



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

DATE: MARCH 15, 2016
REGULAR MEETING IMMEDIATELY FOLLOWING WORKSHOP

MEETING CALLED TO ORDER

Mayor Wilton called the meeting to order at 8:05pm

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	Excused Absence

APPROVAL OF MINUTES

Councilman Higgins made a motion to approve the minutes from the March 1, 2016 Regular Meeting seconded by Councilwoman Kropac, all are in favor.

COMMUNICATIONS

None on the agenda

REPORTS OF COMMITTEES

- Councilwoman Scull reported that the Bar A kids Easter Egg hunt will be held on Sunday from 1:00pm-4:00pm. All other matters are in order.
- Councilman Carvelli reported that the Environmental Commission Meeting is tomorrow, March 16, 2016. All other matters are in order.

- Councilwoman Kropac reported that the Belmar – Lake Como St. Patrick’s Day Parade was a great success and the weather was great. Councilwoman thanked everyone who made it such a great success and all those who came out to the parade. All other matters are in order.
- Councilman Higgins reported that the DPW will be doing a systematic flushing of the system the next 2 weeks. He thanked the Police and Councilwoman Scull for getting word out to the residents about the flushing. All other matters are in order.
- Councilman Witte reported that the 2016 Calendar Year Budget will be introduced tonight. All other matters are in order.
- Mayor Wilton thanked everyone for making the parade a great success. Mayor Wilton stated he was going to have SMRSA Representative Kevin Lynch speak but he was not able to make tonight’s meeting. Mr. Lynch will be meeting with Louise tomorrow and will be at the second meeting in April to give a report. All other matters are in order.

UNFINISHED BUSINESS

Resolution 2016-72

Authorizing the contract for Main Street Improvements – Phase 2

Tabled from March 1, 2016 Meeting

Councilman Higgins made a motion to table this resolution to the April 5, 2016 meeting seconded by Councilman Witte, all are in favor.

PUBLIC COMMENTS ON NEW BUSINESS

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

No Public Comments

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

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.

Water Sewer Monthly Report

Real Estate Tax Monthly Report

Raffle Application 2016-08

Jersey Shore Jazz & Blues Foundation – 50/50

Fields Use Application

Union Soccer League

Resolution 2016-74
Payment of Bills

Resolution 2016-75
Authorizing the contract for First Aid Generator

Councilman Witte made a motion to approve the items on the Consent Agenda seconded by Councilman Higgins, all are in favor.

NEW BUSINESS

Resolution 2016-76
Authorizing Levy Cap Referendum
Offered by Councilman Witte seconded by Councilwoman Scull. Roll call vote as follows:

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

No: None

Abstain: None

Absent: Councilman Noonan

Resolution 2016-77
Approving the Introduced Calendar Year 2016 Budget
Offered by Councilman Higgins seconded by Councilman Witte. Roll call vote as follows:

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

No: None

Abstain: None

Absent: Councilman Noonan

Mayor Wilton announced that the Referendum will be held on April 19, 2016 and the meeting on the 19th will be moved to April 26, 2016.

PUBLIC COMMENTS

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

- Jackie Dahrouge of 1827 Fernwood Rd. came before the Council to express her concerns about the savings that may come at first with the police department but the costs may go up and Ms. Dahrouge asked if there have been studies regarding merging Lake Como and Belmar and she is looking for a long term solution not just a band aid. Councilman Higgins stated that in order for a consolidation to be effective it would need to involve more than Belmar and Lake Como.

- Cynthia McSweeney 704 22nd Ave. came before the Council and asked if this budget is approved what is the proposed tax increase for the average home. Ms. Mekosh stated that for a \$400,000.00 home the municipal taxes would have a \$716.33 increase not including County and School taxes. Ms. McSweeney stated that the Mayor and Council could've chosen to either go to referendum or approve the budget? Mayor Wilton stated that since the budget is over the 2% CAP it has to go to referendum to be approved or voted down.

- Arthur Paone of 504 17th Ave. came before the Council to ask who approved the words for the referendum and would the voters understand what they are voting for. Mayor Wilton stated that the State approved the question and explanatory statement and Councilman Higgins read the question and explanatory statement for Mr. Paone and the public.
- Ed Czarnecki, 1921 Margerum Ave. came before that Council to ask if the cost of the lining of the pipes is included in the shortfall in the town's budget. Councilman Higgins stated that the water project is funded by USDA Grants and low interest loans and is separate from the budget. The increase in water bills a year ago also went to the water project and if we can connect to SMUA that will decrease the water bills.
- Ann Cavaluzzi, 417 16th Ave. came before the Council and asked if we go with SMUA do they use chlorine or chloramine? Councilman Higgins responded that they use chlorine. Ms. Cavaluzzi stated that those on dialysis cannot drink the water with chloramine. She also asked when the next phase of the cleaning project will begin. Councilman Higgins responded that we are waiting for USDA approval to begin and is hopeful it will be within the next few months.
- Andrew Yourth, 708 21st Ave., came before the council to ask about the breakdown on the budget and what it would be as a monthly expense. Mayor Wilton stated he cannot give an exact number because there are County and School Board taxes that need to be built in as well. Mr. Yourth asked if we are going to be in the same hole in 2 years. Mayor Wilton stated he can't promise or guarantee what the future will be like.
- Cynthia McSweeney 704 22nd Ave. asked if we approve the budget taxes are going up \$800.00 but if it is defeated taxes will go down \$1,000.00? Mayor Wilton responded that next year there are legacy costs for the police if the budget is voted down and in 2018 we should see a decrease of about \$1,000.00
- Mark Cowen, 612 North Blvd. came before the Council and stated we don't get any revenue from the beaches but get all the headache and asked if we can do the whole town resident only parking in the summer to get Belmar to give us 5% or 10% of the beach revenue. Mayor Wilton and Councilman Higgins responded that we have tried various forms of permit parking and don't think Belmar would care if people cannot park in Lake Como.

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

NEXT MEETING

THE NEXT REGULAR MEETING OF THE MAYOR AND COUNCIL WILL BE HELD ON TUESDAY, APRIL 5, 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 Witte made a motion to adjourn seconded by Councilman Higgins, 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.

RESOLUTION NO. 2016-72
RESOLUTION AWARDING A BID FOR IMPROVEMENTS
TO MAIN STREET – PHASE II

WHEREAS, the Borough of Lake Como has advertised for bids for Improvements to Main Street – Phase II in the Asbury Park Press on December 11, 2015; and

WHEREAS, the Borough Clerk received bids on January 15, 2016, as advertised; and,

WHEREAS, the Municipal Engineer and Borough Attorney have reviewed the four (4) bids received and deemed that the award should be made to the lowest responsible bidder utilizing the one deletion item. The bid amount of \$198,243.75 which is over the amount of the NJDOT Grant award of \$185,000.00, however, with the deletion item the amount will reduce the project cost to \$166,908.75;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Administrator are hereby authorized to award the bid to Vision Construction Group of Edison, NJ utilizing the deletion item for a project cost of \$166,908.75.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in an official newspaper as required by law within ten (10) days of its passage.

Dated: 3/01/2016

Brian T. Wilton
Mayor

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



Borough of Lake Como

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569
(732) 681-3232 • FAX (732) 681-8981

Brian T. Wilton
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

MEMO

TO: Louise A. Mekosh, RMC, CMC, CMFO

FROM: Esther A. Kiss, CTC *ELK*

DATE: March 9, 2016

RE: Water/Sewer Monthly Report

.....
Attached you will find the February 2016 cash and adjustment reports for the water/sewer utility account.

The total amount deposited into the water/sewer account for February is \$73,940.72.

Please contact me if you have any questions.



Borough of Lake Como

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569
(732) 681-3232 • FAX (732) 681-8981

Brian T. Wilton
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

MEMO

TO: Louise A. Mekosh, RMC, CMG, CMFO

FROM: Esther A. Kiss, CTC *JK*

DATE: March 9, 2016

RE: Real Estate Tax Monthly Report

Attached you will find the February 2016 cash & adjustment reports for taxes.

The total amounts deposited for February are as follows:

Current Account:	\$ 1,343,299.72
Redemption Account	20,376.43
Grand Total:	<u>\$ 1,363,676.15</u>

Please contact me if you have any questions.

Part E - Officers of Applicant

Office	Name of officer	Residence address	Age
President	Thomas R. Baldino	723 Columbia Ave Union Beach, N.J. 07735	68

Part F - Members of Applicant who will be in charge of the games

Name of member in charge	Residence address	Telephone No. <small>(include area code)</small>	Age
Thomas R. Baldino	723 Columbia Ave Union Beach, NJ 07735	732-546-0735	68

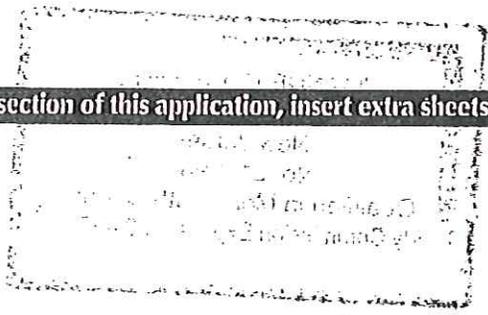
Part G - Members of Applicant who will assist in conducting the games

Name of member	Residence address	Age
N/A		

Part H - Names of other organizations whose members will assist in conducting the games

Name and address of organization	How related	Identification No.
N/A		

If more space is needed in any section of this application, insert extra sheets of paper.



Part I - Statement of Applicant and member(s) in charge

State of New Jersey

County of Monmouth

) ss.

We do hereby each make the following statement, under oath, with respect to the foregoing application:

1. The applicant (is) (is not) limited in its activities to the furtherance of one or more authorized purposes as defined in the Raffles Licensing Law.
2. Prior to the issuance of any license to it to conduct games of chance, the applicant was actively engaged in serving one or more "authorized purposes."
3. The applicant has received and used, and in good faith expects to continue to receive and use; to further one or more authorized purposes, funds from sources other than games of chance.
4. The conduct of the games on the occasion or occasions for which this application is made will be to raise and devote the entire net proceeds to the authorized purpose described in the application.
5. For each occasion for which a license is sought, one or more of the members listed who are familiar with the Raffles Licensing Law and the Rules and Regulations, will be in full charge of, and primarily responsible for, the conduct of the games.
6. No commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting or assisting in the holding, operation or conducting, of the games, except to bookkeepers or accountants for professional services not exceeding the amounts fixed by the Schedule of Fees, as well as the compensation for the Licensed Compensated Workers pursuant to N.J.A.C. 13:47-6A. No prize may be offered and given in cash, except as otherwise provided by the Raffles Licensing Law (N.J.S.A. 5:8-50 et seq.). If a cash prize under certain circumstances is permitted by the law, the amount of the cash prize may not exceed the limits prescribed by the Raffles Licensing Law.
7. All statements in the foregoing application are true.

Sworn and subscribed to before me this

7th day of MARCH, 20 16

Joanne D. Baldino
Notary Public (Print name)

Joanne D. Baldino
Signature of Notary Public

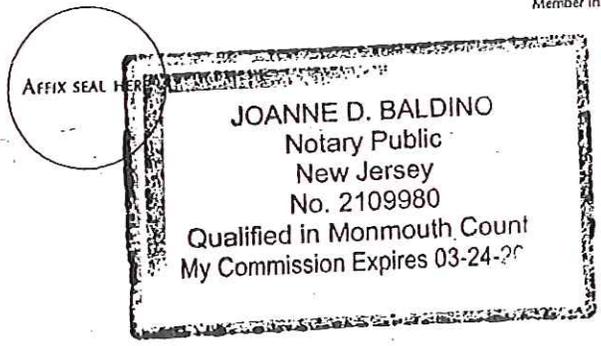
Thomas R. Baldino, President
Signature of Officer and Title

Thomas R. Baldino
Member in Charge

Member in Charge

Member in Charge

Member in Charge



If more space is needed in any section of this application, insert extra sheets of paper.

Applicant's registration slip from the Legalized Games of Chance Control Commission must be presented to the Municipal Clerk with this application.

JERSEY SHORE
Jazz & Blues
FOUNDATION

P.O. Box 8713, Red Bank, NJ 07701
www.jsjbf.org

Pursuant to N.J.S.A. 5:8-6, a Legalized Games of Chance Control Commission Registration is hereby issued to:

Effective date: 04/20/2015 Expiration date: 04/20/2017 Registration Identification: 30-5-35146

Jersey Shore Jazz & Blues Foundation
452 WEST FRONT ST
RED BANK, NJ 07701



New Jersey Office of the Attorney General
Division of Consumer Affairs
Legalized Games of Chance Control Commission
Registration

Name of organization on application and license must be the same as it appears on this registration.
This Registration Certificate may only be utilized by the above-named organization.

Mail to: JERSEY SHORE JAZZ & BLUES FOUNDATION
452 WEST FRONT ST
RED BANK, NJ 07701
Attn:

Steven P. Layman
Steven P. Layman, Secretary
Legalized Games of Chance Control Commission



Borough of Lake Como

1740 Main Street, P.O. Box 569 • Lake Como, New Jersey 07719-0569
(732) 681-3232 • FAX (732) 681-8981

Brian T. Wilton
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

Borough of Lake Como Application for Use of Recreational Facility

Name: Jose L GARCIA
Address: 806 17 AV Belmar NJ
Telephone Number: 732 927 0462
Date of Request: March 16th - July 31st Time: from 9AM to 3:30PM
Description of Use: Soccer

Area Requested:

Soccer Fields – Behrman Park

Baseball/Softball Fields – Behrman Park (Little League Field located at the south end of the park is not to be used)

Please initial here that you understand the following conditions and requirements:

- The remainder of the park is still open to the public
- The area that you use must be cleaned before leaving
- The area requested can be for a period not to exceed 5 hours
- You are to keep the permit with you when using the park
- All Borough ordinances must be followed (No Alcoholic Beverages, No Animals, etc.)
- Hours of permits are between 8:00AM and 9:00PM unless otherwise approved

Signature

Date

FOR OFFICE USE ONLY

Date of Receipt of Application 3/10/2016

Date of Approval/Rejection of Application _____

Signature of Licensing Official _____

Copies given to

Public Works

Police

Resolution 2016 – 74

Be it resolved by the Mayor and Council of the Borough of Lake Como that the proper officers be directed and authorized to make payment from the following accounts:

CURRENT ACCOUNT:

	Per Attached Bill List		\$477,490.85
	Leon S. Avakian, Inc.	Plan Bd-B&M Estates	1,500.00
	Appraisal Systems, Inc.	Ord 14-901	3,372.25
	CME Associates	Plan Bd-1700 Main	114.75
3798	L.C. Water/Sewer	Transfer	735.27
3799	L.C. Water/Sewer	Transfer	1,462.58
	1700 So Belmar LLC	Res 2016-57	<u>9,167.16</u>
			\$493,842.86

WATER/SEWER ACCOUNT:

	Per Attached Bill List		\$ 32,403.14
	Wilentz, Goldman&Spitzer	Ord 14-896	<u>2,675.72</u>
			\$ 35,078.86

PAYROLL ACCOUNT:

3796	Employee Payroll Dated 2/24/16		\$ 73,846.49
1970	Employee Payroll Dated 2/24/16		5,636.88
1069	Employee Payroll Dated 2/24/16		327.47
3804	Employee Payroll Dated 3/9/16		84,384.54
1971	Employee Payroll Dated 3/9/16		5,919.40
1070	Employee Payroll Dated 3/9/16		768.49
1223	Employee Payroll Dated 3/9/16		122.72
1152	Employee Payroll Dated 3/9/16		160.48
Wire	State of NJ – PFRS		6,250.00
Wire	State of NJ – PFRS		<u>13,000.00</u>
			\$190,416.47

TOURISM:

1223	L.C. Payroll Account		\$ 122.72
	Ritchie & Page		606.50
	Urner Barry		<u>1,025.00</u>
			\$ 1,754.22

TRAFFIC ACCOUNT:

1069	L.C. Payroll Account	\$ 327.47
1070	L.C. Payroll Account	<u>768.49</u>
		\$ 1,090.96

FIRE PREVENTION ACCOUNT:

	L.C. Payroll Account	\$ 160.49
1152	L.C. Payroll Account	<u>160.48</u>
		\$ 320.97

PREMIUM ACCOUNT:

1074	Ebury Fund 2 NJ LLC	\$ 6,500.00
1075	US Bank for PC5 Sterling National	<u>700.00</u>
		\$ 7,200.00

REDEMPTION ACCOUNT:

1113	Ebury Fund 2 NJ LLC	\$ 18,807.28
1114	US Bank for PC5 Sterling National	<u>1,569.15</u>
		\$ 20,376.43

DOG LICENSE ACCOUNT:

1067	NJ Dept Health & Senior Services	\$ 25.80
------	----------------------------------	----------

Dated: March 15, 2016

Brian T. Wilton, Mayor

Louise A. Mekosh, RMC, CMC, CMFO

March 11, 2016
02:49 PM

Borough of Lake Como
Purchase Order Status Report by P.O. Number

Range: First to Last
P.O. Type: All
Format: Condensed
Include Non-Budgeted: Y
Include Revenue: Y
First Enc Date Range: 12/01/15 to 03/11/16
Open: N Rcvd/Prv/Held: Y Paid: N Void: N Deleted: N
Bid: Y State: Y Other: Y Exempt: Y AS of Date: 03/11/16

PO #	PO Date	Vendor	Description	R/A/H	Amount
16-00023	01/11/16	ENVIRONMENTAL AIR SYSTEM	HEAT REPAIRS-BORO/DPW		779.44
16-00052	01/13/16	LAKE COMO BOARD OF EDUCATION	SCHOOL TAX		251,833.33
16-00067	01/04/16	ONE CALL CONCEPTS	ONE CALL SERVICE		17.36
16-00072	01/28/16	JAEGER LUMBER	DISC/HINGE		10.05
16-00091	02/01/16	TAYLOR HARDWARE	FEBRUARY PURCHASES		294.11
16-00099	02/04/16	MCAA OF NEW JERSEY	2016 MEMBERSHIP DUES		90.00
16-00112	02/03/16	BOROUGH OF BELMAR	FUEL DECEMBER		1,306.24
16-00113	02/03/16	BOROUGH OF BELMAR	FUEL JANUARY		1,292.93
16-00118	02/05/16	MONMOUTH WIRE&COMPUTER RECYCLE	ELECTRONIC SCRAP JANUARY		41.70
16-00125	02/02/16	ASSOCIATED HUMANE SOCIETIES	ANIMAL CONTROL FEBRUARY		191.89
16-00126	02/09/16	AMCO PEST SERVICES, INC.	PEST CONTROL FEBRUARY		110.00
16-00128	01/27/16	RIO SUPPLY, INC D/B/A SLC NET	PIT WATER METERS		3,120.00
16-00129	01/29/16	ATLANTIC ALARM SYSTEMS. INC	DPW ALARM MONITORING 2015		120.00
16-00130	01/29/16	ATLANTIC ALARM SYSTEMS. INC	DPW ALARM MONITORING 2016		240.00
16-00131	01/11/16	CLAYTON BLOCK COMPANY, INC.	CONCRETE WASTE		20.41
16-00133	02/12/16	QUILL CORPORATION	SUPPLIES		100.15
16-00135	02/22/16	VERIZON	TELEPHONE		1,415.19
16-00136	02/22/16	VERIZON WIRELESS	POLICE CELL/CAR MODEMS		236.98
16-00137	02/22/16	ESTHER KISS	NOTARY RENEWAL RECORDING FEE		15.00
16-00138	02/22/16	PATRICIA FAGAN	NOTARY RENEWAL FEE		45.00
16-00139	02/23/16	LAKE COMO PAYROLL ACCOUNT	EMPLOYEE PAYROLL 2/24/16		79,322.88
16-00140	02/26/16	MURRAY'S UNIFORMS	PARADE VENDOR SHIRTS		270.00
16-00141	03/02/16	GRAINGER	GOGGLES/DUST MASKS		34.30
16-00144	02/26/16	JAEGER LUMBER	MELAMINE SHELF		51.93
16-00146	03/02/16	US LIFE INS	DPW DENTAL		250.56
16-00149	02/15/16	DELISA WASTE SERVICES	TIPPING FEES 2/1-2/15/16		2,766.03
16-00150	02/09/16	KIRK & JACKSON, LLC	LABOR ATTORNEY		1,287.00
16-00153	02/22/16	P.F. PETTIBONE & CO.	MINUTE BOOK		236.85
16-00154	02/01/16	JAMM PRINTING	REGULAR AND WINDOW ENVELOPES		865.00
16-00155	01/31/16	NATIONAL GEOMATICA/JUNGLE LASE	NAT GEOMATICA JANUARY		1,100.00
16-00157	02/22/16	DELISA WASTE SERVICES	MARCH TRASH/RECYCLE/PAPER		6,795.00
16-00158	02/29/16	DELISA WASTE SERVICES	TIPPING FEES 2/16-29		1,843.66
16-00159	02/29/16	BOROUGH OF BELMAR	PURCHASE FUEL FEBRUARY		1,065.14
16-00160	03/03/16	NJ NATURAL GAS CO	GAS SERVICE		1,062.18

March 11, 2016
02:49 PM

Borough of Lake Como
Purchase Order Status Report by P.O. Number

PO #	PO Date	Vendor	Description	R/A/H Amount
16-00161	01/31/16	HARRY HAUSHALTER	TAX COUNSEL -JANUARY	1,230.00
16-00162	02/12/16	ASBURY PARK PRESS	LEGAL ADV MTG RELOCATION	49.25
16-00163	02/19/16	ASBURY PARK PRESS	LEGAL AD MAIL IN BALLOTS	3,049.00
16-00164	03/03/16	CABLEVISION	OPT ONLINE POLICE/DPW	206.28
16-00165	03/03/16	STATE OF NJ PENSIONS&BENEFITS	EMPLOYEE GROUP INS MARCH	30,060.77
16-00166	03/03/16	JCP&L	STREET LIGHTING	1,715.80
16-00168	02/19/16	CARUSO EXCAVATING CO., INC.	WATER MAIN-STREET REPAIRS	7,136.00
16-00169	02/04/16	THE COAST STAR	LEGAL ADVERTISING	103.30
16-00170	02/05/16	ADP, INC.	CHARGES REPORT	19.80
16-00171	02/09/16	VAN WICKLE AUTO SUPPLY, INC.	FEBRUARY PURCHASES	158.99
16-00172	03/07/16	CENTRAL JERSEY REGISTRAR'S	SPRING LUNCH/MEETING	46.00
16-00173	03/07/16	GOVERNMENT FINANCE OFFIC.ASSOC	2016 MEMBERSHIP	90.00
16-00174	03/02/16	DANSKIN AGENCY	ACCIDENT&SICKNESS POLICY	1,120.00
16-00175	03/07/16	NJ CONFERENCE OF MAYORS	SPRING CONFERENCE	295.00
16-00176	03/07/16	JCP&L	ELECTRIC SERVICE	1,320.67
16-00177	03/07/16	AT&T	LONG DISTANCE SERVICE	47.47
16-00178	02/29/16	ONE CALL CONCEPTS	ONE CALL SERVICE	17.36
16-00179	03/05/16	MONMOUTH WIRE&COMPUTER RECYCLE	ELECTRONIC SCRAP	90.00
16-00180	02/29/16	CME ASSOCIATES	MAIN ST PHASE 2 IMPROVEMENTS	1,225.00
16-00181	02/29/16	CME ASSOCIATES	EMS GENERATOR	1,696.50
16-00182	03/08/16	LAKE COMO PAYROLL ACCOUNT	EMPLOYEE PAYROLL 3/9/16	90,303.94
16-00184	03/09/16	BRENDAN MAAS	CELL PHONE REIMBURSEMENT	75.00
16-00185	03/09/16	SEAN RYDHOIM	CELL PHONE REIMBURSEMENT	75.00
16-00186	03/09/16	JOSEPH KELLY	CELL PHONE REIMBURSEMENT	75.00
16-00187	03/09/16	JOHN CUSIC	CELL PHONE REIMBURSEMENT	75.00
16-00191	03/09/16	MON CTY TAX ADMINISTRATION	2016 NOTICE OF ASSESSMENT CARD	345.10
16-00192	03/09/16	WINTRUST CAPITAL	LEASE PAYMENT	698.47
16-00197	02/09/16	NEOFUNDS BY NEOPST	POSTAGE	917.49
16-00198	03/11/16	NEW JERSEY AMERICAN WATER CO.	PURCHASE OF WATER FEBRUARY	7,529.39

Total Purchase Orders: 63 Total P.O. Line Items: 193

Total R/A/H Amount: 508,001.89

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	5-10	2,058.86	0.00	0.00	2,058.86
	5-20	<u>166.76</u>	<u>0.00</u>	<u>0.00</u>	<u>166.76</u>
	Year Total:	2,225.62	0.00	0.00	2,225.62
	6-10	475,431.99	0.00	0.00	475,431.99
	6-20	<u>30,344.28</u>	<u>0.00</u>	<u>0.00</u>	<u>30,344.28</u>
	Year Total:	505,776.27	0.00	0.00	505,776.27
	Total Of All Funds:	<u>508,001.89</u>	<u>0.00</u>	<u>0.00</u>	<u>508,001.89</u>

**RESOLUTION NO. 2016-75
RESOLUTION AWARDDING A BID FOR
A FIRST AID BUILDING GENERATOR**

WHEREAS, the Borough of Lake Como has advertised for bids for a Generator for the First Aid Building in the Asbury Park Press on January 23, 2016; and

WHEREAS, the Borough Clerk received bids on February 12, 2016, as advertised; and,

WHEREAS, the Municipal Engineer and Borough Attorney have reviewed the four (4) bids received and deemed that the award should be granted to the second lowest bidder, as the lowest bid was deemed incomplete by the Municipal Attorney. A copy of the legal opinion shall be on file in the Municipal Clerk's office.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Administrator are hereby authorized to award the bid to the second lowest bid submitted by Pat Maggio & Son Electric, Inc., Neptune, NJ for a project cost of \$65,500.00.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in an official newspaper as required by law within ten (10) days of its passage.

Dated: 3/15/2016

Brian T. Wilton
Mayor

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

JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME



TIMOTHY W. GILLEN, PE, PP, CME
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP

February 23, 2016

Borough of Lake Como
1740 Main Street
Lake Como, New Jersey 07719

Attn: Louise A. Mekosh,
Business Administrator/ Clerk

Re: **First Aid Building Generator**
Lake Como, New Jersey
Our File No.: PLC00501.01

Dear Ms. Mekosh:

On Friday, February 12, 2016, bids were received at the Lake Como Municipal Building for the above referenced project. As indicated on the attached bid tabulation sheet, four (4) bids were received.

The apparent low bid was submitted by Troller Electric, LLC (Troller) of Lake Como, New Jersey with a base bid of \$54,839.00. Troller has several irregularities that are listed on the enclosed Bid Tabulation. In addition to the irregularities listed, Troller also submitted a list of exclusions included with their bid. Key components listed within the Bid Proposal and Specifications that were not included in the bid submitted by Troller include, but are not limited to, an Automatic Transfer Switch, limitations to the lengths of electrical conduits and circuits, any permits, bonds, utility and Municipality fees, diesel fuel for the generator "belly" tank and limitations on the amount of retainage that can be held which is contrary to the New Jersey Public Contract Law. It is our opinion that the addition of these exclusions to their base bid may cause the final contract amount to exceed that of the second low bidder.

The next lowest bid was submitted by Pat Maggio & Son Electric, Inc. of Neptune, New Jersey with a base bid of \$65,500.00. We have not previously worked with this Contractor, but we have checked their references and believe they have sufficient experience to successfully complete the project.

Our office is also in receipt of a letter from Pat Maggio & Son Electric, Inc. stating a formal protest to the bid submitted by Troller Electric, LLC which we have enclosed with this letter for your review. We defer to the Borough Attorney concerning who the Lowest Responsible Bidder is. By copy of this letter we are forwarding the original bids to the Borough Attorney for review.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

Very truly yours,

Bruce M. Koch, P.E., P.P., C.M.E.
Borough Engineer

BMK/mdp
Enclosure

cc: Mayor Brian Wilton
All Council Members
Borough Attorney(with original bids)
Superintendent of Public Works

F:\K-Q\Lake Como\PLC00501.01 - EMS Generator\2016.02.23 Mekosh.doc

TROLLER ELECTRIC, LLC

1800 Main Street, Suite 3, Lake Como, NJ 07719
Telephone (732) 928-1630**Fax (732) 681-5207

February 12th, 2016

Borough of Lake Como
1740 Main St.
Lake Como, NJ 07719
732-681-3232

RE: Electrical Quote -First Aid Building Generator-Borough of Lake Como, NJ

Scope of Work Electrical:

- Installation of new electrical generator as indicated on plans provided for the First Aid Building Generator-Borough of Lake Como, NJ. Bid proposal based on prints provided for project file #PLC00501.01 dated 9/9/15.

Exclusions:

Labor for this project is based on Monmouth County prevailing wage rates, all work to be performed during standard working hours – Monday through Friday (7AM to 4PM)
Tax for quoted and non-quoted material, tax exempt forms will be needed.
Utility company transformer and primary feeder conduit or any related components
All Permits, Bond, Utility and Municipality fees by other
Troubleshooting/Repair of existing electrical equipment to remain
Bid price excludes diesel fuel for generator
Installation of new windows/equipment to conform with NEC code/ manufacturer's recommendations for minimum clearances from operable windows

TROLLER ELECTRIC, LLC
1800 Main Street, Suite 3, Lake Como, NJ 07719
Telephone (732) 928-1630**Fax (732) 681-5207

Clarifications:

- Allowance of 55 feet for service entrance conductors and conduit
- Allowance of 55 feet for all power circuits and conduits
- Allowance of 55 feet for all control circuits and conduits
- All exterior conduits to be schedule 80 PVC
- All interior conduits to be EMT
- All conductors to be copper
- Allowance of 4 hrs labor for startup and customer training
- Bid price assumes utilization of existing ATS
- Bid price does not include maintenance or maintenance contract (oil changes etc.)

Adder Alternate:

Supply and Installation of new 200 amp 240 volt ATS switch _____ \$5,000.00

Payment Schedule:

Payments based on percentage of completion with no more than 5% Retainage.

BASE Bid Price Proposal: _____ \$ 53,339.00

Thank you for the opportunity to submit our proposal.

Respectfully,



Ian Gulino, President

Agreed and Accepted:

Signature and date

Print Name

Pat Maggio & Son Electric, Inc.

3520 HIGHWAY 33 SUITE G

NETTUNE, NJ 07753

PHONE 732-922-2800

FAX 732-922-2835

OFFICE@MAGGIOELECTRIC.COM ~ N.J. LIC#9686

February 16, 2016

CME Associates
3141 Bordentown Avenue
Parlin, NJ 08859

Attn: David Samuel / Borough-Engineer

RE: First Aid Building Generator
February 12th 2016 Bid
Lake Como, New Jersey

Dear Mr. Samuels:

Please accept this letter as a formal protest to the above referenced bid, against the 1st low bidder Troller Electric, LLC. We feel that the above mentioned bidder's proposal was flawed in two aspects,

1. Page A-1 of CME Engineers spec's & contract book states all bids must be submitted in a sealed envelope, Troller Electric, LLC bid was not in an envelope.
2. Troller Electric, LLC's bid proposal form page C-17 was calculated incorrectly and was not the total of bid item #1 & #2.

We feel that Troller Electric, LLC's bid was not a responsible bidder and we would like the opportunity to respond before an award is made by the Borough of Lake Como.

Respectfully:

Anthony Maggio
Vice President

cc. Louise McKosh BA Clerk @ Boro of Lake Como

**SUMMARY OF BIDS RECEIVED ON FRIDAY, FEBRUARY 12, 2016
BY THE BOROUGH OF LAKE COMO
FOR THE "FIRST AID BUILDING GENERATOR"**

NAME:		Troller Electric, LLC		Pat Maggio & Son Electric, Inc.		Forest E	
ADDRESS:		1800 Main Street, Suite 3		3520 Highway 35, Suite G		206 Mt	
CITY / STATE:		Lake Como, NJ 07719		Neptune, NJ 07753		Edison	
BID GUARANTEE:		No		10% NTE \$20,000		10% N	
SURETY:		Yes		Yes			
ITEM	DESCRIPTION	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	FURNISH AND INSTALL NEW DIESEL POWERED 40KW GENERATOR, INCLUDING A 10KW LOAD BANK, CONCRETE FOUNDATION, AUTOMATIC TRANSFER SWITCH AND ALL OTHER ASSOCIATED WORK AS DESCRIBED AND/OR SHOWN IN THE CONTRACT DOCUMENTS IN ORDER TO PROVIDE A FULLY FUNCTIONAL APPARATUS.	\$53,339.00	\$53,339.00	\$64,000.00	\$64,000.00	\$82,700.00	\$82,700.00
2	ALLOWANCE FOR WORK UNSPECIFIED (ONLY WHERE ORDERED)	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
BID ITEM TOTAL:			\$53,339.00 \$54,839.00		\$65,500.00		\$84
APPARENT LOW BASE BID							
TRUE COPY OF BID RECEIVED BY THE BOROUGH CLERK'S AND THE BOROUGH ENGINEER'S OFFICE ON FRIDAY FEBRUARY 12, 2016 AT 2:00 P.M. PREVAILING LOCAL TIME.		<p>IRREGULARITIES</p> <ol style="list-style-type: none"> 1. Bid was not provided in a sealed envelope. 2. Bid Security (C-3) is incomplete and Bid Guarantee was not included. 3. The proposal sheets were not sealed by the Notary Public. 4. Stockholder or Partner Disclosure Certification (C-8) was never sealed. 5. Certificate of Equipment (C-10) is incomplete. List of existing equipment was not enclosed. 6. Disclosure of Investment Activities in Iran (C-12) is incomplete. 7. A mathematical error was made in the Total of Prices Bid where \$53,339.00 was provided and \$54,839.00 was calculated. 8. Automatic Transfer Switch cost was not included in the base bid, and was included in a list of exclusions with the contract, along with various other exclusions. 		<p>IRREGULARITIES</p> <ol style="list-style-type: none"> 1. The Proposal Sheets (Section C) were submitted without the specifications book. 2. Correction to Bid Item 1 (C-16) was never initiated by the bidder. 3. Correction to Total of Prices Bid in Bid Proposal (C-17) was not initiated by the bidder. 4. Bid Document Submission Checklist is incomplete. 		<p>IRREG</p> <ol style="list-style-type: none"> 1. The Proposal She copied and submitted book. 2. The Non-Collusior stamped and sealed 	
BRUCE M. KOCH, PROFESSIONAL ENGINEER N.J. P.E. LICENSE NO. 34378							

MEMORANDUM

To: MMS
From: SEF
Date: February 25, 2016
Re: Lake Como First Aid Building Generator RFP

Lake Como received four bids in response to this RFP. The Bid from the apparent lowest bidder, Trotter Electric, LLC, has the following irregularities, as indicated on the bid tabulation sheet:

1. No bid guarantee. Pursuant to *N.J.S.A.* 40A:11-23.2, a bid guarantee, if required, is a mandatory item and failure to submit it “shall be deemed a fatal defect that shall render the bid proposal unresponsive and that cannot be cured by the governing body ...”
2. The Bid fails to factor in key elements of the Specifications which, if properly accounted for, would make Trotter the second lowest bidder according to the Borough Engineer. In any event, it is impossible to determine what the total price quote is from what was submitted.
3. Other irregularities include failure to submit the Bid in a sealed envelope and mathematical and/or clerical errors, which are the subject matter of a formal protest by the second lowest bidder.

Ultimately, Trotter should be deemed to have submitted an incomplete bid which cannot be considered.

The second lowest Bid, from Pat Maggio & Son Electric, Inc. (“Maggio”) also contains some irregularities, but they appear to be minor. Specifically, the Proposal was submitted separately from the RFP booklet, changes in the Proposal were not initialed,¹ a *Certificate of Experience* seems to be missing, and a box on the *Acknowledgement of Receipt of Changes to Bid Documents* is not checked, although it is signed and notarized.

The test for materiality is whether waiver of a defect would (1) deprive the municipality of the assurance of satisfactory performance, or (2) adversely affect competitive bidding by giving one bidder an advantage over another. *Meadowbrook Carting Co. v. Borough of Island Heights*, 138 N.J. 307 (1994).

The irregularities in the Maggio Bid seem to be waivable. The Borough Engineer checked Maggio’s references and determined that it has “sufficient experience to successfully complete the project.” This type of investigation is expressly permitted in Instruction to Bidders B 2.9. Likewise, while the *Acknowledgement of Receipt of Changes to Bid Documents* is not complete, there were no changes to the RFP.

¹ I do not see where initialing is required in the RFP.