

REGULAR MEETING

CITY COUNCIL

OCTOBER 9, 2007

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, October 9, 2007 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

**OTHERS PRESENT:**

Howard Woolley, Business Administrator; James G. Aaron, City Attorney; Ronald Mehlhorn, Finance Director; Deborah Talerico, Deputy Municipal Clerk

Absent: Mayor Adam Schneider; Anthony Giordano, Councilman; Irene A. Joline, City Clerk

The pledge of allegiance was recited. Certification was read.

**READING AND APPROVAL OF PREVIOUS MINUTES:**

September 25, 2007

Motion was made by Councilperson Celli seconded by Councilperson Brown to approve the minutes of September 25, 2007 - Ayes 4 / Absent 1 Giordano

**CONSIDERATION OF ORDINANCES**  
**PUBLIC HEARING AND FINAL CONSIDERATION**

**#37-07 BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,610,000 FOR IMPROVEMENTS TO PROPERTY ACQUIRED FOR THE CREATION OF A MUNICIPAL PARK IN AND BY THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,480,000 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION (INTRODUCED SEPTEMBER 25, 2007)**

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

**Michelle Bobrow - 295 Ocean Boulevard**

Asked what the total amount of money that was spent in total for this park.

Mr. Mehlhorn stated there was an ordinance for acquisition and an improvement for 1.3 million and 2.6 million. Right now, this is supposed to cover the entire cost as projected.

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

A motion by Councilperson Celli, seconded by Councilperson Brown to adopt said ordinance on third and final reading was adopted upon the following roll call vote: Ayes 4 - Absent 1 Giordano

**#38-07** BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE CITY OF LONG BRANCH IN THE COUNTY OF MONMOUTH NEW JERSEY APPROPRIATING THE AGGREGATE AMOUNT OF \$2,900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,841,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF (INTRODUCED SEPTEMBER 25, 2007)

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

**Vince Lapore - Long Branch**

Spoke regarding purposes of bonding rather than including costs in the municipal budget.

Mr. Mehlhorn stated that you wouldn't put an expenditure in the municipal budget because people enjoy the benefit of these large items. If it were to go in the budget, you as a taxpayer would pay for it in 2007. If its written off over a period years that's dictated by statute for each item, you would enjoy the benefit and pay for it during the life cycle of that equipment.

Mr. Lapore went on to speak about legal fees and underwriter fees.

**Donna Peterson - Long Branch**

Asked someone to explain Bond Ordinances.

Council President DeStefano stated that it was debt, it's financing.

Mr. Mehlhorn explained further about bonding.

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

A motion by Councilperson Brown, seconded by Councilperson Unger to adopt said ordinance on third and final reading was adopted upon the following roll call vote: Ayes 4 - Absent 1 Giordano

**ORDINANCES FOR INTRODUCTION: (Public Hearing set for 10/23/2007)**

**#39-07** AN ORDINANCE AMENDING 325-28 OF THE CITY OF LONG BRANCH ENTITLED SCHEDULE IV: PARKING PROHIBITED DURING CERTAIN HOURS DURING CERTAIN TIMES OF THE YEAR (EASTBOURNE AVENUE)

A motion was made by Councilperson Brown, seconded by Councilperson Celli to introduce on first reading, advertise and post according to law and set the public hearing for October 23, 2007. Ayes 4 - Absent 1 Giordano

**#40-07** AN ORDINANCE GRANTING TAX EXEMPT STATUS ON A PHASE IN BASIS PURSUANT TO NJSA 40A: 21-1, ET SEQ., "FIVE YEAR EXEMPTION AND ABATEMENT LAW" TO PIER VILLAGE APPLIED LWAG, LLC FOR PHASE II OF THE REDEVELOPMENT AREA IN THE CITY OF LONG BRANCH DESIGNATED AS PIER VILLAGE

A motion was made by Councilperson Brown, seconded by Councilperson Celli to introduce on first reading, advertise and post according to law and set the public hearing for October 23, 2007. Ayes 4 - Absent 1 Giordano

**#41-07 AN ORDINANCE AUTHORIZING PAYMENT IN LIEU OF TAXES FOR GRANT COURT URBAN HOUSING ASSOCIATES, LLC FOR GRANT COURT PROJECT**

A motion was made by Councilperson Brown, seconded by Councilperson Unger to introduce on first reading, advertise and post according to law and set the public hearing for October 23, 2007. Ayes 4 – Absent 1 Giordano

**PRESENTATION**

Long Branch Little League was presented with jackets.

**PUBLIC PARTICIPATION:**

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

**Margaret Rice – Branton Avenue**

Reminded everyone of the wonderful programs at the local public library.

**Bill Nordahl – 67 Marine Terrace – Apt. 3**

Spoke regarding a meeting he recently had with the Concerned Citizens Coalition about housing Long Branch is building. Spoke regarding a lawsuit regarding D.R. Mon and Barry Associates. Requests the City hire an independent prosecutor to investigate criminal action regarding Proctor Estates and the fairness of the procedure.

**Linda Bracka – 2 Plaza Court**

Spoke regarding the meeting of the Elberon Property Association and the issue of speed limits from Lincoln and Ocean to the bridge. Would like to see the 30 mph stay that way until you get to Lincoln Avenue. Would like to see bike path symbols and police watch.

Council President DeStefano stated that it would be looked at by the Police Department and they would recommend what is best, if any solution.

**Kim Sawad – Monmouth University**

Handed papers out to Council. She represents Beach Sweeps that is a project for NJ Water Watch and Clean Ocean Action Group. October 20<sup>th</sup> is the beach clean up. Would like to invite Council to speak or help out.

**Herbert Poch – 1175 Ocean Avenue**

Supports what Ms. Bracka spoke about. Spoke regarding a sign that was put there last year temporarily which did slow people down. Would like that sign put back up. Bicycle lanes are not respected.

**Austin Gelzer – 385 Ocean Boulevard**

Spoke regarding a complaint filed with the Justice Department, Civil Rights Division for the lack of beach access, south from Pier Village to Brighton Avenue. In August received a notice to see if we would agree with mediation as a process of resolving any kind of issue that the lack of access presents. I'm just waiting to hear back from the mediator. Thanked Council

for agreeing to the mediation. Went on to speak regarding CAFRA approval of the ramp.

Mr. Woolley stated that it was the early part of the summer.

**Lori Ann Vendetti - 33 & 38 Ocean Terrace**

Spoke regarding an article in the Atlanticville and Paul Fernicola who represents the City and accusations made by him regarding Bruce McCloud.

**Kevin Brown - 162 Broadway**

Spoke regarding the Bruce McCloud matter that lasted over 5 years and how he was taken out of his home. Went on to speak regarding the compensation trial and eminent domain abuse and Initiative and Referendum. The people have the power to recall ordinances and resolutions. Publicly announced that if anyone in the City would like to sit down and recall ordinances from 1996 and the subsequent ordinances and resolutions in 2001, which empowered Broadway Arts, that's what we will recall.

**Donna Peterson - 104 Rockwell Avenue**

Spoke regarding affordable housing, taxes and Ordinance 40-07.

**Marco Diaz - 135 Rockwell Avenue**

October 15<sup>th</sup> meeting at the Long Branch Library by the All Neighbors Foundation.

**Michelle Bobrow - 295 Ocean Boulevard**

Spoke regarding an article in the Press talking about the necessity of good government. Went on to speak about the items that were added on the agenda. Asked about the Brower discussion held in Executive Session. Went on to speak regarding tax abatement incentives for Pier Village.

**Denise Hoagland - 68 Ocean Terrace**

Spoke regarding the beach sweep and not forget about the beach in other areas of the City aside from Pier Village and Beachfront North. Spoke regarding the Bruce McCloud case and comments the Judge made that presided over the case.

**Vince Lapore - Long Branch**

Spoke regarding the McCloud matter and Mr. Fernicola and appraisals. Went on to speak about taxes in Elberon and vacant lot sales on Garfield Road.

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 TWO (2) RAFFLE LICENSES FOR FAMILY PROMISE OF MONMOUTH COUNTY, INC.
2. APPROVAL OF JUSTIN BRAND AS A MEMBER OF THE WEST END ENGINE COMPANY

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 4 – Absent 1 Giordano

## **MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:**

**Councilman Brown** - No comment

**Councilman Giordano** – Absent

**Councilman Unger** - Well Mrs. Bracka left but it occurs to me Bill Richards that that problem when you are coming north through Deal and then you come on to Long Branch pavement there and then you come to the light at Lincoln and its always two lanes so people double up in the summer people get in the right and floor it and its very dangerous for the next block or so. It occurs to me that maybe the Traffic Officers consider making a left hand turn only lane onto Lincoln and really trying to create a single file going northbound, perhaps even painting out into the road like Deal does to keep it single file because I've noticed its, people just speed, they go from 0 to 60 in a few seconds by the time they get past the next block you know they are going 55/60 and one of these days someone is going to go off the road. It's just a matter of time so anyway it's something I think that Bill will follow up with the residents. That's all I have.

**Dr. Celli** - I have three things tonight, one of which Mrs. Rice already mentioned and that is this Sunday at the main library, Dorothy Parker Day. I believe Councilman Unger will be one of the readers of her poetry and it's a very interesting day and so if you enjoy the dog walk around Takanassee Lake and like to hear poetry, enjoy the day. I want to remind everybody, men and women in this audience, October is Breast Cancer month. I know basically its for women but sometimes men can have it too so I would ask that everybody get a check up. Last but not least, I am going to embarrass our Council President because he had a birthday yesterday and I think we should wish him a Happy Birthday, Happy Birthday Mike.

**Mr. DeStefano** – Thank you.

## **ADJOURNMENT**

This meeting adjourned at 9:15 p.m.