

Section 2. If any part or parts of this Ordinance is for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

Section 3. All Ordinances or parts of Ordinances which are inconsistent are repealed, but only to the extent of such inconsistency.

Section 4. This Ordinance shall become effective twenty days after its final passage and publication as required by law.

UPON MOTION, of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried that said Ordinance #2017-428 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 June 7, 2017.

Recorded Vote:

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

Ordinance 2017-429 – introduction

The Mayor read the Ordinance by Title:

**ORDINANCE 2017-429
A CAPITAL ORDINANCE TO TRANSFER \$40,000 FROM
THE CAPITAL IMPROVEMENT FUND**

BE IT ORDAINED, by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth and State of New Jersey, as follows:

WHEREAS, these are funds available in the Capital Improvement Fund;

NOW THEREFORE BE IT RESOLVED, that the following Capital Projects be appropriated by ordinance.

Legal	<u>\$ 40,000</u>
	<u>\$ 40,000</u>

BE IT FURTHER RESOLVED, that the above appropriations be funded entirely from funds available in the General Improvement Fund.

This Ordinance shall become effective twenty days after its final passage and publication as required by law.

UPON MOTION, of Mayor Fernicola, seconded by Commissioner Cheswick, carried that said Ordinance #2017-429 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 June 7, 2017.

Recorded Vote:

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

Resolution 2017-56: UPON MOTION of Commissioner D' Angelo, seconded by Commissioner Cheswick, carried the following resolution be adopted:

WHEREAS, N.J.S. 40:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and,

WHEREAS, the Village of Loch Arbour and the Borough of Deal wish to enter into an agreement whereby the Borough of Deal will provide Beach Cleaning Services to the Village of Loch Arbour effective for the 2017-2021 Beach Seasons.

WHEREAS, the Board of Commissioners has duly considered the foregoing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the Mayor of the Board of Commissioners and Acting Clerk of the Village of Loch Arbour be the same are hereby authorized to execute and deliver an agreement with the Borough of Deal for a Beach Cleaning Agreement for the 2017-2021 Beach Seasons, which agreement is on file in the office of the Village Clerk at the Village of Loch Arbour Municipal Building, 550 Main Street, and available for public inspection during regular business hours.

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

Stephen Carasia, Borough Clerk-Administrator, Borough of Deal
Michael Mariniello, Acting CFO, Village of Loch Arbour

Recorded Vote:

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

Resolution 2017-57: UPON MOTION of Mayor Fernicola, seconded by Commissioner Cheswick, carried the following Resolution is adopted:

BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that, for the protection of the general public and for the purpose of controlling the public municipal beach of the Village of Loch Arbour, known and designated as "Village Beach Club, Loch Arbour" said beach shall be closed on the following dates to all persons who have not paid certain fees in accordance with Beach ordinances of the Village of Loch Arbor:

May 27, 28 and 29. June 3, 4, 10, 11 and everyday thereafter commencing June 17 and ending September 4, 2017, inclusive, between the hours of 9:00 AM and 6:00 PM.

BE IT FURTHER RESOLVED that no person or persons shall be permitted on said beach during the periods hereinabove set forth except after registering and upon payment of certain fees as provided in the Beach Ordinances of the Village of Loch Arbour.

Recorded Vote:

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

Resolution 2017-58: UPON MOTION of Mayor Fernicola, seconded by Commissioner D' Angelo carried the following Resolution be adopted:

BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that, pursuant to Article 1, Section 2 of Village Ordinance No. 207, the bathing areas for the 2017 season of the Village Beach Club, Loch Arbour, to wit: May 27, 28 and 29. June 3, 4, 10, 11 and thereafter commencing June 17 and ending September 4, 2017, inclusive, between the hours of 9:00 AM and 6:00 PM.

"The main bathing area of the beachfront shall be between the area beginning approximately ten feet north of the old wooden groin located at the end of Euclid Ave, and ending approximately ten feet south of the small jetty at the end of Elberon Ave. These areas will be marked with a line drop and buoys marking the perimeter of the designated bathing area. The South Beach bathing area shall be located approximately ten feet south of the old wooden groin located at the end of Euclid Ave and extend to approximately ten feet north of the new Loch Arbour/Kassin Beach border. The northern perimeter of this bathing area shall be marked with a rope drop and buoys. The southern perimeter will be marked with either a rope drop and buoys or flag. Bathing and/or the use of floatable recreational devices shall be permitted in these areas only at the discretion of the beach manager, based upon weather, ocean and crowd conditions."

Recorded Vote:

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

Resolution 2017-59: UPON MOTION of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried the following Resolution is adopted:

WHEREAS, the Village Clerk, in consultation with Beach Manager, John Bosmans, has recommended the following personnel for seasonal employment at the Village Beach Club commencing May 27, 2017 for the summer season of 2017; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour that the following persons are appointed for employment at the Village Beach Club, Loch Arbour, commencing May 27, 2017 for the summer season of 2017:

John Bosmans	Beach Manager	17,340.00	PER YEAR
NAME	TITLE	SALARY PER HOUR	HOURS PER WEEK
Jeff Siciliano	Head Guard	13.53	48 hours
Dillon Henrichsen	Deputy Head Guard	12.48	48 hours
Deandra Henry	Guard	9.02	48 hours
Sarah Nichols	Guard	9.02	48 hours
Joey Appio	Guard	8.67	48 hours
Sydney Stout	Guard	8.67	40 hours
Stephen Hagerman	Guard	8.67	40 hours
Frank Henry	Guard	10.07	Part Time - as needed
Cole Mehr	Guard	9.55	Part Time - as needed
Todd Ganghamer	Guard	10.40	Part Time - as needed
Christopher Nagy	Head Gateperson	14.57	48 hours
Michael Nagy	Gateperson	11.96	48 hours
Crosby Surmonte	Gateperson	9.28	48 hours

Abigail Collins	Gateperson	8.72	40 hours
Liam Gleason	Gateperson	8.72	40 hours
Allie Collins	Gateperson	8.55	40 hours
Ben Appio	Gateperson	8.55	40 hours
Sofia Escandon	Gateperson	8.55	40 hours
Brian Fischer	Gatesperson	8.38	40 hours
John Paul Fernicola	Gatesperson	8.38	Part Time – as needed

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

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
 Nays: None Abstain: Mayor Fernicola Absent: None

REPORTS/DISCUSSION

A. Tax Issue/Board of Education – Mayor Fernicola explained to the public the timeline regarding the creation of the New Loch Arbour Board of Education. Mayor Fernicola summarized the Ocean Township Board of Education Meeting he attended.

B. Update of Improvements to Euclid Avenue, Phase II and Phase III – Dan Mason inspected the work done by Precise Construction. The Village Engineer's office and Precise Construction did a great job color matching the cement for the project. Dan Mason reported the joint seal will be completed in the next couple of weeks.

C. Village of Loch Arbour Beach – Official opening May 27, 2017, weekends only through June 17; beginning June 17 open daily through Labor Day, September 4, 2017.

D. Memorial Day Ceremony – Saturday, May 27, 2017 at 10:30 a.m. at the entrance of the Village Beach Club.

PUBLIC COMMENTS

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

Mrs. Gassaro, Ocean Place, thanked the Mayor and Commissioners for all their hard work and dedication regarding the tax issue in the Village.

There being no other 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 D' Angelo, 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 and anticipated or threatened litigation and attorney client privileged information regarding school funding and taxation issues. 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 D' Angelo, carried that the meeting be finally adjourned at 7:25 p.m.

Marilyn Simons, RMC
 Village of Loch Arbour

