

APPROVED

Commission Meeting – December 20, 2010
Resolution #1

Village of Loch Arbour Charter Study Commission

Minutes - Regular Meeting

December 6, 2010

The regular meeting of the Village of Loch Arbour Charter Commission was held in the Village Municipal Building on December 6, 2010. It was called to order at 7:00p by Chairman Fernicola.

Following the salute to the flag, Chairman Fernicola called the roll. Present were all members of the Commission; Mr. Cummings, Mr. Fernicola, Mr. Loushine, Mr. Reng, and Mrs. Virks-Lee.

The notice requirements of C.231, P.L. 1975, have been satisfied by transmitting the notice of the Organizational Meeting to the Village's two official newspapers on November 15, 2010, posting the notice on the Village Office bulletin board on the same date, and filing a copy of the notice in the Village Clerk's office.

Resolution #1: Approve Minutes of November 19, 2010 Organizational Meeting

- Upon Motion with second, Meeting Minutes were unanimously **Approved**.

Discussion Items

1. Meeting Agenda: The agenda for this meeting was prepared by the Chairman. Mr. Loushine stated the Agenda had not been approved by the Commission. A dialogue among Commissioners ensued with Mr. Reng stating the agenda is a starting point and is set by the Chairman. The Chairman indicated he would send a preliminary agenda out about a week in advance and request inputs from all Commissioners prior to finalizing the Agenda.
2. Commission Budget: The Chairman sent a letter to the Village Trustees requesting an appropriation of \$5,000 in 2011 to fund Charter Study Commission (CSC) expenses. The Trustees responded to the request by tabling action on this request until the January 2011 meeting.
3. Commission Minutes: The Secretary brought up the issue of a need for verbatim minutes. A consensus among the Commissioners indicated only summary minutes would be adequate to meet the Commissions needs.
4. Commission Lawyer: Mr. Fernicola continued the matter discussed at the last meeting of appointing Robert Fernicola as the Commission's legal advisor. He indicated a desire to reintroduce such a motion. The need for a lawyer at this time was discussed as was the suitability of Mr. Robert Fernicola for this position. Mr. Reng suggested this matter be deferred until a later time as it did not appear there would be sufficient support to carry the motion if it was brought to a vote.

5. Mission Statement: Mr. Reng prepared a draft mission statement that was discussed by the Commission. This draft was revised based on comments. The revision will be typed and forwarded to all Commissioners. It will be placed on the next meeting agenda for review.
6. Communications with Village Residents: The Commissioner's agreed to place Charter Study Commission info on the Village web site. A separate tab would be set up for this purpose. A CSC e-mail address would also be established to aid interested parties in communicating with the Commission. Mr. Cummings indicated he would follow-up in this area.
7. Walsh Act: Under this Act, NJ Statutes permits municipalities to change their form of government to a Commission form. The question was raised as to whether the Walsh Act was still an available option. This Form of municipal governance needs to be investigated to determine if it can aid the Village in addressing the school tax issue.
8. Faulkner Act: In the NJ Statutes, this Act also known as the "Optional Municipal Charter Law" (OMCL) permits municipalities to change their form of government. The Charter Study Commission was established under this Act. There are four basic forms that can be adopted with several variations under each. As under the Walsh Act, the Faulkner Act provisions need to be reviewed to determine their impact on the school tax issue.
9. Consolidation of a "Sparsely Populated Municipality": The issue of the Village consolidating with a contiguous municipality to address the school tax issue was discussed. Such a plan could be pursued under the 'Sparsely Populated Municipality' provisions of the 'Municipal Consolidation Act'.

Several aspects of municipal consolidation were discussed. The appropriateness of the CSC looking at municipal consolidation was raised. The effect of consolidation on school taxes was debated. CSC members focused on education quality issues. Questions were raised as to what structure the school district would take under a consolidated municipality and how this arrangement is determined.

10. Preliminary Report By consensus, members agreed to establish April 1, 2011 as a target date for the preparation of a preliminary report.

CSC Communications

- A letter was received from a member of the South Orange NJ Charter Review Committee offering resources they have developed over the years that may be of assistance. South Orange's form of government is that of a 'Special Charter' wherein they are required to review the charter every twelve years.

Public Hearing

1. Mr. Lee advised that an e-mail blast feature was available through the Village web site if there was a desire/need for the Commission to communicate with all Village residents/property owners.
2. Mr. Zazzarino stated he didn't understand the Commissions' position regarding the free legal services offered to it by Mr. Robert Fernicola. He also indicated as a Village Trustee, he was looking to save money in the Village budget as there may be a need engage consultants in assisting the Trustees in dealing with the school tax issue.