



LAKE COMO BOROUGH
1740 MAIN STREET
P.O. BOX 569
LAKE COMO, NJ 07719
(732) 681-3232
MINUTES

DATE: FEBRUARY 2, 2016
REGULAR MEETING IMMEDIATELY FOLLOWING WORKSHOP

MEETING CALLED TO ORDER

Mayor Wilton called the meeting to order at 7:30pm

SALUTE TO FLAG AND MOMENT OF SILENT PRAYER

SUNSHINE LAW

INTRODUCTION AS REQUIRED UNDER THE SUNSHINE LAW: ADEQUATE NOTICE OF THE MEETING HAS BEEN PROVIDED BY THE ADOPTION OF A RESOLUTION BY THE MAYOR AND COUNCIL ON THE FIFTH DAY OF JANUARY 2016 IN WHICH RESOLUTION THE TIME AND PLACE OF AGENDA AND REGULAR MEETINGS COMMENCING WITH JANUARY 5, 2016 WERE SET FORTH. NOTICE OF SAME WAS DELIVERED TO THE ASBURY PARK PRESS AND THE COAST STAR AND A COPY OF SAME IS POSTED ON THE BULLETIN BOARD IN THE BOROUGH HALL. ALL MEETINGS ARE OPEN TO THE PUBLIC.

ROLL CALL

Douglas Witte	Present
Kevin Higgins	Present
Virginia Kropac	Present
John Carvelli	Present
Hawley Scull	Present
Michael Noonan	Present

APPROVAL OF MINUTES

Councilman Higgins made a motion to approve the minutes from the January 19, 2016 Regular Meeting seconded by Councilman Carvelli, all are in favor.

COMMUNICATIONS

No communications on the agenda

REPORTS OF COMMITTEES

- Councilman Noonan reported that all matters are in order.
- Councilwoman Scull reported that February 17th at Mommy and Me from 9:00am until 11:00am there will be a presentation on the new car seat laws as well as inspections of car seats. Spaces for car seat inspection

are limited and to reserve a spot Councilwoman Scull asked that those interested email her to secure a spot. All other matters are in order.

- Councilman Carvelli reported that all matters are in order.
- Councilwoman Kropac reported that Lake Como Day has officially been moved from October to September 10th due to the inclement weather we have faced the last few years and the hope that summer residents will still be in town. Councilwoman Kropac reported that there are no new updates pertaining to CDBG and all other matters are in order
- Councilman Higgins reported the following:
Department of Public Works:

Snowstorm report: Four borough workers began working around the clock on 12 hour shifts beginning Friday night January 22nd and ending Sunday night where a total of 85 man hours were worked plowing, shoveling and snow blowing necessary areas. On Monday January 25th and additional 24 man-hours involving 3 workers were worked to continue clearing snow and ice. Belmar was able to Brine Main Street on Friday before the storm, but did not seem to have an effect on our streets for plowing. Of the four total plows that we have two broke during the storm and two were used on a continuous basis. As of Monday afternoon some spots were better than others but at the end of the day all roads were passable and essential services, such as fire, first aid and police were accessible to the public at all times. Also on Monday the 25th there were two water main breaks, one on 18th avenue and New Bedford Road, and the second at 17th avenue and Main Street. This occupied some time for our DPW staff on Monday and caused a majority of the town's water system to be shut down. On Monday the 25th we had an after action meeting with Brendan, Louise, Mayor Wilton and myself to determine any changes in procedure that needs to occur moving forward.

1. We have to determine if the Brining of Main St. is actually cost effective for our town. Brendan will be communicating with Belmar to determine the amount of Brine that is used in Lake Como and if there is any special training that our staff needs when plowing streets after brining. If we continue to use the services of Belmar, Brendan will stay in contact with Belmar's supervisor to better coordinate our plowing with their Brining of our streets.

2. We discussed the possibility of contracting a secondary plowing company to assist in the event of an extremely heavy snowfall like this past storm. There has been an ordinance in the past that is no longer in use, but since we have one less member of the DPW it is time to look into making that ordinance more effective. In addition we will be putting together a list for a "shovel brigade" where residence can get paid to shovel sidewalks, and other areas in the borough at an hourly wage and allow our DPW workers to concentrate on plowing. The generated list will give first priority to those residence that volunteer in town on such organizations as fire and first aid.

3. Continue to petition the county to retake responsibility for Main Street. Main Street used to be their responsibility but Lake Como gained control many years ago, therefore the county does not plow or salt 18th avenue and Main Street in our borough. I believe if we can change that it would save us time and money. I would also like to thank Freeholder Arnone and the workers from the county who came to our assistance during this last storm after two of our plows broke and the water mains ruptured. They were able to send over a truck or two to help plow and salt Main Street.

4. Other recommendation for the council to consider moving forward. In the past we have advertised to our residence that if they want to move off the street they could park their car at borough hall. I request that we no longer allow residence to park at borough hall during snow storms, it makes it very hard for our staff to plow the parking lot and in the time of an emergency this lot needs to be accessible to many borough employees. As an alternative we can advertise the parking lot at Behrman Park by the railroad tracks as an off-street parking alternative. In addition, we need to discuss the possibility of suspending the ability to park on Parkway during snowstorms so trucks can move up and down that street with ease. With cars parked on that street it is very hard to plow the East side of Parkway, creating a hazard for residents.

First Aid:

Captain Gene Sholtz reported from the period of 1/1/16 to 2/1/16 there were 12 calls for service, 9 of which were answered by South Belmar First Aid (2 of which were during the storm). Three service calls were answered by mutual aid, two by Spring Lake, and one by Belmar.

Water and Sewer:

Update on the grant from the USDA from Louise Mekosh. Ms. Mekosh stated that Lake Como closed with the USDA and rolled the bond into the USDA loan in the amount of \$1,963,000.00 for the first phase and in addition to that we received a grant in the amount \$849,500.00. All other matters are in order.

- Councilman Witte reported that the finance committee is working on the budget for the New Year and hopefully in the next month we will have a preliminary budget done. In regards to why everyone is here tonight, Councilman Witte reported that we got a proposal from Belmar which is 25% of the operating budget which comes to approximately \$914,000.00 plus the cost of specials which is anticipated at \$140,000.00. Our current police budget from last year was \$1,900,000.00 so it will be about an \$800,000.00 savings if we go with Belmar for police services. All other matters are in order.
- Mayor Wilton gave his report on what most of the public was here about; the potential contractual agreement for police services from Belmar. With

the potential contractual agreement with Belmar for police services there is a potential that we save about \$800,000.00 of costs compared to what we pay now in salaries, OE, and all other expenses associated with the department. This issue came about because quite frankly Lake Como is in a dire financial situation and has been for some time and has gotten progressively worse. We have been dealing with the state and this is a recommendation that the state handed down to us when we went for transitional aid last year. We were able to kick the can down the road and borrow from Peter to pay Paul to make it work last year because I didn't want to get rid of the police department and I did everything I could to prevent that. Unfortunately here we are here a year later and nothing has improved. What everyone needs to know is despite the savings, it doesn't exist in a vacuum there are 8 good men, good police officers that we be affected. There is really not a soft landing for them if this goes through. They will be facing significant pay cuts that are going to affect their families and livelihood and the council does not take that lightly. They have been out on the street drumming up support and went around with a postcard and they are advocating for themselves and I don't begrudge them that. If I was in their position I would be doing the same thing. What upsets me however is some of the things I have heard out on the street basically regarding lies I have spread or that the council has spread about things along the line of Mayor Wilton's corruption will be revealed to the media at tonight's meeting. I have been a faithful servant to Lake Como for ten years and now a year as the Mayor. I have never told a lie and have never done anything deceitful and has always tried to keep the best interest of the town's people at heart. With regards to the postcard I just don't know where this data comes from. Back in September when I knew the issue had come to a problem we were looking at a \$643,000.00 levy cap issue which we would have to go to a vote to raise that money in excess of what we are permitted to do. Since then that number has gone down. It has gone down because we had 2 officers leave and transfer to Belmar, one of those guys who was at the top of our guide and made in excess of \$100,000.00. Overtime has completely stopped since the fall in the police department and there was an increase in the court revenue that has brought us back from a previous shortfall. So yes the numbers have improved from the \$643,000.00 but they are still dire. We are still in a precarious situation in Lake Como. One of the things pointed out is that the police costs are decreasing just on the numbers I have, and these are hard data numbers we use and our financial statements are due February 10th, anyone can pull them, look at them, do the math, hire your own accountant, I am not trying to hide anything. In fact when that \$643,000.00 number was release I invited the public and members of the PBA to audit it and they did, twice I believe and nobody said anything because those were the true numbers. Now they have new numbers because they improved not because of lies but because there simply have been changes since the last time those numbers were reported out on. As far as the costs going down to put it in a picture, the cost from 2012 to 2015 for the Lake Como Police Department have gone up 18% while revenue went up 3%, much different than what is depicted on the postcard. If you look at the general revenue for 2015 the number is \$4,475,982.00 and what you have to take into consideration when you run

that is we had several onetime expenditures to plug holes in the budget. We had \$220,090.00 come from FEMA, we took \$185,714.00 out of our utility surplus. The utility surplus is what we use to fix our brown water pipes and plow streets and we had \$99,000.00 due from various other funds that we essentially brought in to plug holes in a sinking ship. They're gone and cannot be counted as revenue sources in later years. There were discussions with the police department where they offered what they would call concessions but it just didn't add up what the numbers we were seeing that we could count on them as concrete issues one of them being to eliminate overtime completely. In 2015 we had overtime at approximately \$98,000.00 so to say we could eliminate overtime completely was something that was hard for me to swallow. We had discussions along that regard. Lake Como currently has two officers patrolling just the town as opposed to what another town would do. Right now we have been using just one officer to patrol the town and that was one of the concessions the officers said we could do to save money. However the chief of police came into the office the other day and said if we had one officer patrolling the town that we were creating a public safety emergency and that would incur overtime. It is hard for me to accept these as concession when on one hand they are being offered to save money and on the other hand they are being seen as cost issues. Would an outside agency guarantee the same coverage? Like I said, this was something that came from the state and in order to consider this I demanded that they help us and that they conduct a study to ensure the council and everyone involved in the process that any contracted services protect the people of Lake Como. The people who conducted the study will be here at the second meeting in February. We had plans to workshop this at that meeting so everyone could hear what they have to say but everyone is hear tonight so we are dealing with it. This is something best heard from their mouths. Finally, the last question is what is the real motivation of mayor and council to disband the police department? I have also heard issues and innuendos that this is something I am trying to do to better myself politically and professionally. That is certainly not the case. To the officers in the police department, to their families, I would never do anything along these lines to better myself professionally, personally or to get the proverbial feather in my Mayor's cap. I am doing this issue because I feel that is right for the citizens of Lake Como based on the numbers I have been working with for a long time. I didn't appreciate how bad they were when I was on council and it is only since I have become mayor and take the helm that I have had to deal with it. To put in prospective quite frankly the issue with Lake Como is we are just too small. I don't think anyone sitting here including the officers, if we were sitting down 100 years ago what we know now would say I have an idea let's carve a donut hole town out of a quarter square mile with 1700 people and require that they be entirely self-sufficient, it just doesn't make sense and we know that. That was done and we cannot undue it but it doesn't mean we continue to push this rock up a hill and have it roll down. This time that rock is at the top of the hill and it's rolling back down and we can't get out of its way. We have to take measures to right Lake Como and put it proper on footings so we can continue to go forward in the future. I have been doing a lot of research on the issue

and if you look at the DCA's webpage, who is the entity that has been helping us with this, there is a paper entitled "The Minimum Viable Police Department Size" as put out by the LUARCC Committee and there is a quote on page two that says "municipalities, with a population under 3,700 currently maintaining a full time police force, should examine this issue and consider the possibility of entering into arrangements with other communities to provide adequate public safety at an appropriate cost." They recognize that it is almost impossible to maintain self-sufficiency at our size. We use to have between \$300,000.00 and \$400,000.00 in state aid that was taken away we used to be able to make this work and we can't do it anymore because we don't get the money. I know some people angry and people are upset but the council is not to blame, it's not the professionals and it's certainly not Mayor Dougherty and his council this is what we got from the state and I have been pushing the issue on the information I have received from them. This rests squarely on my shoulders. This is one of the hardest things I have ever had to deal with but sometimes the hardest thing and the right thing are the same thing and I feel this is the right thing for Lake Como.

UNFINISHED BUSINESS

No unfinished business

PUBLIC COMMENTS ON NEW BUSINESS

Councilman Higgins made a motion to open the meeting to the public seconded by Councilman Carvelli, all are in order.

No Public Comments

Councilman Higgins made a motion to close the meeting to the public seconded by Councilman Witte, all are in order.

CONSENT AGENDA

All items listed under this section are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

NEW BUSINESS

Resolution 2016-57

Release of Performance Bond – As Amended

Offered by Councilman Witte seconded by Councilwoman Kropac, roll call vote as follows:

Yes: Councilmembers Witte, Higgins, Kropac, Scull and Noonan

No: None

Abstain: Councilman Carvelli

Absent: None

Resolution 2016-61

Executive Session – Personnel Matters

Offered by Councilwoman Scull seconded by Councilman Carvelli, roll call vote as follows:

Yes: Councilmembers Witte, Higgins, Kropac, Carvelli and Scull

No: None

Abstain: Councilman Noonan

Absent: None

Ordinance 2016-908

CAP Rate Ordinance

Second Reading and Public Hearing

Offered by Councilman Witte seconded by Councilman Higgins, roll call vote as follows:

Yes: Councilmembers Witte, Higgins, Kropac, Carvelli, Scull and Noonan

No: None

Abstain: None

Absent: None

Ordinance 2016-909

Amending Summer Rental Ordinance

First Reading and Introduction

Offered by Councilwoman Kropac seconded by Councilman Witte, roll call vote as follows:

Yes: Councilmembers Witte, Higgins, Kropac, Carvelli, Scull and Noonan

No: None

Abstain: None

Absent: None

PUBLIC COMMENTS

Councilman Witte made a motion to open the meeting to the public seconded by Councilwoman Kropac, all are in favor.

- Tony Pecelli, PBA 50 President came before the Council and stated that the RFP went out 100 days ago and tonight is the first time hearing the numbers from Belmar and everything is estimated. On page 8 of the proposal, it states Belmar keeps all court revenue, which amounts to almost \$400,000.00. Mr. Pecelli also stated that the section that covers hold harmless states that Lake Como will go from the liability of 7 officers which Lake Como has control over to 20 officers that there is no control over. Mr. Pecelli stated that the PBA OPRA requested documents from Belmar about studies they have done regarding man power or public safety that they have done prior to responding to the RFP and got a response that there was nothing that met that criteria. Mr. Pecelli stated that they were told that there is a \$643,000.00 deficit and heard Mayor Wilton stated tonight that the number is now lower yet hasn't heard what that new number is. Mayor Wilton responded that using the Belmar numbers we are still about \$249,000.00 over the CAP. Mr. Pecelli asked how the shortfall falls on the Police Department. Mayor Wilton stated that there is always financial emergencies in the Police Department and we have to pull from other departments to fill holes. We have met with DCA numerous times and looked for places to cut and looked for places to lay people off. We could not lay people off and continue to function and were

told to cut the Police. Mr. Pecelli asked if there was anything in writing stating to get rid of the police and stating that Lake Como is not getting aid. Mayor Wilton stated that there is nothing in writing but there is a presentation at the February 16, 2016 meeting by those who recommended this. Whether we are looking at \$643,000.00 or \$249,000.00 there will be a significant tax increase, along the line of last year's 9¢ increase. Mr. Pecelli asked about the budget numbers and uncollected taxes. Ms. Mekosh stated that \$185,000.00 from the water utility surplus which was a onetime fix, FEMA money and insurance money which were one time fixes and there was also a loss in revenue. This amount was about \$500,000.00 that cannot be used again. Mr. Pecelli stated that Lake Como was anticipation getting \$265,000.00 in court revenue and actually brought in \$394,000.00 which gives an extra \$129,000.00. Mayor Wilton responded that Lake Como will be keeping the court revenue for Lake Como. We average \$350,000.00 in court revenue and there was also a significant decrease in court revenue in 2014 and we are playing catch up from that decrease. Mr. Pecelli asked about the surplus which Ms. Mekosh stated that the surplus cannot be plugged in the budget, it is a noncash surplus. Mr. Pecelli stated that there is a loan that is being paid back from Sandy that is done being paid which will be an extra \$112,000.00. Ms. Mekosh stated that there is not an extra \$112,000.00, we received money from FEMA to offset that. Mr. Pecelli asked if the salary of the 2 officers who left, which amounted to \$160,000.00, was included in the shortfall numbers. Councilman Higgins stated that we would need to hire more than 2 officers, we would have to hire at least 4 more officers to get to the number DCA sees fit to run a town. Mr. Pecelli asked why no one has reached out to the Department of Criminal Justice. Mr. Pecelli stated that if you take the uncollected taxes, the court revenue that was unexpected, the surplus and the \$100,000.00 in police department savings that is almost \$800,000.00 in money that you don't have to put towards the new budget. Mr. Pecelli asked where that money is being spent. Mayor Wilton stated that he will have the budget and the Annual Financial Statements before the decision is made. Mr. Pecelli stated he does not know why the town would go from a cost controlled police department to one that is not cost controlled.

- Mike Tardio, PBA 50 Delegate came before the council and stated that the town does not want to continue the police department the way it is being run. Does the Council know what manpower you will be getting from Belmar? Mayor Wilton stated that this will be discussed at the next meeting. As far as adding 4 more officers, which can be phased in over time, it does not have to be done all at once. Mayor Wilton stated that this would have to go to a levy cap referendum to build the department up and it has to be done in one shot. Mr. Tardio stated that he feels the residents should make this decision.
- Peter Pelicier, 1825 Briarwood Terrace, came before the council stated that he was a city administrator for over 25 years. As a council your responsibility is to provide public safety, education and quality of life to the residents. Mr. Pelicier stated he appreciates everything the police department does. Many people think Lake Como is safe but little towns

have domestic violence, older people and emergencies. Mr. Pelicier asked why other department haven't been looked at, like privatizing the public works. Getting rid of the police department may cause home owners insurance to increase. Mr. Pelicier asked if the town would have a financial expert come in to see if there is any way to keep the police department.

- Leann Tomanek, 314 18th Avenue, came before the Council to ask if there are other options being looked into like merging the building or other department.
- Geneviece Clifton, 317 16th Avenue, thanked the Mayor and Council for looking to tax savings and asked if there is a way to move or merge officers.
- Mary Crompton, 507 16th Avenue, came before the Council to state she is against getting rid of the police department. They have helped greatly with her ill husband.
- Merick Limsy, PBA 50 Attorney, came before the Council to state that the Mayor and Council has not only an obligation to the residents but there is an obligation to the employees too. Were there other options looked at? Why is the answer to the questions, come to the next meeting? Mayor Wilton responded that there is a scheduled discussion by the people who did the study at the February 16th meeting but the PBA went around with flyers telling people to come to this meeting, we just don't have all the answers now. When the financial statements are done in a week they are yours. We can't give you what we don't have. Mr. Limsy stated they want to know what the \$643,000.00 shortfall is down to. Mr. Limsy stated he noticed Main Street doesn't have meters like several other shore towns and that's a great source of revenue. Nobody knows when this will happen and the officers have family and lives and they are trying to get jobs where they can. Tickets written in Lake Como will belong to Lake Como, Belmar wants the revenue as much as Lake Como and the Belmar officers no that. There won't be Lake Como officers looking out for Lake Como. Mayor Wilton stated that Belmar is the only town to respond to the RFP and Lake Como is not in the position to barter. Why aren't there negotiations? Councilman Higgins stated the PBA is the ones who stopped negotiations. Mr. Limsy stated that he would like to see the lines of communication opened.
- Rolando Ensuar, Lake Como Police Department Sergeant, came before the Council to discuss what was stated before about man power and towns with less than 3,700 residents should not have a police department. There are 5 bars, 9 liquor licenses and on a good summer night there are 10,000 to 20,000 people in town. Sgt. Ensuar asked if there have been studies on the man power needed then. Mayor Wilton stated that all of that will be laid out at the next meeting and told everyone to come back to get the answers they want. Sgt. Ensuar quoted a study from University of New Mexico stating any increase in distance of response property crimes

go up 63% and violent crimes go up 53% percent in any town that has a church, school or alcohol related establishments.

- Jeff Hadzima, 1723 White Street, came before the Council to ask if there is a budget meeting where people can come and go line by line over the budget. Mayor Wilton stated that the budget is introduced and then becomes available to the public and it gets adopted two weeks later. Mr. Hadzima stated that deficits never go down and the town needs to take that into consideration and make that available to the public to see the numbers to get a good picture.
- Paula Spinelli, 1733 Melrose Avenue, came before the Council to read a letter commending S.O. Hazel and to question her tax assessment. Mayor Wilton told Mrs. Spinelli to come to the March 15th meeting to go over that with the County.
- Mike Hudy, 506 18th Avenue, came before the Council to express his concerns with the timeline of this decision. There seems to be a deadline and the Council will have to go for a referendum to increase taxes and understand if that does not go through the State comes in.
- Mike Carroll, Main Street, came before the Council to ask if there is any way to talk to the other Mayor's and other towns and keep all the officers and work out of a large pool of police officers.
- Bob Rumsby, 504 18th Avenue, came before the Council and stated he feels their pain but believes in keeping the police. This seems to be an issue patched up every year and Mr. Rumsby asked if there can be a group of experienced citizens to go through the budget and get residents on board with a one-time increase.
- Debra Cook, 725 Walling Avenue, came before the Council to state that knows the officers and has a connection with them and has roots in Lake Como. Ms. Cook stated she depends on the police and stated she believes Belmar will not do anything for Lake Como.
- Bob McCormack, 1807 Margerum Avenue, came before the Council to express his concerns with response time. Mr. McCormack stated he works in a prison and knows that even 30-seconds matters when you are fighting for your life and disagrees with the whole situation.
- Michael Vollbrect, PBA 50, came before the Council and stated that last year the Lake Como Police Department responded to over 6,000 calls. The residents of Lake Como deserve their own Police Department.
- John Cipollini, Vicki's Home and Hardware, came before the Council to say that response time is crucial and that the police were there very quickly and did a great job with the gas leak on 18th Avenue.

- Andrew Yourth, 708 21st Avenue, came before the Council to express his concerns about response times. With a volunteer Fire Department and First Aid the Police are our first responders.
- Rochelle Ritacco, 1836 Briarwood Terrace, came before the Council and stated she believe residents are being over dramatic with the response times since Belmar is right there but asked if this is a bad deal it will be hard to rebuild an entire department. Ms. Ritacco thanked the Council and doesn't think there is a right answer.
- Tim Flintoff, 517 16th Avenue, came before the Council and stated he has lived her for 28 years and this summer he saw guys walking down the street and they knocked over a sign. It took 25 minutes for the police to show up. Mr. Flintoff stated that we need more cops in this state and country. There are more and more people leaving NJ and he feels the small towns should start merging.
- Jim McShea, 1810 Laurel Terrace, understands that the State isn't going to give Lake Como money and understands the Council doesn't want to raise taxes some there has to be some sort of compromise out there.
- Scott O'Shea, Lake Como Police Department, came before the Council about the response times. There has been instances where we have responded and saved a life and stopped a house from burning down. Ptlm. McCormack received the lifesaving award for saving the life of a baby that was choking on a penny. From Belmar to here that baby would not be alive. Ptlm. O'Shea stated there are domestic violence calls where women are getting beaten and instances where the police have cleared burning homes before the fire department gets there. These are instances that have already happened and the Lake Como Police were there. It's not about dollar signs, the residents are worth something.
- Christina Gebhardt, 725 18th Avenue, came before the Council and stated that she give the Council credit but is torn between both options. She likes the officers yet at the same time got cut from a major corporation without a say in it. The Council has given the residents a say in this matter but needs to treat this like a corporation. If you don't have the money to run this town you have to do what you have to do. Ms. Gebhardt stated she was shocked when she heard what the police budget was for this small town. She understands the importance on response time since both her husband and son suffer from seizures and she would like to hear from of the officers from Belmar on response times.
- Rochelle Ritacco, 1836 Briarwood Terrace, asked the Mayor if we will have any say with Belmar and Mayor Wilton responded that there is currently a liaison and expects there will be in the future.

Councilman Higgins made a motion to close the meeting to the public seconded by Councilman Carvelli, all are in favor.

At this point in the meeting the Council, as per Resolution 2016-61, entered into executive session and would reconvene for only the purpose of adjournment.

NEXT MEETING

THE NEXT REGULAR MEETING OF THE MAYOR AND COUNCIL WILL BE HELD ON TUESDAY, FEBRUARY 16, 2016 IMMEDIATELY FOLLOWING THE 7:30PM WORKSHOP MEETING IN THE LAKE COMO MEETING ROOM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

MOTION TO ADJOURN

Councilman Carvelli made a motion to adjourn seconded by Councilwoman Kropac, all are in favor.

Respectfully Submitted
Amy L. Boney
Deputy Borough Clerk

The minutes of this meeting are not verbatim. Please call Borough Hall at (732)681-3232 to schedule an appointment to hear the tape(s) of this meeting in its entirety. All tapes are subject to being destroyed 80 days after the approval of the Minutes.

Amended
Resolution No. 2016-57

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE BOND FOR
THE FIELDS AT LAKE COMO LOCATED AT 1700 MAIN STREET,
LAKE COMO, NEW JERSEY**

WHEREAS, 1700 South Belmar LLC, also known as The Fields at Lake Como, located at 1700 Main Street, Lake Como, New Jersey, Block 11; Lot(s) 4 & 5 submitted a written request for the release of their Performance Bond held by IOA Northeast, Route 34, Suite 101, Farmingdale, NJ 07721, in the amount of \$49,126.56 and Cash Bond in the amount of \$9,167.16; and

WHEREAS, in response, Borough Engineer CME Associates, performed a site inspection of the project and forwarded a letter to the Administrative Office stating that all punch-list items have been completed; and

WHEREAS, the project known as The Fields at Lake Como, located at 1700 Main Street, has been completed since 2009 and is well past the period when a Maintenance Bond would normally be required.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that, in accordance with the recommendation of The Borough Engineer, the Performance Bond in the amount of \$49,126.56 and the Cash Bond in the amount of \$9,167.16, be released without the posting of a two-year Maintenance Bond.

BE IT FURTHER RESOLVED that the release of Performance Bond and Cash Bond are contingent on:

1. The three trees recently planted as a condition of approval be maintained by the property owner.
2. The three trees recently planted as a condition of approval be replaced during the two-year period commencing February 2, 2016, if they should not survive or do well within that two-year period.
3. All payments of any outstanding Engineering Inspection fees and any outstanding Borough fees shall be paid.

Date: February 2, 2016

Brian T. Wilton, Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Administrator

RESOLUTION 2016-61

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Mayor and Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing body wishes to discuss:

Personnel Matters

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Dated: 02/02/2016

Brian T. Wilton
Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Administrator

ORDINANCE NO. 2016-908

CALENDAR YEAR 2016

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to zero percent (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 Mayor and Council of the Borough of Lake Como 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 the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 117,658.57 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council 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 Mayor and Council of the Borough of Lake Como, 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 Borough of Lake Como shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased 3.5 %, amounting to \$ 117,658.57, and that the CY 2016 municipal budget for the Borough of Lake Como be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any 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.

Dated: _____

Brian T. Wilton, Mayor

Attested by: _____
Louise A. Mekosh, RMC,CMC,CMFO
Borough Clerk/Administrator

BOROUGH OF LAKE COMO, MONMOUTH COUNTY, STATE OF NEW JERSEY

ORDINANCE NO. 2016-909

**ORDINANCE OF THE BOROUGH OF LAKE COMO
AMENDING CHAPTER IX OF THE BOROUGH
MUNICIPAL CODE, BUILDING AND HOUSING,
AND CHAPTER XI OF THE BOROUGH
CODE, RENTAL HOUSING**

WHEREAS, the Borough Code Official has recommended certain changes to the Certificate of Inspection and Summer Rental License provisions of the Borough's ordinances in order to ensure that the inspections required under the ordinances are necessary and cost-effective and the premises are free of health, safety, or fire hazards; and

WHEREAS, the Borough Council has learned that some of the inspections required under the current ordinances are unnecessary and others are not being conducted on a regular basis; and

WHEREAS, the Borough Code Official has advised that some re-inspections required on re-sales used as an alternative to licensed home inspectors; and

WHEREAS, the Council has also considered recommendations from members of the Borough's Tourism Committee; and

WHEREAS, the Borough has reviewed the fees charged by neighboring communities for similar inspections and re-inspections; and

WHEREAS, the Borough Council believes it to be in the best interests of the citizens of Lake Como to increase certain fees and provide a self-inspection option for summer rental licensees;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Lake Como, County of Monmouth, and State of New Jersey as follows:

§ 9-4.8(b): Add "plus any applicable tourism fee for rental".

§ 9-4.8(c) shall be repealed and replaced with the following: The fee for the required inspection includes one re-inspection to ensure compliance with this subsection, however, if a complete re-inspection is required, the fee for the second inspection shall be \$250.00 for each dwelling house or unit.

§ 9-4.8(d) shall be repealed and replaced with the following: Any re-inspection required after the first and second inspection shall be \$500.00 for each dwelling house or unit.

§ 11-2.14(a) shall be repealed and replaced with the following: For applications for Certificates of Inspection including Summer Rental Licenses* pursuant to 9-4.1.....\$120.00 per dwelling house or unit, plus a \$50.00 tourism fee.

§11-2.14(b) shall be repealed and replaced with the following: For applications for Certificates of Inspection for each change in the occupancy of a summer rental.....\$75.00 per dwelling house or unit, plus a \$25 tourism fee.

§11-2.14(c) shall be repealed and replaced with the following: Annual Self-Inspection fee option: A Summer Rental licensee, having obtained its Summer Rental License and received a satisfactory Certificate of Inspection may, on or before May 1st: pay an annual Self-Inspection fee of \$150 per dwelling house or unit, plus a \$50 tourism fee. Upon any change in occupancy, the licensee shall complete and file the Certificate of Self-Inspection form [See Exhibit A, attached hereto]. No further re-inspection fees are required during the summer rental period of May 15 through September 15.

§11-2.14(d) shall be deleted in its entirety.

SO ORDAINED, as aforesaid.

ADOPTED ON FIRST READING
DATED:

LOUISE A. MEKOSH,
Borough Clerk

ADOPTED ON SECOND READING
DATED:

LOUISE A. MEKOSH,
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2015

BRIAN WILTON,
Mayor

Note: Certificate of Inspection fees for a title transfer are included in Chapter IX.

Note: The fees that were in 11-2.14 are different than the fees for the same thing that was in Chapter IX.