

REGULAR MEETING

CITY COUNCIL

FEBRUARY 9, 2010

7:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, February 9, 2010 at 7:00 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; James G. Aaron, Esq., City Attorney; Howard Woolley, Administrator; Ronald Mehlhorn, Finance Director; Irene A. Joline, City Clerk

The pledge of allegiance was recited and certification was read into the record.

READING AND APPROVAL OF PREVIOUS MINUTES:

January 26, 2010 - Motion to approve the minutes of January 26, 2010 was offered by Councilperson Celli, seconded by Councilperson Brown: Ayes 4 / Abstain 1 - Giordano

CONSIDERATION OF ORDINANCES

PUBLIC HEARING AND FINAL CONSIDERATION

#1-10 AN ORDINANCE AMENDING ORDINANCES #1-09 & #17-09 OF THE CITY OF LONG BRANCH, SECTION 345-122 ENTITLED "HISTORIC PRESERVATION ORDINANCE"

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

Donna Peterson - Rockwell Avenue

Asked for an explanation.

Council President DeStefano stated that it is just to clarify how the members get appointed.

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 5

#2-10 CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14)

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

Donna Peterson – Rockwell Avenue

Asked for an explanation.

Council President DeStefano explained that the state allows that the appropriations for a municipality can increase by 2 ½ % which allows the City to increase it another 1 % and it allows the City to bank the difference if it's not needed.

After ample time was given and no one responded, a motion was made by Councilperson Brown, seconded by Councilperson Celli 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 5

ORDINANCES FOR INTRODUCTION:
PUBLIC HEARING SCHEDULED FOR FEBRUARY 23, 2010

#3-10 AN ORDINANCE CONSENTING TO ASSIGNMENT OF TAX ABATEMENT AGREEMENT GRANTED UNDER NJSA 40A:21-1 ET SEQ "FIVE YEAR EXEMPTION AND ABATEMENT LAW" FOR 55 MELROSE PLACE FROM PIER VILLAGE APPLIED LWAG, LLC TO 55 MELROSE PLACE LLC AND CONDOMINIUM UNIT OWNERS

This ordinance was removed from the agenda.

PUBLIC PARTICIPATION:

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

Donna Peterson – Rockwell Avenue

Asked why #3-10 was pulled.

Council President DeStefano stated that it shouldn't have been listed at all.

Ms. Peterson spoke regarding the appraisal on her property and Mayor Schneider explained why it's being done again.

She went on to speak regarding the value of homes and taxes.

Brian Asarnow – 55 Community Place

Spoke about his past visit to the Council regarding documents and pictures regarding an illegal permit that was issued (E & L Paving - Bruno). Spoke regarding the matter heading to court. Gave a brief history of the situation and what has not been addressed.

Vincent Lapore – Long Branch

Spoke regarding Councilman Unger's vote on resolution 10-10 on Jan 26th. Stated Mr. Unger sat on the Zoning Board and gave dates. Spoke regarding the Master Plan and Long Branch Tomorrow and who was on the Board of

Directors, recorded votes of Mr. Unger and asked how he could vote "no" on Ord 29-09 and "yes" on Resolution 10-10.

Councilman Unger stated that he was not happy with the way Beachfront South was handled and actually spoke with property owners this week about it and there are owners that are not happy because the redevelopment designation has not been taken off and that redevelopment designation includes the power of eminent domain, despite the fact that there was an ordinance that was passed that removed it from that zone, that ordinance hasn't been challenged and I have been advised by Counsel that it could be challenged in court in the future. I thought they should lift the redevelopment designation entirely from Beachfront South and that's why I voted the way I did.

Mr. Lapore went on to speak regarding the reasons for Councilman Unger's vote.

Michael Bland – 81 Avenel Boulevard

Asked if there was a specific plan for the City in regards to a snow storm we have or a layout of what streets get done first is there some sort of plan?

Mayor Schneider stated that the men who do the work are out there right now preparing and have been most of the day. The first storm that hit, the City did have some problem. No problems this last time.

Harold Cooper – 113 S. 7th Avenue

Wished everyone a belated Happy New Year. Spoke regarding Mr. Lapore's comments. Stated he would like to see redevelopment stop at this time, wants to see more jobs in the City. Spoke regarding issues Mr. Lapore brings up and hopes that they are addressed at some point.

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 portion of this meeting.

RESOLUTIONS:

On file in the Clerks Office and posted on the City's Web Site.

APPLICATIONS:

1. APPROVAL OF A RAFFLE LICENSE FOR MONMOUTH UNIVERSITY

A motion by Councilperson Brown, seconded by Councilperson Celli to approve the above applications was passed upon the following roll call vote: Ayes 5

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Councilman Brown - I have no statements to make other than to wish everyone to be safe. The fact that the storm is on its way and I mean the weather. Please be careful and we hope to see you all in two weeks. Thank you.

Councilman Giordano – Good evening. I just wanted to bring up one item that actually I brought up a month ago but it's appropriate now and that's regarding snow removal and asking the residents to make sure that they clear their sidewalks because one thing I noticed and even yesterday morning after we had the snow over the weekend, not enough residents that we like to see clear their sidewalks and as a result people who walk to work and walk to school and who walk to the food store wind up walking in the middle of the road and obviously it creates a very dangerous situation. We have a big snow storm coming tomorrow so we ask that residents please clean their sidewalks because the children walking to school, whether it be Thursday or Friday and people walking to work or walking to wherever they have to go, food store or bus stop, wherever they need to go throughout town, they shouldn't have to walk in the middle of the road. It's tough enough already because with two or three feet of snow, four feet of snow up in the bank in the curb it makes it difficult already. The roads aren't that wide and it's dangerous driving conditions so we ask everybody to please cooperate, thank you.

Councilman Unger – Just an update on the historic preservation ordinance for those of you who were not in the workshop. We are going to begin considering members of the historic preservation commission possibly as early as our next workshop meeting. I'm assuming it's going to be done in the open in the workshop, at least that's the last indication from the City Council President and I'm very pleased of course and I think it's a great thing for the City that we finally have an historic preservation ordinance and an Historic Preservation Advisory Commission which is going to advise the planning board and make a list of properties in the City that would be candidates for historic preservation. Thank you.

Dr. Celli – I had two residents call me concerning the snow removal, one of which happened to be the former Director of Public Works and he had nothing but kudos for our Public Works people so I don't see Mr. Migliaccio here but please pass on to him the residents were very happy with the snow removal and I would say thank you to the police for their cooperation and the messages they got across to the people on the main streets, that was very important and my good thing for tonight is Happy Valentine's Day to everybody and don't forget your sweetheart.

Mr. DeStefano – You'll be happy to know I have absolutely nothing to say.

ADJOURNMENT

This meeting of the Long Branch City Council adjourned at 7:30 p.m.