury Park Press regarding ADA Act and his lawsuit that was filed with regards to the handicapped ramp going on to the beach from the boardwalk at Matilda Terrace.

### **Bill Nordahl – 67 Marine Terrace Apt. 3**

Spoke regarding an ordinance that Mr. Unger stated he would introduce to prevent the use of eminent domain for economic development. Stated that the tenants should be protected as well as the homeowners. Went on to state that this Thursday, February 28<sup>th</sup> at 6:30 p.m. there is going to be a Concerned Citizens Forum that's called "Know your Rights, Landlord Tenant and Public Housing" which will be presented by the Ocean Monmouth Legal Services at the Brookdale Community College Learning Center in Long Branch on Broadway and Third Avenue.

### **Michelle Bobrow – 295 Ocean Boulevard**

Spoke regarding the presentation on the Third Avenue project, very nice, looks beautiful. Spoke regarding the property in that area that was yet to be acquired.

Mr. McNamara stated that it was privately owned and vacant and negotiations are taking place. We do not envision the need for any type of use of eminent domain.

Mrs. Bobrow went on to speak regarding this resolution not being available prior to this meeting and seems as though it was probably a done deal.

Mr. McNamara stated to Mrs. Bobrow that there has been no done deal. He stated that his client has been in negotiations for many months with the City, is the principal owner of this property and is prepared to make a significant reinvestment in this community. There is absolutely and has been no done deal.

Mrs. Bobrow stated that in the interest of transparency that this should have been seen by the public before this evening. Went on to ask about having the Council meetings televised.

**Donna Peterson – 104 Rockwell Avenue**

R50-08 regarding Belmont Avenue property. Went on to speak regarding a meeting at the Hilton regarding redevelopment. Asked the developers present if the present storeowners are going to remain. The developer stated that Third and Broadway that the people will remain as tenants. They are not being evicted.

**Katie Feeny - 1090 Ocean Avenue, Sea Bright**

Spoke on behalf of NJ Community Water Watch and invited everyone present to a Clean up this Saturday at Lake Takanassee from 11 am to 1 pm. You can park at St. Michael's church.

**Deanna Ruwetta – 280 Ocean Avenue North**

Spoke regarding Sidewalk Café's and locations and parking on Ocean Avenue North.

The Mayor stated that the City is looking into this now.

**Vince LaPore – Long Branch**

Made a comment against the passing of the resolution regarding Pax Construction. Commented to Council, particularly Councilman Brown regarding Martin Luther King and Black History month. Spoke regarding Dean Mon and affordable housing units and the Barry brothers, selling of the Spanish Fraternity and conflict of interests.

**Marco Diaz – 135 Rockwell Avenue Apt. 51**

Thanked Mr. Unger for attending his events and encourages everyone to attend.

**Adam Kanafski – 15 Eleanor Avenue**

Spoke regarding the geese on his property. The only solution is population control. Would like a public forum for this issue to be discussed and let the majority rule.

After ample time was given and no one else came forward, a motion was made by Councilperson Celli 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 RONALD MCDONALD HOUSE OF LONG BRANCH
2. APPROVAL OF HONORARY MEMBERSHIP FOR JEFFREY ALAN GRECO IN THE ATLANTIC ENGINE COMPANY
3. APPROVAL OF HONORARY MEMBERSHIP FOR MIGUEL N. GUARDA IN THE ATLANTIC ENGINE COMPANY

Motion by Councilperson , seconded by Councilperson to approve the listed applications was approved upon the following roll call vote: Ayes

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

**Councilman Brown** - Yes, thank you very much and good evening ladies and gentlemen. It has been said that Council does things to quickly and it has also been noted that Council, personally myself has been working for the City of Long Branch for over 27 years and if Council is to be indicative in making statements to the public to preserve the sanctity and the safety as I stated last Council meeting, from the public, from itself and from certain people who make outlandish statements then I am reiterating those statements that I made. I'm also stating that if it means to be called "Uncle Tom", I'm a gracious Uncle Tom because Long Branch is better for it because the work that I've done and the people I've worked with including Martin Luther King and if it means making statements as a Council person, if it means being a good citizen, it means making Long Branch the town 20 years ago that people did not want to come to then this Uncle Tom is going to do the same work for the last 27 years that he did and will do for the next 27 years and that if it means upsetting you sir, and telling you to sit down and be quiet and behave yourself then this Uncle Tom will do it here, this Uncle Tom will do it outside, this Uncle Tom will do it in the papers and I will stand by my record because the statements that you always make and that you reiterate on your shirt about abuse, it doesn't come from this Council, it comes from citizens like yourself who are ignorant, who are selfish, who are very rude and don't have your facts straight and personally sir my chance to talk, get mad at me now and come back next week, I'm still not changing. Uncle Dave to my family, Uncle tom to you but I'm still a worker for this City, always have been and until the members of this community at vote time, vote me out of office, then this Council representative will still be that Uncle Tom in your face. Understand it, believe in it and next time when you come and not be a gentleman sir, you're going to get exactly the abuse that you give, its going to come back to you, thank you.

**Councilman Giordano** - The only thing I'll say to Dave is that I strongly disagree that Dave in the fact that I don't think you owe anybody an explanation about anything you've done the last 27, 30 years for the City. Everybody who knows you knows differently and I strong disagree that you

even gave him a response. Secondly, I just wanted to congratulate the Long Branch wrestling team for a great season. 26 - 0, Group 2 state champions first time in the history of the high school of the City so really I just wanted to congratulate the team, coach and everyone involved for what was really just a memorable season here in Long Branch and Long Branch wrestling.

**Councilman Unger** - I guess I really only have one thing to say, I'm really shocked by the vicious and personal attack on my colleague Dave Brown tonight and I'm almost speechless. I found it cruel and I found it demeaning and Vincent, there is more to politics and policy that meets the eye and there is a personal level of people working together and to use that phrase, the term that you defined Mr. Brown as is one of the most vicious and cruel things I have heard in this room and I think you'd be well advised to sit with Mr. Avery Grant and with Pudgy and perhaps learn from them how the community treats each other.

**Dr. Celli** - I wasn't going to say anything tonight but first of all my congratulations to the Pereira Family. I'm looking forward to a beautiful Pax Plaza and as my colleagues have said, it's been a long time since we've had any development in that area. I wish you well, I'm sure it will be a beautiful project and I'm really looking forward. I've known Dave Brown for approximately 40 years even though I don't look 40 but I will tell you, Dave is a very interested citizen who serves on this Council with me. I'm not going to stand here and defend him because he doesn't need any defending. His actions speak. Please when you get up and you talk to us, I don't think it's necessary that you speak viciously to anyone of us. You may think that but it's not what you should do and for anybody who wants to know, the Citizens Campaign program that they've had at Brookdale tells you how to come up and speak at the Council meetings and some people need to go to the class, thank you.

**Mr. DeStefano** - When we have public portion I always ask in the beginning that everyone please be respectful of everyone in the auditorium. People that are sitting in the auditorium, people at the dais. I know that it's a wonderful thing in this country to use public officials as skeet and go out shooting, it's just a trendy thing and we sit here and we take it and we volunteer to do an awful lot in this City and you know, sometimes we get respect and sometimes we don't but I think the job and the work that's done at least deserves some and there should be some decorum in the room when you are here. I stand by what everyone said about Mr. Brown. He's been a great Councilman, he's done a great job and there's no doubt about that and I've served with him all these years and it's been a great experience. I think that the remarks that were made are abhorrent and I hope to God you'll have more respect next time you step into the chambers and be respectful of everyone here.

### **ADJOURNMENT**

A motion was made by Councilman Brown, seconded by Councilman Unger to adjourn this meeting at 9:20 pm.