



**LAKE COMO BOROUGH
1740 MAIN STREET
LAKE COMO, NJ 07719
(732) 681-3232
AGENDA**

**DATE: FEBRUARY 1, 2022
REGULAR MEETING IMMEDIATELY FOLLOWING THE WORKSHOP**

MEETING CALLED TO ORDER

SALUTE TO FLAG AND MOMENT OF SILENT REFLECTION

SUNSHINE LAW

Introduction as required under the Sunshine Law: Adequate notice of this meeting has been provided by the adoption of a Resolution by the Mayor and Council on the fourth day of January 2022 in which Resolution the time and place of Agenda and Regular Meetings commencing with January 4, 2022 were set forth. Notice of same was delivered to the Asbury Park Press the Coast Star and TAPinto and a copy of the notice was posted on the borough website at www.lakecomonj.org and on the bulletin board in Borough Hall. All meetings are open to the public.

ROLL CALL

Douglas Witte
Hawley Scull
Christopher D'Antuono
Nick DeMauro
Peter Ventrice
Heather Albala-Doyle

APPROVAL OF MINUTES

Minutes from the January 18, 2022 meeting

COMMUNICATIONS

REPORTS OF COMMITTEES

UNFINISHED BUSINESS

PUBLIC COMMENTS ON NEW BUSINESS & CONSENT AGENDA

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.

Tax Collectors Annual Report

Resolution 2022-62
Refund of Street Opening Escrow

Resolution 2022-65
Executive Session – Contractual Matters

NEW BUSINESS

Special Events Permit Application
Belmar 5
Offered by Councilwoman Scull

Resolution 2022-63
Payment of Bills
Offered by Councilman Ventrice

Resolution 2022-64
Payment of NJNG Bill
Offered by Councilman DeMauro

Resolution 2022-66
Authorizing to Solicit Bids for Emergency Utility Repairs
Offered by Councilman D'Antuono

Resolution 2022-67
Authorizing Agreement for Tax Map Shared Service with Monmouth County
Offered by Councilman Witte

Ordinance 2022-967
First Reading and Introduction
Ordinance Creating and Funding of a Separate Position of
Borough Administrator for the Borough of Lake Como
Offered by Councilwoman Albala-Doyle

Ordinance 2022-968
First Reading and Introduction
CAP Rate Ordinance
Offered by Councilman Witte

PUBLIC COMMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Resolution 2022-68

Person to Person Transfer: Payday Inc. to Salty's Beach Bar

NEXT MEETING

The next regular meeting of the Mayor and Council will be held on Tuesday, February 15, 2022, immediately following the 7:30 PM Workshop meeting and the location is to be determined. All meetings are open to the public.

MOTION TO ADJOURN

Annual Report

Tax Account Status 2021/1 - 2021/4

Current year tax levy	\$7,191,187.61	
Added & Omitted Taxes	\$60,941.46	
Canceled (Exemptions)	-\$7,750.00	
Total Current Year Levy		\$7,244,379.07
Less:		
Taxes Collected	\$7,112,139.82	
Canceled (adjustments)	\$46,614.49	
Liens		
Total Current Year Levy		\$7,158,754.31
Balance as of 12/31/21		\$85,624.76
2021/1 - 2021/4		

Tax Trial Balances

Balance as of 12/31/20		\$3,169,051.94
Increased by:		
Billing	\$3,974,570.98	
Balance Adjustments	-\$24,783.53	
Decreased by:		
Taxes Collected	\$7,039,893.25	
Balance Adjustments	\$6,678.62	
Balance as of 12/31/21		\$85,624.76

Tax Title Liens

Balance as of 12/31/20		\$32,004.26
Increased by:		
Delinquent Taxes	\$12,572.55	
Interests & Costs	\$0.00	
Adjustments	\$0.00	
Total Increases		\$12,572.55
Sub-total		\$44,576.81
Decreased by:		
Collected	\$0.00	
Total decreases		\$0.00
Balance as of 12/31/21		\$44,576.81

Prepared by:



Tax Collector
Municipality

Toni Mullen, CTC
Borough of Lake Como

Tax Levy

Net Taxes:		
	Original:	\$7,183,437.61
	Preliminary Adjustments:	\$0.00
	Added:	\$60,941.46
	Omitted:	\$0.00
	Omit/Add:	\$0.00
	Rollback:	\$0.00
Total Net Tax		\$7,244,379.07
Original Deductions (Src, Vet, SSp, Dis, Wid)		\$7,750.00
Total Gross Tax Levy		\$7,252,129.07

Collections

	Prior Year - Cash Receipts	\$72,246.57
	Current Year - Cash Receipts	\$7,049,700.09
	Original Deductions (Src, Vet, SSp, Dis, Wid)	\$7,750.00
	Deductions Allowed	\$250.00
	Disallowed Deductions	-\$250.00
	Transfer Overpayments	-\$534.28
	Homestead Benefit	\$47,148.77
Total Collections		\$7,176,311.15

Adjustments to Collections

	NSF Reversals	\$9,806.84
	Refund bt Resolution	\$0.00
Total Adjustments to Collections		-\$9,806.84
Total Adjusted Collections		\$7,166,504.31

Percentage of Collections: (Total Adjusted Collections/Total Tax Levy * 100)	98.82
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RESOLUTION NO. 2022-62

WHEREAS, Skinner Construction, LLC, the contractor for homeowners Mark and Allison Lee, 1705 B Street, Lake Como, NJ, also known as Block - 2; Lot - 2, applied for Street Opening Permit #21-20 for a water/sewer tap, new curbs, driveway and apron for a new construction project; and

WHEREAS, Skinner Construction, LLC, paid the \$90.00 Application Fee, as well as the \$600.00 Escrow Fee which is refundable upon satisfactory completion of the job; and

WHEREAS, Brendan Maas, Superintendent of the Department of Public Works, did visit the site for the purpose of inspecting the street and did find it to be in good condition.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that the \$600.00 Escrow Fee posted with Check #2023 be refunded to Skinner Construction, LLC.

Date: February 1, 2022

Kevin G. Higgins
Mayor

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

RESOLUTION OF THE BOROUGH OF LAKE COMO,

RESOLUTION NO. 2022-65

COUNTY OF MONMOUTH, STATE OF NEW JERSEY,

**RESOLUTION OF THE BOROUGH COUNCIL AUTHORIZING
CLOSED PORTION OF PUBLIC MEETING**

WHEREAS, the Open Public Meetings Act N.J.S.A. 10:4-12b(6) permits the Borough Council to exclude the public from a meeting, or any portion thereof, at which the Council wishes to discuss contractual matters; and

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council shall exclude the public from that portion of its February 1, 2022 meeting which pertains to the aforementioned matter, and that such matters that are not covered by the attorney-client privilege will be disclosed to the public if and when confidentiality is no longer required.

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Lake Como, that the public portion of this meeting is hereby closed.

Dated: 02/01/2022

Kevin G. Higgins,
Mayor

CERTIFICATION

I hereby certify the foregoing Resolution to be a true and exact copy of a Resolution adopted by the Lake Como Borough Council at its meeting held on February 1, 2022.

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



Borough of Lake Como

1740 Main Street • Lake Como, New Jersey 07719
(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

MUST BE TYPED OR PRINTED NEATLY

SPECIAL EVENTS PERMIT APPLICATION

PLEASE COMPLETE THE FOLLOWING INFORMATION, AS REQUIRED BY
BOROUGH ORDINANCE NO. 93-576.

DATE OF EVENT:

Sat. 9/3/22

TIME OF EVENT:

8:00 am until 9:30 am pm

Events with more than 500 participants must begin at 9:00am

APPLICANT/ORGANIZATION:

Belmar Goodwill Hose Co

APPLICANT ADDRESS:

PO Box 21

Belmar, NJ

TELEPHONE NUMBER:

Eugene Cavanagh 732-604-0551

DAY OF EVENT CONTACT INFORMATION

PERSON RESPONSIBLE FOR EVENT:

Daniel Napolitano

ADDRESS:

1731 Pascal Pl

Wall NJ 07719

PHONE NUMBER:

732-859-6146

WILL THERE BE AN ADMISSION CHARGE TO ATTEND?: X YES NO

IF YES, HOW MUCH?:

\$ 25 - 40

LIABILITY INSURANCE COVERAGE?

X YES NO

AMOUNT OF COVERAGE:

\$ 2,000,000

HAVE YOU APPLIED TO BELMAR & SPRING LAKE?

X YES NO

IF NO, WHY?

***Certificate of Insurance MUST be submitted with the application**

before application will be reviewed*

*Insurance Certificate will be provided
after 2/1/22 prior to the event*



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Kevin G. Higgins
Mayor

Louise A. Melkosh
Borough Clerk/Administrator

SPECIAL EVENTS PERMIT APPLICATION

LOCATION OF EVENTS AND COMPLETE DETAILS AS TO HOW THE APPLICANT INTENDS TO PROVIDE FOR SECURITY AND TRAFFIC CONTROL. EVENTS WITH OVER 500 PARTICIPANTS CANNOT USE VOLUNTEERS:

Part of the Belmar 5 mile course goes
around Lake Como. We will utilize volunteer
course marshals, firemen & police for
security & traffic control.

DESCRIBE ALL BOROUGH RESOURCES AND/OR SERVICES THAT WILL BE REQUIRED TO BE PROVIDED IN CONNECTION WITH THE EVENT:

Public works & Police for street closures

APPROXIMATE NUMBER OF CONTESTANTS, PARTICIPANTS, SPECTORS, AND/OR OTHER PEOPLE THAT COULD REASONABLY BE ANTICIPATED TO ATTEND THE EVENT: 2500

THE BOROUGH OF LAKE COMO RESERVES THE RIGHT TO CANCEL ANY SPECIAL EVENT DUE TO CIRCUMSTANCES BEYOND ITS CONTROL, SUCH AS STORMS OR ANY NATURAL DISASTER.

Daniel Napoleone
SIGNATURE OF APPLICANT

2/2/22
DATE

FOR OFFICE USE ONLY

Date Application Received

Received by

Date Application Reviewed & Approved by DPW

Reviewed by

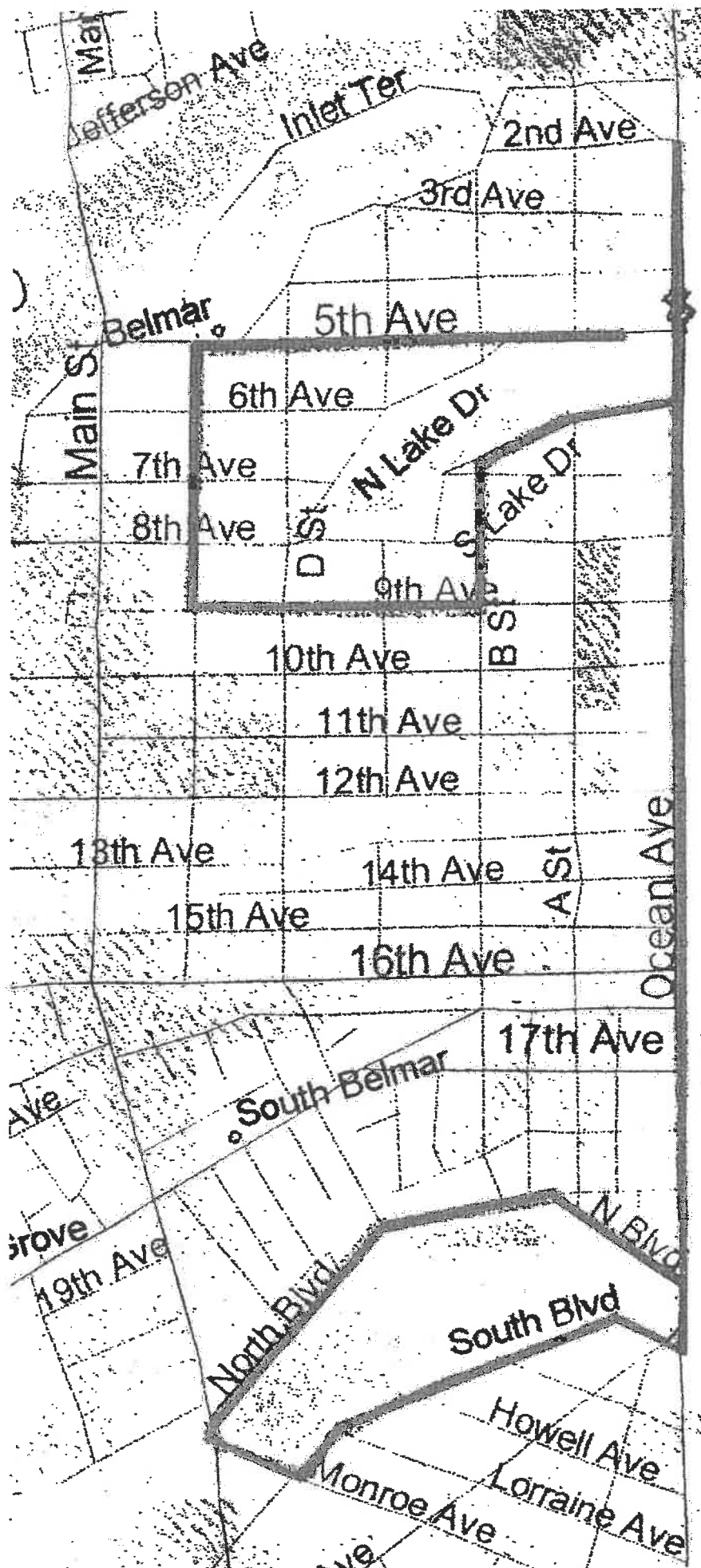
Date Application Reviewed & Approved by Police

Reviewed by

Price from Police Department

Date Approved by Mayor & Council

Daniel Melkosh
1-20-22



Resolution 2022 – 63

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:

See Attached Bill List	\$312,891.74
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WATER/SEWER ACCOUNT:

See Attached Bill List	\$ 7,221.14
David Mancenelli Res2021-145	<u>59.22</u>
	\$ 7,280.36

PAYROLL ACCOUNT:

5182 Employee Payroll Dated 1/19/22	\$ 32,377.74
2424 Employee Payroll Dated 1/19/22	<u>5,888.34</u>
	\$ 38,266.08

TOURISM ACCOUNT:

Tap Into Local, LLC	\$ 350.00
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Dated: February 1, 2022

Kevin G. Higgins, Mayor

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

CURRENT ACCOUNT:

Acclaim Inventory	Finance OE	2,000.00
Atlantic Security	PB&G OE	809.40
Borough Belmar	Streets & Roads OE	350.49
	Solid Waste OE	426.22
5218 Costco	PB&G OE	404.64
Delisa Waste	Solid Waste/Landfill	2,833.36
Delisa Waste	Solid Waste/Landfill	2,282.95
Delisa Waste	Solid Waste OE	6,933.33
Delisa Waste	Recycle OE	4,333.33
DSO	Ins/Other	114.21
Edward Tire Co.	Streets & Roads OE	179.95
Ferguson Enter.	PB&G OE	145.09
Ferguson Enter.	Streets & Roads OE	224.35
Garden State Highway	Environmental OE	48.70
JCP&L	PB&G OE	1,101.12
JCP&L	Street Lighting	2,331.82
J. Jimenez	PB&G OE	360.00
J. Jimenez	PB&G OE	360.00
Jungle Lasers LLC	Nat. Geomatica	580.00
Kepwel	PB&G OE	74.50
5182 Lake Como Payroll	S&W	29,734.07
	SS	2,142.62
	Medicare	501.08
5220 Lake Como Tourism	Dep. Correction	50.00
Lake Como Water	Dep. Correction	1,010.00
5214 Lake Como Water	Due to W/S	200,000.00
Monarch Electric	PB&G OE	31.46
5212 Mon. Cty JIF	Gen. Liability	5,951.06
	Gen. Liability	6,464.49
	Work. Comp.	24,463.24
	Surety Bonds	1,820.21
Mon. Cty Public Wor	Streets & Roads OE	87.00
Mon. Cty Public Wor	Streets & Roads OE	87.00
Mon. Cty. SPCA	Public Health/Services	200.00
Mon. Cty. TCTA	Collection of Taxes	80.00
NJ Registrar's Asso	Mun. Clerk OE	50.00
5223 Optimum	Telephone	843.91
Quadient Leasing	Finance OE	71.61
	Collection of Taxes	71.61
	Cons. Code OE	71.61
5215 Quill LLC	A&E OE	33.99
	Finance OE	55.75
	Cons. Code OE	15.87
	Collection of Taxes	18.54
	Mayor&Council OE	12.99
	Plan Bd. OE	146.33

5216 Santander Bank	Streets & Roads OE	12,695.70
Shain Schaffer, PC	Legal Services Fees	288.14
		312,891.74

WATER/SEWER ACCOUNT:

Ferguson Enter.	OE	1,125.36
2424 Lake Como Payroll	S&W	5,888.34
2427 State NJ PWT	OE	127.36
One Call Concepts	OE	38.61
One Call Concepts	OE	8.58
One Call Concepts	OE	22.88
One Call Concepts	OE	10.01
		7,221.14

Resolution 2022 – 64

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 account:

CURRENT ACCOUNT:

NJ Natural Gas Co.	PB&G OE	\$1,128.01
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Dated: February 1, 2022

Kevin G. Higgins, Mayor

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

RESOLUTION NO. 2022-66

**RESOLUTION AUTHORIZING THE BOROUGH CLERK TO SOLICIT PROPOSALS
FOR AN EMERGENCY UTILITY REPAIR CONTRACTOR**

BE IT RESOLVED, by the Mayor and Council of the Borough of Lake Como that the Borough Clerk is hereby approved and authorized to prepare and advertise a Request for Proposal for an Emergency Utility repair contractor for Calendar year 2022.

A copy of the Request for proposal will be posted in the local newspaper as well as posted on the Lake Como web page.

DATED: 2/1/2022

Kevin G. Higgins, Mayor

Louise A Mekosh, RMC,CMC,CMFO
Borough Clerk

**RESOLUTION 2022-67
AUTHORIZING THE MAYOR
TO EXECUTE A
SHARED SERVICE AGREEMENT
FOR THE COUNTY OF MONMOUTH TO PROVIDE
THE iTaxMap/Collaboration Center SYSTEM**

WHEREAS, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

WHEREAS, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

WHEREAS, a County-to-Municipality shared services program provides map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

WHEREAS, the intent of the digital tax map shared services program is to reduce municipality costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

WHEREAS, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

NOW THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute the agreement and a copy of the agreement will be attached to this resolution.

Dated: 2/1/2022

Kevin G. Higgins, Mayor

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

**SHARED SERVICE AGREEMENT
FOR THE COUNTY OF MONMOUTH TO PROVIDE
THE iTaxMap/Collaboration Center SYSTEM**

THIS SHARED SERVICE AGREEMENT (the “Agreement”) is made this ____ day of _____, 20____ by and between the COUNTY OF MONMOUTH, a body politic of the State of New Jersey, having its principal offices located at the Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728 and NAME OF MUNICIPALITY, in the County of Monmouth, a municipal corporation of the State of New Jersey, having its principal offices located at street address, municipality, NJ zip code, (referred to as the “municipality”).

WHEREAS, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

WHEREAS, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

WHEREAS, a County-to-Municipality shared services program would provide map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

WHEREAS, the intent of the digital tax map shared services program is to reduce municipality costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

WHEREAS, the Commissioners have approved the awarding of a contract for digital tax mapping in Resolution # 2021-0552; and

WHEREAS, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state

regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

NOW, THEREFORE, in consideration of the above and the provisions set forth hereinafter, it is mutually agreed as follows:

IT IS AGREED:

1. Grant of Sublicense. Monmouth hereby grants the municipality use of the Collaboration Center as provided by Civil Solutions, under the terms of this Agreement.

2. Costs.

- (a) There are no costs for municipality for the initial two (2) years of the service. During the initial two (2) years of the agreement the County shall pay for the conversion and maintenance of all parcels within the municipality to a County/State digital standard.
- (b) Once all municipalities who have agreed to participate have been brought to the County/State digital standard, a per parcel annual maintenance cost shall be determined and presented to all municipalities for review and consideration.
- (c) The County shall pay for all costs associated with the maintenance and hosting of the iTaxMap/Collaboration applications within the County's IT facilities.
- (d) Any and all additional costs of releases or other future add-ons, will be mutually agreed upon by the municipalities.

3. Other Costs.

- (a) The municipality will retain Civil Solutions directly to perform any customization, data conversion or future additional training and implementation services required by the municipality.
- (b) The municipality will also provide the necessary personal computer(s), printer(s) and internet connection for the proper operation of iTaxMap/Collaboration Center System. For current operating requirements, see Exhibit "A" attached.

4. iTaxMap/Collaboration Center System access through Civil Solutions.

- (a) Each participating municipality has access to the iTaxMap/Collaboration Center system
- (b) Each municipality is entitled to two (2) named users accounts to access the Collaboration Center system, one of which shall be the municipal Assessor.

5. Maintenance and Support.

- (a) The Monmouth County Office of Geographic Information Systems will procure and maintain vendor software licensing. Civil Solutions is responsible for maintenance and upgrades to the iTaxMap System.
- (b) Municipalities will have access to Civil Solutions' technical help and support services to assist questions regarding the iTaxMap System.
- (c) In the event of any major changes in the maintenance and support arrangements with iTaxMap System, all municipalities in good standing under this Agreement will receive prior and timely notification of such changes.

6. Copyright & Trademark Acknowledgement.

- (a) The iTaxMap System product is the exclusive property of Civil Solutions, a Division of ARH. Civil Solutions owns the title, copyright, and other intellectual property rights in web-based software. The iTaxMap System is licensed, not sold. The iTaxMap System is protected by copyright and other intellectual property laws and treaties. Except for those rights expressly granted by ARH, Civil Solutions retains all proprietary rights to the iTaxMap System.
- (b) The iTaxMap System may not be reproduced, exploited, modified, transmitted, licensed or distributed without the prior written consent of Civil Solutions. The licensee, municipalities and other users shall not disassemble; decompile, or reverse engineer Civil Solutions products.

Copyright © 2021 Civil Solutions

All rights reserved.

7. Ownership of Images, Metadata, and Database Information.

- (a) Municipality is solely responsible for the selection of indexing templates and the entry of indexing utilized in the retrieval of images and other content.
- (b) All data, associated metadata and database information of the municipality remain the sole property of the municipality. Unless required by law, Monmouth may not make any portion of this information deposited in the repository available to the public without the prior written consent of the municipality.

8. Term of Agreement.

This Agreement shall be effective through (December 31, 2025), unless sooner terminated or extended.

9. Termination of Agreement.

- (a) Either party has the right to terminate this Agreement upon ninety (90) days written notice to the other party. In addition, Monmouth may terminate this Agreement, upon thirty (30) days' notice, if the municipality fails to make timely payment(s) required under this Agreement.
- (b) If the underlying agreement between Monmouth and Civil Solutions is terminated for any reason, Monmouth shall promptly notify all municipalities of such termination and the effective termination date, whereupon this Agreement shall terminate.
- (c) If the agreement between Monmouth and the municipality is terminated for any reason, upon the written request of the municipality, Monmouth shall, within sixty (60) days from the effective termination date, provide the municipality with a copy of all data and metadata stored within the iTaxMap System for the municipality ("municipality's data"). At Monmouth's discretion, delivery may be on any standard media including, but not limited to CD, DVD or removable HDD. Upon delivery, Monmouth shall retain no custodial right or duty with regard to the municipality's data.

10. Dispute Resolution.

- (a) Monmouth agrees to continue providing the municipality access to the iTaxMap System web-based interface and all data during the pendency of a dispute.

11. Limitation of Liability/Indemnification.

- (a) Monmouth makes no warranties, either express or implied under this Agreement. Monmouth shall not be liable to the municipality for damages of any kind arising from Monmouth's non-performance or flawed performance under this Agreement.
- (b) The municipality shall defend, indemnify and hold harmless Monmouth, its officers, agents and employees from and against any and losses, costs, damages, claims, suits and/or liabilities (including counsel fees and cost of suit), to which Monmouth may be subject by reason of any actions or inactions by the municipality, its officers, agents and employees.

12. Terms of Use and Notices.

In order to access the iTaxMap System, the municipality and its external authorized users must agree to the Terms of Use posted thereon, a copy of which is attached hereto, as Exhibit "B". By executing this Agreement, the municipality agrees to the terms of Exhibit "B".

13. Support Process.

The iTaxMap System Product Support process attached hereto as Exhibit "A" is incorporated herein.

14. Changes.

The terms and conditions of this Agreement may not be amended, waived or modified, except in a writing signed by the parties.

15. Force Majeure.

A party shall not be liable for any failure of or delay in the performance of this Agreement for the period of time that such failure or delay is (a) beyond the reasonable control of a party, including, without limitation, acts of God, terrorist acts, shortage of supply, breakdowns or malfunctions, interruptions or malfunctions of computer facilities, or loss of data due to power failures or mechanical difficulties with information storage or retrieval systems, labor difficulties, war, or civil unrest, and (b) materially affects the performance of any of its obligations under this agreement, and (c) could not reasonably have been foreseen or provided against. The affected party shall provide the other with prompt notice, as soon as practicable, any such delay or failure in performance occurs and keep the other party apprised of developments and mitigation effort with respect thereto. No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached the Agreement, for the delay in performance of this Agreement when and to the extent such failure or delay is caused by acts beyond the parties' control.

16. Choice of Law.

This Agreement shall be governed by and interpreted in accordance with the laws of the State of New Jersey.

17. Filing of Agreement.

Monmouth's Clerk of the Board shall file a fully executed copy of this Agreement with the Division of Local Government Services, New Jersey Department of Community Affairs in accordance with N.J.S.A. 40A:65-4(b).

18. Authority to Execute Agreement.

Each party to this Agreement represents to the other party that its governing body has taken the necessary action to authorize the execution of this Agreement.

19. Counterparts.

This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.

20. Notices.

Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To Monmouth:

County of Monmouth
1 East Main Street
Freehold, NJ 07728
Attn: Teri O'Connor, Administrator
Email: Teri.O'Connor@co.monmouth.nj.us
Fax: 732-409-4820

County of Monmouth
1 East Main Street
Freehold, NJ 07728
Attn: Elizabeth Perez, Shared Services Coordinator
Email: elizabeth.perez@co.monmouth.nj.us
Fax:

To the Municipality:

Or to such other address or individual as any party may from time to time notify the other.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

COUNTY OF MONMOUTH

Clerk of the Board

By: _____
Commissioner Director

Date: _____

ATTEST:

By: _____
Title:

Date: _____

Exhibit "A"

END USER PC(s)

Support Services:

- *Civil Solutions Collaboration Center is a web-centric tool that allows users to:*
 - *Input change requests; upload attachments for documentation and support*
 - *Track work order status*
 - *View completed tax map products via direct link*
 - *View backup documentation, uploaded in original order, via direct link*
 - *Track all map change requests and responsible parties*
 - *Track dates submitted, changed and state approved*

Supported Browser Versions:

- The iTaxMap System is supported in the most recent and second most recent versions of Mozilla Firefox, Microsoft Edge and Google Chrome.
- They do not support Internet Explorer 9 and below.
- JavaScript needs to be enabled on your web browser.

Suggested System Specifications for Basic Browsing:

- PC with at least 2GB of RAM, or
- Modern tablet devices, and
- Latest version of Mozilla Firefox, Microsoft Edge, or Google Chrome

Suggested System Specifications for Advanced or Professional Use:

- PC with at least 8GB of RAM, and
- Latest version of Mozilla Firefox, Microsoft Edge, or Google Chrome

BOROUGH OF LAKE COMO, MONMOUTH COUNTY

ORDINANCE NO. 2022-967

**ORDINANCE CREATING AND FUNDING OF A SEPARATE POSITION OF
BOROUGH ADMINISTRATOR FOR THE BOROUGH OF LAKE COMO**

WHEREAS, the Lake Como Borough Administrator/Clerk appointed pursuant to Ordinance § 2-9.1 has resigned her position as Borough Administrator and plans to retire from her position as Clerk and CFO effective March 31, 2022; and

WHEREAS, the current Ordinance last revised in 1987 contemplates that the Clerk and the Borough Administrator are the same person; and

WHEREAS, the governing statute has twice been amended since 1987 and authorizes the creation and funding of a separate position of Borough Administrator; and

WHEREAS, the Council believes it to be the best interest to separate these positions and hire a Borough Administrator.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF LAKE COMO AS FOLLOWS:**

SECTION 1

- A. Creation of position. The position of Borough Administrator of the Borough of Lake Como is hereby created, and the employment of a Borough Administrator is hereby authorized.
- B. Appointment; qualifications; residency. The Borough Administrator shall be appointed by the Mayor with the advice and consent of the Borough Council. Said appointment shall be on the basis of the administrative qualifications of the appointee, with special regard to his/her education and training in government affairs and actual experience therein. The appointee need not be a resident of the Borough.
- C. Salary. The compensation of the Borough Administrator shall be fixed by the annual Salary Ordinance of the Borough.
- D. Duties and responsibilities. For the purpose of carrying out his/her responsibilities, the Borough Administrator shall develop and promulgate, with the approval of the Council, sound administrative, personnel and purchasing practices and procedures for all departments, boards, agencies and employees of the Borough. He/she shall be responsible to the Council in all matters and, with the exception of the duties of the office of the Borough Clerk as set forth in N.J.S.A. 40A:9-133e, shall coordinate the operations, activities and administrative practices of all departments, boards, agencies and employees of the Borough. The Borough Administrator shall perform the duties

hereinafter enumerated and such other duties as may from time to time be assigned to him/her by the Council.

- (1) He/she shall act as the administrative official of the Borough government.
- (2) He/she shall supervise, integrate and coordinate the functions of all departments, boards, agencies, officials and employees of the Borough, with the exception of the duties of the office of the Borough Clerk as set forth in N.J.S.A. 40A:9-133e.
- (3) He/she shall assist the Mayor and Council in the preparation of the annual budget and make recommendations thereon. After adoption of the annual budget, the Borough Administrator shall see to it that the same is properly carried out.
- (4) He/she shall, in the absence of a "Qualified Purchasing Agent" as set forth in N.J.S.A. 40A:11-9b being employed and designated by the Borough, coordinate the purchasing of supplies, services, materials and equipment. He/she shall cause to have certified the receipt of the same and attend to the submission of proper vouchers for payment and review of all disbursements in connection therewith. If the Borough has appointed a Qualified Purchasing Agent, the Borough Administrator shall oversee the activities of such official.
- (5) Except for workshop, regular and/or special meetings of the Mayor and Council for purposes of taking governmental action for which the Borough Clerk shall arrange and prepare agenda for and such other duties of the office of the Borough Clerk as set forth in N.J.S.A. 40A:9-133e, he/she shall have prepared an agenda for and arrange meetings and conferences of the Mayor and/or Council or members thereof and other agencies of the Borough when so requested by the Mayor and/or Council.
- (6) He/she shall advise the Mayor and/or Council and all background matters as an aid to the establishment of policy.
- (7) He/she shall follow up acts of the Mayor and/or Council by correspondence, review of minutes and personal conferences.
- (8) He/she shall receive, distribute and follow up requests for information and complaints from citizens on all manner of problems and keep the Mayor and Council informed with respect thereto.
- (9) He/she shall implement all policies formulated by the Council.
- (10) He/she shall prepare and present to the Mayor and Council an annual report on Borough affairs and such other reports as may be required from time to time on Borough affairs.
- (11) He/she shall advise the Mayor and Council on all matters of administrative organization and personnel and on matters affecting public relations and the public.

(12) He/she shall devote his/her entire time and effort to the performance of his/her duties and functions and shall not engage in any other occupation or employment while employed by the Borough of Lake Como, except that he/she may perform the duties of any other position in the Borough government when so assigned by the Council and as otherwise provided by law, except where state statute or other ordinances of the Borough require a specific official to undertake such duties. He/she shall attend all regular and special meetings and regular conference meetings of the Mayor and Council and, when so requested by the Mayor and/or Council, shall attend meetings of other public bodies.

- E. Absence, disability or vacancy. During the absence of or disability of the Borough Administrator or if there shall exist a vacancy in the office of Borough Administrator, Council may, by resolution, appoint any employee or officer of the Borough to perform the duties of the Borough Administrator during such absence, disability or vacancy.
- F. Removal; termination of employment. The Borough Administrator shall serve at the pleasure of the Council and may be removed from office by vote of 2/3 of the membership of the Council. Said removal shall be effective three months after adoption of the resolution approving same by the Council; however, the Council may make such removal effective immediately if the resolution provides that the Borough Administrator shall forthwith be paid any unpaid balance of his/her salary, and his/her salary for the next three calendar months following adoption of the resolution.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

ORDINANCE 2022-968
CALENDAR YEAR 2022
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 2.5% 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 2022 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 \$ 135,748.64 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 2022 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 by 3.5 %, amounting to \$ 135,748.64 and that the CY 2022 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: February 1, 2022

Kevin G. Higgins, Mayor

Louise A. Mekosh, RMC, CMC, CMFO
Borough Clerk/Finance Officer

RESOLUTION NO. 2022-68
APPROVING THE PERSON TO PERSON APPLICATION
PAYDAY INC. TO SALTY'S BEACH BAR BELMAR, LLC

WHEREAS, the Mayor and Council of the Borough of Lake Como has reviewed the Person to Person transfer application from Payday Inc. to Salty's Beach Bar Belmar, LLC., License No. 1347-33-006-013, located at 1705 Main Street, Lake Como, NJ.

BE IT FURTHER RESOLVED that the Belmar Police Department has investigated the application and has met with the principle of Salty's Beach Bar Belmar, LLC and has recommended that the Council consider the transfer application.

BE IT RESOLVED, that the Mayor and Council sitting as the Local Alcoholic Beverage Control Board and the applicant have agreed to the following conditions:

1. Applicant agrees to continue reimbursing the Borough for additional police coverage as deemed necessary by the Chief of Police.
2. Outside Live bands and DJ's (with reduced amplification) are permitted until 10:00pm. No amplification of percussions. Doors should be closed when there is a live band inside.
3. At least two security personnel must be outside to monitor and maintain any line that forms to enter the establishment. Any security personnel must be clearly identified wearing Salty's Tavern staff attire.
4. It is a requirement that all employees licensed to handle alcoholic beverages undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee.
5. Shush patrol will be implemented at the discretion of the Chief of Police.
6. The Licensee shall provide a litter patrol, which shall remove litter and debris on the west side of Main Street from 17th to 18th Avenue.
7. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in the ServSafe program as well as have knowledge of the local ordinances. When a patron acts in a manner that is violent, abusive, indecent, profane, boisterous, or otherwise disorderly, they will be immediately asked to leave. If a patron refuses, management will notify the Borough of Belmar's Police Department.

8. Intoxicated Patrons: All personnel may not sell, dispense, or give away alcohol to any person who is deemed intoxicated. When a customer has been "cut-off", the server will notify the other employees. Management will support the server's decision to terminate service to any customer. The customer will be asked to leave and management will secure a sober driver or provide a taxi service to take the patron home. If the customer refuses, management will notify the Borough Belmar's Police Department with a description of the person and the license plate number of the vehicle, if possible.
9. False IDs: All identification cards used to prove age must be valid (i.e., may not be expired), and must be government issued. If the identification card is expired or appears at all questionable to the employee, the employee shall request a second form of identification. The employee shall make sure that the individual purchasing the liquor resembles the identification card. All employees are encouraged to ask purchasers questions relating to their identification in order to verify the information. If the employee checking an ID has a strong suspicion that an ID is false, altered, or belongs to someone other than the person presenting the ID, he/she shall confiscate the ID and turn it over to management, to be presented to the police.
10. Control/Supervision of Patron under 21 (restaurant applications) Licensee will request proof of age from any customer who appears to be 30 years of age or younger, and will refuse service to any customer who cannot produce adequate ID.
11. Circumstances under which the Police will be called: The police will be called, in a timely manner, any time management or staff has information to believe a crime has been or is about to be committed and/or whenever a threat of or act of violence occurs in the premises or off premises in areas that would be considered in view or earshot of the establishment.
12. Handling of Physical Disturbances, including Fights: Security or management will ask anyone who is fighting to leave. If necessary, security or management will call the local law enforcement agency for assistance. Licensee will permanently refuse admittance to any chronic problem customer.
13. The licensee shall keep an accurate count either by electronic or manual means of the number of persons entering and exiting the premises in

order to have an accurate count of the occupancy of the licensed premise at all times.

14. Occupancy limits contained herein are superseded by any executive order currently in effect.

WHEREAS, the seasonal area originally designated in Resolution 2008-160 delineated at 48 feet 6 inches west of the rear wall of the main building of Paul's Tavern thence south 45 feet to the southerly existing fence and then easterly 71 feet to the existing fence and then again north 12 feet 8 inches to the southerly wall of the main building from July 1, 2022 through October 15, 2022 and April 15, 2023 through June 30, 2023. This area shall be subject to be renewed on a year-by-year basis and shall be a licensed premises for the sale and consumption of alcoholic beverages.

BE IT RESOLVED that the licensee agrees to provide a copy of the layout of the establishment to the Belmar Fire Company marking all exits, floor plan and fire panel. Licensee shall send updated layouts any time a change is made.

BE IT FURTHER RESOLVED a copy of this resolution and the person to person transfer application will be sent to the State of New Jersey Alcoholic Beverage Control Board.

This license will be in effect from this date until the end of the license term dated June 30, 2022. Licensee understands they will have to renew this license for the next licensing term of 7/1/2022 through 6/30/2023.

Dated: 2/1/2022

Kevin G. Higgins
Mayor

Louise A. Mekosh RMC, CMC, CMFO
Borough Clerk