

REGULAR MEETING

CITY COUNCIL

JULY 8, 2008

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, July 8, 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:

James G. Aaron, City Attorney; Ronald Mehlhorn, Finance Director; Irene A. Joline, City Clerk

Absent: Adam Schneider, Mayor; Howard Woolley, Administrator; David G. Brown, Councilman

The pledge of allegiance was recited. Certification was read.

READING AND APPROVAL OF PREVIOUS MINUTES:

June 24, 2008

Motion by Councilperson Giordano, seconded by Councilperson Celli to approve the minutes of June 24th was carried out upon the following roll call vote: Ayes 3 / Abstain 1 – Unger / Absent 1 - Brown

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

#11-08 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 345, ZONING, ARTICLE X, 345-94 OF THE CITY OF LONG BRANCH COMBINED LAND USE ORDINANCES TO PROVIDE FOR WAIVER OF DEVELOPER PAYMENT FOR CERTAIN REDEVELOPMENT PROJECTS

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

Kevin Brown – 162 Broadway

Asked Council why they were changing this ordinance now.

Mr. Aaron explained that there were smaller projects that were coming before the redevelopment committee. The projects are small in size and need less review by City professionals and as a result, calling for these people to put up a \$50,000.00 fee for that kind of review didn't appear to be fair. Went on to explain further.

Councilman Giordano went on to explain the breakdown of payments.

Donna Peterson – 104 Rockwell Avenue

Asked what projects.

Mr. Aaron stated, any project that came along. It's a fee for new developers.

Harold Bobrow – 295 Ocean Boulevard

Asked Mr. Mehlhorn to go over what he just said and asked what the \$50,000 was for.

Mr. Mehlhorn stated, any redevelopment purpose within the City and went on to explain further.

Mr. Bobrow asked Mr. Aaron what the fee was that was collected for Beachfront South.

Mr. Aaron stated, \$50,000.00 was the initial fee.

After ample time was given and no one responded, a motion was made by Councilperson Celli, seconded by Councilperson Giordano 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 4 / Absent 1 Brown

#13-08 AN ORDINANCE AMENDING LONG BRANCH CITY ORDINANCE 116-5 (BEACHES)

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

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

#14-08 AN ORDINANCE REPEALING CHAPTER 325, SUBSECTION 3, PARAGRAPH F AND SCHEDULE IVA (SECTION 325-29) PROHIBITING OF VEHICLES ON PARK AVENUE

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

Dan Mancini – Long Branch

Asked if it was prohibiting all parking on Park Avenue?

Councilman Giordano explained that it was the removal of a restriction.

Donna Peterson – 104 Rockwell Avenue

Asked what its about?

Councilman Giordano – You couldn't park before, now you can.

Councilman Unger also explained the change.

Lila Poch – Long Branch

Spoke regarding parking to close to the corner heading south on Ocean Avenue onto Park Avenue. This is very dangerous.

Director Richards stated that the footage from the corner is mandated by state statute.

After ample time was given and no one responded, a motion was made by Councilperson Unger, seconded by Councilperson Giordano 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 4 / Absent 1 Brown

#15-08 AN ORDINANCE AMENDING ORDINANCE 325-29 SCHEDULE IVA; PARKING PROHIBITED CERTAIN TIMES OF THE YEAR (OCEAN AVENUE NORTH)

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

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 3 / Nays 1 Unger / Absent 1 Brown

ORDINANCES FOR INTRODUCTION:

#16-08 ORDINANCE VACATING PORTIONS OF NARRAGANSETT AVENUE AND NABERAL AVENUE IN THE CITY OF LONG BRANCH

A motion was made by Councilperson Giordano seconded by Councilperson Celli to introduced on first reading, advertise and post according to law and set the public hearing for July 22, 2008 - Ayes 4 / Absent 1 Brown

PUBLIC PARTICIPATION:

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

Michelle Bobrow – 295 Ocean Boulevard

Thanked Council for putting the topics for executive session on the agenda. Spoke regarding the process of adoption of ordinances. Asked where the shower towers will be placed.

Mr. Migliaccio stated at various beach locations and cannot be more specific at this time.

Asked what is happening with Beachfront South.

Council responded, nothing was new.

Dan Mancini – 35 Sternberger Avenue

Spoke regarding the fence that was put up on Takanassee Beach Club, the CAFRA document and certain items that must be adhered to.

Mr. Giordano stated he spoke to the owner last week and he is committed to providing beach access.

Mr. Hayes stated from the back of the room that a zoning permit was issued for the fence. It was his understanding that the CAFRA permit would not kick in until after the development project was approved by the Planning Board.

Lila Poch – 1175 Ocean Avenue

Spoke regarding the article in the Atlanticville last week regarding the CAFRA permit and Takanassee Beach Club. The public access must be opened at all times and free to the public.

Mame Green – Norwood Avenue

Spoke regarding Ord 13-08, the bike path in front of Ocean Place and its various uses. There needs to be signage designating the area as a bicycle path.

Austin Gelzer – 385 Ocean Boulevard

Spoke regarding the success of the comfort stations and the location of the access ramp. Asked if the tree planting could be extended down to Bath Avenue on the medians.

Kevin Brown – 162 Broadway

Spoke regarding the process of eviction and eminent domain.

Bill McLaughlin – 448 Ocean Avenue

Spoke regarding resolution numbers 221, 222, 223, 224 and 225. Spoke regarding pay to play. Went on to speak regarding monies to the Applied Group and the Parking Authority.

Harold Bobrow – 295 Ocean Boulevard

Asked about the Hovnanian contract and monies received. Spoke regarding R224-08, R225-08 and Hovnanian stock.

Diana Multare – 21 North Bath Avenue

Spoke regarding an article in the newspaper regarding the Council deciding to pass on an ethics board and the semantics of an ethics board.

Leslie Hunt – 611 Wardell Street

Spoke regarding the pollution at Branchport Creek and the drainage ditch behind Wardell Street. Asked Councilman Giordano to look into this. Went on to speak about how fantastic Oceanfest was. Thanked everyone.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding taxes and monies spent.

Lori Vendetti – 33, 38 Ocean Terrace

Thanked Council for filling the pot holes on Ocean Terrace and Marine Terrace and the police did a great job at Oceanfest protecting the Ocean Terrace area, also thanked Council for the lights on the promenade. Asked about the beach closing at Seaview, the bike path and then read the letter she wrote in the Atlanticville.

Vincent LaPore – Long Branch

Spoke regarding various resolutions, clients of Mr. Aaron and Councilman Brown and the Second Baptist Church.

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 HONORARY CITY AND STATE ACTIVE MEMBERSHIP FOR LUIS PAULO CRUZ IN THE PHIL DALY HOSE COMPANY # 2
2. APPROVAL OF A RAFFLE LICENSE FOR THE MERIDIAN HEALTH AFFILIATED FOUNDATION

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

Councilman Unger - Real quick, I wanted to congratulate the City and the Chamber of Commerce on an extraordinarily successful Oceanfest and for all the hard work that went into it and all the employees and police officers that helped run it and run smoothly. I also want to mention to folks if they haven’t heard, one of America’s truly great living poets, Charles Bernstein who’s actually acclaimed in literature circles throughout the world is actually coming to Long Branch on July 23rd and giving a poetry reading. It starts around 6:30 and goes to about 8 at the NJ Repertory Theatre on Broadway and I urge anyone even with a passing interest in literature to come and see and meet and hear Charles. He also teaches at the University of Pennsylvania and he’s quite a great poet. Thirdly I just want to mention in

response to some of the comments, the CAFRA permit for the Takanassee Developers LLC project no where references the Long Branch planning board so I'm not sure about any inferences to that effect and also I think that the planning department and the zoning office should try to support and adhere to this CAFRA permit but regardless, not withstanding any disagreement its my understanding from speaking with DEP officials that they're working together with the developer to come to a very good constructive solution that will protect beach access but also protect the buildings and not provide an undue burden upon the developer.

Dr. Celli - I have two comments, first of all the young lady who spoke about the T Shirts on the boardwalk, I was stopped by someone and told about it and I did go to the Chamber of Commerce and they went down there and spoke to the people so it didn't go unnoticed just so you know but when people apply for vendors license they don't always say exactly the truth of what they are going to sell. Second of all, to all the City employees, members of the Chamber of Commerce and all of the residents of the City of Long Branch who made Oceanfest such a great day, I thank you all, it was a great day in the City of Long Branch and we are very proud of it.

Mr. DeStefano - No comment.

ADJOURNMENT

This meeting of the Long Branch Council adjourned at 9:20 p.m.