

REGULAR MEETING

CITY COUNCIL

APRIL 22, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, April 22, 2008 at 8:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

**PRESENT:**

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.

**PRESENTATION**

ALCOHOL AWARENESS MONTH - The Mayor presented a resolution to Shannon Berry for Alcohol Awareness Month

**READING AND APPROVAL OF PREVIOUS MINUTES:**

April 8, 2008 - A motion was made by Councilperson Celli seconded by Councilperson Giordano to approve said minutes by the following roll call vote: Ayes 4 - Absent 1 Brown

**CONSIDERATION OF ORDINANCES**

**PUBLIC HEARING AND FINAL CONSIDERATION**

None

**ORDINANCES FOR INTRODUCTION:**

**#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 WAS MADE BY COUNCILPERSON CELLI SECONDED BY COUNCILPERSON GIORDANO TO INTRODUCE ON FIRST READING, ADVERTISE AND POST ACCORDING TO LAW AND SET THE PUBLIC HEARING FOR MAY 13, 2008 - AYES 4 / ABSENT 1 BROWN

**#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

MOTION WAS MADE BY COUNCILPERSON GIORDANO SECONDED BY COUNCILPERSON CELLI TO INTRODUCE ON FIRST READING, ADVERTISE AND POST ACCORDING TO LAW AND SET THE PUBLIC HEARING FOR MAY 13, 2008 - AYES 4 / ABSENT 1 BROWN

**Mayor Adam Schneider** – I will take less than five minutes. For those of you that are here as to a specific issue, which is the comment that was made five weeks ago tonight at the Planning Board hearing by Mr. Thomas, I would like to inform you that Mr. Thomas has advised me that he is going to resign. I take no particular pleasure in any of this. I've known Ed for the better part of twenty years he has served on that board. He has put forth effort and consideration and hard work and that deserves to be recognized. He did make a serious mistake though five weeks ago and when brought to my attention I immediately called a number of people who were affected by it including the attorney it was said to, people who were at the meeting that night to determine what was said, who it was said to and the context of what was said and it was clearly inappropriate and for which no excuse can be made and at that point I suggested that the only resolution for a board member who says something like that would be a resignation. I'm sorry it came to this and I think Mr. Thomas recognizes its not a pleasant way to end what is a career in public service and he deserves to be recognized for that but you cant use words like that. People also have a right when they hear words like that to interrupt them in a number of different ways. Speech that causes pain to other people that is hateful and this incident did cause a lot of pain, Ed does not want the work of the Planning Board of this Council to be overwhelmed by what was clearly going to be a continuing problem for him and for those boards. I'm sorry it came to this, its unfortunate but I'm glad it ends with a resignation and that it doesn't have to go any further than that. I've had the opportunity to talk to several people about this over the course of the last few weeks, I've met a few people. When an instance like this happens publicly a lot of people do get involved, I've met a few new people and I appreciate that and I'm glad it is coming to an end from that point of view.

**PUBLIC PARTICIPATION:**

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

**Steven Goldstein – Church Street, Montclair**

Conveyed condolences to Councilman Brown and his family. Thanked Mayor Schneider for his leadership in bringing Mr. Thomas's situation to a resolution.

**Denise Hoagland – 68 Ocean Terrace**

Spoke regarding the boarded up houses in her neighborhood. Stated that there are kids hanging in abandoned buildings.

**Michelle Bobrow – 295 Ocean Boulevard**

Spoke regarding people whose homes are being taken away. Would appreciate it if you would show us as much appreciation as you've showed the other group regarding Mr. Thomas. Spoke regarding a minor problem with ordinance 8-08 regarding age and the Greenbaum firm regarding an item on the bill list.

**Kevin Brown – 162 Broadway**

Spoke regarding the harm of words and actions.

**Steve Weader – Fifth Avenue, Asbury Park**

Spoke regarding the support of gay friends, old and new. Went on to speak about eminent domain and its effects on lives and families.

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

Supports Denise Hoagland and Garden State Equality. Appreciates the way the Mayor handled the Planning Board situation. Spoke regarding housing for low income, agrees with some things, strongly disagrees with other things that this government is doing.

**Donna Peterson – 104 Rockwell Avenue**

Spoke regarding the PILOT program for Pier Village, Broadway redevelopment and Pallone giving four million dollars for the pier to get fixed.

Mr. Woolley stated that it was three and its being held up in Congressional legislation.

**Robert Allison – 268 Ocean Avenue North**

Spoke regarding parking restrictions on Ocean Avenue between Avenel Boulevard and Joline and Joline and Seaview. Spoke regarding the public disrobing and the trash left behind. Would like to see an ordinance that would allow parking against Seven Presidents Park all the time and on the other side, no parking from 8 am to 9 pm.

The Mayor stated that it has been turned over to the Police for their review and we should have something by the next meeting.

**Linda Honymar – 169 Chelsea Avenue**

Spoke regarding the Ed Thomas matter. Spoke in favor of Mr. Thomas.

**Lori Ann Vendetti – 33, 38 Ocean Terrace**

Spoke regarding the frustration of the MTOTSA neighborhood and people hanging out in boarded up homes. Spoke regarding the DeLuca home and the grass being high. Please remind the developer to keep their property up. Went on to speak regarding Cocoa Puffs. The Council should have stopped this and let them keep the horse.

**Harold Cooper – 113 South 7<sup>th</sup> Avenue**

Asked Mr. Aaron about the criteria of eminent domain and blight.

Mr. Aaron stated that blight is not in the statute. Since 1992 the criteria to allow for eminent domain to take place is finding that an area is in need of redevelopment and there are six different criteria under that statute which the law says that if those standards are met then the area is in need of redevelopment and under the constitution that is a purpose.

Mr. Cooper went on to speak regarding residents living in a redevelopment zone having their own input. Went on to speak about the Ed Thomas situation and how words can be hurtful.

**Evelyn Allison – 268 Ocean Avenue**

Spoke regarding Ordinance 345-28 and how the Mayor stated it was under review. Went on to read a portion of the ordinance and uses.

The Mayor stated that the ordinance was being reviewed.

**George DeBonis – 296 Oakley Avenue**

Spoke regarding his street being an extended parking lot for Monmouth University. There are over 75 cars parked on his street. The police have been excellent. There has been property damage and things stolen. Would like to see an ordinance for a time limit parking and no overnight parking.

Councilwoman Celli stated that she did take his complaint to the Director of Public Safety and he is aware of it and they are working on a parking ordinance.

**Vincent Giordano – 246 Ocean Avenue North**

Spoke regarding to the parking situation on Ocean Avenue North. Could we put into effect the existing ordinance?

Mayor Schneider stated that in the next few weeks, something will be done.

**Diana Multare – 21 North Bath Avenue**

Spoke regarding eminent domain and how it's being used in the State of New Jersey. Went on to speak in favor of Cocoa Puffs.

**Simon Skove – 220 Cleveland Avenue**

Spoke regarding the resignation of Ed Thomas. This whole thing is wrong. Needs to be further examined.

Mr. Aaron stated facts as to what has happened and what could happen with regards to Mr. Thomas's resignation.

**David Altier – Lakewood**

Spoke regarding Ed Thomas and the apology that he gave. Enjoys the history of Long Branch. Went on to speak about how everyone treats each other.

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.

**MOTION:**

MOTION AUTHORIZING FREE CITY WIDE YARD SALE WEEKEND MAY 17 & 18, 2008

Motion to approve above listed motion was offered by Councilperson Giordano, seconded by Councilperson Celli and adopted upon the following roll call vote: Ayes 4 / Absent 1 Brown

**APPLICATIONS:**

1. APPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR JOSE M. DIAZ IN THE BRANCHPORT HOSE CO. # 3
2. APPROVAL OF RAFFLE LICENSE FOR FAMILY & CHILDREN'S SERVICE
3. APPROVAL OF THE TRANSFER OF TWO TAXI-CAB OWNERS LICENSES FROM MURAT TAN TO MUSTAFA YAMAN
4. APPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR CARLIE MARIE JOHANTGEN IN THE BRANCHPORT HOSE CO. # 3
5. APPROVAL OF ACTIVE CITY MEMBERSHIP FOR JONATHAN MORGAN RYAN IN THE BRANCHPORT HOSE CO. # 3

Motion by Councilperson Unger seconded by Councilperson Giordano to approve the listed applications was approved upon the following roll call vote: Ayes 4 / Absent 1 Brown

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

**Councilman Brown** - Absent

**Councilman Giordano** - Obviously by now you've heard that Councilman Brown had a lose in his family late last week. His daughter in law Andrea Brown lost her life at age 34 after a very very courageous bout with cancer for the last number of years. Andrea leaves behind two very young children and its very hard to make sense of these things when they happen but obviously God had other plans for her and she is going to be deeply missed obviously by her family and all those who knew her and all those who were friends with her and worked with her and she is a very loving caring person and a very loving and caring mother to her two daughters and some how obviously in this situation again, it just doesn't make sense but they are going to have to find a way to move on and all I ask is that you keep in mind as I'm sure this is a very difficult time for everybody. Secondly with regards to the Planning Board and Mr. Thomas, I don't disagree with what Mr. Skove said. I think we all did give Mr. Thomas the benefit of the doubt in terms of the magnitude of his comments and the context of his comments. I listened to the tape the day or two after the meeting, talked to people who were there and came to the conclusion that Mr. Thomas would have a very difficult time going forward representing the City on the Planning Board and discharging his fiduciary responsibilities on the Planning Board and it is a very unfortunate incident because I've known Ed for a very long time and he's never ever even said anything remotely close to the comment he made five weeks ago publicly or privately, he's not that type of person and he has been an extremely valuable member of the Planning Board for the last twenty years, very dedicated, very dedicated to the City which makes it all

the more unfortunate but having said that, I still think it was the right decision and we all can move forward from here.

**Councilman Unger** - I second Councilman Giordano's remarks, Simon and I just wanted you to know that several of us spoke about it and it wasn't simply a forgone conclusion despite the initially negative remarks in the newspaper. Several of us including Councilman Giordano, the Mayor and Councilman DeStefano spoke behind the scenes off the record seeking a solution with a great deal of compassion for Ed Thomas and also for the people in the Gay / Lesbian community and it was definitely kind of a tragic end to Ed's career. His family as you know is multigenerational in Long Branch and he's also an amateur historian and keeps a website on the City's magnificent architectural history so I just want you to know Simon it was very tough and very sad for all of us and we didn't just simply reach a decision and say, well to bad, we're going to get rid of him.

**Dr. Celli** - I have three comments, one of which will not be, I will not address the Zoning Board issue, Simon I heard your concerns, I believe what my colleagues have said. Mr, Thomas was a very valuable member of the Zoning Board. He gave a lot of his time and that's the end of my comment on that, however, I have two comments, first of all I'd like to thank Anthony for the words that he said about Councilman Brown's family and please keep him in your prayers. Today is Earth Day and I hope all of you've looked around and saw the beautiful day that we had. I'm going to challenge everybody in this room, when you go home tonight or tomorrow or the next day, when you have to change a light bulb do it with the new energy efficient light bulb, that's one way that you can help and it may cost a little more money for the light bulb but the bottom line is, you're going to reap the energy savings. Tonight I usually say good kind things, tonight I'm kind of annoyed at the voters of the City of Long Branch. This happens in a municipal election also but it certainly shouldn't happen on the Board of Education. Last Tuesday was the Board of Education election. Three members were reelected to the Board and the Board of Education budget came before the voters and what happened, the budget passed by 6 votes. How many of you realize that there were less than 800 people who voted for or against the budget or for and against the incumbents. That's a disgrace. We have a right to vote and for anybody who didn't vote, you have no right to complain because the Board of Education, the tax bill is made up of three parts of which 59% is made up of your school taxes. Thank you.

**Mr. DeStefano** - I've served on the Planning Board for about 18 years with Ed Thomas and I wasn't at the meeting the night the remarks were made. I'm not really sure why they were made, I don't know if he was caught up in a moment, just in a moment of distress, I'm not sure what happened with Ed. I don't think the remarks at all were appropriate for a Board member but it's his choice to leave the Board. I don't believe he was ever really forced off the Board but as a member of the Board and having served with him for 18 years, it was a very valuable member of the Board and did give a lot to the City and I will personally not let whatever happen ruin my memory of what he has done for the City and nor should it yours.

## **ADJOURNMENT**

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