

REGULAR MEETING

CITY COUNCIL

JUNE 10, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, June 10, 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; Deborah Talerico, Deputy Municipal Clerk

Absent: Irene A. Joline, City Clerk

The pledge of allegiance was recited. Certification was read.

HEARING: - 8:00 P.M. - Vingo Wine & Spirits

Steven Rubin represented the City of Long Branch and reported that the matter was discussed with the attorney, Mr. James McCue attorney for Vingo Wine and Spirits and the charges that were filed will have a plea of non-vult to the charges. Mr. Rubin recommended the City accepts the plea of non-vult and imposes a 10 day suspension and the effective date will be held in abeyance to allow the licensee to make application before the State ABC commission to convert that suspension into a monetary fine.

Motion by Councilperson Giordano, seconded by Councilperson Brown to approve a resolution to be acted on June 24th accepting the above plea. Ayes 5

READING AND APPROVAL OF PREVIOUS MINUTES:

May 13, 2008 – Motion by Councilperson Celli seconded by Councilperson Unger to approve the minutes of May 13, 2008 was carried out upon the following roll call vote: Ayes 4 / Abstain 1 – Giordano

May 27, 2008 – Motion by Councilperson Celli seconded by Councilperson Unger to approve the minutes of May 27, 2008 was carried out upon the following roll call vote: Ayes 5

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

#10-08 AN ORDINANCE AMENDING SECTION 325-27 SCHEDULE III PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS (OAKLEY AVENUE) (INTRODUCED: MAY 27, 2008)

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

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

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

ORDINANCES FOR INTRODUCTION:

None

PUBLIC PARTICIPATION:

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

Diana Multare – 21 N. Bath Avenue

Spoke regarding the appearance of conflict of interest and asked for the definition of “pending application”. Mr. Aaron stated that there could be the possibility of a potential lawsuit and advised Council not to comment.

Leslie Hunt – 611 Wardell Street

Spoke regarding measures to reduce the use of gas in vehicles. The Mayor stated that approximately a year ago, he restricted take home vehicles use. We have also been buying more fuel-efficient cars.

Don Jenson – 328 York Avenue

The street is in horrendous shape. Its been patched a few times. There are six big potholes. Mr. Woolley stated it will be paved this year.

Kevin Brown – 162 Broadway

What qualifies resolution vs ordinance? Went on to speak about reviewing ordinance #47-02 to be prepared and the 1996 redevelopment plan.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding MTOTSA, Court and what was brought up before the judges. Went on to speak about eminent domain, Pier Village Tax Abatement, Strollo’s Lighthouse and part time employees.

Mr. Ellsworth – 300 Ocean Avenue

Spoke regarding no parking ordinance from Seaview Avenue to Avenel Blvd on Ocean Avenue North.

Lila Poch – 1175 Ocean Avenue

Spoke regarding instructions for planning board application, Central Jersey Bank and code of ethics from Bank.

Robert Allison – 268 Ocean Avenue North

Spoke regarding Bank code of ethics. The Mayor and Mr. Allison exchanged words regarding accusations and Mr. Aaron responded as to adhering to the highest standards of the code of ethics of the bank. Mr. Aaron went on to speak regarding planning board agenda regarding RC1 – Mr. Aaron stated that it would not be discussed tonight because its potential litigation.

Marco Diaz – 135 Rockwell Avenue #51

Spoke regarding his upcoming events in July for the All Nations Foundation.

Evelyn Allison – 268 Ocean Avenue North

Spoke regarding parking on Ocean Avenue and the petitions that were submitted. Spoke regarding the definition of "pending application".

Frances DeLuca – 272 Ocean Avenue North

Spoke regarding parking on Ocean Avenue.

Michelle Bobrow – 295 Ocean Boulevard

Spoke regarding R184-08, boardwalk, port o’ potties, and stairways on boardwalk. They’re lovely. Asked the status of Beachfront South. The Mayor stated he received a communication from them on Friday and it was forwarded to the Attorney who is handling that. He is reviewing it and then we will be getting back to K Hov as to whether or not it’s going to be acceptable.

Austin Gelzer – 385 Ocean Boulevard

Spoke regarding the boardwalk condition and 31 boards are sticking up.

Harold Bobrow – 295 Ocean Boulevard

Spoke regarding the workshop sessions being recorded. Council has no problem with that. Went on to speak about the Local Finance Board acting as an ethics board. This should be advertised. Asked about clearing accounts – Mr. Mehlhorn stated it was paying bills out.

Vincent LaPore – Long Branch

Spoke regarding Kevin Brown and the eminent domain abuse, Dwek property, scattered site housing, Second Baptist Church, Dean Mon Riverwalk, mortgage documents for Second Baptist Church and developer issues.

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.

MOTIONS:

APPROVAL OF THE STATE DEPARTMENT OF HEALTH ANNUAL REPORT FOR 2007

Motion was made by Councilperson Giordano, seconded by Councilperson Brown to approve the listed motion was carried out upon the following roll call vote: Ayes 5

APPLICATIONS:

1. APPROVAL OF HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR KRISTA A. RICHTER IN THE BRANCHPORT HOSE CO. #3
2. APPROVAL OF THREE RAFFLE LICENSES FOR THE I.A.M.A.
3. APPROVAL OF RAFFLE LICENSE FOR MONMOUTH MEDICAL CENTER FOUNDATION
4. APPROVAL OF TWO RAFFLE LICENSES FOR THE LONG BRANCH CONCORDANCE

Motion by Councilperson Brown seconded by Councilperson Giordano 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 – No comment.

Councilman Giordano – No comment.

Councilman Unger - I would just like to follow Mary Jane's tradition a little bit and thank a few people before making a public comment. Today was my wife's birthday that's why I missed the workshop and without her I couldn't be here and so I dedicate tonight's meeting to her great involvement in my life. I also wanted to thank the professional staff which folks up here often do and I think I neglect to very often and I just want to say that I find so many of the professional staff in this City to be extremely professional, to work hard to keep our City functioning and all my interactions with them without fail I find them courteous and helpful and I truly enjoy working with them on City problems. I just want to say two things real quick, I wasn't here for the discussion of the ethics board. I'm not so sure I'm in favor of delegating it to the State. I understand there are cost factors but I'm hopeful we can keep this under consideration. I do think however that any composition of an ethics board in the City of Long Branch should contain additional members, two members who may reside outside the City including a professional ethics expert such as a University Professor, there are many Professors who are both political and general ethics in our great Universities in New Jersey and a second member could be from a good government group such as citizens action who were here recently and I think it would be good to have those on the board as well as the six members appointed by the City so to me its still something we should consider however I missed workshop discussion. I'm hoping my colleagues will be willing to discuss it further in a future workshop. I also despite whatever happens with the Strollo's application, I do think we need to reconsider the addition to subsection E of Ordinance 345-28 which came up in our workshop on July 24th, 2007 and it seems to have escaped formal introduction or a comprehensive discussion so I have already in correspondence asked my colleagues if we could take this up again at our July 8th meeting and not so much as affecting of course any current application which Council has explained to me the time and decision rule but actually any future application that might come forward in the Beachfront mix zone.

Dr. Celli – I would like to leave tonight's meeting on a positive note and for all the gentlemen and I'm sure some women I'd like to wish everybody a Happy Fathers Day this Sunday.

Mr. DeStefano – No comment.

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 9:15 p.m.