

REGULAR MEETING

CITY COUNCIL

FEBRUARY 14, 2012

7:30 PM

The Regular Meeting of the Long Branch City Council was held on Tuesday, February 14, 2012 at 7:30 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

Present: Michael Sirianni, Council President; Kathleen Billings, Council Vice-President; Joy Bastelli, Councilwoman; Dr. Mary Jane Celli, Councilwoman; John Pallone, Councilman

Others Present: Adam Schneider, Mayor; Howard Woolley, Business Administrator; James G. Aaron, City Attorney; Ronald Mehlhorn, Finance Director; Kathy L. Schmelz, City Clerk

The Pledge of Allegiance was recited and certification was read into the record.

HEARING: 7:30 P.M. – Jack's Rib & Ale

Steven Rubin, Esq. represented the City; Stanley Werse, Esq. represented Jack's Rib & Ale.

Mr. Rubin stated that a plea of non vult to the charges was made. The attorney, Mr. Werse addressed the thirty day suspension before the Council to request that the Council reduce the thirty day suspension imposed under the plea of non vult. The owners of the license, Tim Canavan and Nicola Petitti were also present and had the opportunity to address the Council.

After reviewing the charges and police reports and hearing the plea for the reduction it was determined that there should be no reduction of the thirty day suspension.

Mr. Aaron stated that the licensee shall have the right to seek a stay from the Division of ABC and offer them a right to pay a monetary fine in lieu of suspension.

Resolution stating same giving date suspension will commence will be presented to the Council on February 28, 2012.

Consensus of Council to impose the thirty day suspension was offered by Councilman Sirianni, seconded by Councilwoman Bastelli – Ayes 4 / Recuse 1 Celli

PUBLIC HEARING: Green Acres Application for the Troutmans Greenway Park Improvement Project

John Maczugo from T & M Associates came forward and introduced the project to the Council. Mr. Maczugo specified that the public hearing was being held as required by the NJDEP's Green Acres Program and in support of the City's application to the program for necessary project funding. He went on to state that the City is applying to the Green Acres Program for \$159,000 to fund a portion of the projects cost. That is the maximum amount eligible to be issued by Green Acres Program which is fifty percent of the construction estimate.

Chris Benoski who is on the Green Committee presented a description of the site and the project elements to the Council.

The public hearing then opened.

Diana Multare – 21 North Bath Avenue

Mrs. Multare inquired about the size of the site and it was told to her that the site is 2.5 acres. She went on to ask about the bulkhead which was told to her was approx. 780 ft. She further spoke about the proposed repair material which will be timber and asked about the trails which will be walking trails.

Tom Stoneham – Shrewsbury Drive

Mr. Stoneham asked if this would be a park like setting with swings, picnic benches barbeques and the like.

It was responded that no features he stated would be installed, just a few benches. It will not attract crowds, just perhaps fisherman. This is for passive use.

Vincent Lapore- 80 North Broadway

Mr. Lapore inquired if the site is owned free and clear by the City and it was stated that the site is owned free and clear. Mr. Lapore asked if the site is Green Acres encumbered. The City stated that the site is encumbered and certainly will be after the application for funding is processed. He went on to speak about the material being used and if the City had investigated the use of vinyl clad materials instead. It was stated to Mr. Lapore that this is strictly a concept plan at this point. Discussion then took place regarding the proposed pedestrian bridge and the how the site was once used for State Police Medivac transfer. It was told to Mr. Lapore that the improvements would not hinder future use of the site for such purposes.

After ample time was given and no one else responded, the public hearing was closed.

The City thanked Michele Bernich, Mr. Maczugo and Mr. Benoski for the presentation.

PRESENTATIONS:

None

READING AND APPROVAL OF PREVIOUS MINUTES:

January 24, 2012 – Motion by Councilman Pallone seconded by Councilwoman Bastelli to approve the minutes of January 24, 2012 was carried out upon the following roll call vote: Ayes 5

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

None

ORDINANCES FOR INTRODUCTION: (PUBLIC HEARING SCHEDULED FOR FEBRUARY 28, 2012)

#2-12 AN ORDINANCE COMPELLING PAYMENT BY INSURANCE CARRIERS TO THE CITY OF LONG BRANCH FOR FIRE LOSSES AND DEMOLITION COSTS IN EXCESS OF \$2,500.00

A motion was made by Councilwoman Bastelli, seconded by Councilman Pallone to introduce on first reading, advertise and post according to law and set the public hearing for February 28, 2012 was carried out upon the following roll call vote: Ayes 5

#3-12 BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY BY PURCHASE, GIFT OR CONDEMNATION IN AND BY THE CITY OF LONG BRANCH, IN THE COUNTY OF MONMOUTH, NEW JERSEY APPROPRIATING \$1,505,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,433,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

A motion was made by Councilwoman Billings, seconded by Councilwoman Bastelli to introduce on first reading, advertise and post according to law and set the public hearing for February 28, 2012 was carried out upon the following roll call vote: Ayes 4 / Recuse 1 Pallone

PUBLIC PARTICIPATION:

A motion was made by Councilwoman Celli, seconded by Councilman Pallone to open the public portion of this meeting.

Michelle Bobrow – 295 Ocean Boulevard

Stated that this was the 200th anniversary of Charles Dickens and the 92nd birthday of the League of Women's Voters of New Jersey. Went on to speak about the location of the videos of the Workshop meetings on the website and spoke regarding the minutes of the two Cable TV Commission meetings that they did have. Asked about the possibility of having these meetings televised either live or on demand on the website.

Council President Sirianni stated that with the economic situations that is taking the back burner. We will see what the conditions are going to be in 2012.

Mrs. Bobrow went on to speak about the bond ordinance and why are we bonding that much. Also asked what the total bonding indebtedness is.

The Mayor stated that the City is acquiring land that is part of the obligation in the Broadway Arts corridor and they no longer have the money. We are going to acquire it and hopefully sell it for future development.

The Mayor stated that the total debt is about 48.5.

Harold Bobrow – 295 Ocean Boulevard

Spoke regarding the Troutman Creek presentation and how the display is set up. It should be towards the public. Went on to speak about the bond ordinance and asked if any of the property was Katz's property.

The Mayor stated no.

Mr. Bobrow continued discussion on the bond ordinance. He then spoke about the money that should have been received from Comcast.

Mr. Woolley stated that it was received last week.

Mr. Sirianni went on to state that most City business is conducted in workshop and that is televised. Will have to wait and see how the budget pans out before any money is going to be appropriated for the regular meeting to be televised.

Vincent Lapore – 80 North Broadway

Spoke regarding the West End fire, Ordinance #2-12 regarding the feelings of insurance agents, it's an antibusiness measure and it should be further considered. Ordinance #3-12 increases gross debt of the City, stated that the ordinance is preparing to deal with the people in litigation, condemnation and the litigation resulting under the threat of eminent domain. Spoke regarding emergency temporary budget appropriation and the City attorney fees, R35-12 regarding the beach fees and the charge for 14-17 year olds to get on the beach. Asked that the kids get on for free and the beach revenues.

Gerry Scarano – Ocean Boulevard

Thanked Council for their outcome with regards to the bar hearing.

After ample time was given and no one else came forward, a motion was made by Councilwoman Bastelli, seconded by Councilman Pallone 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 ACTIVE MEMBERSHIP FOR RYAN MICHAEL CZESLAW IN THE ATLANTIC ENGINE & TRUCK CO. #2

A motion was made by Councilwoman Billings, seconded by Councilwoman Celli to approve the listed applications was carried out upon the following roll call vote: Ayes 4 / Abstain 1 Bastelli

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Councilwoman Bastelli – First of all, we had a very sad event take place with the fire and the tragedy here in town but it was also a display of the workers, the fireman and how all the responding towns, people coming forward to help those that are homeless. I have a story about one women going into the senior center offering her house to anybody who didn't have a place to live and businesses getting together to do what they can do, meetings coming up, it's really a show of family here and you know, that's what Long Branch is about, real people working together, caring about each other and I'm proud to serve in a town like that and I just want to thank everyone involved and Happy Valentine's Day. I love this town.

Councilwoman Celli – I would like to reiterate what Councilwoman Bastelli said. Long Branch as most of you know is a real community and what happened yesterday, it was a disaster, however the community, everybody pulled together and it was just wonderful to see. Yes it was disastrous but as she said, and I was there when the lady came in, to offer her home to three different people who had no place to stay. It's great to see the community

spirit, it's always been there and it seems to come out at the very worst of times and with that, Long Branch is a wonderful town, I think we all know that, however based upon that, I'm going to wish everybody a Happy Valentine's Day.

Councilman Pallone – I won't reiterate with what Councilwoman Bastelli and Dr. Celli said but I agree with everything they said and I just want to thank everyone involved for keeping us all safe and for those who have gotten involved and care for those who suffered as a result of that, thank you.

Councilwoman Billings – I also would like to reiterate what Councilwoman Bastelli and all my fellow Council people have said. I think our fire department and the surrounding communities did an outstanding job. That whole block easily could have burned down and they did save that block. I did receive an email; we all received it from the Long Branch Chamber of Commerce which states the following: There have been many inquiries as to how to help with the recovery from the West End fire. The best way to assist the residential tenants that have lost everything is gift cards, checks and cash which can be dropped off at Central Jersey Bank at 627 Second Avenue to the attention of Carol Feldman. They are also looking for household items which may be dropped off at the West End Fire House on Second Avenue between the hours of 2 and 5. They want to thank everyone who has called and sent emails. I also saw on a website today that there will be some businesses down in the West End area who were not affected by the fire who will be having fund raisers specifically I believe the Draft House is having one because one of their bartenders and girlfriends lost everything in their apartment. Long Branch is a great community, I was out for dinner last week with someone from Virginia and we were talking about the City and she said that this is like a family, we were out for dinner in a restaurant in town, she is like, this isnt like a City, it's like a family, a community and I am very proud to serve in this City and I am very proud of all of the fireman and the emergency people who saved everyone. Thank you.

Council President Sirianni – And I too would like to thank the fire department and all those from the other cities that came in to assist in putting out this fire. I worked yesterday and I got there late in the evening and they were still working on it and they worked on it all day and into the evening and when I got off work today I drove by the sight and the streets were still roped off and they're still people there monitoring it, watching it but it was great to see how everyone came in this emergency but I know because we are from Long Branch we have a certain type of attitude about us, how we do ban together and help with the recovery and that's where were in right now so if you are interested in making donations, please heed what the chamber is putting out whether they are the fund raisers or gift cards or money for these poor people that have lost their homes and all their belongings. It was devastating. Word-on-the-patch, your photos kept me abreast of what was going on all day. I'm sorry, word-on-the-shore kept me informed on how everything went so thank you for that and with that, and when you see a Long Branch fireman, say thank you, they need it, they truly truly do need it. I need a motion to adjourn...

ADJOURNMENT

A motion was made by Councilman Pallone, seconded by Councilwoman Celli to adjourn this meeting at 9:00 p.m.