

REGULAR MEETING

CITY COUNCIL

APRIL 8, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, April 8, 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.

8:00 PM – PLAN ENDORSEMENT ADVISORY COMMITTEE / PUBLIC COMMENTS

Mr. Woolley explained that the City applied for and was granted designation as a regional center by the State Planning Commission. There is a time frame that the designation lasts. In order to be re-certified as a Regional Center it's now the policy of the office of Smart Growth, which does this certification for the DCA that the City must appoint a Planned Endorsement Committee. The resolution that is on for action this evening is a resolution that they have given us and it is an Advisory Committee that assists the Planning Board in coming up with the Municipal Self Assessment process where the ordinances of the City of Long Branch and the city's Master Plan are reviewed. It's an Advisory Committee that will meet with representatives of the Office of Smart Growth and hold several workshops and public hearings on planning processes for the City of Long Branch. It's also mandated.

A motion was made by Councilperson Giordano, seconded by Councilperson Celli to open the public comment on the Planned Endorsement Advisory Committee public comment portion.

Kevin Brown – 162 Broadway

Spoke regarding the number of individuals appointed and how he believes that ten memberS should be appointed, not just five if you want to do what the spirit behind this is all about.

Harold Cooper – 113 S. 5th Avenue

Spoke regarding the number of individuals that were appointed.

Vince LaPore – Long Branch

Asked if the Smart Growth offers tax abatements and tax incentives for redevelopment zones.

Mr. Mehlhorn stated that seeing as the committee hasn't been established yet, he would have no idea what will be available.

Mr. Woolley stated that they were just an advisory committee on the planning process, no statutory authority to give tax abatements.

Mr. LaPore continued speaking regarding mixed use, preservation of neighborhoods, housing choices and preservations of various locations. Went on to speak about the members that are being appointed.

Harold Bobrow – 295 Ocean Boulevard

Asked if he could volunteer on the board.

The Mayor stated, no thank you.

A motion was made by Councilperson Celli, seconded by Councilperson Unger to close the public comment.

READING AND APPROVAL OF PREVIOUS MINUTES:

March 11, 2008 – A motion was made by Councilperson Celli, seconded by Councilperson Giordano to approve said minutes by the following roll call vote: Ayes 4 – Abstain 1 DeStefano

March 25, 2008 - A motion was made by Councilperson Celli, seconded by Councilperson Brown to approve said minutes by the following roll call vote: Ayes 3 – Abstain 1 Unger

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

#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 was made by Councilperson Unger, seconded by Councilperson Brown to withdraw this ordinance: Ayes 5

ORDINANCES FOR INTRODUCTION:

None

PUBLIC PARTICIPATION:

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

Beth Woolley – Long Branch Historical Association / Arts Council

Spoke regarding a proposed historic preservation ordinance. Went on to speak about the number of houses / buildings that were 100 years old or older. In 2004 there were 1,100 buildings at least 100 years old. You need something to encourage people to preserve their house. Went on to read a statement from Joseph Reale, President of the Long Branch Historical Association.

Harold Bobrow – 295 Ocean Boulevard

Spoke regarding tax breaks and abatements to developers. We should give them to save the historical background of the City. You do it for the future, should do it for the past. Went on to speak about the Eminent Domain Abuse ordinance that was already brought up. It's a good ordinance. Asked Mr. Giordano of the status of Hovnanian. Are they going through with the plans?

Councilman Giordano stated that there's not much difference then the last time they've spoken. K Hovnanian does not plan at this time to begin redevelopment of Beachfront South. They are proposing a redesign of Beachfront South, which are still on going with the City. We have not come to any agreement or close to an agreement on a redesign of Beachfront South so where it stands now is very little progress and there will be a determination in the near future as to the direction of the final determination of that project.

Mr. Bobrow went on to speak regarding the timetable on what Beachfront South should do with their property. Asked Council if it was fair.

Councilman Brown stated that it is the fact of the matter.

Dr. Celli stated that the answer is what Mr. Giordano already answered you. There has been no developments at all whether it's fair or whether it isn't fair, we have an obligation and a contract.

Marco Diaz – 135 Rockwell Avenue Apt. 51

Spoke regarding an article about the Mayor in the Link and asked if the Mayor supported non-profit organizations. Councilman DeStefano stated that that was personal. Asked how he gets on the Mayors TV show.

The Mayor stated he works with Kevin Cieri who produces it and the Cable TV Commission. I would talk to Mr. Cieri.

Michelle Bobrow – 295 Ocean Boulevard

Spoke regarding the conditions of the resolutions.

Kevin Brown – 162 Broadway

Spoke regarding the Planned Endorsement Advisory Committee.

Lila Poch – Ocean Avenue

Spoke regarding eminent domain use and Takanassee Beach Club being for sale years ago. The City could have benefited by acquiring this property. The City would have been applauded.

Avery Grant – 405 Atlantic Avenue

Stated that he hoped someone would have explained how the TV Channel works. Comcast was given the contract. I want to get on the program also and what do you have to do to get on it?

Harold Cooper – 113 S. 7th Avenue

Spoke regarding running for election in the past against the present Council with the exclusion of Councilman Unger. Spoke regarding Council’s actions.

Vincent LaPore – Long Branch

Spoke regarding Scattered Site Housing and Riverwalk. Went on to speak about the Second Baptist Church, affordable housing and comments made by Councilman Brown at the last meeting.

Lori Ann Vendetti – 33, 38 Ocean Terrace

Spoke regarding the workshop meeting and the Historical Preservation Ordinance discussion. Went on to speak about the contract with K Hovnanian changing plans and Beachfront North II can’t? If plans could be changed, they should be changed everywhere. Went on to speak about attitudes.

After ample time was given and no one else came forward, a motion was made by Councilperson Celli seconded by Councilperson Giordano 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 TEMPLE BETH MIRIAM
2. APPROVAL OF A RAFFLE LICENSE FOR MONMOUTH MEDICAL CENTER FOUNDATION
3. APPROVAL OF A RAFFLE LICENSE FOR HOLY TRINITY CHURCH
4. APPROVAL OF TWO RAFFLE LICENSES FOR THE PTSO LONG BRANCH COUNCIL
5. APPROVAL OF A RAFFLE LICENSE FOR THE AMERIGO VESPUCCI CHARITABLE FUND

Motion by Councilperson Celli, seconded by Councilperson Brown to approve the listed applications was approved upon the following roll call vote: Ayes 5

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:

Councilman Brown – No comment

Councilman Giordano - No comment

Councilman Unger - I just want to say that I was very proud, I’ve introduced the Protecting the American Dream Ordinance tonight and I’m sorry that somehow that an administrative error, it was not transmitted to Council and to the Administration and it will be first thing tomorrow morning but it’s a very simple ordinance. It’s intended to protect residential real property owners in

the City. It recognizes private property ownership as a hallmark of our form of government. It's based on the findings in (inaudible) and the Paulsboro cases and how they've narrowed the application of the local redevelopment and housing law and they prohibited the use of eminent domain for private economic development. I also especially point your attention when you get this document tomorrow to section 2C which indicates that Beachfront Phase North II and Beachfront South shall be pursued only as infill redevelopment projects and also City officials and I quote "will take all necessary and appropriate steps to amend the existing agreements, contracts with the redevelopers of Beachfront Phase North II and Beachfront South" consistent with this section so I'm going to respectfully ask our City Attorney, the very able James Aaron, Jimmy, could you possibly look at this contract with Hovnanian and deliver a private and confidential opinion to us on where we stand with this. I can't believe it that it just goes on forever. Is there a time limit and so I know you're not going to answer now but I'm hoping perhaps you could transmit a confidential opinion to the members of Council so we know where we stand. Thank you.

Dr. Celli – I've only one comment tonight and that is to wish all of the people in the community of Jewish faith a happy Passover.

Mr. DeStefano – No comment

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 9:10 p.m.