

REGULAR MEETING

CITY COUNCIL

MAY 13, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, May 13, 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

ABSENT: Anthony Giordano, Councilman

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

PROCLAMATION - KIDS DAY AMERICA

READING AND APPROVAL OF PREVIOUS MINUTES:

April 22, 2008

A motion was made by Councilperson Celli, seconded by Councilperson Unger to approve said minutes was carried out upon the following roll call vote: Ayes 3 / Nays 0 / Absent 1 - Giordano / Abstain 1 - Brown

CONSIDERATION OF ORDINANCES

PUBLIC HEARING AND FINAL CONSIDERATION

#8-08 AN ORDINANCE AMENDING AND SUPPLEMENTING AN ORDINANCE OF THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CHAPTER 116 BEACH FEES 2008

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

Michelle Bobrow - 295 Ocean Boulevard

Spoke regarding the minor change in the ordinance since it was introduced. Mr. Aaron stated that the adoption could proceed.

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

A motion was made by Councilperson Celli, 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

#9-08 AN ORDINANCE REAPPROPRIATING \$25,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE PURCHASE OF STREET LIGHTING FOR THE OCEANFRONT

PROMENADE IN AND BY THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

Donna Peterson – 104 Rockwell Avenue

Asked what the ordinance was for.

Council President DeStefano stated that it was going to be used for lighting.

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

A motion was made by Councilperson Celli, 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

ORDINANCES FOR INTRODUCTION:
PUBLIC HEARING SCHEDULED FOR MAY 27, 2008

None

PUBLIC PARTICIPATION:

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

Terry Tomasulo – Long Branch

Spoke regarding the comments of Edward Thomas. An apology was made, that should have been the end of it.

Kevin Brown – 162 Broadway

Spoke in favor of Ed Thomas. Spoke against Mr. Goldstein's comments to Mrs. Hoagland. Went on to ask for an investigation into Broadway Arts notices / contracts of sale. Spoke regarding the numbers on the assessment.

Donna Peterson – 104 Rockwell Avenue

Asked the Mayor about an answer he was supposed to have about the five-year tax abatement. Spoke regarding Long Branch Avenue and Bay Avenue, Edward Thomas and the Citizens Advisory Committee.

Michelle Bobrow – 295 Ocean Boulevard

Asked the Mayor about the meeting with Hovnanian. The Mayor stated that he met with them twice and has had two phone conversations. There is no resolution as of yet. Until all issues are resolved, there will be public discussion. Spoke regarding a bill for Thompson Design for beachfront south services and Public Strategies.

Lori Ann Vendetti – 33, 38 Ocean Terrace

101.5 did a broadcast on Long Branch and MTOTSA and were supportive of the property owners. Spoke regarding MTOTSA's day in Court tomorrow. Rally will be at 8:15 am tomorrow morning in Trenton. Asked that the property be maintained in MTOTSA that is owned by the City and/or developer.

Harold Cooper – 113 S. 7th Avenue

Spoke regarding a positive verdict being had by the appellate court tomorrow. Spoke regarding 139, 140 and R141-08, legal services. Mr. Aaron stated that under the Collective Bargaining agreement with the Police, they are entitled to legal representation.

Robert Allison – 268 Ocean Avenue North

Spoke regarding zoning and planning meetings and Mr. Thomas. He is a valuable player in this City. Went on to speak about parking in his area.

Francis DeLuca – 272 Ocean Avenue North

Spoke regarding parking on Ocean Avenue North. Disagrees with Mr. Allison. There are no problems, there's no issues.

Barbara McGarvey – Patten Avenue

Spoke in favor of Ed Thomas. Spoke against the protesters.

John Hunt – 310 Ocean Avenue North

Concurs with Mr. Allison's request.

Bill McLaughlin – 448 Ocean Avenue

Spoke regarding the progress on the boardwalk, very impressed. Hopes everyone will vote for the disability ramp resolution. Stated he hopes and prays for the MTOTSA group.

John Matthews – 166 Belmont Avenue

Spoke regarding the zoning board position and is interested.

Luann Peterpaul – 15 Rivergate Way

Spoke regarding the resignation of Ed Thomas and reiterates the recall of Mr. Thomas from the Planning Board.

Joseph Valentino – 57 Browdenwood Drive, Lincroft, NJ

Spoke regarding his support of Ed Thomas.

Marsh McGurl – 280 North Ocean Avenue #83

Spoke regarding the parking situation on Ocean Avenue. Mr. Allison and Mrs. DeLuca are both correct. Spoke regarding resident permit parking.

Vincent LaPore – Long Branch

Spoke regarding property deeds and the Second Baptist Church.

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 THREE RAFFLE LICENSES FOR THE SAN ALFONSO RETREAT HOUSE
2. APPROVAL OF A RAFFLE LICENSE FOR THE STAR OF THE SEA CHURCH
3. APPROVAL OF THE TRANSFER OF A TAXI LICENSE FROM LISA JACKSON TO GHULAM KHAN
4. APPROVAL OF THREE RAFFLE LICENSES FOR THE CYSTIC FIBROSIS FOUNDATION

Motion by Councilperson Celli seconded by Councilperson Unger 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 – Yes, good evening everyone, two things tonight. As you know, the passing of my daughter in law on April the 18th at the age of 34 prevented me from being here at the last meeting. I just want to say from my son, my wife and my family a heartfelt thank you for the condolences, for the well wishes and just the outpouring of love not only from my colleagues here but from you, the citizens of Long Branch. The two-day home going services were tremendous outpouring of support. On behalf of my two grand daughters, Alya and Mia age 6 and 4, I cant say enough for the entire Long Branch school system a good teacher, devoted dedicated teacher will truly be missed. The other thing is, we have an employee, we have several employees but one in particular who will be leaving before Memorial Day, Ricky Tatum who is employed by the Department of Public Works has been called back to Iraq and we just want to give a shout out to him and his family. He will be going back before the end of the week to Iraq. Several of our Police Officers and other employees likewise will be going back at the beginning of the year and I promised them that I would mention this and for the support of this administration and the citizens of Long Branch to thank them for their services that they have rendered and will continue to render to this country. Thank you for myself and my family for the concerns and everyone, I hope the ladies in the audience had a very pleasant and happy mothers day.

Councilman Giordano - Absent

Councilman Unger - I've got two things, one I just want to address the Vendetti's and the Hoagland 's, the Anzalone' s and all the residents in MTOTSA and say that my heart goes out to you and I wish you every best wish and victory in your cause continuing tomorrow and I firmly believe that based on my conversations around this great city that most of our residents

and voters are with you and understand your fight and support you 100%. I also want to just speak for one second about Beachfront South, I had occasion to spend time in Beachfront South and not just make observation on this section of land that Hovnanian is holding and many of the residents there are paying extremely high taxes, we had a big tax increase last year and it's a tremendous burden on them. These are not wealthy folks and many of the people in Beachfront South are old families that have been in Long Branch since the turn of the last century, since the early 1900's and I'm sure you'd know many of their names if I mentioned them and some are actually here in the audience tonight. It's a tremendous burden and when people say, well you can sell, yes, technically you could sell but it would be a tremendous loss. There are also businesses in Beachfront South that don't know whether to plan for next year or not, don't know whether this is their last summer and it simply isn't fair and I therefore urge the Mayor to expedite his talks with Hovnanian and to let them know in no uncertain terms that if they are invoking any special legal clause whether if they were invoking force majeure whether they are invoking or going to propose plans that the City can not live with, they need to do so quickly and further it was very interesting that we are having a public hearing Monday night because the Federal government is requiring it and I think if Hovnanian does not proceed in Beachfront South, I don't think we should have secret contractual negotiations and then present them at the last minute in the workshop and then out here for a vote, I really think this merits a public hearing and if we are doing it for the flood plan then we should do it for Beachfront South.

Dr. Celli – I have a couple of thank yous tonight. To the young man who came up to introduce himself and submitted his application to us and to Mr. Allison, both of you, the procedure is if your resume is submitted for one of the boards, we review them and then we call you in for an interview and then a decision is made. I just wanted you to know that we did appreciate you getting and putting in your application so that's one thank you. The next is a big thank you to the Department of Public Works for most of you who probably don't know and haven't been down on the beachfront, we had some pretty bad loss with the storm yesterday and they've done a wonderful job going down there and cleaning it up. When I needed to get in touch with the Director today, he was down there himself helping them clean up so thank you Fred, to all you men, for everything they do. My last item would be, that before we have the next council meeting, we will have a Memorial day celebration and I hope all of you remember our military folks that are overseas and serve here in the United States, there is always a service here at City Hall and also around the City so please take time out of your busy life and partake in one of them and on behalf of my family, I wish you all a happy Memorial Day. I will not be here but I will be attending another service someplace else. Thank you.

Mr. DeStefano – No comment

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 9:30 p.m.