

VILLAGE OF LOCH ARBOUR
MINUTES ~REGULAR MEETING
JANUARY 6, 2016

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, ON WEDNESDAY, JANUARY 6, 2016, CALLED TO ORDER IMMEDIATELY FOLLOWING THE CONCLUSION OF THE BOARD OF COMMISSIONERS REORGANIZATION MEETING.

Present were Commissioner Cheswick and Mayor Fernicola. Commissioner D' Angelo was absent.

Also present were Marilyn Simons, Village Clerk and Daniel Mason, Deputy Village Clerk.

MINUTES

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, that

- Minutes of the Regular Meeting on November 4, 2015.
- Minutes of the Special Meeting on November 19, 2015.
- Minutes of the Regular Meeting on December 2, 2015.

Be and the same is hereby approved as presented.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

REPORTS

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, that the following Reports for the period ending December 31, 2015 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 2015
- Borough of Deal Police Dept. Monthly Incident Report
- Report from Rudolph J. Corona, Sewer Maintenance

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

CORRESPONDENCE

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

- Letter dated December 17, 2015 from Guy P. Ryan, Esq., resigning as Village Attorney due to his appointment by Governor Christopher Christie as a Judge of the Superior Court of New Jersey.
- Visiting Nurse Association of New Jersey, public health nursing contract renewal at \$220.00 for 2016;
- Cross Over Networks, network support contract renewal, \$2,520.00 for 2016;
- Associated Humane Societies, animal control contract renewal, \$720.00 for 2016;
- Asbury Park Window Cleaning Co., Janitorial Service 2016 (increased \$15.00 per month \$160.00 per month)
- Sharp Elevator Company Inc., elevator preventative maintenance, \$1,464.00 for 2016;
- Casa Payroll, payroll services agreement for 2016;
- Monmouth Regional Health Commission No. 1, agenda and various reports/correspondence.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fericola

Nays: None

Absent: Commissioner D' Angelo

NEW BUSINESS

UPON MOTION of Mayor Fericola, seconded by Commissioner Cheswick, carried, that Resolution 2016-30 and Resolution 2016-40 be tabled for further consideration and discussion.

Ayes: Commissioner Cheswick, Mayor Fericola

Nays: None

Absent: Commissioner D' Angelo

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.

Regular Meeting

January 6, 2016

continued

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fericola, carried, that the following resolutions be adopted:

B. Resolution 2016-31:

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 2016 Temporary Appropriations of the Village and provision will be made this contract in the finally adopted 2016 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 2016 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.

C. Resolution 2016-32

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 Monmouth 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, 2015 and wishes to renew this contract; and,

WHEREAS, funds are available in the Village's 2016 Temporary Budget and will be appropriated in the Village's finally adopted 2016 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, 2016 through December 31, 2016, 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.

D. Resolution 2016-33:

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 2016 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2016 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 2016 network support and maintenance services at the annual cost of \$2,520.00.

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.

E. Resolution 2016-34:

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, 2015; and,

WHEREAS, funds are available in the Village's 2016 Temporary Budget and will be appropriated in the Village's finally adopted 2016 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, 2016 through December 31, 2016, 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.

F. Resolution 2016-35:

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.

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WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the 2016 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2016 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 2016 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.

G. Resolution 2016-36:

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 2016 Temporary Appropriations of the Village and provision will be made for this contract in the finally adopted 2016 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 2016 payroll processing services at the annual cost as per the 2016 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.

H. Resolution 2016-37:

WHEREAS, the Jersey Shore Running Club has requested permission to use Village streets for the RunAPalooza road race to Benefit Special Olympics to be held on Saturday, April 16, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to the Jersey Shore Running Club to use Village streets for the RunAPalooza road race to Benefit Special Olympics to be held on Saturday, April 16, 2016, 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 March 15, 2016 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 runners and pedestrians.
4. Traffic control devices, i.e., cones or barricades, must be supplied by the Jersey Shore Running Club to be set-up and removed as necessary by personnel supplied by the Jersey Shore Running Club;
5. Execution of the required Hold Harmless Agreement.

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

1. Jersey Shore Running Club;
2. Chief Ronen Neuman, Borough of Deal Police Department

I. Resolution 2016-38:

WHEREAS, Split Second Racing has requested permission to use Village streets for the 2nd Annual Jersey Shore Triathlon to be held on Sunday, June 19, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to Split Second Racing to use Village streets for the 2nd Annual Jersey Shore Triathlon to be held on Sunday, June 19, 2016, 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 May 15, 2016 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 Split Second Racing to be set-up and removed as necessary by personnel supplied by Split Second Racing;
5. Execution of the required Hold Harmless Agreement.

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

1. Split Second Racing;
2. Chief Ronen Neuman, Borough of Deal Police Department

J. Resolution 2016-39:

WHEREAS, Life Time Media and Events has requested permission to use Village streets for the 20th Annual New Jersey Marathon road race to be held on Sunday, May 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that permission is granted to Life Time Media and Events to use Village streets for the 20th Annual New Jersey Marathon road race to be held on Sunday, May 1, 2016, 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 April 1, 2016 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 runners and pedestrians.

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4. Traffic control devices, i.e., cones or barricades, must be supplied by Life Time Media and Events to be set-up and removed as necessary by personnel supplied by Life Time Media and Events;
5. Execution of the required Hold Harmless Agreement.

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

1. Life Time Media and Events;
2. Chief Ronen Neuman, Borough of Deal Police Department

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

K. Resolution 2016-40:

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, that the following resolution be adopted:

WHEREAS, the Village of Loch Arbour was awarded a Transportation Trust Fund Grant in the amount of \$160,000 for the project known as Improvements to Euclid Avenue, Phase II; and,

WHEREAS, the Village has appropriated additional funds for the project with the adoption of Bond Ordinance No. 2014-399 on April 2, 2014; and,

WHEREAS, the Village of Loch Arbour was awarded a Transportation Trust Fund Grant in the amount of \$96,000 for the project known as Improvements to Euclid Avenue, Phase III; and,

WHEREAS, the Village has appropriated additional funds for the project with the adoption of Capital Ordinance No. 2015-418 on December 2, 2015; and

WHEREAS, bids were received on December 17, 2015 pursuant to the Notice to Bidders advertised on December 3, 2015 from the following vendors:

Bidder	Bid		
	Phase II	Phase III	Total
Precise Construction, Freehold, New Jersey	\$139,175.	\$123,075.	\$262,250.
Fernandes Construction, Inc., South River, NJ	\$154,970.	\$128,905.	\$283,875.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the contract for the Improvements to Euclid Avenue, Phase II and Phase III is hereby awarded to Precise Construction in the amount of \$262,250., as recommended by Village Engineer Peter R. Avakian, subject to the approval of the Commissioner, State Department of Transportation.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to:

1. Precise Construction, Freehold, New Jersey
2. Peter Avakian, Village Engineer

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Mayor Fernicola

REPORTS/DISCUSSION

A. **School Tax Issues** ~ Mayor Fernicola stated a letter was sent to all Property Owners in the Village. Explaining the Village has formally petitioned the Monmouth County Executive Superintendent of Schools to allow Loch Arbour students currently enrolled in the Ocean Township School District to attend the West Long Branch Grammar School or Shore Regional High School.

B. **Village of Loch Arbour Special Election** ~ will be held on May 10, 2016 to elect three Commissioners to serve as the new governing body through May of 2020. Interested parties may receive a Candidate Package from the Village Clerk's office starting on February 16, 2016.

C. **Village Beach Club:** Season Badge Applications for residents will be mailed with the Village Tidings in January.

PUBLIC HEARING

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

Louis Parisi, Evergreen Avenue, thanked the Mayor, Commissioners and the Village Staff for all of their efforts regarding the school tax issues. Mr. Parisi also wished everyone a Blessed and Prosperous New Year.

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

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

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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, contract negotiations and anticipated or threatened litigation and attorney client privileged information school funding and taxation issues and personnel issues. The Board reserves the right to take action 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, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

Resolution 2016-30: UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, that the following resolution 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, 2016 through December 31, 2016, inclusive:

Assessor of Taxes	3,507.00
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 her information and action.

Recorded Vote:

Ayes: Commissioner Cheswick, Mayor Fernicola

Nays: None

Absent: Commissioner D' Angelo

There being no further business, and UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, carried, that the meeting be finally adjourned at 8:36 PM.

Marilyn Simons, RMC
Village Clerk

