

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

REPORTS

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following Reports for the period ending December 31, 2016 on file in the Village Clerk's office, be and the same are hereby ordered received and filed:

- Expenditure Report
- Revenue Received Report
- Tax Collections Report/Delinquent Taxes Report for 2016
- Borough of Deal Police Dept. Monthly Incident Report
- Report from Rudolph J. Corona, Sewer Maintenance

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

CORRESPONDENCE

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following Correspondence, on file in the Village Clerk's office, be and the same is hereby ordered received and filed:

- Visiting Nurse Association of New Jersey, public health nursing contract renewal at \$220.00 for 2017;
- Cross Over Networks, network support contract renewal, \$2,808.00 for 2017;
- Associated Humane Societies, animal control contract renewal, \$720.00 for 2017;
- Asbury Park Window Cleaning Co., Janitorial Service, \$160.00 per month for 2017;
- Sharp Elevator Company Inc., elevator preventative maintenance, \$1,464.00 for 2017;
- Casa Payroll, payroll services agreement for 2017;
- Donmouth Regional Health Commission No. 1, agenda and various reports/correspondence;
- Donmouth Municipal Joint Insurance Fund - 2017 Budgets
- Letter from Village Resident, Dr. Sarkession, dated December 29, 2016 regarding 205 Edgemont Drive;
- Letter from Village Resident, M. Nowlin, regarding hiring Jersey Professional Management in 2017.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

NEW BUSINESS

Ordinance 2017-424 - Introduction

The Attorney read the Ordinance by Title:

**AN ORDINANCE OF THE VILLAGE OF LOCH ARBOUR, COUNTY OF
DONMOUTH, STATE OF NEW JERSEY ESTABLISHING A HISTORIC DISTRICT
AND ADOPTING CERTAIN REGULATIONS AND GUIDELINES FOR THE
HISTORIC DISTRICT**

Section 1. TITLE

This Ordinance shall be known and cited as the "Historic Preservation Ordinance of the Village of Loch Arbour."

Section 2. HISTORIC DISTRICT ESTABLISHED

There is hereby established within the Village of Loch Arbour (hereinafter referred to as the "Village") a "Historic District" (hereinafter referred to as the "District"). The boundaries of the District are coterminous with the boundaries of the Village.

Section 3. PURPOSES AND INTENT

This Ordinance has the following general purposes and intent:

- A. To promote the goals of the Historic Preservation Element of the Village's Master Plan.
- B. To maintain and preserve the historic character of housing units in the District.

- C. To ensure that new buildings and substantial modifications to existing buildings be compatible with the historic character of the architecture in the District.
- D. To promulgate procedures and provide for guidelines for accomplishing the purposes of this Ordinance without imposing undue hardships on residents of the District seeking to renovate existing homes.

Section 4. DEFINITIONS

As used in this Ordinance, the following terms shall have the meanings indicated:

ACCESSORY BUILDING shall mean a building, which is customarily associated with and is subordinate and incidental to the principal building, and exceeds a 40 square foot footprint and/or five (5) feet in height at its peak.

ADDITION shall mean any extension or increase in the size, floor area or height of a building.

ALTERATION, MAJOR shall mean the addition, change or modification of major architectural elements to a building, which effects the design, shape, pitch or existence of the roof including, but not limited to, main roofs, dormers, roofs of bay or cantilevered windows, pediments, parapets, towers, porches, cupolas, Porte Cochere and balconies, as well as alterations, including demolition of non-linear (e.g. oval, Palladian, etc.) window frame outlines. Major alterations would additionally include changes by additions or complete conversion or alteration of the traditional predominant substance, texture or finish of a building (e.g. changing from wood to stucco, stucco to brick), and changes by additions or complete conversion or alteration of columns and railings on any exterior elevation.

ALTERATION, MINOR as distinct from alteration, major, shall mean the replacement or renewal of existing work, requiring a building permit, of a building, with the same or architecturally equivalent materials, equipment or parts, that are made in the ordinary course of maintenance and that do not cause a major alteration of the building, nor result in a request for any other relief from the Planning Board.

ARCHITECTURAL DRAWINGS shall mean drawings prepared, signed and sealed by a New Jersey licensed Architect, or drawings prepared so as to clearly and unambiguously indicate proposed new work and the existing building (in the case of an addition or modification). Drawings shall include a site plan, floor plans and elevations in sufficient scale and detail to convey the intended new work. The elevation drawings shall indicate all features (i.e. dormers, windows, roofs, trim, etc.) and surface finishes proposed for the project. Plans shall indicate the intended use of all rooms, terraces, Porches, etc.

ARCHITECTURAL ELEMENT, MAJOR is a distinguishing original feature, and shall mean an architectural component/design/style/object, which clearly expresses the time period in which a building was built. For the purpose of administration of this ordinance the following are considered Architectural Elements, Major: (a) Roof shape/pitch and existence of roofed items, including main roof, dormer roof, roof of roofed windows, pediments/parapets, tower roof, Porte-cochere roof, porch roof, balcony roof; (b) Non-linear (e.g. oval, Palladian, etc.) window frame outlines; (c) Predominant surface/finish of the building; (d) Columns and railings.

BOARD shall mean the Planning Board established pursuant to the provisions of the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.)

BUILDING shall have the same definition as set forth in the Developmental Ordinance of the Village.

CERTIFICATE OF APPROPRIATENESS shall mean that certificate issued by the Board, that is required prior to undertaking rehabilitation, restoration, renovation, alteration or demolition, undertaken of buildings, accessory buildings or garages in the District.

DEMOLITION shall mean the partial or total razing, dismantling or destruction of any building or of any improvement within the Village.

EMERGENCY REPAIR shall mean an immediate and temporary repair necessary only to allow the continued habitability of a building and/or to protect the health and safety of any occupants and/or the community at large.

GARAGE shall have the same definition as set forth in the Developmental Ordinance of the Village.

IMPROVEMENT shall mean any building or any part thereof constructed or installed upon real property by human endeavor and intended to be kept at the location of such construction or installation.

ORDINARY REPAIR shall mean repairing any deterioration, wear or damage to a building, accessory building, garage or part thereof, to return the same as nearly as practicable to its condition prior to such deterioration, wear or damage.

PRINCIPAL BUILDING shall mean any **BUILDING**, as defined in the Developmental Ordinance of the Borough, which is not an **ACCESSORY BUILDING** or **GARAGE**.

PORCH shall have the same definition as set forth in the Developmental Ordinance of the Village.

Section 5. AUTHORITY GRANTED TO PLANNING BOARD

5.1 Statutory Authority

The Village of Loch Arbour Planning Board shall have and exercise, to the same extent and subject to the same restrictions, all of the powers of a historic preservation commission established pursuant to N.J.S.A. 40:55D-107 *et seq.*, and as may be amended from time to time. At least one Board member shall meet the qualifications of a Class A member as defined by N.J.S.A. 40:55D-107(b) and at least one Board member shall meet the qualifications of a Class B member as defined by N.J.S.A. 40:55D-107(b).

5.2 Historic Preservation Powers of the Planning Board

The Planning Board shall have the following preservation powers:

- A. For any and all applications for development and applications for zoning and/or building permits for proposed improvements to, or demolition of, any and all existing or proposed buildings within the District, to review said application for the purpose of determining whether the application is, and to require that it be, consistent with the Village's goal of maintaining and preserving the historic character of buildings in the District, and to require that any such development or improvement be compatible with, and not detract from, the historic character of the architecture in the District.
- B. For all Major Alterations and Minor Alterations proposed within the District and that do not otherwise require any land use board approval, to review said proposed alterations and require that said alterations, in order to be permitted, be consistent with the Village's goal of maintaining and preserving the historic character of the architecture in the District and be compatible with, and not detract from, that historic character.
 - 1) Minor Alterations, as defined herein, may be reviewed and approved solely by the Board Chairman or such other Board member who has been appointed Chairman of the Board's historic preservation commission functions, acting on behalf of the entire Board.
- D. To grant or deny Certificates of Appropriateness as provided for herein.

Section 6. HISTORIC REVIEW PROCESS

6.1 Requirement and Application for a Certificate of Appropriateness

- A. A Certificate of Appropriateness is required in the District for the following actions:
 - 1. Any change, rehabilitation, restoration, reconstruction, improvement or alteration to the exterior of a building, accessory building or garage, which would constitute a Major Alteration or Minor Alteration, as defined herein.
 - 2. Additions to any building, accessory building or garage as defined herein.

3. Demolition of any building, accessory building or garage as defined herein.
 4. New construction of any building, accessory building or garage as defined herein.
- B. The Construction Official shall not issue a building permit for any action requiring a Certificate of Appropriateness absent the Planning Board issuing such a certificate approving that action in its entirety, except in the case of an Ordinary Repair (as defined herein), or an Emergency Repair (as defined herein) or in the event of the Board's failure to act in the time prescribed in N.J.S.A. 40:55D-111. The Construction Official shall refer any applicant for a building permit who has not obtained a Certificate of Appropriateness to the Board for the purpose of obtaining such a certificate.
 - C. Application for a Certificate of Appropriateness shall be made to the Board by submission of such application forms made available by the Village for such purpose, together with the required fees, plans, and drawings or renderings, including such additional copies as the Board may require for such applications.

6.2 Hearings on Applications for Certificates of Appropriateness

- A. Within 90 days of receipt of a complete application for a Certificate of Appropriateness and for any other relief that may be sought by the applicant, the Secretary of the Planning Board will schedule a public hearing on the application to take place at a regular meeting of the Board. The presence of the property owner or his legal representative is required.
- B. Hearings will be conducted pursuant to the administrative procedures established in the Developmental Ordinance of the Village of Loch Arbour as amended, as well as other statutory requirements of the State of New Jersey for the conduct of Planning Board Hearings.
- C. Any application for a Certificate of Appropriateness, other than one solely proposing a Minor Alteration, as defined herein, shall require the applicant to advertise and give public notice to owners of property within two hundred (200) feet of the proposed project, in accordance with the procedure for development applications. The applicant shall be responsible for sending out the appropriate notices and shall be responsible for paying the cost of the proceedings. On the date of the hearing, the applicant shall be required to provide the Planning Board with an Affidavit of Mailing and an Affidavit of Publication as proof of fulfilling the notification and advertisement requirements specified herein.

6.3 Determination by the Board

Upon completion of review by the Board, the Board may:

- A. Approve, approve with conditions, or deny any application requiring the issuance of a Certificate of Appropriateness.
 1. When denying a Certificate of Appropriateness, the Board shall state the reasons for its decision.
 2. Upon a favorable decision approving, or approving with conditions any application, the Planning Board shall issue a Certificate of Appropriateness.
- B. A Certificate of Appropriateness granted by the Board shall authorize the Construction Official to issue a building permit if all other conditions and legal requirements for issuing that permit have been satisfied.
 1. The Certificate of Appropriateness shall be valid for one (1) year from the date it is issued by the Board. Two (2) extensions of six (6) months each may be granted by the Planning Board, at their discretion, upon written request by the applicant and the applicant's appearance before the Board to substantiate the basis upon which the Board should grant any such

extension. Any such request for an extension must be submitted before the expiration of the certificate sought to be extended.

- C. If a Certificate of Appropriateness has been denied, the Construction Official or his agent shall not issue a building permit.
 - a) The Construction Official or his agent may stop work at any site which does not fully comply with an issued Certificate of Appropriateness or this Ordinance.
- D. If, after a Certificate of Appropriateness has been issued, a change in the scope of the approved work becomes necessary or desired by the applicant, the applicant shall immediately halt all ongoing activity and re-apply to the Board for a new or amended Certificate of Appropriateness pursuant to the procedures set forth in this Ordinance.

Section 7. GUIDELINES AND GENERAL CRITERIA FOR CERTIFICATE OF APPROPRIATENESS APPLICATION

7.1 Guidelines

The Planning Board shall establish and, where appropriate, amend and/or supplement, "Design Guidelines for the Historic District," for use in the Planning Board's review of all development applications and applications for Certificates of Appropriateness in the District. Such guidelines shall not constitute "requirements," but rather are intended to provide the Planning Board with flexible guidelines in deciding an application for a Certificate of Appropriateness and effectuating the purposes of this Ordinance.

7.2 Criteria for Issuance of a Certificate of Appropriateness

The following shall be required for the grant of a Certificate of Appropriateness for all proposed work requiring such a certificate:

- (1) All work shall be compatible with the existing structures, landscapes and streetscapes within the District.
- (2) The work shall not adversely affect the ambiance, character, and appearance of the District and the relationships among structures and between structures and public ways in the District.
- (3) The work shall not adversely affect the exterior architectural features and setting of an existing structure and its historical and architectural interest.
- (4) The work shall not result in structural elements that are out of scale with the other structural elements in the surrounding area.
- (5) Every structure shall be and remain visually compatible with the structures and places to which it is visually related.
- (6) The height of a structure shall be visually compatible with adjacent structures.
- (7) The relationship of the width of a structure to the height of the front elevation shall be visually compatible with structures and places to which it is visually related.
- (8) The relationship of the width of windows to the height of windows in a structure shall be visually compatible with the structures and places to which it is visually related.
- (9) The relationship of solids to voids in the front facade of a structure shall be visually compatible with the structures and places to which it is visually related.
- (10) The relationship of a structure to the open space between it and adjoining structures shall be visually compatible with the structures and places to which it is visually related.
- (11) The relationship of a structure's entrance and porch projections to the street shall be visually compatible with the structures and places to which it is visually related.

(12) The relationship of materials and texture of the facade and roof of a structure shall be visually compatible with the predominant materials used in the structures to which it is visually related.

(13) The roof shape of a structure shall be visually compatible with structures to which it is visually related.

(14) If proposed, appurtenances such as walls and open-type fencing shall form cohesive walls of enclosure along a street, to the extent necessary to maintain visual compatibility of the main structure with the structures and places to which it is visually related.

(15) The size of a structure, the mass of the structure in relation to open spaces, and the windows, door openings, porches and balconies shall be visually compatible with the structures and places to which it is visually related.

(16) A structure shall be visually compatible with structures and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.

(17) Work to restore all or part of a structure shall return the structure, or that part covered by the application, to the known or reasonably conceived appearance (including design elements, architectural details, and textures) it had when it was first constructed or when it was remodeled, if the remodeling occurred before 1950. Notwithstanding the foregoing, the Board may permit (a) modifications that are necessary or beneficial to contemporary living and consistent with the architectural design and character of the structure, and (b) modifications that improve structures lacking architectural merit and not in character with the District and which will result in a structure that is in character with the District.

(18) Existing materials, if they are the original materials of the original structure or remodeling which is being restored, should, where reasonably possible, be maintained and repaired rather than replaced.

(19) In the event that replacement of materials is necessary, the new material should match the material being replaced in composition, design, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of original features. This is not intended to require that the new material be identical to the material being replaced. Material adequately mimicking the material being replaced is acceptable, and may sometimes be preferable where of greater durability than the material being replaced.

(20) Architectural details of the original construction or remodeling which is being restored or altered should be retained. This includes, but is not limited to, cornices and their brackets, window trims such as molded lintels, porch elements such as posts, balustrades, and spindles, and windows, particularly the number and size of the individual panes.

(21) The original roofing material should be maintained or repaired, and, if replacement is needed, it should be of the same material and size. If the same material is not available, a substitute material should be of the same shape, texture, and size.

(22) Storm windows and doors should be as unobtrusive as is reasonably possible.

(23) Period trim that defines the character of a structure should be retained. It should not be covered by application of aluminum or vinyl.

(24) Synthetic siding (aluminum or vinyl) is acceptable, but the width of the siding shall be appropriate for the period of the building's construction and not detract from the character of the District.

(25) Windows should be divided into the number of lites or panes appropriate to the style of the building. True divided lites are preferred, but snap-in mountings are acceptable.

(26) Shutters should be of a height and width so that they appear capable of being closed. They are not appropriate on double, bay, or picture windows.

(27) Doors should have the number and type of panels suitable to the style of the building.

(28) Demolition of a building, accessory building or garage in this District shall not be permitted unless (a) the structure has been condemned by applicable procedures, (b) the condition of the

structure is such that the cost of necessary restoration or repairs make such restoration or repairs unfeasible, or (c) it can be shown that the structure has no significant architectural or historic value.

Section 8. VIOLATIONS AND PENALTIES

Any person, firm or corporation that shall violate the terms of this ordinance shall be subject to the violations and penalties set forth in the Developmental Ordinance.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that said Ordinance #2017-424 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as February 8, 2017.

Recorded Vote

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

Consent Agenda:

The following Resolutions may be moved by a single motion. Any Commissioner may request that any item be removed from the Consent Agenda for discussion.

UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried, that the following resolutions be adopted:

Resolution 2017-31:

WHEREAS, there is a need of Janitorial Services at the Village Municipal Building; and
WHEREAS, the Local Public Contracts Law (N.J.S.A 40A:11-1 et seq.) permits the award of a contract less than 15% of the bid threshold without competitive bidding.

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2017 Temporary Appropriations of the Village and provision will be made this contract in the finally adopted 2017 budget.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Loch Arbour that Asbury Park Window Cleaning Co., be hereby awarded the contract for 2017 Janitorial Services renewal at the annual cost of \$1,920.00.

BE IT FURTHER RESOLVED, that the Clerk of the Village of Loch Arbour be authorized to execute the contract authorized pursuant to this Resolution.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be supplied to Asbury Park Window Cleaning Co.

Resolution 2017-32:

WHEREAS, there is the need for the provision of public health services in the Village of Loch Arbour in addition to those services provided by the Donmouth Regional Health Commission No. 1; and,

WHEREAS, the Village of Loch Arbour contracted with the Visiting Nurse Association of New Jersey for these additional services through December 31, 2016 and wishes to renew this contract; and,

WHEREAS, funds are available in the Village's 2017 Temporary Budget and will be appropriated in the Village's finally adopted 2017 Budget for this purpose and the Chief Financial Officer has so certified.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the Visiting Nurse Association of New Jersey be and the same is hereby retained for public health services for the Village of Loch Arbour for the one year period commencing January 1, 2017 through December 31, 2017, inclusive, at the annual cost of \$220.00.

BE IT FURTHER RESOLVED that the Mayor of the Village of Loch Arbour be hereby authorized to execute said Agreement on behalf of the Village.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded with the executed Agreement to the Visiting Nurse Association of New Jersey.

Resolution 2017-33:

WHEREAS, the Village of Loch Arbour is in need of professional services to maintain its computer hardware, software and internal network; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the award of a contract less than 15% of the bid threshold without competitive bidding.

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2017 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2017 budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that Cross Over Networks be hereby awarded the contract for 2017 network support and maintenance services at the annual cost of \$2,808.00.

BE IT FURTHER RESOLVED that the Clerk of the Village of Loch Arbour be authorized to execute the contract authorized pursuant to this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Cross Over Networks.

Resolution 2017-34:

WHEREAS, there is the need for the provision of Animal Warden/Control Services in the Village as the current contract with the Associated Humane Societies expired on December 31, 2016; and,

WHEREAS, funds are available in the Village's 2017 Temporary Budget and will be appropriated in the Village's finally adopted 2017 Budget for this purpose and the Chief Financial Officer has so certified.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the Associated Humane Societies be and the same is hereby retained as Animal Warden for the Village of Loch Arbour for the one year period commencing January 1, 2017 through December 31, 2017, inclusive, at the annual cost of \$720.00.

BE IT FURTHER RESOLVED that the Clerk of the Village of Loch Arbour be hereby authorized to execute said Agreement on behalf of the Village.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded with the executed Agreement to the Associated Humane Societies.

Resolution 2017-35:

WHEREAS, the Village of Loch Arbour is in need of professional services to maintain its elevator at the Village Municipal Building; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the award of a contract less than 15% of the bid threshold without competitive bidding.

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2017 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2017 budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that Sharp Elevator Company, Inc., be hereby awarded the contract for 2017 maintenance services at the annual cost of \$1,464.00.

BE IT FURTHER RESOLVED that the Clerk of the Village of Loch Arbour be authorized to execute the contract authorized pursuant to this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Sharp Elevator Company, Inc.

Resolution 2017-36:

WHEREAS, the Village of Loch Arbour is in need of professional services to provide payroll processing services; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) permits the award of a contract less than 15% of the bid threshold without competitive bidding.

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2017 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2017 budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that Casa Payroll Services be hereby awarded the contract for 2017 payroll processing services at the annual cost as per the 2017 Service Agreement.

BE IT FURTHER RESOLVED that the Clerk of the Village of Loch Arbour be authorized to execute the contract authorized pursuant to this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to Casa Payroll Services.

Resolution 2017-37:

WHEREAS, Eneractive Solutions has requested permission to use Village streets for the One More Tri, A Triathlon to Benefit Special Olympics, NJ to be held on Sunday, September 24, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to the Eneractive Solutions to use Village streets for the One More Tri, A Triathlon to Benefit Special Olympics, NJ to be held on September 24, 2017, subject to the following conditions:

1. A Certificate of Insurance naming the Village as an additional insured must be supplied to the Village on or before August 24, 2017 along with a copy of the insurance policy;
2. All plans must be coordinated with the Borough of Deal Police Department;
3. Adequate personnel must be supplied to ensure the safety of bikers and pedestrians.
4. Traffic control devices, i.e., cones or barricades, must be supplied by the Eneractive Solutions to be set-up and removed as necessary by personnel supplied by the Eneractive Solutions;
5. Execution of the required Hold Harmless Agreement.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to:

1. Eneractive Solutions;
2. Chief Ronen Neuman, Borough of Deal Police Department

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

Resolution 2017-30:

UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried, that the following resolutions be adopted:

BE IT RESOLVED by the Commissioner of the Village of Loch Arbour that, in accordance with Village Ordinance No. 337, the following salaries for officers and employees of the Village are hereby authorized, retroactive to January 1, 2017 through December 31, 2017, inclusive:

Assessor of Taxes	2,507.00
Beach Manager	17,000.00
License Inspector	1.00
Zoning Official	2,086.00
Superintendent, Parking Meters	2,158.00
Sewer System C-1 Operator	1,710.00
Clerk, Planning Board (per meeting)	150.00
Registrar of Vital Statistics	1.00
Director of Public Assistance	1.00
Village Clerk	57,500.00

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be filed with the Chief Financial Officer for his information and action.

Recorded Vote:

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fericola

Nays: None

Absent: None

REPORTS/DISCUSSION

A. ~~School Tax Issues~~ – Mayor Fericola reported the Village is still waiting for a response from the State of New Jersey, Commissioner of the Department of Education.

B. ~~Village Beach Club~~: Season Badge Applications for residents will be mailed with the Village Sidings. After a discussion the following Ordinance was introduced.

Ordinance 2017-425 – Introduction

The Attorney read the Ordinance by Title:

Ordinance 2017-425

AN ORDINANCE TO AMEND ORDINANCES NO. 207, 220, 243, 309, 345, 366, 376 and 382 OF THE VILLAGE OF LOCH ARBOUR ENTITLED "AN ORDINANCE TO CREATE A MUNICIPAL BEACH IN THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, AND TO REGULATE AND PROVIDE FUNDS TO IMPROVE, MAINTAIN THE PURPOSES OF INCREASING THE FEES AND CHARGES and THE ADDITION OF A WEEKDAY PARKING PERMIT FOR THE USE OF THE MUNICIPAL BEACH AND FACILITIES IN THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH"

BE IT ORDAINED BY THE BOARD OF THE COMMISSIONERS OF THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, as follows:

Section 1. ARTICLE II – REGISTRATION AND ADMISSION TO BEACH is amended and supplemented to read as follows:

Section 3. The fees and charges for said bathing, beach and facilities service shall be as follows:

- (a) Seasonal admittance and facilities service charge for persons 12 years of age or older - \$95.00 per person.
- (b) Seasonal admittance and facilities charge for senior citizens, 62 years of age or older - \$55.00 per person.

Section 3.g. Beginning April 1, 2017, a Weekday only Parking Permit, will be offered.

- (a) A Weekday only Parking Permit will be in effect:
 - Only 4 days per week (Monday, Tuesday, Wednesday, Thursday)
- (b) Maximum of 40 Weekday parking permits will be sold per season.
 - 1. Village of Loch Arbour resident fee: \$80.00
 - 2. Non-resident fee: \$140.00
- (c) Current Seasonal Parking Permit Holders are not eligible for Weekday only Parking Permits for one year following the last year they had a regular Seasonal Parking Permit.
- (d) The Weekday only Parking Permit will not be valid for any holiday that falls on a Monday, Tuesday, Wednesday, Thursday).
- (e) The Beach Manager, at his discretion, may also designate 3 other weekdays per season, when Weekday only Parking Permits are not valid. (Any designated days must be posted 72 hours in advance of the event.)

Section 2. ARTICLE VII – REPEAL, SEVERABILITY is amended as follows:

Section 1. All ordinances or parts of ordinances inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 2. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and remainder of this ordinance shall be deemed valid and effective.

Section 3 - EFFECTIVE DATE

This Ordinance shall take effect immediately upon its final passage and publication as required by law.

UPON MOTION, of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried that said Ordinance 2017-425 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing as February 8, 2017.

Recorded Vote

Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola

Nays: None

Absent: None

PUBLIC HEARING

UPON MOTION, Mayor Fernicola, seconded by Commissioner D' Angelo, carried, that the meeting be opened to the public for comments.

There being no public present, and UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick carried, that the public hearing be closed.

There being no further business, and UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the meeting be finally adjourned at 7:05 PM.

Darilyn Simons, RDC
Village Clerk