

**VILLAGE OF LOCH ARBOUR
MINUTES
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

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Meeting ID/PIN: 987 185 6747#

ON DECEMBER 2, 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, Commissioner D'Angelo, Mayor Fernicola.

Also present was William Healey, Esq, 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 13, 2020 and October 26, 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.

Mayor Fernicola announced the continuation of the discussion regarding Plantings around Deal Lake will be heard at the January 6, 2021 Meeting. Mr. Kassin needs more time to put the plans together.

Resolution 2020-28: UPON MOTION of Commissioner Cheswick, seconded by Commissioner D'Angelo, carried the following Resolution be adopted:

WHEREAS, certain 2020 appropriations require additional funds to cover anticipated expenditures through December 31, 2020; and,

WHEREAS, certain other 2020 appropriations 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 during the last two months of the current 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:

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

ACCOUNT	TRANSFER FROM APPROPRIATION (Inside CAPS)	AMOUNT	TOTAL
0-01-20-120-030	Administration, OE	\$4,000.	
0-01-20-130-030	Financial Admin, OE	\$4,000.	
0-01-20-145-030	Tax, OE	<u>\$4,000.</u>	
	TOTAL		\$12,000.00
	TOTAL TRANSFERS TO APPROPRIATION (Inside CAPS)		
	TRANSFER TO APPROPRIATION (Inside CAPS)		
0-01-28-380-030	Beach, OE	\$12,000.	
	TOTAL		\$12,000.00

Recorded Vote:

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

Nays: None

Absent: None

PAYMENT OF BILLS

UPON MOTION of Mayor Fernicola, seconded by Commissioner D'Angelo, carried, the payment of bills totaling \$16,406.58 for the month of, December, 2020 be and the same is hereby approved as presented.

Recorded Vote:

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

Nays: None

Absent: None

UPON MOTION of Commissioner Cheswick, seconded by Commissioner D'Angelo, carried the payment to the Loch Arbour Board of Education in the amount of \$41,662.00 for the month of December, 2020 be and the same is hereby approved as presented.

Recorded Vote:
Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

MINUTES

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

- Minutes of the Regular Meeting and Executive Session held on November 4, 2020.

Recorded Vote:
Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

REPORTS/CORRESPONDENCE

UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried, the following reports for the period ending November 30, 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;
- State of New Jersey, Department of Transportation letter informing Loch Arbour has been selected to receive funding from NJDOT fiscal year 2021 for Euclid Avenue, Phase V in the amount of \$150,000.

Recorded Vote:
Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

OLD BUSINESS –

A. Resolution 2020-21: UPON MOTION of Commissioner Cheswick, no one seconded the Motion. This Resolution died on the table.

OPPOSING ALL MAIL-IN BALLOT ELECTIONS

NEW BUSINESS –

Resolution 2020-29: UPON MOTION, Mayor Fernicola, seconded by Commissioner D' Angelo, carried, that the following Resolution be adopted:

WHEREAS, the Chief Finance Officer has informed the Commissioners of the need to cancel grant appropriations prior to year-end, and

WHEREAS, the following grants are complete and the appropriation balances no longer needed to be maintained on the books and records of the Village of Loch Arbour, and,

WHEREAS, the Chief Finance Officer recommends that the following adjustments to the books and records of the Village be made.

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Village of Loch Arbour, that the adjustments, appearing below, being a permanent part hereto, are hereby made.

CANCELLING GRANTS

NAME OF GRANT	APPROPRIATION	RECEIVABLE	CANCEL TO OPERATIONS
Stormwater Management		-1,510.00	1,510.00
DMV Inspection	528.00		528.00
TOTAL	528.00	1,510.00	982.00

Recorded Vote:
Ayes: Commissioner Cheswick, Commissioner D' Angelo, Mayor Fernicola
Nays: None Absent: None

Resolution 2020-30: UPON MOTION of Commissioner Cheswick seconded by Commissioner D' Angelo carried that the following Resolution be adopted:

WHEREAS, the Finance Officer has informed the Village Commissioners of the need for formal approval of the process for the cancellation of outstanding checks; and,

WHEREAS, all the situations that may arise for which checks may be left outstanding, for periods in excess of six months, are as follows;

Check#	Amount
232	\$25.00 (Trust Account)
6525	\$55.00 (General Account)
6635	\$55.00 (General Account)

WHEREAS, the Finance Officer has the appropriate professional knowledge to determine where the proceeds from such cancelled checks should be placed.

NOW THEREFORE BE IT RESOLVED, by the Commissioners of the Village of Loch Arbour, that the Finance Officer is hereby authorized to cancel checks, written against the Village and outstanding for a period in excess of six (6) months, to Surplus or such other account as deemed appropriate.

Recorded Vote:

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

Nays: None Absent: None

Resolution 2020-31: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following Ordinance by TABLED.

AUTHORIZE CONSTRUCT NEW LOCKERS TO BE RENTED AT THE VILLAGE BEACH
FOR THE 2021 BEACH SEASON

Recorded Vote:

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

Nays: None Absent: None

UPDATES/DISCUSSION

**A, Next Scheduled Monthly Meeting (Reorganization/Regular Meeting) –
Wednesday, January 6, 2021 at 6:30 pm.**

B. Discuss Plantings around Deal Lake on Edgemont Drive. Mayor Fernicola stated this matter will be TABLED for tonight. Mr. Kassin will be submitting plans to the Village in the next couple of weeks. This matter will be listed on the January 6, 2021 Agenda for discussion.

D. Village Website – is live. Please go and visit the new Village Website at www.locharbour.nj.us.

PUBLIC HEARING

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

An email was received by Gail Tawil, Edgemont Drive, regarding the plantings on Edgemont Drive. The letter was read into the record by the Village Clerk. Ms. Tawil is opposed to the plantings on Edgemont Drive and would like the maiden grass removed immediately.

An email was received by Freda Braha, Edgemont Drive, regarding the plantings on Edgemont Drive. The letter was read into the record by the Mayor. Ms. Braha is opposed to the plantings on Edgemont Drive, and would like the maiden grass removed immediately.

Melanie Nowlin, Edgemont Drive, is opposed to the plantings on Edgemont Drive. Ms. Nowlin also spoke about the hedges, that mimic a fence around the perimeter of a property in Loch Arbour. She stated she is opposed to the height of the hedges. Ms. Nowlin also reminded all Village residents to leash their dogs.

Sam Shamie, Euclid Avenue, suggested that a mass email should be sent to all residents regarding leaving a porch light on to deter criminal activity. Mayor Fernicola advised the Clerk to send out a mass email. Mayor Fernicola stated The Village is looking into purchasing a sign that flashes the speed of the car, to deter speeding on Euclid Avenue, near Mr. Shamie's property.

Remo Maisto, Elberon Avenue, commented about the Ocean view from his home is obstructed.

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

Recorded Vote:

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

Nays: None Absent: None

UPON MOTION of, Mayor Fernicola, seconded by Commissioner Cheswick, carried, that the following **Resolution** be and the same is hereby adopted:

WHEREAS, Section 8 of the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq., permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of and actions upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Discuss Attorney client privileged information regarding litigation, Pavilion Beach Lease and Operations. The Mayor and Commissioners reserve the right to take official Action will be taken after the Executive Session.
3. It is anticipated at this time that the above stated subject matter will be made public within 120 days.
4. This resolution shall be effective immediately.

Recorded Vote:

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

Nays: None

Absent: None

Resolution 2020-32: UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried, that the following resolution be adopted:

WHEREAS, the Lease to operate the James V. Kiely Pavilion at the Village Beach has expired and must be rebid; and,

WHEREAS, the Lease was rebid and proposals were to be received on November 24, 2020, with no proposals being received on said date;

WHEREAS, the Board of Commissioners reviewed and hereby modified the bid specs as follows:

- The minimum bid for 2021 that will be considered by the Village is \$13,000.
- The minimum bid for 2022 that will be considered by the Village is no less than the 2021 rent plus 10%.
- The minimum bid for 2023 (option year) that will be considered by the Village is no less than 2022 rent plus 10%
- #10.g of the prior bid, the language regarding the reimbursement to the Village for the bathroom cleaning supplies is hereby omitted.
- #18 of the prior bid, the language regarding the reimbursement to the Village for refuse and recycling disposal is hereby omitted.
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NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the proposed bid specifications and documents be approved as modified.

BE IT FURTHER RESOLVED that the said specifications will be available to bidders pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.

Recorded Vote:

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

Nays: None

Absent: None

There being no further business, and UPON MOTION of Commissioner D'Angelo, seconded by Commissioner Cheswick, carried that the meeting be finally adjourned at 7:35 p.m.

Marilyn Simons, RMC
Village Clerk