

Section 1. Section 704(D) of Article 7, is amended to read as follows:

Building Height: For all permissible uses, the maximum building height shall be 42 feet, measured from the top of the street curb at a distance of no closer than 64 feet from the front property line. The maximum height shall be 28 feet measured from the top of the street curb at a distance of no closer than 50 feet from the front property line. For each additional foot beyond 50 feet from the front property line, the maximum building height may be increased by one foot above 28 feet, not to exceed a maximum height of 42 feet from the top of the street curb. Architectural features, such as dormers and copula's not to exceed 25% of the width of the house, shall be exempt from this rule, but may not exceed 42 feet from the top of the street curb.

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that said Ordinance #2018-441 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing for the next scheduled Commissioners Meeting on July 9, 2018.

Recorded Vote:

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

Nays: None

Absent: None

D. Ordinance 2018-442 – introduction

The Mayor read the Ordinance by Title:

AN ORDINANCE TO AMEND ORDINANCE NO. 156, AMENDING AND SUPPLEMENTING LIMITATIONS REGARDING ROOF TOP DECKS FOR THE VILLAGE OF LOCH ARBOUR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth and the State of New Jersey, that the Ordinance referred to in the title hereof is amended and supplemented as follows:

Section 1. Section 302 of Article 3 is hereby amended to include the following definitions:

Balcony

A platform on the outside of a building enclosed by balustrades projecting from the wall of a building above the ground floor below the height of the roof of the principal structure.

Deck

A raised platform that is 24" or greater than the ground elevation below the height of the roof of the principal structure, with or without railings. The deck platform may have a roof projecting out from the entrance in the rear yard only and should comply with the principal building setback requirements.

Patio

A paved outdoor platform at ground elevation.

Porch

A veranda or raised level platform below the height of the roof to the principal structure with open sides, with or without a roof projecting out from a main exterior wall or a building and used as an entranceway and/or for sitting or lounging out-of-doors. Porches shall be located in the front yard and may wrap around to a side yard and comply with the front and side yard setback requirements of the principal building.

Roof Top Decks

A flat portion of the roof or extending from any portion of the roof used for walk, or terrace, or seating.

Section 2. Section 704 of Article 7, is hereby amended to include the following:

F. Roof Top Decks

No roof top decks are permitted.

Section 3. Section 705 of Article 7, is hereby amended to include the following:

I. Roof Top Decks

No roof top decks are permitted.

Section 4. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner Cheswick, carried that said Ordinance #2018-442 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing for the next scheduled Commissioners Meeting on July 9, 2018.

Recorded Vote:

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

Nays: None

Absent: None

E. Ordinance 2018-443 – introduction

The Mayor read the Ordinance by Title:

AN ORDINANCE TO AMEND ORDINANCE NO. 156, AMENDING THE LIMITATIONS OF SIDE YARDS IN RESIDENTIAL DISTRICTS FOR THE VILLAGE OF LOCH ARBOUR, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth and the State of New Jersey, that the Ordinance referred to in the title hereof is amended and supplemented as follows:

Section 1. Section 704(E)(4) of Article 7, is hereby amended as follows:

4. Side Yards — the greater of 5 feet per side or 10% of the lot width per side

Section 2. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

Section 3. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that said Ordinance #2018-443 be adopted on first reading, directing the Clerk to post and publish as required by law and setting the date for the public hearing for the next scheduled Commissioners Meeting on July 9, 2018.

Recorded Vote:

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

ABC License Renewals:

Resolution 2018-69: UPON MOTION of Mayor Fernicola seconded by Commissioner D' Angelo, carried that the following Resolution be tabled at this time.

Recorded Vote:

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

Resolution 2018-70: UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the following Resolution be tabled at this time.

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 a Special Meeting be held on June 18, 2018 at 6:30 p.m. Official action will be taken, including Liquor License Renewals and any and all other matters brought before the Mayor and Commissioners.

Recorded Vote:

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

Resolution 2018-71: UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the following Resolution be adopted:

WHEREAS, the Village Clerk, in consultation with Beach Manager Matthew Hoyle, has recommended the following personnel for seasonal employment at the Village Beach Club for the summer season of 2018; 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 2018:

| NAME | TITLE | SALARY PER HOUR | HOURS PER WEEK |
|---------------|-----------|-----------------|----------------|
| Grace McCrone | Lifeguard | 11.00 | 48 hours |

BE IT FURTHER RESOLVED that the weekly scheduled hours for any employee may be changed at the Beach Manager's discretion based upon the staffing.

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

Recorded Vote:

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

Resolution 2018-72: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the following resolution be TABLED until the next regular scheduled Commissioners Meeting.

Recorded Vote:

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

Resolution 2018-73: UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried, that the following resolution be adopted:

WHEREAS, the streets and roads of the Village require striping of crosswalks, stop bars, intersections and striping on Ocean Avenue in an effort to ensure the safety of pedestrians; and

WHEREAS, the Village Engineer in conjunction with the Village Clerk contacted three vendors who provide this service pursuant to the Local Purchasing laws (N.J.S.A. 40A:11-1, et seq.) and received the following quotes:

| VENDOR | AMOUNT |
|-----------------------------|----------|
| Straight Edge Striping, LLC | \$5,726. |
| Traffic Lines, Inc. | \$7,285. |
| Alert Traffic Lines. | No quote |

WHEREAS, the cost of the curb painting has been omitted from the original quote,

WHEREAS, funds are available for this project in the Road Maintenance appropriation 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 quotation of Straight Edge Striping, LLC in the amount of \$5,726.00 be and the same is hereby accepted.

BE IT FURTHER RESOLVED that the Village Clerk shall coordinate all work necessary with the successful vendor.

Recorded Vote:

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

REPORTS/DISCUSSION

- A. **School Tax Issue** – Mayor Fernicola no update at this time.
- B. **Summer Monthly Meetings** - Monday, July 9, 2018
Wednesday August 1, 2018
Wednesday September 5, 2018
- C. **Annual Village-Wide Yard Sale** - UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, carried that the Annual Village-Wide Yard Sale is scheduled for Saturday, July 21, 2018 and Sunday, July 22, 2018.

Recorded Vote:

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

- D. **Deal Lake Commission** – Ms. Dolan, Deal Lake Representative was present at the meeting. Mayor Fernicola suggested the Deal Police be trained to operate the flume. Ms. Dolan asked the Mayor to consider nominating an Alternate Representative for the Deal Lake Commission. Ms. Dolan reported the electrification of the flume is scheduled to be installed over the summer, 2018.

PUBLIC HEARING

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

Michael Goodman, Elberon Avenue, spoke about the pending Ordinances.

Michael Goodman, Elberon Avenue, spoke about his pending lawsuit against the Village of Loch Arbour.

There being further comments, and UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo, 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:

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, litigation and attorney client privileged information regarding school funding and taxation issues as well as personnel matters. Official action will not 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

There being no further business, and UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried that the meeting be finally adjourned at 7:50 p.m.

Marilyn Simons, RMC
Village of Loch Arbour