

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

DATE: NOVEMBER 18, 2019
REGULAR MEETING IMMEDIATELY FOLLOWING THE WORKSHOP

MEETING CALLED TO ORDER

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

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 Present

Virginia Kropac Excused Absence

Hawley Scull Present
Christopher D'Antuono Present
David Gardner Present
Nick DeMauro Present

APPROVAL OF MINUTES

Councilwoman Scull made a motion to approve the minutes from the October 15, 2019 Regular Meeting, seconded by Councilman Witte, all are in favor.

COMMUNICATIONS

None on the agenda

REPORTS OF COMMITTEES

- Councilman DeMauro reported that all matters are in order.
- Councilman Gardner reported that the Environmental Commission Meeting for November 20th has been cancelled. The next meeting will be held on December 11th and Jaye Simms from the County will be there to discuss recycling. All other matters are in order.

- Councilman D'Antuono reported that all matters are in order.
- Councilwoman Scull reported that the electrician that will be installing the vehicle charging station will be coming to do the permits and hopes to begin the work in December. The Tree Lighting will be held on Saturday, December 7th at 6:00pm at Borough Hall. The Holiday Decorating Contest will be held on Thursday, December 19th beginning at 6:00pm, so please have your lights on by 6:00pm. Councilwoman Scull also reported that the giving tree will be up with tags on it for local families beginning the week of the tree lighting. All other matters are in order.
- Councilman Witte reported that the next Planning Board Meeting will be November 25, 2019 at 7:00pm. All other matters are in order.
- Mayor Higgins reported that Santa will be visiting Lake Como on the Firetruck on December 19th to give gifts to those participating. This Saturday was Coffee with the Mayor and there was a great turnout and great conversations. Residents come with compliments and any complaints are taken care of quickly. Mayor Higgins asked Ptl. Speakman from the Belmar PD to come talk about their toy drive.
 - O Ptl. Speakman came before the Council and talked about the toy drive the Belmar PD and the Shillelagh's are having. New, unwrapped toys can be dropped in any of the decorated boxes throughout Lake Como and Belmar. The pickup date will be December 6th and there will be a toy drive at the Marina on December 7th. Toys would be distributed to local families, children in the Pediatric Intensive Care Unit and 180 Turning Lives Around.

UNFINISHED BUSINESS

No Unfinished Business

PUBLIC COMMENTS ON THE CONSENT AGENDA & NEW BUSINESS

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

No Public Comments

Councilman Witte made a motion to close the meeting to the public, seconded by Councilman D'Antuono, 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.

Certification of Mailing of Added/Omitted Tax Bills

Certification of Tax Sale Notice Mailing

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

NEW BUSINESS

Resolution 2019-138

Renewing New Jersey Natural Gas Agreement

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

Yes: Councilmembers Witte, Scull, Gardner and DeMauro

No: None

Abstain: Councilman D'Antuono Absent: Councilwoman Kropac

Resolution 2019-139

Appropriations Transfer

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

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Resolution 2019-140

Payment of Bills

Offered by Councilman D'Antuono, seconded by Councilman Gardner, oll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Resolution 2019-141

Payment of NJNG Bills

Offered by Councilman DeMauro, seconded by Councilman Gardner, roll call vote as follows:

Yes: Councilmembers Witte, Scull, Gardner and DeMauro

No: None

Abstain: Councilman D'Antuono Absent: Councilwoman Kropac

Resolution 2019-142

Refund of Street Opening Escrow

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

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Resolution 2019-143

Refund of Tree Removal Escrow

Offered by Councilman Gardner, seconded by Councilman D'Antuono, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Resolution 2019-144

Authorizing Donation of Fire Truck

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

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Ordinance 2019-945

Special Assistance Ordinance

Second Reading and Public Hearing

Offered by Councilwoman Scull, seconded by Councilman Witte.

Councilman Witte made a motion to open the meeting to the public for comments on this ordinance, seconded by Councilman D'Antuono, all are in favor.

No Public Comments

Councilman Witte made a motion to close the meeting to the public for comments on this ordinance, seconded by Councilwoman Scull, all are in favor.

Roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Ordinance 2019-946

BAN for Financing of First Aid Building

First Reading and Introduction

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

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Ordinance 2019-947

Authorizing the Purchase of First Aid Building

First Reading and Introduction

Offered by Councilwoman Scull, seconded by Councilman Witte, roll call vote as

follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

Ordinance 2019-948

Capital Improvements Ordinance – Engineering Road Projects

First Reading and Introduction

Offered by Councilman D'Antuono, seconded by Councilwoman Scull, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Gardner and DeMauro

No: None Abstain: None

Absent: Councilwoman Kropac

PUBLIC COMMENTS

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

Susan Luterzo of Fernwood Road came before the Council to ask about painting the curb at the curve where there is no parking on Fernwood Road. Brendan Maas, Superintendent of Public Works responded that DPW is in the process of repainting the curbs in town and it will continue as long as weather permitted and resume in the spring.

Councilman Witte made a motion to close the meeting to the public, seconded by Councilman D'Antuono, all are in favor.

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

Councilman Gardner made a motion to adjourn, seconded by Councilman D'Antuono, 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.



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: Mullen, Tax Collector

CTC # T-8329

Dated: October 15, 2019



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: Ilu Muller

Toni Mullen, Tax Collector

CTC # T-8329

(732) 681-3232 • FAX (732) 681-8981

Kevin G. Higgins Mayor

Louise A. Mekosh Borough Clerk!Administrator

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

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:

- 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

th	ereof;	and
CII	OLOUT'	ullu

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

DATED: 11/18/2019	Kevin G. Higgins, Mayor
	Louise A. Mekosh, RMC, CMC, CMFO Borough Clerk/Administrator
R	
I certify the foregoing to be a true and accura Como on, 2019.	ate copy of a resolution adopted by the Borough of Lake
	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 Advancement of Youth Activities Celebration of Public Events Tax Sale OE Workmen's Comp	9-10 - 014-101 9-10 - 025-201 9-10 - 024-201 9-10 - 008-201 9-10 - 013-301	\$ 3,150.00 350.00 600.00 900.00 <u>10,000.00</u> \$15,000.00
To: Streets & Roads S&W Public Buildings & Grounds OE Recycle OE Planning Board OE	9-10- 018-101 9-10- 011-201 9-10- 020-201 9-10- 012-201	\$ 4,000.00 2,000.00 3,000.00 <u>6,000.00</u> \$15,000.00

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:

CURRI	ENT ACCOUNT:			
-	Per Attached Bill List		\$1,	915,283.18
	CME Associates	Ord 2019-948		978.00
	CME Associates	Ord 2019-948		491.50
	Mark Donion	GL-Tax Refund		2,341.32
4550	LC Capital Account	Due to/from Capital		5,000.00
			\$1,	924,094.00
WATE	R/SEWER ACCOUNT:			
	Per Attached Bill List		\$	40,061.72
	OLL ACCOUNT:	/10	\$	25 010 22
4549	Employee Payroll Dated 10/16,		Ş	25,910.33 8,869.48
2250				28,298.87
4551				6,061.36
2251				-
4561				24,341.37
2253				9,989.81
2253				129.18
Wire	State of NJ – PERS		- 1	9,185.00
			\$ 1	12,785.40
TOURI	SM ACCOUNT:			
10011	Coast Star		\$	407.82
1403	LC Payroll Account		•	129.18
1703	United Rentals			386.84
	omes mentals		\$	923.84
DOG L	ICENSE ACCOUNT:		•	-
1106	NJ Dept of Health		\$	1.20

Dated: November 18, 2019

Kevin G. Higgins, Mayor

Louise A. Mekosh, RMC, CMC, CMFO

Borough Clerk/Administrator

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

Page No: 1

to Last

Range: First to L
P.O. Type: All
Format: Condensed
Include Non-Budgeted: Y
Include Revenue: Y

First Enc Date Range:

to 11/15/19

Open: N Rcvd/Aprv/Held: Y Paid: N Void: N Deleted: N Bid: Y State: Y Other: Y Exempt: Y As of Date: 11/15/19

PO # PO Date Vendor	Description	R/A/H Amount
	HOMESTEAD BENEFIT FORMS	64.00
19-00476 06/30/19 ONE CALL CONCEPTS	•	14.96
19-00627 08/30/19 ONE CALL CONCEPTS		1 73 F6
10/01/10	_	1,723.30
6T/TO/OT	SAFETY VESTS/GLOVES	560.64
09/2//19 SCREEN STYLES	LC NYLON TOTE BAGS	250,00
09/27/19	LC DAY GENERATOR	386, 84
	OCTOBER PURCHASES	122.71
	CLEANING SERVICE OCTOBER	420.00
-		1,975.00
10/11/19	PLAN BOARD-LEGAL/ESCROW	1,495.00
10/11/19	EMPLOYEE PAYROLL 10/16/19	34,779.81
	ONE CALL SERVICE	12.24
	LEGAL SERVICES FIRST AID	408.00
_	Supplement No 8 Code Update	4,960.00
	: WATER ANALYSIS OCTOBER	207.00
	2X4X8 TREATED/CAMO TAN DECK	14.48
	TIPPING FEES OCT 4-14, 2019	2,225.61
	RECYCLE/TRASH SERVICE NOVEMBER	8,500.00
	RECYCLE TIPPING FEES SEPTEMBER	608.51
10/21/19	MIXED PAPER	250.00
	OCTOBER PEST CONTROL	110.00
10/25/19	MARR/CIVIL UNION JULY/AUG/SEPT	125.00
_	DUST CAP/GORILLA TAPE	26.87
09/30/19	ANIMAL CONTROL SEPTEMBER	200.00
10/10/19	LED/ADAPTER	83,41
10/25/19 10/25/19	SECURITY/FIRE NOV-JAN	809.40
T0/25/T9	PURCHASE WATER SEPTEMBER	12,430.34
10/24/19	2019 TAX SALE TAX LIENS ADVERT	390.00
10/25/19 61/45/01	REIMBURSEMENT	36.04
10/25/19	REIMBURSE NOTARY FEE	30.00
67,82,01 67,87,0T	EMPLOYEE PAYROLL 10/30/2019	34, 360. 23
	POLICE/FIRE PREV/COURT/CODE EN	1,121,745.93
T3-00/33 T0/23/T3 STATE OF NEW JERSEY-PWI	PWT - JULY/AUGUST/SEPT	185, 25

0 3 40 10 1 2 3 10 10 10 10 10 10 10 10 10 10 10 10 10	
NCHEON 50.00 NCHEON 76.54 G 10/23/2019 564.10 SMLINE 844.02 AUTH 2013B 88,275.00 CLE BID 189.82 FEE 500.00 EASE 214.83 LIGHTS 122.91 G 1,983.42 CE 824.07 DISPLAY AD 135.94 LECTRONICS 195.00 EEPING DEBRIS 796.70 ROW DESIMONE 160.00 ROW FINELLI 150.00 INS NOVEMBER 17,291.01 250,193.91 18,062.04 5,112.46 ES 30,002.19 39.53 300.00 ING SERVICE 1,887.50 EASE NOV 394.24 EMBER 257,471.00 CT 18-28 2,307.77 IAL STATE 2018 7,310.00 ING DEBRIS 7,310.00 ING SERVICE 1,722.00 EMENT 1,722.00 EMENT 1,722.00 EMENT 1,530.50 ONE 42.40 956.93	R/A/

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

Page No: 3

PO # PO Date Vendor Description R/A/H Amount
19-00790 11/15/19 COSTCO WHOLESALE CLUB RENEWAL 255.90
Total Purchase Orders: 75 Total P.O. Line Items: 205
Total p // / Amount

lotal	1					Totals by Year-Fund Fund Description
lotal OT All Funds:	Year Total:	9-74	9-20	9-10	8-10	Fund
1,955,867.68	1,948,557.68	522.78	40,061.72	1,907,973.18	7,310.00	Budget Total Revenue Total
0.00	0.00	0.00	0.00	0.00	0.00	Revenue Total
0.00	0.00	0.00	0.00	0.00	0.00	G/L Total
0.00 1,955,867.68	1,948,557.68	522.78	40,061.72	1,907,973.18	7,310.00	Total

Resolution 2019 – 141

Be it resolved by the Mayor and directed and authorized to make payme		e Como that the proper officers be
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

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

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 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 truck will be placed in an affected population selected by Nathan Butler Blah, Bahamian Consulate in Miami, Marvin Dames, Minister of National Security, Bahamas and the US State Department where they are currently assisting in the reestablishment of public safety and fire rescue response equipment and can fulfill the 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 truck will be placed in an affected population selected by Nathan Butler Blah, Bahamian Consulate in Miami, Marvin Dames, Minister of National Security, Bahamas and the US State Department; a report disclosing the recipient shall be made to the Governing Body prior to donating the property 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	e 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 <u>Borough of Lake Como v. South Belmar First Aid</u>, 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* takes 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

#10973525.1(162273.003)

ADOPTED ON SECOND READING DATED: December 3, 2019

LOUISE A. MEKOSH, Clerk Borough of Lake Como

State of New Jersey Department of Community Affairs **Supplemental Debt Statement**

Local Gov	ocal Government: Lake Como Borough		Prepared As Of:	11/13/201	11/13/2019	
Budget Ye	ar Ending	December 31	(Month D-D)	2019	(Year)	
Name:	Louise M	Iekosh	Phone:			
Title:	Louise IV.	ickosii		sh@boro.lake-como.ni.us		
Address:	1740 Ma	in Street	Email:	SERVICE CONTONIA		
Address.		no, NJ 07719	CFO Cert #:			
	Lake Coi	110, NJ 07717	Cro corn.			
ereinafter	mentioned c	uly sworn, deposes and says: Deponent alled the local unit. The Supplemental I ndition of the local unit as of the date th	Debt Statement annexed hereto	and hereby made a part here	of is a true	
			Decrease	Increase		
		Net Debt as per Annual Debt Statement	(Since December 3	I, last past)	Net Debt	
onds and l	Notes for Sch					
urposes		\$		\$	\$	
	Notes for Sel				en.	
iquidating		\$	<u> </u>	<u> </u>	\$225.00	
ther Bond	ls and Notes	\$335,000.00	<u>S</u>		\$335,000	
Net Debt a	t the time of	this statement is			\$335,000	
ne amounts a ote "C" belo		parately itemized of the obligations about to be	authorized, and any deductions which	n may be made on account of each s	such item are: (see	
Bond Or	dinance	Purposes	Amount	Deduction	Net	
2019-		Purchase of Property	\$450,000.00	\$21,500.00	\$428,500	
	,,,		\$450,000.00	\$21,500.00	\$428,500	
The n	net debt of the	e local unit determined by the addition of the	ne net debt amounts stated in item	s 2 and 3 above is:	\$763,500	
valua	ition of class l	on basis (the average of the equalized valua II railroad property of the local unit for the evision thereof last filed.	tions of real estate, including imp last 3 preceding years) as stated i	provements and the assessed in the Annual Debt		
	Year	Equalized Valuation Real Property v	with Improvements plus assessed	valuation of Class		
(1)	2016	II RR Property	ram ampioromoma pias assessed		\$402,350,370	
(-)	2010	Equalized Valuation Real Property v	with Improvements plus assessed	valuation of Class		
(2)	2017	II RR Property			\$399,634,033	
		Equalized Valuation Real Property v	vith Improvements plus assessed	valuation of Class		
(3)	2018	II RR Property		-	\$415,640,311	
Eq	ualized Valua	ation Basis – Average of (1), (2) and (3)			\$405,874,904	
			and the desired and the control of t	6 ahara) in	0.10	
Net	t Debt (Line 4	4 Above) expressed as a percentage of such	equalized valuation basis (Line	o above) is:	0.18	

Notes

- If authorization of bonds or notes is permitted by an exception to the debt limit, specify the particular paragraph of N.J.S.A. 40A:2-7 or other section of law providing such exception.

 This form is also to be used in the bonding of separate (not Type I) school districts as required by N.J.S.A. 18A:24-16, and filed before the school district election. In such case pages 3 and 4 should be completed to set forth the computation supporting any deduction in line 3 above.

 Only the account of bonds or notes about to be authorized should be entered. The amount of the "down payment" provided in the bond ordinance should see the included are related to the second of the provided in the bond ordinance should be considered to the second of the provided in the bond ordinance should be considered to the provided in the bond ordinance should be considered to the provided in the bond ordinance should be considered to the provided in the bond ordinance should be considered to the provided by the provided in the bond ordinance should be considered to the provided by th
- not be included nor shown as a deduction.

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.

<u>Section 2.</u> 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 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.

Kevin G. Higgins		
Mayor		
Louise A. Mekosh, RMC, CMC, CMFO Borough Clerk/Administrator		