

VILLAGE OF LOCH ARBOUR  
MINUTES ~ SPECIAL MEETING

APRIL 14, 2016

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 APRIL 14, 2016, 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 Village Clerk, Marilyn Simons and Deputy Clerk, Dan Mason.

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 April 11, 2016 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. Ordinance #2016-421 ~ introduction

The Mayor read the Ordinance by Title.

Ordinance #2016-421

**AN ORDINANCE TO EXCEED THE CALENDAR YEAR 2016  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND  
TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45.14)**

**BE IT ORDAINED** by the Board of Commissioners of the Village of Loch Arbour as follows:

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Village of Loch Arbour in the County of Monmouth finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 3.5% increase in the budget for the said year, amounting to \$26,014.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Loch Arbour, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Village of Loch Arbour shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$26,014.07 and that the CY 2016 municipal budget for the Village of Loch Arbour be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

UPON MOTION, of Commissioner Cheswick, seconded by Commissioner D' Angelo, carried that said Ordinance #2016-421 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 1, 2016.

*Recorded Vote:*

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

*Nays: None*

*Absent: None*

Resolution 2016-55: UPON MOTION 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 the attached statements of revenues and appropriations shall constitute the Municipal Budget for the year 2016.

BE IT FURTHER RESOLVED that A Summary of the Budget be published in *The Coaster* in the issue of April 21, 2016.

BE IT FURTHER RESOLVED that a hearing on the Budget and Tax Resolution will be held at the Loch Arbour Municipal Building 550 Main Street, Loch Arbour, New Jersey on June 1, 2016 at 6:30 p.m.

*Recorded Vote:*

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

*Nays: None*

*Absent: None*

**PUBLIC HEARING:**

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

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

UPON MOTION of Commissioner Cheswick, seconded by Mayor Fernicola, 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:

