



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

**DATE: SEPTEMBER 1, 2020
7:30 PM WORKSHOP**

DISCUSSION ITEMS

1. Commercial Vehicles of Public Streets Ordinance Discussion
Councilman Witte

PUBLIC COMMENTS ON WORKSHOP ITEMS

From: Larry Li
Sent: Thursday, August 13, 2020 5:40 PM
To: Marguerite Schaffer <mschaffer@shainlaw.com>
Subject: RE: August 4, 2020 Council Meeting

Peg,

I think that the best approach is to enact an ordinance regulating truck loading/unloading in terms of time limitations and noise level. The regulation should be a reasonable compromise between the interests of the affected residents and the small businesses receiving truck deliveries.

Truck parking is limited by law in both Belmar and Lake Como. In Belmar, only 30-minutes parking is allowed on all public streets. Trucks can only park in a municipal parking lot from 3 am to 6 am. In Lake Como, no truck parking is allowed from 9pm to 7am. Routes for trucks over 4 tons are also limited to certain streets.

However, I don't think that these parking ordinances are relevant here, as the trucks at issue were loading or unloading, not parking.

Meanwhile, Lake Como's regulation of loading zones contains nothing about timing or noise. It merely prohibits vehicle parking in the loading zones.

The noise ordinance in Lake Como does not specifically address truck-related noises except for honking. However, arguably, the vague language of the noise ordinance covers such noise. See § 3-15.1 Noise Prohibitions Generally. ([1973 Code § 3-2.1]The creation of any unreasonably loud, disturbing and unnecessary noise in the Borough is hereby prohibited. There is further prohibited any noise of such character, intensity or duration as is detrimental to the life or health of any individual). Although the Noise Ordinance's definition of "loud, disturbing and unnecessary noises" does not refer to truck loading/unloading noises, the definition is explicitly meant to be non-exclusive.

Nevertheless, Lake Como's noise ordinance may not be enforceable because it probably has not been approved by NJDEP. (The State of New Jersey's Noise Control Act of 1971 authorized the NJDEP to promulgate codes, rules and regulations relating to the control and abatement of noise. The Department has developed a Model Noise Ordinance that can be adopted by local municipalities. The Noise Control Act allows municipalities to adopt noise control ordinances that are more stringent than the State code. Otherwise, all municipal noise ordinances must be identical to the posted Model Local Noise Control Ordinance to be considered approved by the Department. Department approved Model Noise Control Ordinances predating the most recently posted version will be considered grandfathered. Lake Como's Noise Ordinance does not look like any Model Local Noise Ordinance issued by NJDEP.)

Therefore, the best approach is to enact an ordinance regulating truck loading/unloading in terms of time limitations and noise level.

Lake Como should also consider adopting a new noise ordinance which is enforceable.

Xiaosong "Larry" Li, Esq.

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ORDINANCE NO. 2020-24

**ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF BELMAR, COUNTY OF MONMOUTH, STATE OF
NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 19-16
OF THE BOROUGH CODE ENTITLED "PARKING OF CERTAIN
TRUCKS, VEHICLES AND TRAILERS PROHIBITED"**

BE IT ORDAINED, by the Mayor and Council of the Borough of Belmar, County of Monmouth, State of New Jersey, that Chapter 19-16 of the Borough Code be amended as follows:

SECTION I. Section 19-16 "Parking of Certain Truck, Vehicles and Trailers Prohibited" shall now read as follows:

No person shall park any vehicle with six or more wheels, dump trucks, box trucks (which shall mean any vehicle with a separate cab and box-type structure), vehicles over 18,000 pounds, or vehicles greater than eight feet in height, a school bus, any type of bus, recreational vehicle, camper, boat or trailer, however not including six-wheel pickup trucks or trucks utilized for the purpose of making deliveries or moving furniture, and not including any vehicle with handicap license plates or properly issued and displayed handicap placard, between the hours specified, upon any of the streets or parts of streets described.

Name of Street	Sides	Time Limit	Location
All Borough Streets	Both	30 minutes	All streets contained within Borough
Municipal Parking lots		Between hours of 3:00 a.m. to 6:00 a.m.	Dempsey Park lot at Sixteenth Ave and Railroad Ave as well as the Thirteenth Ave and Railroad Ave lot

However, any such trucks or vehicles, during the hours when parking is prohibited as specified above, may park on West Railroad Avenue between Seventh Avenue and Eighth Avenue.

Further, permission may be granted by the Police Department for the temporary parking of any such trucks or vehicles during the hours when parking is prohibited as specified above and under such terms and conditions as specified by the Police Department.

SECTION II. If any section, paragraph, subdivision, 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 III. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

SECTION IV. This Ordinance shall take effect 20 days after final passage, adoption and publication according to law.

*Borough of Lake Como, NJ
Friday, July 31, 2020*

Chapter 7. Traffic

§ 7-15. PARKING OF VEHICLES WEIGHING IN EXCESS OF FOUR TONS PROHIBITED.

[New]

No person shall park a truck, tractor, trailer, semi-trailer or omnibus having registered gross weights in excess of four tons upon any street between the hours specified.

Name of Street	Sides	Hours	Location
		(Reserved)	

§ 7-16. ROUTES FOR TRUCKS OVER FOUR (4) TONS.

Pursuant to N.J.S.A. 40:67-16.1, the streets or parts of streets as described are hereby designated as route for vehicles OVER four tons. All trucks having a total combined registered gross weight of vehicle plus load in excess of four tons shall be excluded from all streets, except for those streets listed which form a part of the system of truck routes. Vehicles will be permitted on all streets for the purpose of the pickup and delivery of materials.

Name of Street	Location
	(Reserved)

§ 7-17. TRUCKS OVER DESIGNATED WEIGHT EXCLUDED FROM CERTAIN STREETS.

[1973 Code § 7-4; New; Ord. No. 97-645 § A; Ord. No. 2005-764]

Trucks over the registered gross weight are hereby excluded from the streets or parts of streets described except for the pickup and delivery of materials on such street, or the use of emergency vehicles on such street.

Name of Street	Weight	Location
North Boulevard	4 tons	From Main Street to the Lake Como Borough line —Belmar Borough line
Parkway	4 tons	From North Boulevard to 18th Avenue



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

**DATE: SEPTEMBER 1, 2020 – VIRTUAL MEETING
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 seventh day of January 2020 in which Resolution the time and place of Agenda and Regular Meetings commencing with January 7, 2020 were set forth. Notice of same was delivered to the Asbury Park Press and the Coast Star and a copy of the notice was posted on the bulletin board in Borough Hall. All meetings are open to the public. Notice of the virtual meeting was noticed to the papers on August 4th and a copy of the notice was posted on the door of Borough Hall and posted on the website. 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 August 11, 2020 Regular Virtual Meeting

MOTION: _____
SECOND: _____
ROLL CALL: Ayes _____ Nays _____

COMMUNICATIONS

REPORTS OF COMMITTEES

UNFINISHED BUSINESS

PUBLIC COMMENTS ON 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.

Resolution 2020-106
Refund of Overpayment

Resolution 2020-107
Refund of Street Opening Escrow

NEW BUSINESS

Resolution 2020-108
Payment of Bills
Offered by Councilman D'Antuono

SECOND: _____
ROLL CALL: Ayes _____ Nays _____

Resolution 2020-109
Payment of NJNG Bill
Offered by Councilman Gardner

SECOND: _____
ROLL CALL: Ayes _____ Nays _____

PUBLIC COMMENTS

ALCOHOLIC BEVERAGE CONTROL BOARD

Resolution 2020-110
Karan Two, Inc., T/A Discount Wine & Liquors

Resolution 2020-111
Stacey 5 Star LLC – Pocket License

Resolution 2020-112
Stacey 5 Star LLC

Resolution 2020-113
Dai Lee Corp., T/A Weinstein's Liquor

Resolution 2020-114
Lake Como Wine Shop Inc.

Resolution 2020-115
Fahey Hospitality Group, T/A Joe's Saloon

Resolution 2020-116
MacTav Inc. T/A McCann's Steer and Spirits

Resolution 2020-117
Aleatory Inc. T/A Bar Anticipation

Resolution 2020-118
Payday Inc., T/A Paul's Tavern

NEXT MEETING

The next regular meeting of the Mayor and Council will be held on Tuesday, September 15, 2020, immediately following the 7:30pm Workshop meeting and the location is to be determined. All meetings are open to the public.

MOTION TO ADJOURN

MOTION:	_____
SECOND:	_____
ALL IN FAVOR:	_____
OPPOSED:	_____

RESOLUTION 2020-106
RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES
ON 1819 BRADLEY TERRACE (BLOCK 9 LOT 6)

WHEREAS, a tax overpayment in the amount of \$1,796.23, has resulted from a duplicate payment made by the mortgage company being applied to property located at 1819 Bradley Terrace (Block 9, Lot 6); and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Lake Como that a refund of the overpayment of taxes, in the amount of \$1,796.23, be made payable to CoreLogic and mailed to CoreLogic, Attn: Refund Dept., PO Box 9202, Coppel, TX 75019; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are authorized to take action in accordance with this resolution.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2020-107

WHEREAS, Vancho Tolomanosi, owner of 1702 Oak Terrace, Lake Como, NJ; also known as Block - 11, Lot - 22, applied for Street Opening Permit #20-03 for a water/sewer replacement; and

WHEREAS, in addition to the \$90.00 Application Fee, the owner 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 a cash deposit be refunded to Vancho Tolomanosi.

Date: September 1, 2020

Kevin G. Higgins
Mayor

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

Resolution 2020 – 108

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		\$429,485.47
4809	JADS Construction Co. of NJ	ORD-19-937	137,511.15
4810	JADS Construction Co. of NJ	ORD-19-941	<u>84,187.24</u>
			\$651,183.86

WATER/SEWER ACCOUNT:

	Per Attached Bill List	\$ 62,619.53
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PAYROLL ACCOUNT:

4807	Employee Payroll Dated 8/19/2020	\$ 31,546.30
2319	Employee Payroll Dated 8/19/2020	9,155.75
4818	Employee Payroll Dated 9/2/2020	38,000.92
2321	Employee Payroll Dated 9/2/2020	8,784.20
1430	Employee Payroll Dated 9/2/2020	134.56
Wire	State of NJ – PERS	<u>7,300.00</u>
		\$ 94,921.73

TOURISM ACCOUNT:

1428	Stacey 5 Start, LLC.	\$ 75.00
1429	With Intentions	50.00
1430	Lake Como Payroll Account	<u>134.56</u>
		\$ 259.56

Dated: September 1, 2020

Kevin G. Higgins, Mayor

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

20108

Range: First to Last

P.O. Type: All

Format: Condensed

Include Non-Budgeted: Y

Include Revenue: Y

First Enc Date Range: to 09/01/20

Open: N Rcvd/Prv/Held: Y Paid: N Deleted: N
Bid: Y State: Y Other: Y Exempt: Y As of Date: 09/01/20

P.O. #	PO Date	Vendor	Description	R/A/H Amount
20-00445	07/08/20	LERTCH RECYCLING COMPANY INC	Concrete Mix	20.00
20-00451	07/01/20	MONMOUTH CTY PUBLIC WORKS&ENG	Grind Stump-North Blvd (lake)	162.43
20-00452	07/08/20	MONMOUTH CTY PUBLIC WORKS&ENG	Street Sweeping 7/8/2020	520.34
20-00483	07/21/20	Craney's Interpreting Services	Interpreting Service-Court	100.00
20-00486	07/17/20	GARDEN STATE LABORATORIES, INC	July Water analysis	207.00
20-00487	07/24/20	Association of NJ Recyclers	2020 ANJR Annual Meeting	80.00
20-00504	07/28/20	JESCO, INC.	Backhoe-Front Bucket	1,227.00
20-00505	08/03/20	DELISA WASTE SERVICES	Tipping Fees July 16-31,2020	3,867.41
20-00506	07/21/20	DYNAMIC TESTING SERVICE	Random Alcohol Testing	80.00
20-00508	08/03/20	HI-WAY OIL SERVICE, INC.	July Purchases	72.94
20-00509	08/06/20	SHAIN SCHAFFER PC	Borough Attorney August/Retro	3,454.22
20-00510	07/30/20	JEANNETTE JIMENEZ	Cleaning Service July	336.00
20-00511	08/06/20	JEANNETTE JIMENEZ	Cleaning Service August	336.00
20-00512	07/16/20	THE COAST STAR	Classified Ad Part Time Seasona	64.05
20-00513	07/31/20	HOLMAN FRENIA ALLISON, PC	Audit of Fiancial 2019	2,500.00
20-00515	08/12/20	SCRUBBER DOCTOR JANITORAL SUPP	Paper Towels/mask/cleaner	305.40
20-00516	08/13/20	MONMOUTH COUNTY TREASURER1	County Taxes	260,380.53
20-00517	08/13/20	MONMOUTH COUNTY TREASURER2	Library Taxes	19,262.55
20-00518	08/13/20	MONMOUTH COUNTY TREASURER3	Health Taxes	5,490.26
20-00519	08/13/20	MONMOUTH COUNTY TREASURER4	Open Space Taxes	30,739.92
20-00521	05/27/20	NORTHERN SAFETY CO., INC.	Safety Gloves	647.99
20-00522	08/13/20	DELISA WASTE SERVICES	Recycle Tipping Fees July	1,962.08
20-00523	08/03/20	HI-WAY OIL SERVICE, INC.	MIT SF16	16.50
20-00524	08/03/20	WATCHUNG SPRING WATER CO INC	water/Rental	136.54
20-00525	08/04/20	ONE CALL CONCEPTS	One Call Service	10.01
20-00526	08/03/20	MONMOUTH COUNTY SPCA	Animal Control Service July	233.15
20-00527	07/31/20	VAN WICKLE AUTO SUPPLY, INC.	July Purchases	528.52
20-00528	08/17/20	LAKE COMO PAYROLL ACCOUNT	Employee Payroll 8/19/2020	40,702.05
20-00530	08/18/20	JCP&L	Street Lighting	1,946.74
20-00531	08/18/20	DELISA WASTE SERVICES	Tipping Fees August 1-15,2020	3,370.92
20-00532	08/18/20	NEW JERSEY AMERICAN WATER CO.	Purchase of Water July	40,989.01
20-00533	08/12/20	JAEGER LUMBER	2x4 Stud Doug Fir	18.24
20-00534	08/18/20	VERIZON	Police Dispatch	76.67
20-00535	08/18/20	DELTA DENTAL OF NEW JERSEY	Dental	708.48

PO #	PO Date	Vendor	Description	R/A/H Amount
20-00536	08/18/20	Marco Technologies LLC	Copy Machine Lease	398.56
20-00537	08/18/20	NJ LEAGUE OF MUNICIPALITIES	NJM Magazine Subscription Rene	50.00
20-00538	07/30/20	CME ASSOCIATES	Watermain C&L	1,558.50
20-00539	07/30/20	CME ASSOCIATES	IMPTS to Main St/North Blvd	7,550.00
20-00543	08/21/20	DELISA WASTE SERVICES	Recycle/Trash service Sept	10,216.67
20-00544	08/21/20	FRANKLIN WASTE SERVICES, LLC.	Roll off Container Mix Refuse	195.00
20-00545	08/24/20	GFOA OF NEW JERSEY	2020 Conference	350.00
20-00546	08/24/20	DYNAMIC TESTING SERVICE	Random Alcohol Screening	80.00
20-00547	08/24/20	FEDERAL EXPRESS CORP	Code Enforcement Ship Charges	53.04
20-00549	08/24/20	DENTAL SERVICE ORG	Dental	103.83
20-00551	08/24/20	AMCO PEST SERVICES, INC.	Pest Control Service August	110.00
20-00552	08/14/20	CME ASSOCIATES	Watermain C&L	634.50
20-00553	08/14/20	CME ASSOCIATES	IMPTS Main St/North Blvd	141.00
20-00554	08/14/20	CME ASSOCIATES	IMPTS to 17th Avenue	141.00
20-00555	08/14/20	CME ASSOCIATES	IMPTS 17th Avenue	391.50
20-00558	08/20/20	DELISA WASTE SERVICES	10 Yd/Const Debris/bulk	1,004.87
20-00559	08/24/20	JCP&L	Electric Service	893.42
20-00561	08/26/20	CABLEVISION/OPTIMUM	Telephone/online	845.04
20-00562	08/28/20	TREASURER STATE OF NJ	Mun Clerk Recertification	50.00
20-00564	08/31/20	LAKE COMO PAYROLL ACCOUNT	Employee Payroll Sept 2, 2020	46,919.68
Total Purchase Orders: 54 Total P.O. Line Items: 140				
Total R/A/H Amount: 492,239.56				

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	0-10	429,485.47	0.00	0.00	429,485.47
	0-20	62,619.53	0.00	0.00	62,619.53
	0-74	134.56	0.00	0.00	134.56
Total of All Funds:		492,239.56	0.00	0.00	492,239.56

Resolution 2020 – 109

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:

4811	NJ Natural Gas Co.	PB&G OE	\$154.46
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Dated: September 1, 2020

Kevin G. Higgins, Mayor

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

RESOLUTION 2020-110

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-44-008-004 in the name of:

**KARAN TWO, INC
T/A DISCOUNT WINE & LIQUORS
508 EIGHTEENTH AVENUE
Lake Como, NJ 07719**

1. 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.

BE IT FURTHER RESOLVED that the State of New Jersey Alcoholic Beverage Control be notified and License be issued to above for the period of July 1, 2020 to June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2020-111

**RESOLUTION OF THE BOROUGH OF LAKE COMO,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
AUTHORIZING THE RENEWAL OF AN
ALCOHOLIC BEVERAGE LICENSE
1347-33-002-006 TO BE
HELD IN POCKET**

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-33-002-005 in the name of **Stacy 5 Star, LLC** to be renewed as an inactive license held in pocket; and

NOW, THEREFORE, BE IT RESOLVED that License No. 1347-33-002-006 shall be renewed for the period from July 1, 2020 to June 30, 2021, dates inclusive, be renewed as an inactive license held in pocket.

WHEREAS, that the Borough Clerk be and is hereby authorized to sign and deliver license certificate to the applicant .

Dated: 9/1/2020

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2020-112
RENEWAL LICENSE
STACY 5 STAR, LLC, T/A LA SIERRA RESTAURANT

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-32-004-008 in the name of:

STACY 5 STAR, LLC
T/A LA SIERRA RESTAURANT
1621 MAIN STREET
LAKE COMO, NJ 07719

NOW, THEREFORE, BE IT RESOLVED that the applicant has agreed with the following conditions on the license:

1. Service and sale of alcoholic beverages is to be permitted only in the licensed areas as described above.
2. No alcoholic beverages shall be sold, served, delivered to, or consumed in the license premises during such time as the number of persons, exclusive of employees, occupying the licensed premise exceeds the occupancy limit established herein or by the Fire Official, whichever is less.
3. The following employees are required to obtain and maintain an Alcoholic Beverage Control card, issued by the Belmar Police Department. Employees involved in the handling, sale and/or service of alcoholic beverages, shall include but is not limited to managers, and/or supervisors, servers, cashiers, bartenders, barbacks, bouncers, and security guards. This identification card is required to be updated annually with the police department. Employees must register within 24 hours of new employment with the Belmar Police Department in order to start the process of obtaining an ABC card to work in the establishment.
4. Indoor occupancy is limited to 47 seated inside which includes table/ chairs and bar area. Occupancy for outdoor dining is not to exceed 24 seats.
5. All windows in the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed except for providing ingress and egress to patrons and employees. At no time shall doors be left continually open to provide ingress and egress.
6. No bottles or garbage shall be dumped by the Licensee between 11:00 pm- 7:00 am.
7. 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 license premises at all times.
8. Live music in the inside bar/dining area will be permitted provided that it shall be limited

to 3 pieces (without heavy percussion) and DJ's (with amplification) and shall conclude no later than 10:00pm.

9. Indoor dining shall be closed by 12:00 a.m. and outdoor dining area shall be closed by 10:00 pm. Any patron served alcohol in the outdoor dining area must be seated and dining. The outdoor dining area may not be used as a smoking area at any time.

10. All sales of alcoholic beverages in the restaurant and at the bar shall cease pursuant to their hours of operation.

11. Theme nights or any other special event function must be submitted in writing and approved by Mayor and Council.

12. Private parties will adhere to the hours of operation of the restaurant. There will be no exception to closing time for any private parties or special events.

13. CCTV cameras will be installed on interior and exterior of the property, which will include both entrances/ exits, administrative areas, bar areas, liquor storage area and points throughout the interior and exterior. Video must be maintained for 30 days and available upon request from the Belmar Police Department.

14. Unruly Patrons: All personnel responsible for the distribution of alcohol and providing security will be trained in ServSafe program as well as have knowledge of the local ordinances. Records of this requirement are to be maintained by the licensee and available upon request. 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 Police Department.

15. 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 Belmar Police Department with a description of the person and the license plate number of the vehicle, if possible.

16. 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 identification in order to verify the information. If the employee checking an ID has a 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.

17. Control/Supervision of Patron under 21 (restaurant applications) Licensee will request proof of age from any customer who appears to be under the legal age and will refuse service to any customer who cannot produce adequate ID.

18. 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 about to be committed and/or whenever a threat of or act of violence occurs in the premises or off the premises in areas that would be considered in view or earshot of the establishment.

19. 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.

20. It is the requirement that all wait staff, bartenders, and personnel involved with the sale or service of alcohol undergo TAMS training within 30 days of being hired; records of this requirement are to be maintained by the licensee and available upon request.

21. The licensee shall ensure that all employees who are involved with the sale and/or service of alcohol or who are involved with checking identification and/or handling of intoxicated and/or unruly patrons or who are involved in security; i.e. floor men, waitresses, and bartenders have undergone Techniques in Alcohol Management (TAM) provided through the NJ Beverage Licenses Association. Certification of the employee's attendance will be provided to the Belmar Police Department, upon request. This training is to be completed within 30 days of the date of employment at the establishment.

BE IT FURTHER RESOLVED that the State of New Jersey Alcoholic Beverage Control Board be notified and license be issued to the above for the period of July 1, 2020 through June 30, 2021.

Dated: 9/1/2020

Kevin G. Higgins, Mayor

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

RESOLUTION 2020-113

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-44-007-004 in the name of:

**Dai Lee Corporation
T/A Weinstein's Liquors
1601 Main Street
Lake Como, NJ 07719**

1. 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.

BE IT RESOLVED that the State of New Jersey Alcoholic Beverage Control be notified and License issued to the above for the period of July 1, 2020 to June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION 2020-114

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-44-001-011 in the name of:

**Lake Como Wine Shop
1700 Main Street, Unit #2
Lake Como, NJ 07719**

1. 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.

BE IT RESOLVED that the State of New Jersey Alcoholic Beverage Control be notified and License issued to the above for the period of July 1, 2020 to June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION 2020-115

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-33-003-008 in the name of:

**FAHEY HOSPITALITY
T/A JOE'S SURF SHACK
415-417 EIGHTEENTH AVENUE
Lake Como, NJ 07719**

BE IT RESOLVED that the applicant has agreed with the following conditions on the license:

- 1) The occupancy in said establishment shall be limited to 200 (Two Hundred) persons.
- 2) No lines shall be permitted to form after 11:00 p.m. on any night.
- 3) The License shall reimburse the Borough of Lake Como for the cost of additional police patrol hours in the affected areas that are made necessary because of the operation of the Licensee. The determination of need for extra police patrol hours shall be in the sole discretion of the Police Chief and the cost shall be based on the hourly rate of the cost of the patrol.
- 4) No less than two security personnel shall be posted on the premises and patrolling both the exterior and interior from at least one-half hour prior to the beginning of any entertainment and continuing until at least one-half hour after the end of the entertainment. Additionally, at least one security person shall be posted on the premises at the time of closing if the time of closing differs from the end of any entertainment. The Licensee shall also have two security personnel at the front door at all times there is entertainment and at least one of these shall be designated as the line monitor to assure that patrons awaiting entry to the licensed premises conduct themselves in an orderly fashion. The security personnel posted at the entrance to the licensed premises shall be responsible to check the identification of patrons seeking entry into the licensed premises to determine that they are of legal age to purchase and consume alcoholic beverages.
- 5) The Licensee shall provide a litter patrol, which shall remove litter and debris beginning at Parkway to B Street going east on both sides and White Street to Redmond Avenue before 10:00 a.m. each morning and after an evening of operation.
- 6) All windows in the licensed premises shall be closed at all times during hours of operation. Licensee shall have the discretion to keep the door open from 12 noon to 9 pm as long as there is no noise emanating from the premises.
- 7) No bottles or garbage shall be dumped by the Licensee between 11:00 p.m. and 7:00 a.m.

8) 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 license premises at all times.

9). The Licensee shall operate the establishment as a restaurant with a single bar. There will be kitchen facilities capable of supplying food service for a minimum of forty people. There shall be twelve to fifteen tables in the establishment at all times capable of serving up to four patrons per table.

10). Exterior security personnel must monitor and control anyone smoking outside to maintain low volume and prevent anyone from yelling, cursing, and acting in an inappropriate manner.

11). Shush patrol will be implemented at the discretion of the Chief of Police.

12). 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.

13). 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.

14). 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 of Belmar's Police Department with a description of the person and the license plate number of the vehicle, if possible.

15). 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.

16). 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.

17). 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.

18). 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.

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 that the State of New Jersey Alcoholic Beverage Control Board be notified and License be issued to the above for the period of July 1, 2020 through June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2020-116

WHEREAS, Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-33-005-008 in the name of:

**MAC-TAV INC.
T/A McCANN'S TAVERN
1704 MAIN STREET
LAKE COMO, NJ 07719**

WHEREAS, the seasonal area originally designated in Resolution 2014-94 delineated an expansion onto the Borough sidewalk for a distance not exceeding 7 feet from the front of the building and 20'4" in length, leaving 11'3" from the curb line open for use of the sidewalk on Main Street. This extension shall be for the purpose of selling and consuming alcohol, only for patrons seated at tables not exceeding eight in number from 5:00pm until 10:00pm from July 1, 2020 until October 15, 2020 and from April 15, 2021 until June 30, 2021. The applicant shall also comply with the Borough of Lake Como's outside dining ordinance. 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 has agreed with the following:

1. All windows in the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed except for providing ingress and egress to patrons and employees. At no time shall doors be left continually open to provide ingress and egress. Doors may be opened to allow air flow between the hours of 12:00 noon and 6:00 p.m. provided there is no noise emanating from any source.
2. No bottles or garbage shall be dumped by the Licensee between 11:00 pm- 7:00 a.m.
3. 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 license premises at all times.
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. The Licensee shall provide a litter patrol, which shall remove litter and debris on the East side of Main Street, between 17th and 18th Avenue.
6. Shush patrol to be implemented at the discretion of the Chief of Police.
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.

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 that the State of New Jersey Alcoholic Beverage Control Board be notified and License be issued to the above for the period of July 1, 2020 through June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION 2020-117

WHEREAS, the Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-33-009-005 in the name of:

**ALEATORY INC.
T/A BAR ANTICIPATION
703-705 16TH Ave.
Lake Como, NJ 07719**

BE IT RESOLVED, that the Licensee has agreed with the following:

- 1). All windows in the licensed premises shall be closed at all times during hours of operation. All doors shall remain closed except for providing ingress and egress to patrons and employees. At no time shall doors be left continually open to provide ingress and egress.
- 2). No bottles or garbage shall be dumped by the Licensee between 11:00 pm- 7:00 am.
- 3). 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 license premises at all times.
- 4). Minimum paid police officers required from Memorial Day to Labor Day on certain days. Tuesdays --3 officers from 7pm- 3am. Fridays and Saturdays-- 2 officers 7pm- 3am.
- 5). Additional paid police officers on holidays, special events, and busier than normal days is at the discretion of the Chief of Police.
- 6). Sufficient manpower and security to control their established lines of entrance.
- 7). Must have sufficient manpower to control their roadway entrances, specifically drop off and taxi lines.
- 8). 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.
- 9). Continued use of shush patrols by the licensee from Memorial Day to Labor Day and coordinated with the Belmar Police Department.
- 10). The Licensee will provide a litter patrol, which shall remove litter and debris as already in place and coordinated with the Belmar Police Department.
- 11). Unruly Patrons: All personnel responsible for the distribution of alcohol shall 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.

12). 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.

13). 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.

14). 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.

15). 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.

16). 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.

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 that the State of New Jersey Alcoholic Beverage Control Board be notified and license be issued to the above for the period of July 1, 2020 through June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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

RESOLUTION NO. 2020-118

WHEREAS, The Mayor and Council of the Borough of Lake Como has approved the renewal of Alcoholic Beverage License No. 1347-33-006-012 in the name of:

**PAYDAY INC.
T/A PAUL'S TAVERN
1703 MAIN STREET
Lake Como, NJ 07719**

BE IT RESOLVED, that the Mayor and Council sitting as the Local Alcoholic Beverage Control Board and the applicant has 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.
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 Paul'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.

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, 2020 through October 15, 2020 and April 15, 2021 through June 30, 2021. 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 the State of New Jersey Alcoholic Beverage Control Board be notified and License be issued to the above for the period of July 1, 2020 through June 30, 2021.

Dated: September 1, 2020

Kevin G. Higgins
Mayor

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