

REGULAR MEETING

CITY COUNCIL

AUGUST 10, 2010

7:00 P.M.

The Regular Meeting of the Long Branch City Council was held on Tuesday, August 10, 2010 at 7:00 p.m. in the Municipal Building, 344 Broadway, Long Branch, New Jersey.

PRESENT:

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

OTHERS PRESENT:

Mayor Adam Schneider; James G. Aaron, Esq., City Attorney; Howard Woolley, Administrator; Ronald Mehlhorn, Finance Director; Irene Joline, City Clerk

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

PRESENTATIONS:

William Beckenstein presented a flag to Mayor Schneider that flew in Iraq during Operation Iraqi Freedom.

READING AND APPROVAL OF PREVIOUS MINUTES:

July 27, 2010 - Motion by Councilperson Sirianni seconded by Councilperson Billings to approve the minutes of July 27, 2010 was carried out upon the following roll call vote: 5

CONSIDERATION OF ORDINANCES

PUBLIC HEARING AND FINAL CONSIDERATION

None

ORDINANCES FOR INTRODUCTION: PUBLIC HEARING SCHEDULED FOR AUGUST 24, 2010

#11-10 ORDINANCE AMENDING AND SUPPLEMENTING SECTION 75-11 (A) (2) ENTITLED "LEAVES OF ABSENCE," SECTION A (2) ENTITLED "SICK LEAVE" OF THE "REVISED GENERAL ORDINANCES OF THE CITY OF LONG BRANCH"

A motion was made by Councilperson Sirianni, seconded by Councilperson Billings to introduce on first reading, advertise and post according to law and set the public hearing for August 24, 2010 was carried out upon the following roll call vote - Ayes 5

PUBLIC PARTICIPATION:

STATEMENT TO THE PUBLIC

The public shall be invited to make any comments on individual Ordinances and Resolutions before a vote is taken. The public comment during the portion of public discussion is to be limited to comments directly related to the Ordinance and/or Resolution under discussion and general comments.

Each person who wishes to address the Council may do so for a period of up to five minutes with no yielding of time to anyone. Each person may only speak once.

Citizens wishing to address the Council must give their name, street address and the group, if any, that they report to or represent.

The Mayor and Council welcome all members of the public to express their views on any issues. The Council reserves the right to terminate any remarks made by any individual, which are rude, or in a tone, which would insight or engender hostility whereby, in the judgment of the Council President, the meeting may become disruptive.

A motion by Councilperson Billings to open the public portion of the meeting was seconded by Councilperson Sirianni.

John Tattulli, Esq. on behalf of the owners of 136 Charles Street.

Stated that he had worked with various departments to finalize the terms of R223-10 which is on the agenda this evening. The City's efforts are appreciated. Stated that there are issues with the properties that are listed as the contiguous properties.

Mr. Aaron stated that the resolution can be amended and then the resolution can be approved as amended.

Steve Silver - 2 Whitman Terrace, Trustee Beachfront North Homeowners Association

Spoke regarding issues he has with the taxes. Notification should be sent out as to the increase.

John Gregory - Rockwell Avenue

Spoke regarding a safety issue of speeding that was emailed to certain members of Council and by Tuesday evening Director Muolo had contacted him and by Wednesday, there was already a radar screen on Rockwell Avenue. Thanked all who were involved. It is a great dedication to the new job you have.

Mary Cooper - 520 High Street

Spoke regarding intersection of Bath and Westwood where she is a crossing guard. People are using the ramp to avoid waiting at the intersection to make a right hand turn.

Director Muolo stated he will look into a No Turn on Red sign at that intersection.

Bruce Tyson - 195 Seventh Avenue

Spoke regarding the youth in the community. Community groups have agreed to get together to address issues with regards to the children. The group is called "Working Towards a Positive Solution". Its purpose is to gather insight from the community and take complaints and presenting them to the Council and the Mayor so solutions can be worked out in a positive way.

Donna Peterson - 104 Rockwell Avenue

Spoke regarding the budgets for the Police Department and Public Works Department, Pier Village, Pier and Ferry service, parking, beach fees and traffic on Rockwell & Joline.

Kalif Salaam - Co Chair for Working for Positive Solutions, 144 Laurel Street

Spoke regarding National Night Out Against Crime. It was a beautiful evening. Stated that it should be shifted to other areas of the town. Believes it would be a good idea for some of the Police Cadets to come out to speak with the children. Also, the fire department would be welcomed also. Also stated that he appreciated the Police Department helping out with the Pop Warner Fund raiser in helping them out to set up cones.

Bernard Gorcey – 36 Second Avenue

Spoke regarding parking in Pier Village, the Parking Authority, employment in Pier Village, time allotment for public participation, the need for a trade school in Long Branch and beach fees.

Harold Cooper – 113 S. 7th Avenue

Polled the Council as to whether or not they would construct a pier in Long Branch to which Council answered that it was hard to give a definitive answer as to many factors are involved and to many unanswered questions. Went on to speak about the statement to the public that is on the agenda regarding yielding of time.

Mr. Aaron stated that the analogy that you drew is not appropriate because they are yielding to themselves. They are not yielding to the public. A member of the House of Representative doesn't say; give my five minutes to the person up on the gallery. He says; give it to my esteemed colleague. Now, they are not a member of the organization, it's a member of the public. Now, the second part of it is, limitations on the right to speak by time constraints have been litigated and there are appellate division opinions that approve the limitation of exactly a five minute limit on each person's ability to speak and those can even be modified downward depending upon the number of people, the time, the issues, the repetition so that the Council can in fact control what is going on in a meeting and these guidelines that have been set up by the Council and the Council President by themselves are meeting all of the state statutes with respect to same and to protect according to the appellate division all the rights of a citizen to speak.

Mr. Cooper went on to comment regarding R220-10 and the appointment of Alphonse Muolo as Director of Public Safety.

Lori Ann Vendetti – 33, 38 Ocean Terrace

Spoke regarding yielding time to others during public participation and congratulated the Director of Public Safety.

Donald Riley

Spoke regarding the yielding of time and appreciates the clarification but it wasn't worthy of what was asked. Went on to speak about Senior Citizen discount tax program.

Mr. Mehlhorn explained two programs to Mr. Riley.

Vincent Lapore – 80 North Broadway

Stated that he requested the Council's consideration of an ordinance and resolution and asked for the status. Went on to speak about R217-10 regarding the abatement for the Bungalow, R218-10 and Solomon Dwek and asked that the resolution is tabled. Went on to speak R224-10, Green Acres, asked about the money that Hovnanian contributed to the boardwalk. Mr. Woolley stated that they did not contribute any money to the boardwalk. Mr. Lapore questioned further about the monies received from Hovnanian upon withdrawing from the redevelopment. Mr. Mehlhorn stated that it was a penalty for the withdrawal and it went into surplus.

Diana Mulfare – 21 North Bath Avenue

Spoke regarding the Pier and ferry and the problems that will occur with parking and then spoke about the list of criteria that the Coast Guard requires for a ferry service.

After ample time was given and no one else came forward a motion was made by Councilperson Sirianni seconded by Councilperson Billings 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 THREE RAFFLE LICENSES FOR THE GARDEN CLUB OF NJ
2. APPROVAL OF TWO (2) RAFFLE LICENSES FOR CHILDREN'S HOPE OF NJ
3. APPROVAL OF JOSHUA E. FELICIE AS AN HONORARY MEMBER OF THE PHIL DALY HOSE CO.

Motion by Councilperson Sirianni, seconded by Councilperson Billings to approve the above listed applications were carried out upon the following roll call vote: Ayes 5

MISCELLANEOUS BUSINESS FOR THE GOOD OF THE ORDER

Councilwoman Bastelli - I just want to say thank you to everybody for coming and I feel like there has really been a lot of respectful discussion tonight and I really appreciate it.

Councilwoman Billings - I have nothing this evening, thank you.

Councilman Pallone - No comment other than thank you all for being here this evening.

Councilman Sirianni - Again, thank you for everyone coming out this evening, I appreciate it. A reminder, in September we are having "office hours" where Council, two members of Council and our City Administrator will be meeting if I'm not mistaken on Wednesdays from 6 to 7:30 starting September 1st. We look forward to seeing everyone in regards to that. I to was out for the National Night Out, it was very nice seeing the Police Department and the people and the intermingling. I like the gentleman's idea of moving it to other parks, not moving the park but moving it to other parks. That is something we can talk about and I would like to compliment Barry Stein and his staff for this past weekends car show. From what I understand we broke all records of attendance, of cars, of people coming in for the Dupree's, I like them but I mean, they are the Dupree's. So it was an enjoyable band, enjoyable evening, the crowds were great as was the Police Department for controlling them, thank you very much. I stood on the corner of Second and Brighton Avenue looking towards the ocean, I've never seen Brighton Avenue packed so much with people just mingling around and the store owners. It was nice to see life in the neighborhood so thank you.

Councilwoman Celli - I too would like to comment on National Night Out. I think I've only missed one. It's a great night for the entire community to come together and with a lot of volunteers, a lot of people came and it is great to see the Police get together with everybody in the community. We do this once a year. You had a suggestion there. I don't know that it could be expanded. I won't say to another park but the idea could be expanded so let's look into that but that was a good idea. We had a couple of good ideas tonight and thank you all for coming. We certainly appreciate it and with that I'd like to ask for a motion to adjourn?

ADJOURNMENT

Councilperson Sirianni made a motion to adjourn this meeting of the Long Branch City Council at 8:15 p.m. which was seconded by Councilperson Billings. Ayes 5