

**VILLAGE OF LOCH ARBOUR
MINUTES – SPECIAL MEETING
JANUARY 20, 2017**

THE SPECIAL 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, LOCH ARBOUR, NEW JERSEY ON JANUARY 20, 2017, CALLED TO ORDER AT 5:30 P.M. BY MAYOR PAUL V. FERNICOLA.

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

Also present were William H. Healey, Esq., Village Attorney, Marilyn Simons, Village Clerk and Dan Mason, Deputy Clerk.

The 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 Special Meeting to the Village's two official newspapers on January 18, 2017, posting the notice on the office bulletin board on the same date and filing a copy of the notice in the Clerk's office.

New Business:

A. Resolution 2017-39: Upon Motion of Commissioner D' Angelo, seconded by Commissioner Cheswick, carried the following resolution be adopted:

WHEREAS, the Board of Commissioners of the Village of Loch Arbour determined at a public meeting held on January 20, 2017, that the attached Referendum Question and Interpretive Statement should be placed on a Special Election ballot on April 4, 2017 as a binding Referendum Question to determine the sentiment of the voters concerning whether the Village of Loch Arbour should withdraw from the Ocean Township School District and form a separate school district which would enter into send/receive relationships with the West Long Branch School District for grades K-8 and the Shore Regional School District for high school.

WHEREAS, on December 22, 2016, the New Jersey Department of Education granted the Village of Loch Arbour's Petition to seek voter approval to withdraw from the Ocean Township School District.

WHEREAS, a "Yes" vote means the Village of Loch Arbour will form a separate, non-operating school district and enter into send-receive relationships with West Long Branch and Shore Regional school districts. Loch Arbour students will attend West Long Branch public schools for grades K through 8 and Shore Regional High School for high school.

WHEREAS, currently, the Village of Loch Arbour school taxes are based on assessed property values apportioned between Loch Arbour and Ocean Township. Under the send-receive relationships with the West Long Branch and Shore Regional school districts, the Village of Loch Arbour's school tax levy will be based on the annual per-student costs, and not based upon assessed property values.

WHEREAS, the following Referendum Question would be placed on a Special Election ballot on April 4, 2017: "Should the Village of Loch Arbour withdraw from the Ocean Township School District and form a separate school district which would enter into send-receive relationships with the West Long Branch School District for grades K-8 and Shore Regional School District for high school?"

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Loch Arbour, Monmouth County, New Jersey, on this 20th day of January 2017, as follows:

1. The Village Clerk of the Village of Loch Arbour is authorized and directed to forward a certified copy of this Resolution and the attached Referendum Question and Interpretive Statement to the County Clerk and the Board of Elections of the County of Monmouth.
2. The Board of Commissioners of the Village of Loch Arbour requests that the County Clerk and the Board of Elections of the County of Monmouth, and the make all necessary arrangements to place said binding Referendum Question and Interpretive Statement on the Special Election ballot on April 4, 2017.

Recorded Vote:

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

Nays: None

Absent: None

Public Comments:

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

There being no public present, 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:

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 litigation and attorney client privileged information, school funding and taxation issues. No Official Action will be taken upon returning from 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 6:45 p.m.

Marilyn Simons, RMC
Village Clerk

