

REGULAR MEETING

CITY COUNCIL

MAY 27, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, May 27, 2008 at 8:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

PRESENT:

Anthony Giordano, Councilman; 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

The pledge of allegiance was recited. Certification was read.

PUBLIC HEARING – 2008 MUNICIPAL BUDGET

MOTION BY COUNCILPERSON CELLI, SECONDED BY COUNCILPERSON GIORDANO TO OPEN THE PUBLIC HEARING ON THE 2008 MUNICIPAL BUDGET

Alice Kessler – 74 Cedar Avenue

Suggested to Council that they figure out a way for the new development to pay for this budget.

Harold Bobrow – 295 Ocean Boulevard

Went over the entire budget. Spoke regarding percent increase, and questioned various line items.

Mr. Mehlhorn spoke regarding salaries, increase in state pensions and what the City is worth.

Michelle Bobrow – 295 Ocean Boulevard

Spoke regarding the sale of assets to offset debt service. What are we selling?

Mr. Mehlhorn stated that we sold property on Abbottsford Avenue. Went on to speak regarding the capital budget.

Bill McLaughlin – 448 Ocean Avenue

Spoke regarding the Mayor and Business Administrator's office, salary and wages, beach fees, division of accounts and controls, City Attorneys budget, Labor Council, DPW, bathrooms, office of Planning,

Kevin Brown – 162 Broadway

Spoke regarding increase in taxes.

Diana Multare – 21 North Bath Avenue

Spoke regarding the lack of public turnout for a budget hearing. Went on to speak about redevelopment zones, taxes and appeals.

Lila Poch - Ocean Avenue

Representing the part of the City that was whacked with the highest tax increase. Asked about part time employees, asked Council how thorough they were going through the budget. Were cuts made?

Council President DeStefano stated that the budget has been flat for years and in fact reduced in many places.

Went on to ask about salaries and wages and the amount of houses that are for sale in the City.

Austin Gelzer - 385 Ocean Boulevard

Spoke regarding the ramp being developed. Complimented the completion of the comfort station. Would like to see flowers planted on the berm.

Vincent LaPore - Long Branch

Asked about the exact number of debt for the City of Long Branch.

Mr. Mehlhorn stated that the City debt as of today is \$46,964,578.54.

Mr. Lapore went on to talk about the interest rate on the debt. Reimbursable expenses and Public Strategies.

Denise Hoagland - 68 Ocean Terrace

Without a redevelopment budget you cannot access how much redevelopment has cost the City of Long Branch. Everything is hidden in different listings and appropriations.

Motion by Councilperson Celli, seconded by Councilperson Giordano to close the public hearing on the budget.

R164-08 RESOLUTION ADOPTING 2008 MUNICIPAL BUDGET

Motion by Councilperson Giordano, seconded by Councilperson Brown to adopt said resolution was carried out upon the following roll call vote:

Mr. Brown - Yes

Mr. Giordano - Yes. Spoke regarding the economy and stated that the Council does go over the budget. Decisions are made throughout the year that are filtered into the budget. There were a lot of cuts made to programs. We have to continue to look at ways to trim expenses particularly on discretionary items. Spoke regarding fixed costs and how there is not control over them. Thinks all the services are appropriate.

Mr. Unger - Should consider a freeze on hiring for the next two years. Delete unfilled positions, combine administrative support positions, need to encourage people who are eligible for retirement to take retirement. Take those salaries for an entry level salary we could afford. I vote No.

Dr. Celli - For those of you who accuse us of not doing our work or listening to you, I take exception to that. I hear every word you say. Several things we've talked about. It's not easy to do a budget for this City. We answered your questions. If you're serious and have questions, Mr. Mehlhorn is here everyday so you can ask questions and he'll give you the answers. You can sit in on budget meetings. I vote Yes.

Mr. DeStefano - I pay taxes here like you do. When we go over the budget we try to balance on a constant basis. When things go up, I don't want to pay taxes either. I

don't want increases in gas either. We still need to fund the City, we need to be responsible, we need to fund the City and we need to run it at the level we're used to, yes.

READING AND APPROVAL OF PREVIOUS MINUTES:

None

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

None

ORDINANCES FOR INTRODUCTION:
PUBLIC HEARING SCHEDULED FOR JUNE 10, 2008

#10-08 AN ORDINANCE AMENDING SECTION 325-27 SCHEDULE III PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS (OAKLEY AVENUE)

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 June 10, 2008.

PUBLIC PARTICIPATION:

A motion by Councilperson Giordano to open the public portion of the meeting was seconded by Councilperson Brown,

Kevin Brown – 162 Broadway

Spoke regarding past budget hearings, recall elections, fictitious papers regarding Broadway Arts. Spoke regarding the number of appointees who get benefits of any kind, Mr. Mehlhorn stated that there is no one that gets no salary that gets benefits.

Mr. Brown went on to speak about cutting spending by 10% a year.

Leslie Hunt – 611 Wardell Street

Attending flood control / insurance meeting. They did an exceptional job and did an excellent presentation.

Diana Multare – 21 North Bath Avenue

Spoke regarding a statute in terms of local government ethics and confidence in public officials. Spoke regarding land sold to Mr. Callano and Central Jersey Bank.

Vincent Giordano – 246 Ocean Avenue North

Spoke regarding RC1 zone ordinance that was not brought and why was it buried.

Mr. DeStefano went over what could have happened.

Mr. Giordano feels there is a conflict.

The Mayor stated that the application was in the works and the zoning ordinance hasn't changed. The bank had nothing to do with this.

Discussion ensued between Council and Mr. Giordano.

William Luebking – 246 Ocean Avenue North

Spoke regarding the spirit of the ethics law and the perception of wrongdoing. The Citizens need to be reassured that we have a fair, honest and open government.

Bill McLaughlin – 448 Ocean Avenue

Spoke regarding the Strollo case and the Central Jersey Banks shareholders. Went on to speak about having an Ad Hoc Committee for the budget.

Lauren Vercik – 240 North Ocean Avenue

Spoke regarding Ordinance 11-08 and why is it not being voted on tonight.

Mayor Schneider stated that what was proposed is going to be amended. This should be within two weeks at the next meeting.

Ms. Vercik went on to speak about fundamental fairness. We should support a move for an ethics board in this City.

Francis DeLuca – 272 Ocean Avenue North

Asked why 11-08 was pulled.

The Mayor stated that it was discussed that an ordinance be drafted wherein the street from Joline to Avenel, west side of street, no parking from 8am – 5pm. The ordinance has to be modified and it will be on for the next meeting.

Michelle Bobrow – 295 Ocean Boulevard

Comments on typos, went on to speak about beach raking, cable television, asked if discussion have taken place regarding Beachfront South with Hovnanian. The Mayor stated that they are still negotiating back and forth. I hope to know by the next meeting.

John ?

Asked about the health insurance portion of the budget. Spoke regarding the perception of impropriety.

Denise Hoagland – 68 Ocean Terrace

Spoke regarding what Councilman Giordano stated about loan officers signing loans.

Mr. Giordano stated that it would depend on the amount.

Mrs. Hoagland went on to speak about loan committees.

Mr. Aaron stated that members of the Board of Directors serve on the loan committee, do I, no.

Went on to speak about our behavior as the public.

Harold Bobrow – 295 Ocean Boulevard

Spoke regarding the antagonistic type of atmosphere. Asked about Mr. Nadell. Did he leave? The Mayor stated, yes. Spoke about a CBAC. It's a group of citizens that look over the budget. Televise budget meetings. An ethics committee should be

started in this City. Went on to speak about how much money Mr. Aaron's law firm has made off this City.

Vincent LaPore – Long Branch

Spoke regarding Second Baptist Church and Commerce Bank.

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 FINN D. EBERSBACH AS AN STATE ACTIVE AND CITY HONORARY MEMBER OF THE BRANCHPORT HOSE CO. #3

Motion by Councilperson Giordano seconded by Councilperson Celli 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 – Yes, good evening everyone. I hope everyone had a Memorial Day well worth remembering and remembering our deceased members whether they were military or civilian employees. Concerning statements about me, I am a trustee of the Second Baptist Church where there is four other David Brown's in membership. I am a trustee, I am not the Chairman of Second Baptist trustees, David Alan Brown is the trustee in question who signed all those papers. Statements that I made earlier were not fabricated, I do not sit on the budget committee on the Second Baptist, therefore, I ask for your pardon in losing my temper, Mr. Lapore continuously comes up with false accusations meeting after meeting. Second Baptist has nothing. Mr. Brown in question was here earlier, it seems that I guess he is going to have to stay and speak on behalf of the trustees of Second Baptist to answer allegations or improprieties. Ethic committees, I list every year by law, I write and type up exactly what I owe or don't owe as a public official. I am an employee of Central Jersey, formerly Monmouth Community, I work three to four hours a day, basically on my own time as a messenger of the bank. I have no dealings with the authority or decision making of said bank. I have been for almost 30 years, 29 to be exact a trustee of Second Baptist. I've been a member for over 30 years. I have no other conflicts, I own my home, I don't own anything else and Mr. Lapore can come up again and represent himself as a member of this City but I will not tolerate him or anyone else degrading my family or myself. He can call me names as a Councilperson but not personally. I will not stand for that from him or anyone else. Thank you.

Councilman Giordano – No comment.

Councilman Unger - I think this operation of this legislative body works best when there's a degree of collegiality and when we work together and show each other respect as members of the City Council. This is a City Council meeting, the meeting earlier Workshop says on the top of the piece of paper on the agenda is that it's a City Council workshop and I want to say though it works both ways and when members of the Council and the administration treat each other with respect, with dignity, without vicious personal accounts and knowing vedacious accusations then we work together better and you know I see the gloves come off on both sides, see people up here respond to you and you come back and you attack and it just adds more fuel to the fire. However I do believe that when we have legitimate public issues such as this idea of an ethics board, such as this controversy about the Callano application is legitimate. It is not illegitimate and I apologized if I aired in saying that the Mayor

appoints the Zoning Board Attorney which he does not however, I find it beneath the dignity of the office of the Mayor to be involved in these transactions knowing that they are coming before a public board and it may be within, he may have checked with his private ethics committee and they green lighted it and I'm not taking that away from Adam if he did, I salute him for it but the fact of the matter is maybe it is the time for an ethics board and may I remind you who gets the appointment to this ethics board is most important. Will the Mayor get all 7 or 9 appointments? Will the Council get an appointment or two by a majority vote? This will dictate the viability and the credibility of any ethics board in the City of Long Branch.

Dr. Celli – I would like to thank all of you for coming out tonight. There's some new faces in the audience and it's certainly nice to see you. There were some good suggestions, the ethics board is one but I also want to remind everybody in the audience that we do have a code of ethics that all of us have signed so I just want you to know that there is something in place that watches over us besides the people and the citizens of Long Branch.

Mr. DeStefano – The only thing I would like to add is that I think this board is keenly aware of what happens when there is a blatant violation of the law or a problem with the law and yet on a regular basis, folks come before us, you can make any allegation you want, absolutely, it's the public, it's your right and what happens is, just like in marketing, if I create a problem, keep reiterating the problem and then sell the solution, over time I could probably convince people that there is a problem. Well I have no problem with the notion of an ethics board in a sense because quite frankly I have nothing to hide. If I have to go to an ethics board and they say don't do this or do that, I don't have a problem with that. If I have an independent body of people that can look you in the face and say, yes, he's telling the truth, I don't have any problem with that. I've been telling you the truth. Well you need someone else to verify that, not a problem with me. Again, when the woman got up and said about accusations and goes back and forth, I don't know what any of you would do if I on a regular basis made an accusation about you personally every time you stood up at that microphone, you would think it was incredibly proper and rude that an elected official would do that to a member of the public yet if I were to find out any iota or any scrap of information that I could use against you in any way shape or form, you would think that was completely wrong and inappropriate but you don't think that it's wrong or inappropriate to reverse the tables. That's why we have to defend ourselves. We've been saying the same things for years yet we hear the same things time and time again. We answer every now and then, sometimes we just sit here and don't say a word, why? Because we've answered that already. You keep bringing it up, we answer, we don't answer but it's been answered. The Mayor would like a word.

Mayor Schneider – You know, any accusation that I have somehow did something wrong in representing the seller of a piece of property is ridiculous. I practice law here. The bank loans, they were one of the first banks to be willing to loan money to people in this town, businesses in this town. The easiest thing to do is to get up to that mic and make an accusation about a conflict. I suspect if I asked people to define the phrase, they'd be at a loss. They wouldn't know what one is. The accusation made that was directed a few minutes ago, Mr. Irene that he represented the bank, you know, cases, every single case, every single issue is fact sensitive and they get bantered around at these meetings without any sense of what actually happened because it's an easy way, anybody can get up and cast an aspersion that there's impropriety, they don't need any evidence, nobody is going to get sued over it. I've sat and listened to it for 18 years and I'm not complaining. I'll listen to it for as long as I stay here, whether it's two more years or six more years or ten more years, I really don't know how long it's going to be. People have been telling me since the first day I sat up here, you're days are numbered. Well in a real sense they are. But I can look out at this crowd and think, you know, getting up and screaming at me certainly doesn't help. Getting up and making, no it's my turn now Mr. Hunt, I listened to you politely, and feel free, the next meeting, people will make the same allegations all over again. I'll respond in whatever way I think is appropriate whether I type it up from my own notes or whether I respond verbally or whether I say nothing. I've expressed over the years that courtesy

goes the longest way. Reasonable discussions goes the longest way, people have gotten up and suggested compromise, we normally are willing to work with. Accusations, I'm long... baseless, pointless allegations from the same people over and over again, and that's pretty much what it boils down to, I don't really care about. Not because I don't care about what the people of the City think. I care extremely much but I also know there are 30,000 people in this town, I listen to all of them, I talk to all of them to a great many of them on a basis, am I making accusations (inaudible) you know, it happened on that closing, feel free, in many ways my life has been an open book for a long time.

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 10:00 p.m.