



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

**DATE: NOVEMBER 18, 2019
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 THE MEETING HAS BEEN PROVIDED BY THE ADOPTION OF A RESOLUTION BY THE MAYOR AND COUNCIL ON THE SECOND DAY OF JANUARY 2019 IN WHICH RESOLUTION THE TIME AND PLACE OF AGENDA AND REGULAR MEETINGS COMMENCING WITH JANUARY 2, 2019 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
Virginia Kropac
Hawley Scull
Christopher D'Antuono
David Gardner
Nick DeMauro

APPROVAL OF MINUTES

Minutes from the October 15, 2019 Regular Meeting

COMMUNICATIONS

REPORTS OF COMMITTEES

UNFINISHED BUSINESS

PUBLIC COMMENTS ON THE CONSENT AGENDA & NEW BUSINESS

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.

Certification of Mailing of Added/Omitted Tax Bills

Certification of Tax Sale Notice Mailing

NEW BUSINESS

Resolution 2019-138

Renewing New Jersey Natural Gas Agreement

Offered by Councilman Gardner

Resolution 2019-139

Appropriations Transfer

Offered by Councilwoman Scull

Resolution 2019-140

Payment of Bills

Offered by Councilman D'Antuono

Resolution 2019-141

Payment of NJNG Bills

Offered by Councilman DeMauro

Resolution 2019-142

Refund of Street Opening Escrow

Offered by Councilwoman Scull

Resolution 2019-143

Refund of Tree Removal Escrow

Offered by Councilman Gardner

Resolution 2019-144

Authorizing Donation of Fire Truck

Offered by Councilman Witte

Ordinance 2019-945

Special Assistance Ordinance

Second Reading and Public Hearing

Offered by Councilwoman Scull

Ordinance 2019-946

BAN for Financing of First Aid Building

First Reading and Introduction

Offered by Councilman Witte

Ordinance 2019-947
Authorizing the Purchase of First Aid Building
First Reading and Introduction
Offered by Councilwoman Scull

Ordinance 2019-948
Capital Improvements Ordinance – Engineering Road Projects
First Reading and Introduction
Offered by Councilman D'Antuono

PUBLIC COMMENTS

NEXT MEETING

THE NEXT REGULAR MEETING OF THE MAYOR AND COUNCIL WILL BE HELD ON TUESDAY, DECEMBER 3, 2019, IMMEDIATELY FOLLOWING THE 7:30PM WORKSHOP MEETING IN THE LAKE COMO MEETING ROOM. ALL MEETINGS ARE OPEN TO THE PUBLIC.

MOTION TO ADJOURN



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

Certification of Mailing of Added/Omitted Tax Bills

I, Toni Mullen, Tax Collector of the Borough of Lake Como, do hereby certify that Added and Omitted Tax Bills as required by N.J.S.A. 54:4-63.11 for the above mentioned district were delivered to the U.S. Post Office for mailing on October 15, 2019.

Signed: *Toni Mullen*
Toni Mullen, Tax Collector
CTC # T-8329

Dated: October 15, 2019



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Kevin G. Higgins
Mayor

Louise A. Mekosh
Borough Clerk/Administrator

Certification of Tax Sale Notice Mailing

I do hereby certify as follows:

1. I am the Tax Collector of the Borough of Lake Como, in the County of Monmouth, State of New Jersey.
2. The mailing or delivery of all in lieu of mailings for the 2019 tax sale were completed on October 7th and October 15th.

Signed: *Toni Mullen*

Toni Mullen, Tax Collector

CTC # T-8329



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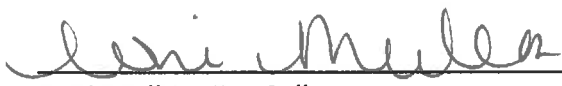
October 24, 2019

I, Toni Mullen, hereby certify that I advertised delinquent properties in connection with a Tax Sale to be held on October 24, 2019, in the Coast Star issues of the weeks of September 26, October 3, October 10 and October 17, 2019.

I further certify that I mailed notices in connection with said sale during the weeks of October 7 & October 14, 2019.

I further certify that on September 5, 2019, I mailed a copy of the published notice to each taxpayer on the tax sale list and posted notices in the following locations:

Lake Como Borough Hall Notices Board
Lake Como Tax Collector's Office
Lake Com Public Works Building
Belmar Library Notices Board
Belmar Post Office


Toni Mullen, Tax Collector

State of New Jersey

SS

County of Monmouth

BE IT REMEMBERED, that on this 24th day of October, 2019, before me a Notary Public of New Jersey, personally appeared, Toni Mullen, Collector of Taxes of the taxing district of the Borough of West Long Branch in the County of Monmouth who, I am satisfied, is the individual described herein, and who executed the above affidavit; and I having made known to her the contents thereof, she thereupon acknowledged to me that she signed, sealed and delivered the same as her voluntary act and deed, for the uses and purposes therein expressed.


Notary Public of New Jersey

RESOLUTION NO. 2019-138

**A RESOLUTION AUTHORIZING RENEWAL OF THE FRANCHISE
AGREEMENT WITH NEW JERSEY NATURAL GAS COMPANY**

WHEREAS, New Jersey Natural Gas Company ("NJNG") has heretofore been granted a franchise and consent to lay, maintain and operate gas facilities in the Borough of Lake Como (formerly the Borough of South Belmar); and

WHEREAS, NJNG is desirous of obtaining a franchise and consent of the municipality to continue serving the municipality.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Lake Como hereby consents and authorizes NJNG to lay, maintain and operate for a period of twenty-five (25) years from the date hereof, its conductors, mains and pipes together with all appurtenances thereto, in, under and over all the public streets, alleys, squares and public places in the Borough of Lake Como for the purpose of conducting, transmitting and distributing gas or any mixture of gases of various types, including natural gas, upon the following terms and conditions and rules, regulations and ordinances of the Borough of Lake Como:

1. That NJNG shall agree that, in all cases in which street openings or excavations are made for the purposes aforesaid, the pavement and the surface of the streets, alleys, squares or roadways shall be reasonably restored by New Jersey Natural Gas Company to the same condition as existed prior to the opening thereof; and
2. That NJNG shall conduct the work or the laying or maintaining of gas pipes therein in a careful and prudent manner; and
3. That NJNG shall safeguard the public interest in continuous and uninterrupted service during the term of the grant; and
4. That NJNG shall maintain its property in good order throughout the full term of the grant; and
5. That NJNG shall defend and indemnify and hold harmless the Borough of Lake Como from any liability arising from the operations of NJNG, to the extent caused by the negligence or willful misconduct of NJNG or its employees or agents; and
6. That NJNG shall continuously afford safe, adequate and proper service at just and reasonable rates as determined by the Board of Public Utilities of the State of New Jersey.

BE IT FURTHER RESOLVED, that this franchise consent, upon approval of the Board of Public Utilities of the State of New Jersey, shall supersede the Resolution granted by the Borough of South Belmar on March 18, 1969; and

BE IT FURTHER RESOLVED, that New Jersey Natural Gas Company shall file with the clerk of this municipality within sixty (60) days from the date hereof, its acceptance of the terms and provisions of the franchise consent herein granted and its agreement to be bound by the terms and provisions

thereof; and

BE IT FURTHER RESOLVED, that this resolution shall not become effective unless and until it is approved by the Board of Public Utilities of the State of New Jersey.

DATED: 11/18/2019

Kevin G. Higgins, Mayor

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

I certify the foregoing to be a true and accurate copy of a resolution adopted by the Borough of Lake Como on _____, 2019.

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

Resolution 2019 – 139

Whereas, it appears that there was a deficit in budget appropriations for the calendar year 2019 and there is a surplus in other appropriations in the same budget;

Now, therefore, be it resolved by the Mayor and Council of the Borough of Lake Como that there be transferred from the following appropriations the amounts hereinafter set forth:

CURRENT ACCOUNT:

From:

Fire Safety S&W	9-10 - 014-101	\$ 3,150.00
Advancement of Youth Activities	9-10 - 025-201	650.00
Celebration of Public Events	9-10 - 024-201	600.00
Tax Sale OE	9-10 - 008-201	900.00
Workmen's Comp	9-10 - 013-301	<u>10,000.00</u>
		\$15,300.00

To:

Streets & Roads S&W	9-10- 018-101	\$ 4,000.00
Collection of Taxes OE	9-10- 005-201	300.00
Public Buildings & Grounds OE	9-10- 011-201	2,000.00
Recycle OE	9-10- 020-201	3,000.00
Planning Board OE	9-10- 012-201	<u>6,000.00</u>
		\$15,300.00

Dated: November 18, 2019

Kevin G. Higgins, Mayor

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

Resolution 2019 – 140

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		\$1,906,624.78
	CME Associates	Ord 2019-948	978.00
	CME Associates	Ord 2019-948	491.50
	Mark Donlon	GL-Tax Refund	2,341.32
4550	LC Capital Account	Due to/from Capital	<u>5,000.00</u>
			\$1,915,435.60

WATER/SEWER ACCOUNT:

	Per Attached Bill List	\$ 40,061.72
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PAYROLL ACCOUNT:

4549	Employee Payroll Dated 10/16/19	\$ 25,910.33
2250	Employee Payroll Dated 10/16/19	8,869.48
4551	Employee Payroll Dated 10/30/19	28,298.87
2251	Employee Payroll Dated 10/30/19	6,061.36
4561	Employee Payroll Dated 11/13/19	24,341.37
2253	Employee Payroll Dated 11/13/19	9,989.81
2253	Employee Payroll Dated 11/13/19	129.18
Wire	State of NJ – PERS	<u>9,185.00</u>
		\$ 112,785.40

TOURISM ACCOUNT:

	Coast Star	\$ 407.82
1403	LC Payroll Account	129.18
	United Rentals	<u>386.84</u>
		\$ 923.84

DOG LICENSE ACCOUNT:

1106	NJ Dept of Health	\$ 1.20
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Dated: November 18, 2019

Kevin G. Higgins, Mayor

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

November 14, 2019 10:23 AM

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

Page No: 1

Range: First to Last
P.O. Type: All
Format: Condensed
Include Non-Budgeted: Y
Include Revenue: Y
First Enc Date Range: to 11/14/19
Open: N Rcvd/Prv/Held: Y Paid: N Void: N Deleted: N
Bid: Y State: Y Other: Y Exempt: Y As of Date: 11/14/19

PO #	PO Date	Vendor	Description	R/A/H	Amount
19-00223	03/19/19	MGL PRINTING SOLUTIONS	HOMESTEAD BENEFIT FORMS	64.00	
19-00476	06/30/19	ONE CALL CONCEPTS	ONE CALL SERVICE	14.96	
19-00627	08/30/19	ONE CALL CONCEPTS	ONE CALL SERVICE	6.80	
19-00667	09/26/19	WATER WORKS SUPPLY COMPANY INC	CURB BOXES/STATIONARY ROD/FLAR	1,723.56	
19-00680	10/01/19	NORTHERN SAFETY CO., INC.	SAFETY VESTS/GLOVES	560.64	
19-00686	09/27/19	SCREEN STYLES	LC NYLON TOTE BAGS	250.00	
19-00690	09/27/19	UNITED RENTALS - BRANCH G84	LC DAY GENERATOR	386.84	
19-00692	10/01/19	TAYLOR HARDWARE	OCTOBER PURCHASES	122.71	
19-00693	10/01/19	JEANNETTE JIMENEZ	CLEANING SERVICE OCTOBER	420.00	
19-00708	10/11/19	INTERPORT MAINTENANCE CO., INC	20' DRY VAN SEA CONTAINER	1,975.00	
19-00711	10/11/19	ADAM SCHNEIDER, ESQUIRE	PLAN BOARD-LEGAL/ESCROW	1,495.00	
19-00713	10/11/19	LAKE COMO PAYROLL ACCOUNT	EMPLOYEE PAYROLL 10/16/19	34,779.81	
19-00717	09/30/19	ONE CALL CONCEPTS	ONE CALL SERVICE	12.24	
19-00718	10/03/19	SHAIN SCHAFFER PC	LEGAL SERVICES FIRST AID	408.00	
19-00721	10/14/19	GARDEN STATE LABORATORIES, INC	WATER ANALYSIS OCTOBER	207.00	
19-00722	10/11/19	JAEGER LUMBER	2X4X8 TREATED/CAMO TAN DECK	14.48	
19-00723	10/15/19	DELISA WASTE SERVICES	TIPPING FEES OCT 4-14, 2019	2,225.61	
19-00724	10/21/19	DELISA WASTE SERVICES	RECYCLE/TRASH SERVICE NOVEMBER	8,500.00	
19-00725	10/01/19	DELISA WASTE SERVICES	RECYCLE TIPPING FEES SEPTEMBER	608.51	
19-00726	10/21/19	DELISA WASTE SERVICES	MIXED PAPER	250.00	
19-00727	10/18/19	AMCO PEST SERVICES, INC.	OCTOBER PEST CONTROL	110.00	
19-00728	10/25/19	TREASURER, STATE OF NJ	MARR/CIVIL UNION JULY/AUG/SEPT	125.00	
19-00729	09/30/19	HI-WAY OIL SERVICE, INC.	DUST CAP/GORILLA TAPE	26.87	
19-00730	09/30/19	MONMOUTH COUNTY SPCA	ANIMAL CONTROL SEPTEMBER	200.00	
19-00732	10/25/19	ATLANTIC SECURITY & FIRE	SECURITY/FIRE NOV-JAN	809.40	
19-00733	10/25/19	NEW JERSEY AMERICAN WATER CO.	PURCHASE WATER SEPTEMBER	12,430.34	
19-00734	10/24/19	ROK INDUSTRIES, INC.	2019 TAX SALE TAX LIENS ADVERT	390.00	
19-00735	10/25/19	BRENDAN MAAS	REIMBURSEMENT	36.04	
19-00736	10/25/19	PATRICIA HOLMES	REIMBURSE NOTARY FEE	30.00	
19-00737	10/28/19	LAKE COMO PAYROLL ACCOUNT	EMPLOYEE PAYROLL 10/30/2019	34,360.23	
19-00738	10/28/19	BOROUGH OF BELMAR	POLICE/FIRE PREV/COURT/CODE EN	1,121,745.93	
19-00739	10/29/19	STATE OF NEW JERSEY-PMT	PMT - JULY/AUGUST/SEPT	185.25	
19-00740	09/27/19	HIGHWAY EQUIPMENT CO.	SERVICE/REPAIR BACKHOE	1,121.83	
19-00741	10/29/19	CENTRAL JERSEY REGISTRARS' ASSO	REGISTRARS' LUNCHEON	50.00	

November 14, 2019
10:23 AM

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

PO #	PO Date	Vendor	Description	R/A/H Amount
19-00742	10/23/19	WATCHUNG SPRING WATER CO INC	WATER/RENTAL	76.54
19-00743	10/23/19	MONMOUTH CTY PUBLIC WORKS&ENG	STREET SWEEPING 10/23/2019	564.10
19-00744	10/29/19	CABLEVISION/OPTIMUM	TELEPHONE/OPT ONLINE	844.02
19-00745	10/29/19	U.S. BANK NA	MON COUNTY IMP AUTH 2013B	88,275.00
19-00746	10/08/19	NJ ADVANCE MEDIA	LEGAL ADV RECYCLE BID	189.82
19-00747	10/29/19	COUNTY TAX ADMINISTRATOR	RECORDS ACCESS FEE	500.00
19-00748	10/11/19	NEOPST/MAIL FINANCE	POSTAL METER LEASE	214.83
19-00749	10/29/19	COSTCO WHOLESALE CLUB	SUPPLIES/TREE LIGHTS	122.91
19-00750	10/29/19	JCP&L	STREET LIGHTING	1,983.42
19-00751	10/29/19	JCP&L	ELECTRIC SERVICE	824.07
19-00754	08/29/19	THE COAST STAR	LAKE COMO DAY DISPLAY AD	135.94
19-00757	10/28/19	FRANKLIN WASTE SERVICES, LLC.	12Y/NO29 FOR ELECTRONICS	195.00
19-00758	10/25/19	DELISA WASTE SERVICES	10YD/STREET SWEEPING DEBRIS	796.70
19-00759	10/24/19	H2M ASSOCIATES, INC.	PLAN BOARD ESCROW DESIMONE	160.00
19-00760	10/24/19	H2M ASSOCIATES, INC.	PLAN BOARD ESCROW FINELLI	135.00
19-00761	10/30/19	STATE OF NJ PENSIONS&BENEFITS	EMPLOYEE GROUP INS NOVEMBER	17,291.01
19-00762	10/30/19	MONMOUTH COUNTY TREASURER1	COUNTY TAXES	250,193.91
19-00763	10/30/19	MONMOUTH COUNTY TREASURER2	LIBRARY TAXES	18,062.04
19-00764	10/30/19	MONMOUTH COUNTY TREASURER3	HEALTH TAXES	5,112.46
19-00765	10/30/19	MONMOUTH COUNTY TREASURER4	OPEN SPACE TAXES	30,002.19
19-00766	11/01/19	LOUISE MEKOSH, PETTY CASH FUND	PETTY CASH	39.53
19-00767	10/17/19	NEOFUNDS BY NEOPST	POSTAGE	300.00
19-00769	11/01/19	JEANNETTE JIMENEZ	NOVEMBER CLEANING SERVICE	252.00
19-00770	11/01/19	SHAIN SCHAEFFER PC	BOROUGH ATTORNEY NOVEMBER	1,887.50
19-00771	11/01/19	IMAGE SYSTEMS	COPY MACHINE LEASE NOV	394.24
19-00772	11/01/19	LAKE COMO BOARD OF EDUCATION	SCHOOL TAX NOVEMBER	257,471.00
19-00776	10/31/19	HODULIK & MORRISON, P.A.	CONSULT FINANCIAL STATE 2018	7,310.00
19-00777	10/31/19	THE COAST STAR	LEGAL ADVERTISING	318.40
19-00779	10/24/19	BELMAR PAINT AND DECORATING	YELLOW TRAFFIC PAINT	119.69
19-00781	11/07/19	PROFESSIONAL GOV. EDUCATORS	CFO WORKSHOP	90.00
19-00783	11/08/19	LAKE COMO PAYROLL ACCOUNT	EMPLOYEE PAYROLL 11/13/19	34,331.18
19-00784	11/12/19	VERIZON	DISPATCH TELEPHONE	75.83
19-00785	10/16/19	CME ASSOCIATES	ORDINANCE AMENDMENT	1,722.00
19-00786	10/29/19	CME ASSOCIATES	ORDINANCE AGREEMENT	1,530.50
19-00787	11/13/19	VERIZON	CONST CELL PHONE	42.40

Total Purchase Orders: 69 Total P.O. Line Items: 198

Total R/A/H Amount: 1,947,209.28

PO #	PO Date	Vendor	Description	R/A/H Amount
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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
8-10		7,310.00	0.00	0.00	7,310.00
9-10		1,899,314.78	0.00	0.00	1,899,314.78
9-20		40,061.72	0.00	0.00	40,061.72
9-74		522.78	0.00	0.00	522.78
Year Total:		1,939,899.28	0.00	0.00	1,939,899.28
Total of All Funds:		1,947,209.28	0.00	0.00	1,947,209.28

Resolution 2019 – 141

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 Company

9-10- 011-201

\$100.19

Dated: November 18, 2019

Kevin G. Higgins, Mayor

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

RESOLUTION NO. 2019-142

WHEREAS, Yehuda Holdings c/o Morris Loewy, owner of 1700 E Street, Lake Como, NJ; also known as Block - 11, Lot - 8, applied for Street Opening Permit #19-08 for a driveway and apron; and

WHEREAS, in addition to the \$90.00 Application Fee, Yehuda Holdings posted a \$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 above property address for the purpose of inspecting the street after the completed job and found the street to be in satisfactory 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 # 455 be refunded to Yehuda Holdings.

Date: November 18, 2019

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2019-143

WHEREAS, Patricia Osterlo, owner of 1829 Pine Terrace, Lake Como, NJ, also known as Block - 15, Lot -14, applied for Tree Removal Permit #18-11 to remove one (1) oak tree from her rear yard for the purpose of construction; and

WHEREAS, in addition to the \$50.00 Application Fee, the owner posted an \$800.00 Escrow Fee to be deposited into the Tree Replacement Fund which fee is refundable upon satisfactory planting of new saplings; and

WHEREAS, Zoning Officer Mark Fessler did visit the above-referenced property for the purpose of inspecting the new plantings and found the four (4) Arborvitae, one (1) Weeping Spruce and one (1) Weeping Beach to be acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that the \$800.00 Escrow Fee posted with Check # 3419 be refunded to Patricia Osterlo.

Date: November 18, 2019

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2019-144
RESOLUTION OF THE MAYOR AND COUNCIL OF THE
BOROUGH OF LAKE COMO
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AUTHORIZING THE BOROUGH OF LAKE COMO
TO DONATE SURPLUS EQUIPMENT

WHEREAS, the Borough of Lake Como owns one (1) 1994 KME Fire Truck, VIN ending in 8951 which is no longer in service; and

WHEREAS, on August 24, 2019, Hurricane Dorian struck the Bahamas and emergency equipment was lost because of the natural disaster and the *(Insert name of recipient)* has a need for a Fire Truck and the Borough of Lake Como has a Fire Truck which is no longer needed for public use; and

WHEREAS, the Borough of Lake Como is permitted by law to donate its surplus property; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that the Council does hereby declare the following property as surplus property: 1994 KME Fire Truck, VIN ending in 8951; and

BE IT FURTHER RESOLVED that the property shall be donated by the Borough of Lake Como to the *(Insert name of recipient)*; and

BE IT FURTHER RESOLVED, that the property will be donated in "as is" condition, without any warranties by the Borough of Lake Como, and on the condition that the recipient shall hold the Borough of Lake Como harmless for any claims arising out of the property after the transfer of title to the recipients.

This Resolution shall be effective immediately upon its passage.

Dated: 11/18/2019

KEVIN G. HIGGINS, MAYOR

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

ORDINANCE NO. 2019-945

**AN ORDINANCE AUTHORIZING THE MUNICIPAL CLERK TO MAINTAIN
A LIST OF RESIDENTS IN NEED OF SPECIAL ASSISTANCE IN CASE OF
EMERGENCY FOR PUBLIC SAFETY PURPOSES.**

BE IT ORDAINED that P.L. 2017, c.266, permits municipalities to establish a list of residents identifying themselves as needing special assistance in an emergency.

BE IT FURTHER ORDAINED THAT this ordinance will require the municipal clerk to maintain a list of residents identifying themselves as in need of special assistance in the event of an emergency. The list shall be cross-indexed by the name and address of each resident that opts onto the list, identifying the special circumstances for each, and is to be used solely for public safety purposes. The clerk shall provide the list, which must be updated at least monthly, to the municipality's police department as well as the fire department and first aid squad serving the municipality. This list is exempt from disclosure under the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).

BE IT ORDAINED THAT each year the Municipal Clerk will include with the mailing of the annual tax bill a notice advising residents that such a list is being maintained for public safety purposes. This notice shall include information as to how municipal residents may add their names and addresses onto the list. The municipal clerk shall provide a copy of the notice to each rental certificate of occupancy to notify each landlord of the existence of the list, and provide the landlord with a copy of the notice to be forwarded on to the landlord's tenants; the landlord shall forward this notice to their tenants within 30 days of any rental agreements. Thereafter, upon creation of a tenancy, a landlord shall advise each tenant of the special assistance list how they may add themselves to the list.

This Ordinance shall take effect upon final passage and publication.

Dated: _____

Kevin G. Higgins
Mayor

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

**BOROUGH OF LAKE COMO
ORDINANCE NUMBER 2019-946**

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF
THE SOUTH BELMAR FIRST AID PROPERTY LOCATED
AT 703 18TH AVENUE, DESIGNATED AS BLOCK 31, LOT
25, BY AND IN THE BOROUGH OF LAKE COMO, IN THE
COUNTY OF MONMOUTH, STATE OF NEW JERSEY;
APPROPRIATING \$450,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$428,500 BONDS OR
NOTES OF THE BOROUGH TO FINANCE PART OF THE
COST THEREOF**

WHEREAS, the Borough Council instituted a lawsuit in the Superior Court of New Jersey, Chancery Division, Monmouth County, captioned Borough of Lake Como v. South Belmar First Aid, Docket No. C-76-18 (the "Litigation") against the South Belmar First Aid Squad ("SBFAS") seeking, inter alia, a declaratory judgment vesting the Borough of Lake Como, in the County of Monmouth, State of New Jersey (the "Borough") with title to a portion of 703 18th Avenue, Block 31, Lot 25, in the Borough (the "Property"); and

WHEREAS, on June 21, 2019, the Honorable Katie A. Gummer, P.J.Ch., entered a Consent Judgment in the Litigation providing, inter alia, that SBFAS had the option to purchase the Borough's interest in the Property and, if they were unable or declined to purchase the Borough's interest, the Borough could purchase SBFAS' interest for \$420,000.00; and

WHEREAS, pursuant to the Contract of Sale (the "Contract") executed by the Borough and SBFAS, if SBFAS was unable to obtain satisfactory financing within sixty (60) days after execution of the Contract they could cancel upon ten (10) days' written notice to Counsel for the Borough; and

WHEREAS, on September 18, 2019, SBFAS notified Counsel of its intention to cancel; and

WHEREAS, the Borough Council believes it is in the best interest of Lake Como residents that it obtain full title of the Property.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LAKE COMO, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Borough of Lake Como, in the County of Monmouth, State of New Jersey (the "Borough"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the amount of \$450,000, said amount being inclusive of \$21,500 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof, and to meet part of said \$450,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$428,500 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$428,500 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purpose for the financing of which said obligations are to be issued are for the purchase of the South Belmar First Aid Property and the payment of the purchase price for the property, a lawful public purpose, designated as Block 31, Lot 25, located at 703 18th Avenue, as referenced on the Official Tax Map of the Borough (the "Property"), including any structures, buildings, improvements, personal property, fixtures, easements, rights-of-way or other property rights currently located thereon..

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$428,500.

(c) The estimated cost of said improvement or purpose is \$450,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, being the amount of \$21,500, is comprised of the down payment for said improvement or purpose.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Monmouth make a contribution or grant in aid to the Borough for the improvement and purpose authorized hereby and the same shall be received by the Borough *prior* to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Monmouth. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Monmouth shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued

and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer of the Borough is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Borough hereby certifies that it has adopted a capital budget or temporary capital budget, as applicable. The capital budget of the Borough is

hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been, or shall be, specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$428,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement herein before described.

SECTION 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Borough reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 11. The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough, which are authorized herein, and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: November 18, 2019

LOUISE A. MEKOSH, Clerk
Borough of Lake Como

ADOPTED ON SECOND READING
DATED: December 3, 2019

LOUISE A. MEKOSH, Clerk
Borough of Lake Como

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

ORDINANCE NO. 2019-947

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF LAKE COMO
AUTHORIZING THE ACQUISITION OF LANDS KNOWN
AS LOT 25, BLOCK 31 FROM THE SOUTH BELMAR FIRST AID SQUAD**

WHEREAS, pursuant to a Court Order entered by The Honorable Katie A. Gummer, P.J.Ch., on June 21, 2019, the Borough has the option to purchase the interest of The South Belmar First Aid Squad ("SBFAS") in premises known as Block 31, Lot 25 (the "Property") after SBFAS declined to exercise its option to purchase the Property from the Borough; and

WHEREAS, the Mayor and Council of the Borough of Lake Como believe it to be in the best interest of the citizens of Lake Como to acquire the Property; and

WHEREAS, the Property appraised by an independent third-party appraiser who determined that the interest of the SBFAS is valued at \$420,000.00; and

WHEREAS, the Borough Engineer has conducted an environmental inspection of the property and hereby recommends acquisition of the Property; and

WHEREAS, the Chief Financial Officer of the Borough has verified that financing can be made available through Bond Anticipation Notes to pay for the aforesaid acquisition; and

WHEREAS, the Ordinance authorizing the Bond Anticipation Notes is being introduced simultaneously herewith.

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

Section 1. The Mayor, Borough Clerk and Borough Attorney are hereby authorized and directed to execute any and all documents as are reasonably necessary to acquire fee simple title to the portion of the Property currently owned by the SBFAS, including all improvements erected on, over and beneath aforesaid lands to be acquired; and all easements, rights-of-way or uses, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands to be acquired and all right, title and interest of the owners in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining aforesaid lands to be acquired.

Section 2. The purchase price for the portion of the Property to be acquired shall be Four Hundred Twenty Thousand Dollars (\$420,000.00), consistent with the appraisal performed by Gagliano & Company, Real Estate Advisory Services.

Section 3. The Mayor and Borough Clerk are hereby authorized to accept the Deed transferring the SBFAS portion of the Property to the Borough, provided the Deed is in a form satisfactory to the Borough Attorney.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED as aforesaid.

Kevin G. Higgins, Mayor

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Lake Como Borough Council held on _____. Said Ordinance will again be read and considered for final passage at a meeting of the Lake Como Borough Council to be held at 7:00 p.m. on _____ at 1740 Main Street, Lake Como, New Jersey 07719. At said time and place, all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

LOUISE A. MEKOSH, Borough Clerk

MAYORAL APPROVAL

APPROVAL BY THE MAYOR ON THIS ____
DAY OF _____, 2019

KEVIN G. HIGGINS, Mayor

BOROUGH OF LAKE COMO
ORDINANCE NO. 2019-948

AN ORDINANCE AUTHORIZING ENGINEERING COSTS FOR IMPROVEMENTS TO PORTIONS OF SEVENTEENTH AVENUE , OAK TERRACE , NORTH BOULEVARD, MAIN STREET AND OTHER STREETS WITHIN THE BOROUGH, APPROPRIATING A TOTAL OF \$150,000.00 WHICH WILL BE FUNDED BY THE BOROUGH'S CAPITAL IMPROVEMENT ACCOUNT.

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

Section 1. \$150,000.00 is hereby appropriated from the following funding source: Lake Como Capital Improvement Account; for Improvements, including but not limited to the following streets: Seventeenth Avenue, Oak Terrace, North Blvd and Main Street.

Section 2. That the Mayor and Council of the Borough of Lake Como may complete the Improvements to Seventeenth Avenue, Oak Terrace, North Blvd and Main Street.

Section 3. The capital budget of the Borough of Lake Como is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full details of the amended capital budget and capital program as approved by the Director of the Division of Local Governments Services is on file with the Clerk and is available for public inspection.

Section 4. This ordinance shall take effect when finally passed and published according to law.

Date: _____

Kevin G. Higgins
Mayor

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