

REGULAR MEETING

CITY COUNCIL

MARCH 25, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, March 25, 2008 at 8:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

PRESENT:

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

OTHERS PRESENT:

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

ABSENT: Anthony Giordano, Councilman; Brian Unger, Councilman; Mayor Adam Schneider

NOTE: COUNCILMAN UNGER WAS PRESENT BY PHONE FOR THE ADOPTION OF ORDINANCE #6-08 ONLY.

The pledge of allegiance was recited. Certification was read.

PRESENTATION

Commendations were presented by Director Richards to Shane Mullen, Brian Rizzo.

Proclamation was given for "National Healthcare Access Personnel Week" by Council Vice President Celli.

READING AND APPROVAL OF PREVIOUS MINUTES:

March 11, 2008 – Hold to April 8th, 2008 meeting.

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

(Mr. Unger joined the meeting via the telephone)

#6-08 AN ORDINANCE REAPPROPRIATING \$261,725.26 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER FOR THE VARIOUS PURPOSES LISTED HEREIN IN AND BY THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH, NJ

A motion by Councilperson Brown to open the public hearing on said ordinance was seconded by Councilperson Celli.

Harold Bobrow – 295 Ocean Boulevard

Asked Mr. Mehlhorn why the monies weren't used for the various purposes they were meant to be used for and are their other monies in the budget that you could find in order to reallocate for other things needed.

Mr. Mehlhorn stated that these monies were left over after completing the project.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding road paving and the railroad tracks on North Fifth Avenue.

Michelle Bobrow – 295 Ocean Boulevard

Spoke regarding where the monies are going.

Mr. Mehlhorn responded that the money was being used for the handicapped ramp.

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

A motion was made by Councilperson Brown, seconded by Councilperson Unger to adopt on third and final reading was carried out upon the following roll call vote: Ayes 4 / Absent 1 Giordano

#7-08 AN ORDINANCE VACATING A 10 FOOT RIGHT OF WAY BY FILED MAP 72-2 RUNNING BETWEEN LONG BRANCH AVENUE AND BAY AVENUE (UNIMPROVED) AND VACATING A 10 FOOT RIGHT OF WAY OF EASEMENT BY FILED MAP 72-2 OVER LOT 6.02 IN BLOCK 477 AND VACATION OF 10 FOOT RIGHT OF WAY OF EASEMENT BY FILED MAP 72-2 OVER LOT 4 IN BLOCK 477

A motion by Councilperson Brown to open the public hearing on said ordinance was seconded by Councilperson Celli.

Michael Driscoll, Esq. from Ocean Twp.

Went over the proposal with the engineer and he suggested that I sit down with Mr. Aaron to work towards a form of ordinance that would be much more palatable and do exactly the same thing. Concurs with that suggestion.

Mr. Aaron has no objection to meet with Counsel to come up with a compatible resolve.

Asked Council to adjourn and carry until such time as Mr. Driscoll and himself could meet.

June Harrison – 539 Long Branch Avenue

Sent letters to the Council. Mr. Aaron stated he would meet with her also.

Francis Gorman – 1 Beach Avenue

Asked to be part of any negotiations that will be held regarding these issues. Thinks this whole thing is an easy way out for the City.

Donna Peterson – 104 Rockwell Avenue

Asked what was going to happen to this property.

Mr. Aaron explained it was a ten-foot right of way established in 1905 that was originally for the purpose of allowing pedestrian access between Long Branch Avenue and a street that has been vacated.

Mr. Woolley continued to explain this.

A motion was made by Councilperson Brown, seconded by Councilperson Celli to hold the adoption of this ordinance to April 8th, 2008. Ayes 3 / Absent 2 Giordano - Unger

ORDINANCES FOR INTRODUCTION: (Public Hearing set for 4-8-2008)

None

PUBLIC PARTICIPATION:

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

Bernard Gorcey – 36 Second Avenue

Asked how sewer meetings have Council attended since being in office.

Mr. DeStefano – none
Dr. Celli – none
Mr. Brown – a couple

Went on to speak regarding sewer connections made in the City and sewer odors. The DEP doesn't even know about these connections. Over capacitated. The Sewer Plant should be enlarged.

Carolyn Schwable – 79 Hamilton Avenue, Leonardo, NJ

I'm glad hope is still alive for Mr. Gelzer's ramp. It's a good move. Good luck.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding two-way traffic near the lighthouse.

Mr. Woolley stated that the proposal was withdrawn last week.

Went on to speak about new homes going up by the beach, lawyers in Long Branch, and the three-foot horse.

Kevin Brown – 162 Broadway

Spoke regarding Cocoa Puffs. There are dogs that grow to be larger than Cocoa Puffs. Went on to speak about the ordinance governing horses.

Lori Ann Vendetti – 33, 38 Ocean Terrace

Spoke in favor of Cocoa Puffs.

Michelle Bobrow – 295 Ocean Boulevard

Spoke regarding Sunshine Week regarding openness in Government. Thanked the Mayor, Council and Clerk for making public the minutes, the agenda's and all the back up materials. It's been incredibly helpful. Last

minute items added is not right. Went on to speak about Closed Sessions and their duration. Continue with full openness.

Bill Nordahl – 67 Marine Terrace Apt. 3

Let everyone know that Councilman Unger is sponsoring a program on March 31, 2008 here in the Chambers. Hope's everyone will attend.

Harold Bobrow – 295 Ocean Boulevard

Asked Mr. Mehlhorn how much money in tax abatements do the builders get for building both projects in Pier Village?

Mr. Mehlhorn stated that he can't say right now.

Mr. Bobrow went on to speak regarding tax monies and funding of the City.

David Goldstein – 2 Chelsea Avenue

Spoke regarding Mr. Unger's meeting and Brian Weeks. Went on to speak regarding the eminent domain brief written for the public advocates office, which was written by Mr. Weeks. The meeting is March 31st at 6:00 p.m.

Jim Foley – 229 Lewis Street, Oakhurst

Spoke regarding the Takanassee Lake Beach project, which is before the DEP for a CAFRA permit. Asked Council to communicate with the DEP and asked them not to make any decision on the project until the alleged ethics violations have been resolved and a clarification by Long Branch could be sent to them regarding Long Branch's position on the project.

Vincent Lapore – Long Branch

Spoke regarding eminent domain abuse and redevelopment, Proctor Estates, Riverwalk, DR Mon and the Barry's.

Harold Cooper – 113 South 7th Avenue

Spoke regarding Mr. LaPore's comments and the seriousness of his implements to several of the Council people. Asked why Council does not respond back to the people.

Marco Diaz – 135 Rockwell Avenue, Apt. 31

Went over activities that he is running in the City at Jerry Morgan Park and the All Neighbors Foundation and asked Mr. Woolley to put it on Channel 20.

After ample time was given and no one else came forward, a motion was made by Councilperson Brown seconded by Councilperson Celli 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 MONMOUTH MEDICAL CENTER FOUNDATION
2. APPROVAL OF A RAFFLE LICENSE FOR NEW JERSEY STATE ELKS ASSOCIATION, INC.
3. APPROVAL OF A RAFFLE LICENSE FOR THE LONG BRANCH ELKS LODGE #742

Motion by Councilperson Brown, seconded by Councilperson Celli to approve the listed applications was approved upon the following roll call vote: Ayes 3 / Absent 2 Giordano - Unger

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:

Councilman Brown – Apparently Mr. Lapore doesn't want to stay to hear this but the statement and I stated it before, because Mr. Lapore says something and because you might see it doesn't make it true. I am a member and an official of the Second Baptist Church. The Second Baptist Church though is many entities. One being which a 5013C CDC Community Development Corporation which I am not a member and have no authority in, that CDC that has done business with the City and Mr. Dean Mon is legitimate and approved by the State of New Jersey to afford the affordability in the scattered site housing program so that people of this City can have their own home ownership and at an affordable price. That CDC which is under the name of Pathways which I have stated in years past in allegations because Mr. Lapore and others who want to make those statements does not conetate me because I am a member of that church, not of that corporation. As far as Dean Mon and the Proctor Estates, my son who has the same name and that should be no reflection duly represented himself and his family to purchase one of the homes in Proctor Estates. I have no financial dealings, I have no financial interest in that of my son and his family. I have no financial interest garnered from Mr. Dean Mon and I resent the fact, I strongly resent the fact that I have accepted monies from anyone whether they be contractors, developers or any other citizen as Mr. Lapore stated and because Mr. Cooper is making a statement, word and as fact. I do not and I say, you don't have to call me names for me to respond. You don't have to put your hands on me for me to respond but if Mr. Lapore wants to turn this meeting and this meeting of Long Branch citizens into some kind of witch hunt, he will not be receiving courtesy that he is always receiving. Just because silence is silence doesn't mean that what he said has any truth in it. Those are facts prosecutors, you can go get a United States prosecutor and he can look into the facts, Second Baptists papers are in order, I've been a member for over 30 years, I've been an officer for over 20 years, that is it and there is no conflict, there is no conflict because the question has been answered by the property authority outside of Long Branch and if Mr. Lapore wants to come back into the room, he can listen for himself and he can go to Freehold and get his statements in because he does that, when he misproves his information, he needs to cross check. David G. Brown, II owns a home on Sixth Avenue duly purchased and is being paid for, mortgage wise from his bank to Dean Mon and his corporation and because he is my son, I don't think I, my family or my son need to be dragged through the mud continuously. By me being a member of the Baptist Church that has allowed its non prophecy to advocate for those citizens who could not otherwise afford a home and a roof over their head for \$1,000 because we flipped land that otherwise the City of Long Branch could not afford to do and its against the State of NJ law for Long Branch to turn land over. Check your facts out. Check your source out before you come up and make allegations. If you want to see the other.

side of Dave Brown, continue to do the path that you are doing. I don't need to be touched, shaken or called names. I'm doing a job, I'm an official of the City and if you come up with allegations again, I won't have to wait until the end of the meeting to have my say. Mr. Lapore, wherever you are, you're wrong. You're just about outright lying and I am not what you said. Never have been, never will be. I'm tired of sitting up here explaining myself to the citizens of Long Branch because one man wants to come up and make allegations and everybody can clap about. I disagree with eminent domain. There is no pussyfooting around about it. I've always disagreed with it because I believe in the revitalization of Long Branch, that's my prerogative against yours. If you don't want to deal through the courts, if you don't want to deal with me sitting down, we are not going to allow you to come up, I am not being abusive, I resent it, I resent Mr. Lapore, I resent everything that stands for and if you want to see me stand up, you are going to start seeing that at every meeting. You're also going to see the town meetings, you are going to see me walking (inaudible) and everybody else can listen and take it for fact that it stops here. It stops here. If you are not courteous, you're not going to receive it from me.

Councilman Giordano - Absent

Councilman Unger - Absent

Dr. Celli - I wasn't going to say anything tonight believe it or not and I've sat here meeting after meeting and I've listened to some innuendos, some characterizations of a fine man and it kind of hurts me to think that people out there in the audience have the nerve to think they can get up here and say things that are not factual. If people got their facts right, I wouldn't mind but they don't. Dave is a tough act to follow and I'm not going to say anymore but I don't like the idea that people think they can get up here and say what they want against the elected officials. We're here to do a job, we do the best we can and if you don't like, come May 2010 then throw us out of office.

Mr. DeStefano - You know, obviously anyone can get up to the microphone and say pretty much whatever they want and Pudgy, people take things differently, you know me, you can pretty much get up and say anything, it doesn't trouble me and I understand because you're a gentleman and if it were true and I were in violation of those things, I would suspect the law would have handled it and that this wouldn't even be an issue and I think Mr. Brown gave to long an answer because I wouldn't of even bothered answering that question. The other thing I want to address is, an issue came up about tax abatements and I remember back when the hotel was being proposed and there was a notion of giving it a five year tax abatement and I thought wow, that's pretty crappy, you know, why would you give them a break to build a multi million dollar facility that's going to generate tax revenue for years to come and benefit us, why would you do that? Then it occurred to me, oh wait a minute, its going to generate tax revenue for years to come and its going to benefit us and it would be the start of the redevelopment and its part of negotiation and it also occurred to me that marketing in this country is pretty much done the same way. I'm relatively certain almost all of you hold a cell phone, you signed a year or two year contract, got the phone for free or cheap, cheated the phone company out of all that revenue so you could speak for a year or two. That's pretty bad. Bought a printer, spent about \$100.00 on all that technology, on that piece of equipment, cheated them out of all that revenue, why, because they are going to sell you the ink. In the end, with Pier Village, with tax abatements and I've said this before in the end, everyone benefits. You get

a project that for years to come will be generating more tax revenue than it ever did or at least be taxed you know, more than it ever did but even actually more than that, lets get away from even the revenues, improve the way the City looks and appears which is more critical to me than anything else with redevelopment so I'm sure we'll be hearing more about the tax abatement issue, I'm sure people will be getting up calling everybody names as they typically do, you can get up and say pretty much anything you want and I wish everybody would have more respect at these meetings and I would ask Council, Mr. Brown particularly, if somebody gets your goat and I call five minutes, it applies to everyone.

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 9:20 p.m.