

REGULAR MEETING

CITY COUNCIL

MAY 22, 2007

8:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, May 22, 2007 at 8:00 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; Howard Woolley, Business Administrator; James G. Aaron, City Attorney; Ronald Mehlhorn, Finance Director; Irene A. Joline, City Clerk

The pledge of allegiance was recited and certification was read.

HEARINGS:

2007 Municipal Budget

Motion by Councilperson Celli, seconded by Councilperson Giordano to open the public hearing on the 2007 Municipal Budget.

Harold Bobrow - 295 Ocean Avenue

Asked for an explanation of a few line items and how the amounts were dispersed and went over increases in various departments.

Mr. Mehlhorn responded.

Harold Cooper - 113 South 7th Avenue

Spoke regarding the five minute time limit and asked the meeting just be held for the budget.

The Mayor stated that that wouldn't be possible.

Kevin Brown - 162 Broadway

Spoke regarding property in the redevelopment zone and taxes received. Why no tax decrease?

Mr. Mehlhorn responded that the 7 cents averages 2 cents over the last two years.

Discussion continued regarding the property tax increase.

Don Clark - 509 Tabor Street

Spoke regarding the tax assessment.

The Mayor responded regarding the rates being half of what it was before and Mr. Mehlhorn went into detail.

Bill McLaughlin - 448 Ocean Avenue

Spoke regarding salaries, general appropriations, reserves and appeals.

Mr. Mehlhorn responded.

Bill Nordahl – 67 Marine Terrace Apt. 3

Asked why with all the redevelopment are the taxes going up?

The Mayor responded. If we didn't have the redevelopment then the City would have had a major increase over the last three years.

Bill Shatzo – 967 Elberon Avenue

Spoke regarding taxes being paid by middle class taxpayers.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding Pier Village and taxes.

Mr. Aaron responded about taxes being collected.

Denise Hoagland – 68 Ocean Terrace

Spoke regarding tonight's turnout.

Diana Multare – 21 North Bath Avenue

Spoke regarding anticipated revenues and why some lines are blank.

Mr. Mehlhorn stated that those are items that come in after the City adopts the budget.

The Mayor explained grants such as Green Acres, Open Space, several grants that come through the Police Department.

Stewart Bockler – 385 Ocean Boulevard

Spoke regarding Green Acres funding.

Marshall Colver – 449 Broadway

Spoke regarding redevelopment and the Pier Village taxes.

The Mayor went over the taxes that are being paid by Pier Village.

Chrisha Brock – 1024 Elberon Avenue

Spoke regarding tax increase on her property since she moved here in 2003. Spoke regarding the anticipated loss of the Abbott District funding.

The Mayor responded that losing the Abbott District funding at this point is just speculation. We are better financially then we were a few years ago.

Vince LaPore – Long Branch

Spoke regarding Pier Village Phase II and asked if they were getting a tax abatement.

Mr. Woolley stated that part of Phase II was originally part of Phase I. Half of it will get the abatement.

Spoke regarding Miscellaneous items in the Mayor budget.

Mr. Mehlhorn stated it was for the hiring of the lobbyist.

Tim Ziess - 364 Westwood Avenue

Asked about the increase in cost of providing services to the redevelopment area.

Mayor Schneider stated that it would be hard to quantify that. Spoke regarding the number of police and public works employees and having not added a significant amount.

Motion by Councilperson Celli, seconded by Councilperson Giordano to close the public hearing on the budget.

Council then adopted R148-07 - Resolution Budget Amendment and R136-07 - Resolution adopting 2007 Municipal Budget

READING AND APPROVAL OF PREVIOUS MINUTES:

May 8, 2007

Motion was made by Councilperson Giordano, seconded by Councilperson Celli to approve the minutes of May 8, 2007 - Ayes 4 / Abstain 1 - Unger

CONSIDERATION OF ORDINANCES
PUBLIC HEARING AND FINAL CONSIDERATION

None

ORDINANCES FOR INTRODUCTION: PUBLIC HEARING MAY 22, 2007

#22-07 AN ORDINANCE AUTHORIZING THE EXECUTION OF CONFIRMATORY DEEDS WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED IN THE MANAHASSETT CREEK PARK PROJECT AREA PREVIOUSLY ACQUIRED BY THE CITY AND FOR WHICH THE CITY IS NOW PURSUING REIMBURSEMENT OF THE ACQUISITION COSTS PURSUANT WITH THE NEW JERSEY GREEN ACRES PROGRAM

A motion was made by Councilperson Brown, seconded by Councilperson Giordano to introduce on first reading, advertise and post according to law and set the public hearing for June 12, 2007 was carried out upon the following roll call vote: Ayes 5

#23-07 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 BEACHES FEES 2007

A motion was made by Councilperson Giordano seconded by Councilperson Unger to introduce on first reading, advertise and post according to law and set the public hearing for June 12, 2007 was carried out upon the following roll call vote: Ayes 3 / Nays - 2 Brown, Celli

#24-07 AN ORDINANCE AMENDING ORDINANCE SECTION 345-3 DEFINITIONS OF THE ZONING ORDINANCES OF THE CITY OF LONG BRANCH

A motion was made by Councilperson Giordano, seconded by Councilperson Brown to introduce on first reading, advertise and post according to law and set the public hearing for June 12, 2007 was carried out upon the following roll call vote: Ayes 5

PUBLIC PARTICIPATION:

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

Kevin Brown – 162 Broadway

Spoke regarding abatements for developers and the waiving of beach fees for teenagers. Spoke regarding consulting services and lobbying services.

Jim Keelan – 154 Belmont Avenue

Spoke regarding The Avenue and Sirena Restaurant and what it was purchased for. Spoke regarding the bulldozers on The Avenue beach. They have no permits.

Mr. Woolley stated that it was proper.

Barbara Gonos – 49 Delaware Avenue, West Long Branch

Spoke regarding the Green Acres swap. Against the opening of Ocean Avenue to traffic.

Harold Bobrow – 295 Ocean Boulevard

Spoke regarding Pier Village abatement, televising Council meeting, eminent domain abuse and legal representation of a police officer.

Austin Gelzer – 385 Ocean Boulevard

Read a testimony from Essie Stein into the record stating she is against the opening of Ocean Avenue.

Dennis Sherman – 460 Ocean Boulevard

Against the opening of Ocean Avenue to traffic.

Anna DeFaria – 45 Marine Terrace

Spoke regarding beach access on Seaview Avenue.

Mr. Migliaccio stated that the problem is the length of beach for a staircase. We tried a sand ramp a few years ago. We need more distance.

Mrs. DeFaria spoke regarding the weeds that are growing on the boarded houses on either side of her.

Denise Hoagland – 68 Ocean Terrace

Spoke regarding the length of grass on vacant property, Green Acres plan, selling Green Acres property if it's city owned and the sand at the Avenue.

(First name inaudible) Rivingston – 210 Hollywood Terrace

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Bill Shatzo – 967 Elberon Avenue

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Andrew Shawn – 448 Ocean Boulevard

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Morris (last name inaudible) – 448 Ocean Avenue

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Bill McLaughlin – 448 Ocean Avenue

Spoke regarding the Armory and the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Bill Nordahl – 67 Marine Terrace Apt. 3

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Pat Roakes – 510 Ocean Avenue

Spoke regarding Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Diana Multare – 21 North Bath Avenue

Spoke regarding traffic on North Bath Avenue and the City of Chicago lake front property. Opposed to the opening of Ocean Avenue to traffic.

Joe Renga – 448 Ocean Avenue

Spoke regarding Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Lori Ann Vendetti – 33, 38 Ocean Terrace

Spoke regarding the Green Acres swap. Went on to speak about R137-07, accepting donation of palm trees. Spoke regarding R147-07 and the amount of days of suspension. Opposed to the opening of Ocean Avenue to traffic. The City should consider a dog park.

Donna Peterson – 104 Rockwell Avenue

Spoke regarding the closing of Ocean Avenue to traffic and stated her opposition.

Peter DeLisa – 525 Ocean Boulevard

Spoke regarding the Green Acres swap. Opposed to the opening of Ocean Avenue to traffic.

Jerry Kruegar – 480 Ocean Avenue

Does this have anything to do with Hovnanian?

Council President DeStefano – No, it’s not even in the redevelopment area.

Mr. Kruegar – Went on to speak regarding the swap. Opposed to the opening of Ocean Avenue to traffic.

Vince LaPore – Long Branch

Spoke regarding the Green Acres swap and eminent domain. Asked if a certain piece of property was owned by Mr. Aaron’s firm. Mr. Aaron stated, no. Told Mr. Brown and Mr. Giordano they shouldn’t have voted for the resolution. Went on to speak about the taking of Bruce McLouds house.

Simon Skove – 220 Cleveland Avenue

Thanked the elected officials for their service. Spoke regarding this administrations successes. I just wanted to thank you. Spoke regarding the Green Acres swap. Doesn’t agree at first glance of the whole plan. We need to see the whole plan before we make a decision.

Marshall Colver – 449 Broadway

Spoke regarding a garbage can that was taken away in front of his house. I would like that can put back.

Mr. Migliaccio will look into putting that back.

Mr. Colver spoke regarding the businesses on Broadway. Spoke regarding the Green Acres swap. Parking is important.

After no one else responded, a motion was made to close the public portion by Councilperson Unger, seconded by Councilperson Giordano.

RESOLUTIONS:

On file in the Clerks Office and the City’s Web-Site

APPLICATIONS:

1. APPROVING THE TRANSFER OF A TAXI CAB OWNERS LICENSE FROM JOHN BARNEY TO MOHAMMAD KHAN
2. APPROVAL OF TWO (2) RAFFLE LICENSES FOR THE JERSEY SHORE JAZZ AND BLUES

A motion by Councilperson Giordano to approve the listed applications was seconded by Councilperson Celli and carried out upon the following roll call vote: Ayes 5

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER:

Councilman Brown – Wished everyone a happy healthy and memorable Memorial Day. Let Long Branch shine and least we not forget who sacrificed for us.

Councilman Giordano – Wished everyone a happy Memorial Day. Services are on Monday starting at 9:00 down at Fireman’s Field in Elberon, 11:00 here at City Hall. Also I’d like to thank Mr. Mehlhorn and his staff for the work on the budget this year. Being in the same line of business I know how demanding it can be and thank you for your efforts. With regard to the diversion issue, believe me and I speak for myself that we definitely hear all your concerns and take those into consideration as we move forward and we all use that space down at the beachfront. We’re trying to accommodate needs for access for the general public while still keeping the integrity of the recreational uses that everybody enjoys down there and that will all be under consideration going forward. Using that space for traffic during summer months, I’m not in agreement with which would probably be six months a year. If you would even think about now through the end of October, I don’t think that would be a good idea for traffic but if we could find some way to accommodate additional parking for the general public, that’s a good goal I think to have. Thank you.

Councilman Unger - I agree with Councilman Giordano in many ways and I think if we got funding and if we could redesign, I think the area is in need of redesign. I know its highly utilized but I think it badly needs investment, it needs more greenery, it needs a solid bike path. I think it would be great to have a boardwalk widened. I don’t believe we are going to see a developer pay for that in the near future but that’s another story. I think it would have to be closed to vehicular traffic from April through October at least because I see how many people use it and it is probably the most popular recreation spot in our city however I also go to the beach January February and March. I happen to be a surfer and when I go to the beach down there in that same spot its usually two or three or four other people, maybe some fisherman, maybe some people that enjoy that kind of weather but its not utilized that much and I don’t see the impact of the vehicular traffic being that much of an issue as long as there is a very good bike and walking path along side of it. I also wanted to say something about the beach fees. I don’t think this \$60,000 in revenue actually caused anyone’s taxes to go up. I had discussions with our City’s finance officer and he assured me that one or two salaried positions could be held back including one in his office which would more than pay for those kids to be able to get on the beach. I toured our City’s public housing today with the executive director and I met a lot of kids and there are a lot of kids that want to go to the beach that don’t have three dollars in their pocket. Being a middle class taxpayer, if it cost me an extra one-dollar a year I certainly think its well worth it but I also respect my colleague’s opinions. I think they work hard as City Councilmen and I mean in no way to criticize their vote against that so, I just wanted to say something else about the budget, I live in the Elberon Village section of Elberon and I heard a lot of talk tonight about deep cuts in services and problems with enforcement, code enforcement overgrown lawns and those kinds of things, I feel like our neighborhood in Elberon Village is really under attack. I don’t literally mean under attack but we cannot endure any cuts in services. If nothing else, I think we need a few more Kevin Hayes’s and I make lists of things for him to

do almost everyday because of people that have abandoned their properties, don't take care of their properties, throw garbage in the street, rent to University students, that requires more enforcement from Police, from Fire, for inspections for code and I got to tell you, I'm not going to vote to cut those services that are enabling our neighborhood to barely hold it together. I'm only hoping the neighborhood gets better. I think we also need to fully fund our Police and Fire Departments. This is an urban city. If you want to live in Rumson or Manalapan or Little Silver, you'll have a very nice suburban experience but we have City problems. We are a microcosm of a large City like Newark or New York and if we lose it, if we lose our grip on it, believe me, you're not going to want to live here anymore, thank you.

Councilwoman Celli – The hour is late and I'll keep my comments short. Happy Memorial Day and I hope you'll participate in the services. As for R130-07, I don't want anybody in this room to think I wasn't listening. I wrote down what you said, I did listen, I will think and we'll see what happens when Green Acres comes back and third of all, Mr. Skove, I'd like to say thank you. It's nice to hear positive comments once in a while because we do live in a great city and that's Long Branch and thank you very much.

Council President DeStefano – I'd like to thank everyone who came out on the diversion issue. For the most part in being polite, presenting your point of view, doing it very well, clearly and intelligently. Much appreciated, very different. In the sense I feel like I should apologize to Mr. Skove because as you can tell, often the demeanor of the meeting deteriorates miserably. People who want to have an opinion in America that may oppose everyone else's opinion are often demeaned and harassed in this particular case and I think this evening was an example of that and I think it was an abominable example of human behavior so again, I appreciate everyone here that was polite, made their point and participated in the governmental process in the right way. A lot of what was said and I think there is a lot of misunderstanding on this particular diversion issue and perhaps we could have been clearer on what exactly has been going on. Maybe we need to do that. I can tell you though as Dr. Celli said and everyone else before me, there was a lot that was said and there's a lot to be considered. My original thoughts were that it would never be opened all year round, that it wouldn't intrude in the months when people were enjoying it. It was never my personal intention to say that bikers and walkers, hikers and anybody that's there, joggers, roller blades would be put aside by motor vehicles. The intent was to beautify the area and to increase accessibility in the months when its least utilized by those people. If down the road in this process it seems that that can not be achieved in a reasonable fashion, it might very well be logical to say, you know what, that ultimate goal can't be achieved, don't reopen it. But that's also part of the process and that cant' be achieved without first doing the diversion and that's all that this was about. I'm sorry that everyone was frightened into believing false things, remain vigilant on the issue if you wish, remain polite, its always appreciated and again, thank you for coming out.

ADJOURNMENT

A motion was made to adjourn this meeting at 11:15 p.m.