

**VILLAGE OF LOCH ARBOUR
MINUTES – REGULAR MEETING
THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE VILLAGE OF
LOCH ARBOUR, MONMOUTH COUNTY, NEW JERSEY, WAS CONDUCTED BY**

<https://zoom.us/j/9871856747>

Meeting ID: 987 185 6747

One Tap Mobile:

Call # 1-646-558-8656

Meeting ID/PIN: 987 185 6747#

ON AUGUST 5, 2020, CALLED TO ORDER AT 6:30 P.M. BY MAYOR FERNICOLA

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

Also present was William Healey, Village Attorney and Marilyn Simons, Village Clerk.

The Village 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 3, 2020 and July 9, 2020 posting the notice on the office bulletin board on the same date and filing a copy of the notice in the Clerk's office.

Comcast of Monmouth County Franchise Renewal – Robert D. Clifton, Area Director, Government and Community Affairs for Comcast of Monmouth County discussed the Renewal of the current franchise agreement between Comcast and the Village of Loch Arbour. Mr. Clifton discussed the procedure in renewing the franchise agreement. Commissioner Cheswick and Mayor Fernicola discussed the Agreement with Mr. Clifton. Commissioner Cheswick discussed internet service at the Village Beach.

UPON MOTION OF Mayor Fernicola, seconded by Commissioner Cheswick, carried that the meeting be opened for public comment regarding the renewal of the Comcast of Monmouth Franchise Agreement in the Village of Loch Arbour

No Comments, UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the meeting be closed to the public.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

PAYMENT OF BILLS

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, the payment of bills totaling \$299,798.71 for the month of August, 2020 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 Commissioner Cheswick, seconded by Mayor Fernicola, carried the payment to the Loch Arbour Board of Education in the amount of \$41,662.00 for the month of August, 2020 be and the same is hereby approved as presented.

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 approved:

- Minutes of the Special Meeting and Executive Session held on May 13, 2020;
- Minutes of the Special Meeting and Executive Session held on May 20, 2020;
- Minutes of the Regular Meeting and Executive Session held on July 1, 2020.

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, the following reports for the period ending July 31, 2020, 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 2020

- Deal Police Department, Monthly Incident Report
- Monmouth Regional Health Commission No. 1, agenda and various reports/correspondence;
- Correspondence and check received by Monmouth County Board of Freeholders to assist - reimbursing costs which have been incurred by the Village due to COVID-19 pandemic. \$8,060.20

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

OLD BUSINESS – None

NEW BUSINESS –

A. Ordinance 2020-465- introduction

The Mayor read the Ordinance by Title

VILLAGE OF LOCH ARBOUR

AN ORDINANCE TO AMEND ORDINANCES NOS. 207, 220, 243, 309, 345, 366, 376, 382, 2017-425 and 2019-453 OF THE VILLAGE OF LOCH ARBOUR, ENTITLED “AN ORDINANCE TO CREATE A MUNICIPAL BEACH IN THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH, TO MAINTAIN THE DESIGNATION OF THE BEACHES AND REGULATE THE REGISTRATION AND ADMISSION TO THE BEACHES; FOR THE USE OF THE MUNICIPAL BEACH AND FACILITIES IN THE VILLAGE OF LOCH ARBOUR, COUNTY OF MONMOUTH”

WHEREAS, the Village of Loch Arbour adopted an Ordinance creating a municipal beach and providing for certain regulations and guidelines for the municipal beach.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners in the Village of Loch Arbour, County of Monmouth, State of New Jersey that the Code of the Village of Loch Arbour be and is hereby further amended as follows:

ARTICLE I – DESIGNATION OF BEACHES

Section 3. No person shall be permitted on the “Village Beach” during the “bathing season” between the hours of sunrise and 6 p.m., except upon the payment of certain fees and after registration, a hereinafter provided. Notwithstanding this section, no fees shall be charged solely for access to or use of tidal waterways and their shores.

ARTICLE II – REGISTRATION AND ADMISSION TO BEACHES

Section 1. Each and every person using the Village Beach and waters adjacent thereto between the hours of sunrise and 6 p.m. during the “bathing season” shall, before using the same and before entering upon the same, display his or her beach badge to the duly authorized employee or agents of the Village of Loch Arbour employed for that purpose, giving his or her name and address and such other information as may be required by the Village or its authorized representatives. Notwithstanding this section, public access to and use of tidal waterways and their shores shall not be conditioned upon providing identification.

Section 3.

(m) Daily and seasonal badges issued under the provisions of this section shall be registered in the name of a specific person. Seasonal badges shall be transferrable at the discretion of the badge holder. Seasonal badges may be transferred from person-to-person within the categories set forth above under subsections (a) and (b).

UPON MOTION, of Mayor Fernicola, seconded by Commissioner Cheswick, carried that said Ordinance #2020-465 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 September 2, 2020.

Recorded Vote

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

B. Resolution 2020-11: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following resolution be and the same is hereby adopted:

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2021; and

WHEREAS, the Village of Loch Arbour is desirous of submitting an application under this program for the following purpose:

- Improvements to Euclid Avenue-Phase V from Edgemont Drive to Norwood Avenue NJ State Highway Route 71

NOW, THEREFORE, BE IT RESOLVED by the Village Commissioners of Loch Arbour, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Village Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2021-Euclid Avenue Phase V – 00443 to the New Jersey Department of Transportation on behalf of the Village of Loch Arbour; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Village of Loch Arbour and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

C. Resolution 2020-12: UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried that the following Resolution be adopted:

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Village of Loch Arbour has received notice of an award of \$8,060.20 from the County of Monmouth and anticipates an additional award of \$17,000 and wishes to amend the 2020 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Village of Loch Arbour, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$25,060.

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with
Appropriations:

County of Monmouth- Coronavirus Relief Fund Program	\$ 25,060.00
--	--------------

BE IT FURTHER RESOLVED that the like sum of.....	\$ 25,060.00
--	--------------

be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-Set by
Revenues:

County of Monmouth- Coronavirus Relief Fund Program	\$ 25,060.00
--	--------------

BE IT FURTHER RESOLVED, that the Village Clerk electronically file a certified copy of this resolution to the Director of Local Government Services for approval.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

D. Resolution 2020-13: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following Resolution be adopted:

WHEREAS, the Village Clerk, in consultation with Beach Manager, has recommended the following personnel for seasonal employment at the Village Beach Club for the summer season of 2020, as needed position; and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Village of Loch Arbour, as follows:

1. The following persons are appointed for employment at the Village Beach Club, Loch Arbour, for the summer season of 2020:

There being no further business, and UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the meeting be finally adjourned at 7:40 p.m.

Marilyn Simons, RMC
Village Clerk