

**VILLAGE OF LOCH ARBOUR  
MINUTES –REGULAR MEETING  
MARCH 7, 2018**

**THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE VILLAGE OF LOCH ARBOUR, MONMOUTH COUNTY, NEW JERSEY, WAS HELD IN THE VILLAGE OF LOCH ARBOUR MUNICIPAL BUILDING, 550 MAIN STREET, LOCH ARBOUR, NEW JERSEY ON MARCH 7, 2018, CALLED TO ORDER AT 6:30 P.M. BY MAYOR PAUL FERNICOLA.**

Following the salute to the Flag the Clerk called roll, present were Commissioner Cheswick and Mayor Fernicola. Commissioner D' Angelo was absent.

Also present was Marilyn Simons, Village Clerk. William H. Healey, Esq., Village Attorney and Dan Mason, Deputy Village Clerk were absent.

The Clerk read the Open Public Meetings Announcement: The notice requirements of C.231, P.L. 1975, have been satisfied by transmitting the notice of this Regular Meeting to the Village's two official newspapers on January 11, 2018 posting the notice on the office bulletin board on the same date and filing a copy of the notice in the Clerk's office.

**Resolution 2018-49:** UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following resolution is adopted:

WHEREAS, certain 2017 appropriations reserves require additional funds to cover expenditures through December 31, 2017; and,

WHEREAS, certain other 2017 appropriations reserves show a surplus of funds available; and,

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-1, et seq.) permits transfers between appropriations reserves during the first three of the succeeding fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the following appropriations transfers be and the same are hereby authorized:

See Attachment #1

BE IT FURTHER RESOLVED that a copy of this resolution shall be given to the Chief Financial Officer for appropriate action.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

**Resolution 2018-50:** UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following resolution is adopted:

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2017 current fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance, is the sum of \$1,334,620. and.

WHEREAS, 26.25% of the total appropriations in the 2017 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$ 291,945. and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth, State of New Jersey, that the attached listing (Attachment 1 – 2018 Temporary Budget Worksheet) of appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

**PAYMENT OF BILLS**

UPON MOTION of Commissioner Fernicola, seconded by Commissioner Cheswick, carried, that the payment of bills totaling \$78,081.95 for the month of March, 2018 be and the same is hereby approved as presented.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the payment to the Loch Arbour Board of Education in the amount of \$57,710.17 for the month of March, 2018 be and the same is hereby approved;

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

#### MINUTES

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the minutes of the following meetings be tabled:

- The minutes of the Reorganization and Regular Meeting held on January 3, 2018;
- The minutes of the regular meeting held on February 7, 2018.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

#### REPORTS/CORRESPONDENCE

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following reports for the period ending February 28, 2018 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
- Deal Police Department, Monthly Incident Report
  
- Monmouth Regional Health Commission No. 1, agenda and various reports/correspondence;
- Resolution opposing the proposal to allow offshore drilling from the Board of Chosen Freeholders of the County of Monmouth;
- Resolution opposing the legalization of Recreational Marijuana use from the Board of Chosen Freeholders of the County of Monmouth;
- Letter from Jersey Professional Management authorizing Richard Wright as Temporary Acting CFO for the Village of Loch Arbour.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

**OLD BUSINESS** - None

#### NEW BUSINESS

**Resolution 2018-51:** UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried the following resolution is hereby adopted:

WHEREAS, Eneractive Solution d/b/a Edison Energy has requested permission to use Village streets for the One More Tri; A Triathlon to Benefit the Special Olympics NJ to be held on Sunday, September 16, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to the Eneractive Solution d/b/a Edison Energy to use Village streets for the One More Tri; A Triathlon to Benefit the Special Olympics NJ to be held on Sunday, September 16, 2018, 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 September 1, 2018 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 riders and pedestrians.
4. Traffic control devices, i.e., cones or barricades, must be supplied by Eneractive Solution d/b/a Edison Energy to be set-up and removed as necessary by personnel supplied by Eneractive Solution d/b/a Edison Energy;
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 Solution d/b/a Edison Energy;
2. Chief Ronen Neuman, Borough of Deal Police Department

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

## REPORTS/DISCUSSION

A. **School Tax Issue** – Mayor Fernicola reported a hearing date for the Ocean Township School District Appeal has been scheduled for April 16, 2018. Mayor Fernicola instructed the Clerk to send a letter to notify all Loch Arbour Tax Payers of the Hearing on April 16, 2018.

B. **Consideration of possible new Ordinances:**

- Houses of Worship – Mayor Fernicola and Commissioner Cheswick instructed the Clerk to have the Village Attorney, William Healey, draft a proposed Ordinance for consideration at the next regular scheduled Commissioners Meeting.
- Roof Top Decks – tabled to be discussed at the next regular scheduled Commissioner Meeting.
- Change of Definition “Height of Building” – tabled to be discussed at the next regular scheduled Commissioner Meeting.
- Add language to Ordinance 2017-424, regarding any denial of a Certificate of Appropriateness – tabled to be discussed at the next regular scheduled Commissioner Meeting.
- Add language to Ordinance 420 (definition) regarding driveway materials/coverage – tabled to be discussed at the next regular scheduled Commissioner Meeting.

C. **Breakfast with the Easter Bunny and Annual Easter Egg Hunt –**

Saturday, March 24, 2018

9:00 a.m. to 11:00 a.m. at the Allenhurst Fire Department (Breakfast)

11:30 a.m. at the Interlaken Ball Field (Hunt)

D. **UPON MOTION** of Mayor Fernicola, seconded by Commissioner Cheswick, carried the regular meeting of the Board of Commissioners scheduled for April 4, 2018 is being cancelled and being rescheduled for Wednesday, April 11, 2018 at 6:30 p.m.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

## PUBLIC HEARING

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the meeting be opened to the public for comments.

Remo Maisto, Jr., Elberon Avenue, had a discussion with the Commissioners regarding a possible Ordinance for consideration regarding not being able to obstruct the views of the Ocean with either a fence or shrubs.

There being further comments, 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 Commissioner Cheswick, seconded by Mayor Fernicola, carried that the meeting be finally adjourned at 6:50 p.m.

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Marilyn Simons, RMC  
Village of Loch Arbour