

VILLAGE OF LOCH ARBOUR

550 MAIN STREET
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BOARD OF COMMISSIONERS
PAUL V. FERNICOLA, MAYOR
ALFRED J. CHESWICK
DENIS D'ANGELO



February 23, 2016

Dear Resident and Taxpayer:

Please find attached a copy of a very important letter regarding the school property tax issue.

This letter was sent to the Monmouth County Superintendent of Schools expressing Loch Arbour's dissatisfaction with the delay tactics of the Ocean Township School District (OTSD), and insisting that a report be issued no later than 30 days from today. (As required by State Law)

You will recall that in November, we sent you a letter and a FAQ describing the VLA Plan to create our own School District. Upon approval from the State Commissioner of Education, we would set up a "send-receive" relationship with West Long Branch and Shore Regional High School to educate our students. After receiving the County Superintendent's report, the Commissioner of the NJ DOE will set up a review board comprised of 3 State Officials; this Board will have 60 days to review and approve. Upon State approval, just the voters of Loch Arbour will have an opportunity to approve this school district in a referendum to be held on November 8, 2016.

Our Petition, the CGR Financial Report and the FAQ are available on the Village Website. (www.locharbournj.us) We will continue to keep you informed of any progress in this matter, and we encourage you to email your comments or questions to us at clerk@locharbour.us.

Sincerely,



PAUL V. FERNICOLA, MAYOR



ALFRED CHESWICK, COMMISSIONER



DENIS D'ANGELO, COMMISSIONER

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February 22, 2016

Dr. Lester Richens
Monmouth County Executive Superintendent
of Schools
4000 Kozloski Road
Freehold, New Jersey 07728-1264

Re: Application of Village of Loch Arbour Pursuant to N.J.S.A. 18A:8-4

Dear Dr. Richens:

On November 24, 2015, pursuant to *N.J.S.A. 18A:8-5*, the Village of Loch Arbour ("VLA") submitted an Application and Financial, a Educational Impact Analysis prepared by CGR Group ("CGR Report"), to the Monmouth County Executive Superintendent of Schools ("Superintendent") to investigate and report on the feasibility of VLA withdrawing from the Ocean Township School District ("OTSD"), and establishing send-receive relationships with the West Long Branch School District for grades K-8 and the Shore Regional School District for grades 9-12.

The primary and overriding reason for the VLA's desire to withdraw from the OTSD is the crippling school taxes VLA currently pays to educate its sixteen (16) students enrolled in OTSD. In short, VLA pays approximately \$126,000 to educate a single student in the OTSD....an outrageous sum....when it can educate these same students in West Long Branch and Shore Regional for the more conventional sum of approximately \$16,000 per student. This situation can serve as the poster child for why senseless government action (or inaction) has lead to unaffordable property tax burdens on our citizens.

Both the West Long Branch School District and the Shore Regional School District have excess capacity, and both have said that they would welcome Loch Arbour students under a send-receive relationship based on their cost per pupil. So VLA, West Long Branch and Shore Regional ALL would benefit from this simple solution.

N.J.S.A. 18A:8-6 requires the Superintendent to issue a Report within 30 days of VLA's petition or no later than December 24, 2015 on the financial and educational consequences of Loch Arbour's requested separation from the OTSD. Issuance of your report is a precondition for Loch Arbour's Petition to the Commissioner to approve withdrawal under N.J.S.A. 18A:8-9. You have already granted the Ocean Township Board of Education an additional 50 days beyond the statutory limit, until February 8, 2016, to respond to Loch Arbour's Application. The Board's response on February 5, 2016, did not include a Financial and Educational Impact Analysis. We are now informed that you intend to allow the Board yet more time to submit one. However, you have not informed Loch Arbour of how much additional time you intend to allow.

Loch Arbour strongly objects to any additional delay. The OTSD has not even claimed that it has made any efforts to date to engage a consultant and prepare a report. It has not said how much time it claims to need. At no time before February 5 did it inform you or Loch Arbour that it was trying to prepare an Impact Analysis or that it needed more time to do so. Indeed, the VLA report OTSD was responding to HAD a Financial and Educational Report attached to it. Had OTSD felt it necessary to submit such a report, they should have done so in the response they submitted. They certainly had ample time to do so given the generous response time you gave them. Yet they chose not to do so.

Without some showing that the Board has been trying to move forward expeditiously and in good faith, Loch Arbour can only regard its request for more time as a blatant delaying tactic to prolong Ocean Township's financial exploitation of Loch Arbour. The Board has been given more time to respond than the law allows, and it has not demonstrated that it needed more.

Nor is a Financial and Educational Impact Analysis from the Board even necessary for your Report. The report is not a binding document, but rather a preliminary step before consideration by the Commissioner and the Board of Review. Their consideration of the merits of Loch Arbour's Petition will be *de novo*, and the Board will have the opportunity to submit whatever materials it desires, including an Impact Analysis, to the Commissioner. Your report can be based on the parties' submissions to you to date, and any conclusion you reach can be tempered with the caution that the Board submitted an affidavit from its Business Administrator but did not submit an Impact Analysis.

Loch Arbour therefore requests that you issue your Report based on the parties' submissions as soon as it can be prepared. In the event that you disregard this request, Loch Arbour requests that you fix a deadline of no more than 30 days for the submission of any Impact Analysis by the Board and promptly inform Loch Arbour of that deadline.

Sincerely,



PAUL V. FERNICOLA, MAYOR



ALFRED CHESWICK, COMMISSIONER



DENIS D'ANGELO, COMMISSIONER