

REGULAR MEETING

CITY COUNCIL

SEPTEMBER 11, 2007

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, September 11, 2007 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 and a moment of silence was had for the anniversary of the September 11th tragedy. Certification was read.

PRESENTATIONS:

The Mayor made a presentation to Shannon Berry of the Drug and Alcohol Awareness Department

READING AND APPROVAL OF PREVIOUS MINUTES:

August 28, 2007

Motion was made by Councilperson Unger, seconded by Councilperson Celli to approve the minutes of August 28, 2007 - Ayes 4 - Abstain 1 Giordano

CONSIDERATION OF ORDINANCES

PUBLIC HEARING AND FINAL CONSIDERATION

#34-07 AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON OFFICER FOR THE PURPOSE OF ADMINISTERING THE AFFORDABLE HOUSING PROGRAM OF THE CITY OF LONG BRANCH PURSUANT TO THE FAIR HOUSING ACT (INTRODUCED: AUGUST 28, 2007)

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

Harold Bobrow - 295 Ocean Boulevard

Asked if the liaison individual will be getting compensation for his work?

Councilman Giordano stated, no incremental compensation.

Mr. Bobrow went on to read a section of the ordinance regarding compensation.

Mr. Aaron explained the ordinance and the resolution and the procedure. There will be no compensation.

Bill Nordahl – 67 Marine Terrace Apt. 3

Asked if the individual will be in charge of waiting lists and overseeing them. Went on to speak regarding subsidized housing and waiting lists.

Mr. Aaron stated that the individual would be responsible for the entire project.

Mr. Woolley explained that the Housing Authority have their own list.

Donna Peterson – 104 Rockwell Avenue

Asked if the gentleman would be in charge of the money that came in from Colts Neck and the developers?

Mr. Aaron stated that money was given to the Housing Authority.

Harold Cooper – 113 S. Seventh Avenue

Applauded Mr. Jones' position. Asked if any positions for personnel and staff to help Mr. Jones going to happen?

Mayor Schneider stated, not at the moment.

Kevin Brown – 162 Broadway

Asked what agency in the City that the RCA projects went through.

Mayor Schneider stated, Mr. Jones.

Mr. Brown spoke regarding the state doing away with dual office holding and thinks employees might also be limited.

Mr. Woolley stated that Mr. Jones is doing the work now that this position entails. The State says that if we want to continue to receive Regional Contribution Agreements, we have to set up an individual with this title. We are giving Mr. Jones a title to continue the work he is already doing so we can continue to receive RCA agreements and continue to help out people such as Mr. Cooper and people who are qualified to receive those funds.

Bill Schatzow – 967 Elberon Avenue

Asked if this would increase the RCA agreements.

Mayor Schneider stated that the ordinance was neutral and we might in the future go after future RCA's. He already heads up the RCA agreements.

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

A motion by Councilperson Unger, seconded by Councilperson Celli to adopt said ordinance on third and final reading was adopted upon the following roll call vote: Ayes 5

#35-07 AN ORDINANCE AMENDING CHAPTER 316 "TOWING", SECTION 5 "FEES AND CHARGES" AND SECTION 11 "RESTRICTIONS" OF THE CODE OF THE CITY OF LONG BRANCH (INTRODUCED: AUGUST 28, 2007)

A motion was made by Councilperson Giordano to open the public hearing on this ordinance was seconded by Councilperson Unger.

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

A motion by Councilperson Giordano, seconded by Councilperson Celli to adopt said ordinance on third and final reading was adopted upon the following roll call vote: Ayes 5

ORDINANCES FOR INTRODUCTION: (Public Hearing set for 9/25/2007)

#36-07 AN ORDINANCE DELETING SECTION 18 (G) "REQUIRED IMPROVEMENTS" WITHIN CHAPTER 300 "SUBDIVISION OF LAND" ARTICLE V "MISCELLANEOUS PROVISIONS" OF THE CODE OF THE CITY OF LONG BRANCH, AND ADOPTING A NEW ARTICLE XI, WITHIN SECTION 300-23 ENTITLED "STORMWATER MANAGEMENT"

A motion was made by Councilperson Giordano seconded by Councilperson Unger to introduce on first reading, advertise and post according to law and set the public hearing for September 25, 2007.

PUBLIC PARTICIPATION:

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

Margaret Rice - 176 Branton Avenue

Spoke regarding the fall programs in the library.

Bill Schatzow - 967 Elberon Avenue

Spoke regarding the condition of the boardwalk and the pictures submitted at the last meeting. Went on to speak regarding the RCA agreements and asked about the number of units that were added.

Mr. Aaron explained the procedures of incoming monies.

Mr. Woolley explained that the Colts Neck monies went to the reconstruction of Grant Court which were existing units that were obsolete, destroyed and rebuilt. No new units were added with Colts Neck monies.

Mr. Aaron spoke regarding rules and procedures of COAH.

Bill Nordahl - 67 Marine Terrace Apt. 3

Spoke regarding Seaview Manor units. Spoke regarding funding for units. There was a net loss of 7 units. Spoke regarding the COAH third round rules being overturned in court.

Donna Peterson 104 Rockwell Avenue

Asked what happened to the \$4,000,000.00 that Congressman Pallone got Long Branch for the Pier.

Mr. Woolley stated it wasn't 4, it was 3.2, there is an amendment to the transportation infrastructure act and it has to be worked on by both the house and by the senate. Legislation is before the senate now and it has to be passed before we can take that money.

Spoke regarding Orr Developers and jobs that will be brought into the City, Colts Neck monies and affordable housing.

Kevin Brown - 162 Broadway

Spoke regarding the appeal for Broadway Arts. Went on to speak regarding the redevelopment plan as a whole since 1996. Would like to see Mr. Katz and his partners reconsider their attitude that they must own everything.

Harold Bobrow - 295 Ocean Boulevard

Spoke regarding the K Hov stock. The Council has an opportunity and the window to have a meeting to sit with the Council, the people in Beachfront South and Hovnanian and with the planner and try to do something positive.

Council agrees that they are under contract with K Hovnanian and K Hov needs to make a commitment to move forward with what would be the best interest for the City.

David Goldstein - 2 Chelsea Avenue, Pier Village

Spoke regarding rules and regulations for a pushcart. Why can some have a push cart in Pier Village and others cant?

Mayor Schneider stated that it's part of the developer's agreement between the City and its part of the Pier Village Developers agreement which is how they get permission to do so and its part of a one hundred million dollar investment. I wouldn't agree with your position that its preferential treatment, it was negotiated.

Mr. Goldstein stated that he wants to benefit from tourism in the town, legally. Would like to know how he could be a vender.

Mr. Aaron stated that you could rent out space in Pier Village Phase II.

Mr. Goldstein stated he tried that and there is none available.

Councilman Unger suggested he meets with the Administrator and go over detail.

Marco Diaz , 135 Rockwell Avenue

Spoke regarding his organization and what they do. Next meeting will be at the Library on September 17th at 5pm. Would like everyone's support.

Diana Multare – 21 North Bath Avenue

Spoke regarding properties in her area for sale. The raise in taxes are preposterous. The threat of redevelopment is unbelievably stressful. No one will buy your property.

Marshal Colver – 449 Broadway

Spoke regarding being in favor of the redevelopment as it was originally conceived and as it is now contractually agreed to. Spoke regarding Hovnanians property sale this weekend. Spoke regarding Hovnanian going bankrupt. Is that possible?

Mr. Aaron stated that anything is possible but it's not probable.

Mr. Colver asked where it would leave the City if it did.

Mr. Aaron stated that if Hovnanian decided to leave, the City would negotiate through the developers agreement with respect to the obligations that K Hov undertook, the City would then discuss what would happen with that property or whether it would go out and look for another developer.

Mr. Colver spoke regarding the commitment to the redevelopment as it is committed. Went on to speak about illegal immigrants being picked up for indictable offenses and drunk driving.

Lori Ann Vendetti – 33, 38 Ocean Terrace

Read a report on K Hovnanian and their finances. Spoke regarding an article she appeared in with her family with regards to MTOTSA. Went over some points in the article. Asked if the City Attorney has given his legal opinion based on the recent court decisions.

Mayor Schneider stated that the City Attorney believes we should continue.

Council stated that an opinion was given to them in writing.

Loretta Fallone – Lafayette NJ

Here on behalf of family members and oppose the use of eminent domain. The houses are not just houses, they are part of family. You cannot replace memories. They have endured many loses, don't let them lose their house.

Denise Hoagland – 68 Ocean Terrace

Spoke regarding the time and years spent before the Council telling you things like Loretta said. Went on to speak about the boardwalk and promenade. Spoke regarding the broken poles. Spoke regarding parking in her area. We would like resident parking or some sort of permitted parking.

Mr. Woolley stated that there is more than enough parking in Phase I (BFN) for the residents of Phase I. He believes it's from people going to the beach. You can talk to Director Richards or the Traffic Bureau.

Vincent LaPore – Long Branch

Spoke regarding an article in the press on Sept. 5th on Broadway Arts. Would like a correction as to what he said. Went on to speak regarding other articles in the press. Went on to speak regarding the Ocean Place Development LLC, Orr Partners. Stated it was part of Broadway Arts. Mr. LaPore proceeded to read the construction lien.

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

RESOLUTIONS:

On file in the Clerks Office and the City's Web-Site

APPLICATIONS:

1. APPROVAL OF A RAFFLE LICENSE FOR HOLY TRINITY CHURCH
2. APPROVAL OF A RAFFLE LICENSE FOR CYSTIC FIBROSIS FOUNDATION
3. APPROVAL OF A RAFFLE LICENSE FOR TEMPLE BETH MIRIAM
4. APPROVAL OF A RAFFLE LICENSE FOR HOLIDAY EXPRESS

A motion by Councilperson Brown to approve the listed applications was seconded by Councilperson Unger and carried out upon the following roll call vote: Ayes 5

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:

Councilman Brown – Yes, good evening everyone. As we all know we've gone through the 6th anniversary of 9/11 with the High School and the student body and the schools education faculty, we again here in Long Branch we again celebrated the remembrance of that tragic day. Not speaking in general but telling you tonight and for all my personal feelings that should never forget. America has always been a country to help others. America has always been a country to rise to the occasion, not only for the defense of itself but for all people throughout the universe. We were tragically, we were brutally attacked on September 11, 2001. I said it to the children and I'm saying it to us here tonight that for us to always stand and remember no matter how many years we separate ourselves from 2001. Never forget, we didn't forget the revolution, we didn't forget Lincoln, Jefferson, Washington, we should not forget the people and the lives that were lost September 11, 2001. Stand and remember, thank you.

Councilman Giordano – Thank you. As Councilman Brown eloquently articulated today is September 11th and it changed the way I looked at the world six years ago and I think that if I could request anything from anybody is just to remember those who were affected, those victims, there were 3,000 victims in our country, particularly those families and friends and colleagues of all those victims that got killed six years ago. In addition to that there are hundreds of thousands of good Americans out there who are working on a daily basis to keep all of us safe and working in all different levels of government, not just in the armed forces and just please keep those folks in mind as well.

Councilman Unger - I'd like to second the remarks of Councilman Giordano and Brown regarding 9/11. A lot of brave uniformed officers, men and women lost their lives in the towers, went up into the towers to bring civilians down and of course never made it back themselves and certainly a tragic day for many families in the New York, New Jersey area. As Councilman Giordano said, hundreds of thousands of Americans around the country protect us (tape turned) but also I want to mention that there are hundreds of thousands of Americans that asked a question that they have every constitutional right to ask and that is, did the president and congress make the right decision when we went into this war. Secondly Denise, Councilman Brown is going to make sure and I will help him if he needs it but I'm sure he wont, that we are going to look at the parking there before next summer so he's made that commitment, I don't know if you heard him when you were walking back to your seat and finally to Carmen and Fifi and their whole family, I hope to enjoy pasta aioli and eggplant rollatini many years to come on your porch and in your kitchen with some nice home made wine and I wish you the best forever. Thank you.

Dr. Celli - My one comment has to do with 9/11 and I would personally would like to thank our Council President for taking the time at the beginning of our session tonight to remember all those who lost their lives and for all of those people who are fighting the war in Iraq whether we believe in it or whether we don't, we are there and we have to stand and we have to be united all of us. We are all one family regardless of our color, race, religion or whatever you are, this is the great country of the United States and don't ever forget.

Mr. DeStefano - No comment.

ADJOURNMENT

This meeting adjourned at 9:40 p.m.