



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

**DATE: JUNE 17, 2025 7:30 PM**  
**REGULAR MEETING**

**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 2025 in which Resolution the time and place of Agenda and Regular Meetings commencing with January 7, 2025 were set forth. Notice of same was delivered to the Asbury Park Press, the Coast Star and TAPinto and a copy of the notice was posted on the borough website at [www.lakecomonj.org](http://www.lakecomonj.org) and on the bulletin board in Borough Hall. All meetings are open to the public.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

- Minutes from the June 3, 2025 Meeting

**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.

## **NEW BUSINESS**

Special Events Application  
19<sup>th</sup> Avenue Block Party

Updated Housing Element and Fair Share Plan

Proposed Stormwater Management Plan

Ordinance 2025-11  
Second Reading and Public Hearing  
Amending Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank  
Offered by Councilman Witte

Ordinance 2025-12  
First Reading and Introduction  
Installing Handicap Parking Spot  
Offered by Councilman D'Antuono

CY2025 Budget Hearing

Resolution 2025-97  
CY2025 Budget Amendment  
Offered by Councilman Witte

Resolution 2025-98  
Executive Session  
Offered by Councilman Ventrice

Resolution 2025-99  
Payment of Bills  
Offered by Councilman DeMauro

Resolution 2025-100  
Accepting NJAW Billing Credit Adjustment  
Offered by Councilman D'Antuono

## **PUBLIC COMMENTS**

## **ALCHOLIC BEVAGE CONTROL BOARD**

Resolution 2025-93  
Renewal of Liquor License – MacTav Inc. t/a McCann's Tavern

Resolution 2025-94  
Renewal of Liquor License – Salty’s Beach Bar

**NEXT MEETING**

The next regular meeting of the Mayor and Council will be held on Tuesday, July 1, 2025, at 7:30 PM in the Lake Como Meeting Room. All meetings are open to the public.

**MOTION TO ADJOURN**



# Borough of Lake Como

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

Kevin G. Higgins  
Mayor

Andrew Huisman  
Administrator

**\*\*\*MUST BE TYPED OR PRINTED NEATLY\*\*\***

## SPECIAL EVENTS PERMIT APPLICATION

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

EVENT NAME: 19th Block Party

DATE OF EVENT: June 27th

TIME OF EVENT: 5:00 am / pm until 10:00 am / pm  
Events must begin by 9:00am

APPLICANT/ORGANIZATION: \_\_\_\_\_

APPLICANT ADDRESS: 308 19th Avenue

TELEPHONE NUMBER: 

### DAY OF EVENT CONTACT INFORMATION

PERSON RESPONSIBLE FOR EVENT: Sarah Wilton

NUMBER OF VOLUNTEERS FOR EVENT: \_\_\_\_\_

(Volunteers must be over the age of 18 and must be wearing safety vests at all times)

ADDRESS: 308 19th Avenue

PHONE NUMBER: 

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

IF YES, HOW MUCH?: \$ \_\_\_\_\_

LIABILITY INSURANCE COVERAGE? \_\_\_\_\_ YES  NO

AMOUNT OF COVERAGE: \$ \_\_\_\_\_

HAVE YOU APPLIED TO BELMAR & SPRING LAKE? \_\_\_\_\_ YES  NO

EVENTS WITH MORE THAN 500 PARTICIPANTS MUST APPLY TO WALL TWP.

IF NO, WHY? n/a

**\*Certificate of Insurance MUST be submitted with the application  
before application will be reviewed\***



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Administrator

## SPECIAL EVENTS PERMIT APPLICATION

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

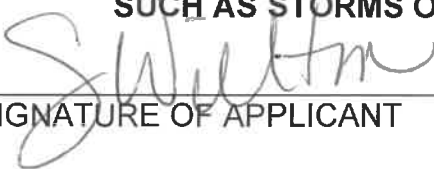
19th Avenue between B. St. & Greenwood  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

baricades  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROXIMATE NUMBER OF CONTESTANTS, PARTICIPANTS, SPECTORS, AND/OR OTHER PEOPLE THAT COULD RESONABLY BE ANTICIPATED TO ATTEND THE EVENT: 50

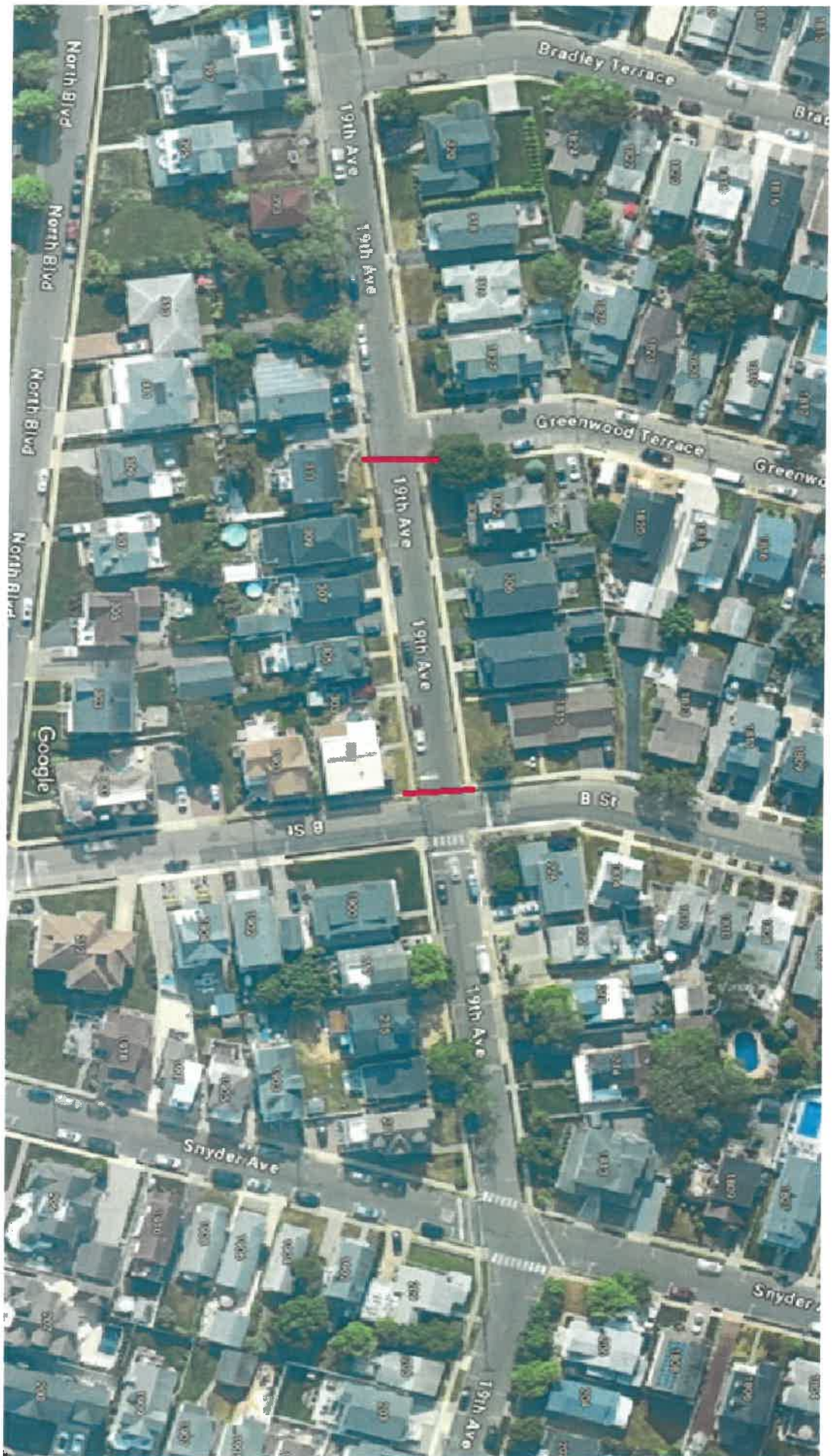
**THE BOROUGH OF LAKE COMO RESERVES THE RIGHT TO CANCEL ANY SPECIAL EVENT DUE TO CIRCUMSTANCES BEYOND ITS CONTROL, SUCH AS STORMS OR ANY NATURAL DISASTER.**

  
SIGNATURE OF APPLICANT

6/9/25  
DATE

### FOR OFFICE USE ONLY

Date Application Received	<u>6/9/25</u>
Received by	<u>A Boney</u>
Date Application Reviewed & Approved by DPW	_____
Reviewed by	_____
Date Application Reviewed & Approved by Police	_____
Reviewed by	_____
Price from Police Department	_____
Date Approved by Mayor & Council	_____



# Housing Plan Element and Fair Share Plan

*Prepared for:*

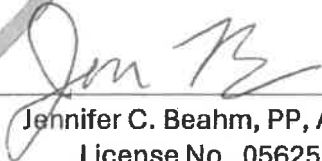
**The Borough of Lake Como  
Monmouth County, New Jersey**

**June 2025**

Prepared By:

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CONSULTING ENGINEERS

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**Mayor and Council**

Kevin Higgins, Mayor  
Douglas E. Witte, Council President  
Hawley Scull  
Chris D'Antuono  
Nick DeMauro  
Peter Ventrice  
Heather Albala-Doyle

**Borough Planning/Zoning Board**

Joseph Cavaluzzi, Chairman  
Kevin G. Higgins, Mayor  
Eugene Cavanagh  
Douglas Witte  
Keith Montgomery Coisse  
Stephen Petrosino  
Allison Krilla  
Gretchen Schmidhausler  
Andrew Reiners  
Thomas Neff, Alternate #1  
Michael Higgins, Alternate #2

**Planning/Zoning Board Professionals**

Al Hilla, PE, Board Engineer  
Viveca Graham, Board Secretary  
Adam Scheider, Esq., Board Attorney

**Project Team**

Sam Avakian, PE, PP, PLS, Borough Engineer  
Jennifer Beahm, PP, AICP  
Christine Bell, PP, AICP, CFM  
Ciara Wenger  
Stephen Myer

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## **INTRODUCTION**

In the case of Southern Burlington County NAACP v. the Township of Mount Laurel, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the “builder remedy” or court-imposed zoning, to ensure that municipalities affirmatively addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations, and adopting regulations establishing the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH’s regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located; and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For the Borough of Lake Como, the housing region is defined by COAH as Region 4 and is comprised of Mercer, Monmouth, and Ocean counties. In Region 4 the median income for a four-person household is \$130,054, the moderate-income limit is \$104,0431, the low-income limit is \$65,027, and the very-low-income limit is \$39,016 in 2024.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality’s low- and moderate-income housing needs. The statutory required contents of the housing element are:

- An inventory of the municipality’s housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- A projection of the municipality’s housing stock, including the probable future construction of low- and moderate-income housing, for the ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;

- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing; and
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

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## **MUNICIPAL SUMMARY**

Lake Como is a coastal Borough located near the Atlantic Ocean in southeastern Monmouth County, New Jersey. The Borough covers about 0.26 square miles and is one of the smallest municipalities in Monmouth County, and dates back to 1693. Lake Como was originally part of Wall Township; in 1924 it officially was formed into the Borough of South Belmar. In 2005, the Borough officially became the Borough of Lake Como. The location of Lake Como offers easy access to major roadways like Route 35 and the Garden State Parkway, which allows easy community access to local residents and seasonal visitors.

Today, Lake Como is known for its scenic ocean access and residential atmosphere. The Borough features a mix of residential homes with residents living year-round and seasonally. Additionally, there are small pockets of commercial and mixed-commercial spaces located along Main Street. Recreational amenities are abundant including walking paths, picnic areas, tennis courts and so on. The Borough is bordered by Belmar to the north and east, Spring Lake to the south, and Wall Township to the west.

In the guidelines established by COAH, Lake Como Borough is located in affordable housing Region 4 which is comprised of Monmouth, Mercer, and Ocean Counties.

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## DEMOGRAPHIC CHARACTERISTICS

### Population

In 2023, the Borough of Lake Como had a total population of 1,660. This number represented a decrease of 99 individuals or -5.9 percent since 2010, when the total population was 1,759 individuals. The Borough of Lake Como's population peaked in 2000 at 1,806 residents. Since that time, the general population trend within the Borough has been in decline between 1990 and 2023. The total population pattern for both Lake Como, Monmouth County, and the State of New Jersey is detailed below.

**TABLE 1: POPULATION TRENDS, 1930-2023**

Year	Lake Como			Monmouth County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	886	-	-	147,209	-	-	4,041,334	-	-
1940	955	69	7.8%	161,238	14,209	9.50%	4,160,165	118,831	2.94%
1950	1,294	339	35.5%	225,327	64,089	39.70%	4,835,329	675,164	16.22%
1960	1,537	243	18.8%	334,401	109,074	48.40%	6,066,782	1,231,453	25.46%
1970	1,490	-47	-3.1%	461,849	127,448	38.10%	7,171,112	1,104,330	18.20%
1980	1,566	76	5.1%	503,173	41,324	8.90%	7,365,011	463,899	6.46%
1990	1,482	-716	-5.4%	553,124	49,951	9.90%	7,730,188	365,177	4.95%
2000	1,806	324	21.9%	615,331	62,207	11.24%	8,414,350	684,162	8.85%
2010	1,759	-47	-2.6%	628,112	12,811	2.0%	8,721,577	307,227	3.6%
2020*	1,655	-104	-5.9%	620,821	-7,291	1.2%	8,885,418	163,841	1.9%
2023*	1,660	5	0.3%	643,615	22,794	3.7%	9,267,014	381,596	4.29%
2050^	1,835	175	10.5%	669,624	48,559	4.0%	-	-	-

Sources: U.S. Census Bureau Decennial Census (table DP-1)  
 \*U.S. Census Bureau, 2020, 2023 ACS 5-Year Estimates (table DP05)  
 ^ Population Projections from North Jersey Transportation Planning Authority (NJTPA)

### Population Composition by Age

The age composition of Lake Como has shifted noticeably since 2010. According to the 2023 American Community Survey 5-Year Estimates, significant changes occurred in many age groups. The number of children under the age of 18 has decreased significantly while the number of adults over the age of 50 have increased significantly over this time period. Conversely, the Borough has seen a significant increase in the number of residents aged 60 to 74 years. The greatest percentage increases occurred in the 65 to 74 years age cohort, which increased by 146.9 percent, and the 55 to 59 years age cohort which grew by 143.1 percent over the same timeframe.

**TABLE 2: POPULATION BY AGE COHORT, LAKE COMO, 2010-2023**

Population	2010		2023		Change 2010-2023
	Number	Percent	Number	Percent	
Total population	1,813	100.0%	1,660	100%	-8.4%
Under 5 years	61	3.4%	43	2.6%	-29.5%
5 to 9 years	109	6.0%	43	2.6%	-60.5%
10 to 14 years	106	5.8%	91	5.5%	-14.1%
15 to 19 years	101	5.6%	101	6.1%	0.0%
20 to 24 years	107	5.9%	52	3.1%	-51.4%
25 to 34 years	373	20.6%	385	23.2%	3.2%
35 to 44 years	313	17.3%	144	8.7%	-53.9%
45 to 54 years	315	17.4%	194	11.7%	-38.4%
55 to 59 years	58	3.2%	141	8.5%	143.1%
60 to 64 years	70	3.9%	126	7.6%	80.0%
65 to 74 years	113	6.2%	279	16.8%	146.9%
75 to 84 years	60	3.3%	45	2.7%	-25.0%
85 years and over	27	1.5%	16	1.0%	-40.7%

U.S. Census Bureau, American Community Survey 2010-2023, 5- Year Estimates (table DP-05)

Monmouth County also experienced shifts in the age make-up of its population. The County experienced a significant decrease in children under the age of 18. The 20 to 24-year-old and 55 and over age cohorts experienced population increases between 2010 and 2023, with the largest increases in the older age cohorts, suggesting that the County has an aging population.

**TABLE 3: POPULATION BY AGE COHORT, MONMOUTH COUNTY, 2010-2023**

Population	2010		2023		Change 2010-2023
	Number	Percent	Number	Percent	
Total population	630,380	100.0%	643,615	100.0%	2.5%
Under 5 years	34,755	5.5%	32,114	4.9%	-11.05%
5 to 9 years	41,128	6.5%	37,390	5.8%	-13.9%
10 to 14 years	45,551	7.2%	39,484	6.1%	-12.5%
15 to 19 years	44,044	7.0%	42,163	6.6%	-5.7%
20 to 24 years	34,185	5.4%	37,390	5.8%	13.99%
25 to 34 years	64,860	10.3%	70,569	10.9%	11.8%
35 to 44 years	86,499	13.7%	75,860	11.8%	-18.8%
45 to 54 years	110,979	17.6%	88,083	13.7%	-18.9%
55 to 59 years	44,570	7.1%	50,654	7.8%	18.9%
60 to 64 years	37,118	5.9%	50,797	7.8%	48.4%
65 to 74 years	44,342	7.0%	71,107	11.04%	70.4%
75 to 84 years	28,598	4.5%	33,953	5.3%	15.9%
85 years and over	13,751	2.2%	14,423	2.2%	14.9%

2010 US Census Bureau (table DP-1)  
U.S. Census Bureau, American Community Survey 2023 5- Year Estimates (table DP-05)

The median age of Lake Como residents has increased between 2010 and 2023. This trend is consistent with the general “graying” of America as the Baby Boom generation continues to age. While the State, County, and Borough have all experienced increases in median age between 2010 and 2023, the Borough’s median age increased more than the State of New Jersey’s and Monmouth County’s. However, the median age of residents in Lake Como is less than that of Monmouth County and slightly higher than the State overall.

**TABLE 4: MEDIAN AGE**

Year	Lake Como	Monmouth County	New Jersey
2010	37.7	40.6	38.5
2023	41.8	43.2	40.1
Change	4.1	2.6	1.6
U.S. Census Bureau, American Community Survey 2010 and 2023 5- Year Estimates (table DP-05)			

**Households**

A household is defined as one or more persons, either related or not, living together in a housing unit. The 2023 ACS 5-Year Estimates note that there were approximately 834 households in the Borough. Approximately 75.8 percent of the Borough’s households were comprised of one or two persons, and only 11.4 percent of all Borough households consisted of four (4) or more persons. Approximately 59 percent of Monmouth County households were comprised of one and two-person households. The Borough exhibited a higher percentage of one-person households than the County. Lake Como’s average household size was 1.90 while the County’s average household size was 2.64 according to these estimates.

**TABLE 5: HOUSEHOLD CHARACTERISTICS  
LAKE COMO AND MONMOUTH COUNTY, 2023**

	Lake Como		Monmouth County	
	Number	Percent	Number	Percent
<b>Total Households</b>	<b>834</b>	<b>100%</b>	<b>250,195</b>	<b>100.0%</b>
1-person	353	42.3%	66,589	26.6%
2-persons	279	33.5%	81,289	32.4%
3-persons	107	12.8%	40,929	16.4%
4 or more persons	95	11.4%	61,388	24.5%
<b>Average Household Size</b>	<b>1.90</b>		<b>2.55</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S2501 & B25010)				

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Almost half households in Lake Como were families, comprising 43.6 percent of all households. Approximately 35.4 percent of all family households were family households with married couple householders, while 2.8 percent and 5.4 percent of family households respectively were family households consisting of single parent male or female householders. The average family size in Lake Como was 2.85 persons. Of all Borough households, 56.3 percent were non-family households.

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**TABLE 6: HOUSEHOLDS BY TYPE (2023)**

Households	Total	Percent
		834
<b>Average Household Size</b>	<b>2.13</b>	
<b>Average Non-Family Household Size</b>	<b>1.27</b>	
<b>Family households</b>		
Married Couple Family	296	35.4%
With own children under 18 years	92	11.0%
No children under 18 years	204	24.4%
<b>Other Family</b>	<b>68</b>	<b>8.1%</b>
Male householder, no spouse present	23	2.8%
With own children under 18 years	20	2.4%
No own children under 18 year	3	0.4%
Female householder, no spouse present	45	5.4%
With own children under 18 years	20	2.4%
No own children under 18 year	25	2.9%
<b>Nonfamily Households</b>	<b>470</b>	<b>56.3%</b>
<b>Average Family Size</b>	<b>2.85</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table S1101)		

**Income**

Lake Como experienced a 59.7 percent increase in per capita income between 2010 and 2023, while Monmouth County experienced a 59.9 percent increase, and the State’s per capita income increased by 52.3 percent increase over the same period. However, although the Borough experienced the second highest increase in per capita income, while the County experienced a higher increase and State experienced a smaller increase, the Borough’s per capita income of \$60,253 is lower than the County’s \$65,545 per capita income figure but is more than the State’s \$53,118 per capita income.

**TABLE 7: PER CAPITA INCOME AND MEDIAN HOUSEHOLD INCOME**

	<b>2010 Per Capita Income</b>	<b>2023 Per Capita Income</b>	<b>Percent Change</b>	<b>2010 Median Household Income</b>	<b>2023 Median Household Income</b>	<b>Percent Change</b>
Lake Como	\$37,729	\$60,253	59.7%	\$76,576	\$83,056	8.4%
Monmouth	\$40,976	\$65,545	59.9%	\$64,271	\$122,727	90.9%
New Jersey	\$34,858	\$53,118	52.3%	\$55,146	\$101,050	83.2%
U.S. Census Bureau, 2010 ACS Selected Population Tables (table DP03)						
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (tables S1902 and S1903)						

The income distribution for the Borough is similar to that of the County. In both Lake Como, the \$150,000- plus range income bracket contained the largest percentage of households, followed by the \$100,000 to \$149,999 range. In the County, the largest percentage of households had incomes in the \$100,000 to \$149,999 range, followed by the \$150,000- plus range. However, the median income in Lake Como was \$83,056, approximately \$39,671 less than the county median household income and \$17,994 less than the state median household income. Between 2010 and 2023, the median household income in Lake Como increased 8.4 percent, while the median household income in Monmouth County increased by 90.9 percent and by 83.2 percent for the State overall.

**TABLE 8: HOUSEHOLD INCOME DISTRIBUTION  
LAKE COMO AND MONMOUTH COUNTY, 2023**

	<b>Lake Como</b>		<b>Monmouth County</b>	
	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
<b>Total Households</b>	<b>834</b>	<b>100%</b>	<b>250,195</b>	<b>100.0%</b>
Less than \$10,000	13	0.6%	8,165	3.2%
\$10,000 to \$14,999	21	2.5%	5,319	2.1%
\$15,000 to \$24,999	63	7.6%	10,781	4.3%
\$25,000 to \$34,999	60	7.1%	10,705	4.3%
\$35,000 to \$49,999	82	9.8%	17,390	6.9%
\$50,000 to \$74,999	125	14.9%	25,153	10.05%
\$75,000 to \$99,999	116	13.9%	25,542	10.2%
\$100,000 to \$149,999	127	15.2%	42,917	17.1%
\$150,000 or more	227	27.2%	33,756	13.4%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table B19001)				

## Household Costs

The tables below show housing expenditures for owner- and renter-occupied units in Lake Como in 2023. The first table shows the housing costs of owner occupants as a percentage of total income. A total of 284 households (35.9%) were devoting more than 30 percent of their annual income to housing costs. The State affordability threshold for housing as a percent of income suggests that not more than 28 percent of gross income should be allocated for housing costs.

The second table shows rental costs as a percentage of household income. A total of 158 renter-occupied households renting in Lake Como, or 51.3 percent, were spending over 30 percent of their incomes on rent. The State affordability threshold for housing as a percent of income suggests that not more than 30 percent of gross income should be allocated for rent.

**TABLE 9: MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Lake Como		Monmouth County	
	Number	Percent	Number	Percent
Total Owner-Occupied Housing Units	284	100.0%	120,842	100.0%
Less than 20%	104	36.6%	51,115	42.3%
20 to 24%	44	15.5%	19,772	16.3%
25 to 29%	34	12.0%	13,459	11.1%
30 to 34%	32	11.3%	8,293	6.8%
35% or more	70	24.6%	28,203	23.3%
Not computed	0	0.0%	610	0.5%
U.U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04) (table B25091)				

**TABLE 10: GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME, 2023**

	Lake Como		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter-Occupied Housing Units	308	100.0%	58,198	100%
Less than 15%	51	16.6%	7,106	12.2%
15 to 19%	28	9.1%	6,970	11.9%
20 to 24%	17	5.5%	6,927	11.9%
25 to 29%	54	17.5%	6,419	11.0%
30 to 34%	3	1.0%	4,751	8.1%
35% or more	155	50.3%	26,025	44.7%
Not computed	7	2.2%	3,419	5.8%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

## EXISTING HOUSING CONDITIONS

### Housing Unit Data

Lake Como’s housing stock is predominantly owner occupied, and slightly more than half was built prior to 1950. According to the 2023 ACS, the Borough had a total of 834 occupied housing units. Most occupied units (62.2%) were owner-occupied, while 37.8 percent were renter-occupied. The median year a structure was built in Lake Como is 1960.

**TABLE 11: HOUSING UNIT DATA, 2023**

Housing Units in Lake Como	Number	Percent
Total Housing Units	1,146	100%
Vacant Housing Units	312	27.2%
Occupied Housing Units	834	72.8%
Owner Occupied	519	62.2%
Renter Occupied	315	37.8%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)		

	Number	Percent
Built 1939 or earlier	260	22.7%
Built 1940 to 1949	139	12.1%
Built 1950 to 1959	172	15.0%
Built 1960 to 1969	59	5.1%
Built 1970 to 1979	73	6.4%
Built 1980 to 1989	65	5.7%
Built 1990 to 1999	145	12.7%
Built 2000 to 2009	128	11.2%
Built 2010 or later	105	9.1%
<b>Total</b>	<b>1,146</b>	<b>100.0%</b>
<b>Median Year Structure Built</b>	<b>1960</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04 and B25035)		

### Housing Type and Size

The majority (70.2%) of housing stock in Lake Como consists of single-family detached dwellings. Multi-family dwellings consisting of 20 or more units comprise 7.9% of the Borough’s housing stock and buildings containing two (2) units comprises 6.9% of the Borough’s housing stock. The median number of rooms per unit was 5.10.

**TABLE 12: HOUSING UNITS BY TYPE, 2023**

Units in Structure	Total	Percent
Total	1,146	100.0%
1 Unit, detached	804	70.2%
1 Unit, attached	77	6.7%
2 Units	79	6.9%
3 or 4 Units	24	2.1%
5 to 9 Units	8	0.7%
10 to 19 Units	53	4.6%
20 Units or more	90	7.9%
Mobile home	11	1.0%
Boat, RV, van, etc.	0	0.0%
Rooms	Total	Percent
1 room	8	0.7%
2 rooms	29	2.5%
3 rooms	229	20.0%
4 rooms	191	16.7%
5 rooms	201	17.5%
6 or more rooms	488	42.6%
<b>Median number of rooms</b>	<b>5.1</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (DP04)		

**Housing Values and Contract Rents**

According to ACS 5-Year Estimates, most housing units in Lake Como (60.7%) were valued at \$500,000 to \$999,999. Table 13 provides a breakdown of home values for owner-occupied units within the Borough. Only two (2) owner-occupied housing units in Lake Como were worth less than \$50,000. The median value of an owner-occupied housing unit was \$614,500 at the time of the survey.

**TABLE 13: VALUE OF OWNER-OCCUPIED HOUSING UNITS, 2023**

	Lake Como		Monmouth County	
	Number	Percentage	Number	Percentage
<b>Total</b>	<b>519</b>	<b>100%</b>	<b>188,578</b>	<b>100%</b>
Less than \$50,000	2	0.4%	3,202	1.6%
\$50,000 to \$99,999	8	1.5%	2,703	1.4%
\$100,000 to \$149,999	0	0.0%	1,760	0.9%
\$150,000 to \$199,999	0	0.0%	2,797	1.4%
\$200,000 to \$299,999	18	3.5%	12,780	6.8%
\$300,000 to \$499,999	128	24.7%	55,119	29.2%
\$500,000 to \$999,999	315	60.7%	88,909	58.4%
\$1,000,000 or more	48	9.2%	21,308	11.3%
<b>Median Value</b>	<b>\$614,500</b>		<b>\$566,500</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

With respect to renter-occupied units, there are a range of rents, with most rental units in the Borough carrying rental costs either within the \$1,500 to \$1,999 range or the \$2,000 to \$2,499 range per month. At the time of the ACS 5-Year Estimates, the median gross rent in Lake Como was \$1,813. Zero units in the Borough carried rental costs less than \$1,000 per month, and only 7 units did not require cash rent payments.

**TABLE 14: GROSS RENT PAID**

	Lake Como		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter Occupied Units	308	100%	59,223	100%
Less than \$500	0	0.0%	4,045	6.8%
\$500 to \$999	0	0.0%	3,453	5.8%
\$1,000 to \$1,499	39	12.7%	13,711	23.1%
\$1,500 to \$1,999	184	59.7%	15,499	26.1%
\$2,000 to \$2,499	50	16.2%	6,150	10.3%
\$2,500 to \$2,999	21	6.8%	5,445	9.1%
\$3,000 or more	14	4.5%	1,771	2.9%
No cash rent	7	2.2%	2,394	4.0%
<b>Median Contract Rent</b>	<b>\$1,813</b>		<b>\$1,372</b>	
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)				

**Housing Conditions**

According to the 2023 ACS, there were a minimal number of units exhibiting overcrowding (more than one person per room), lacking complete plumbing facilities or lacking complete kitchen facilities. Table 15 details the condition of housing within Lake Como based on plumbing facilities, kitchen facilities, and overcrowding. These factors are utilized in determining housing deficiency and general housing problems and are used as the basis to calculate the municipal rehabilitation obligation. According to the data, 1.8 percent of occupied housing units experienced over-crowding, 0.5 percent of occupied units lacked complete plumbing facilities, and zero percent of units lacked complete kitchen facilities.

**TABLE 15: HOUSING DEFICIENCY CHARACTERISTICS**

	Count	Percent
<b>Housing Units with 1.01 or More Persons Per Room</b>		
1.01 to 1.5 occupants per room	11	1.3%
1.51 or more occupants per room	4	0%
<b>Plumbing Facilities</b>		
Total Occupied Housing Units	834	100%
Lacking complete plumbing facilities	4	0.5%
<b>Kitchen Equipment</b>		
Total Occupied Housing Units	834	100%
Lacking complete kitchen facilities	0	0.0%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP04)		

## Projected Housing Stock

According to New Jersey Department of Community Affairs, the Borough of Lake Como has issued building permits for 166 residential dwelling units between 2000 and 2023. During that same time period, the Borough issued 133 residential demolition permits. The Borough has added 33 dwelling units over this time period. Building permit data by year is summarized in Table 16 below.

**TABLE 16: BUILDING PERMITS AND DEMOLITION PERMITS ISSUED, 2000 - 2023**

Year	Residential Building Permits Issued	Residential Demolitions	Total Added
2000	2	0	2
2001	6	3	3
2002	3	4	-1
2003	3	5	-2
2004	4	5	-1
2005	22	25	-3
2006	9	16	-7
2007	5	2	3
2008	50	1	49
2009	5	4	1
2010	2	4	-2
2011	4	4	0
2012	5	16	-11
2013	2	6	-4
2014	4	6	-2
2015	5	6	-1
2016	2	0	2
2017	8	0	8
2018	4	3	1
2019	6	4	2
2020	4	5	-1
2021	4	2	2
2022	5	10	-5
2023	2	2	0
<b>Total</b>	<b>166</b>	<b>133</b>	<b>33</b>
Source: New Jersey Department of Community Affairs Construction Reporter			

## EMPLOYMENT DATA

The 2023 ACS reports on work activity of residents aged 16 years and older. While the Borough's working age population was 1,453 residents, Lake Como had an approximate labor force of 1,096 residents. Approximately 24.6 percent of the Borough's working age residents were not participating in the labor force at the time of the estimates. The vast

majority of the Borough’s labor force was employed in civilian jobs, with only eight (8) residents reporting being members of the armed forces. Approximately 4.7 percent of Borough residents reported being unemployed.

**TABLE 17: EMPLOYMENT STATUS**

	Lake Como		Monmouth County	
	Number	Percent	Number	Percent
Population 16 years and over	1,453	100%	526,352	100.0%
In labor force	1,096	75.4%	349,815	66.4%
Civilian Labor Force	1,088	74.9%	349,355	66.3%
Employed	1,020	70.2%	331,018	62.9%
Unemployed	68	4.7%	18,337	3.4%
Armed Forces	8	0.6%	460	0.09%
Not in labor force	357	24.6%	174,537	28.03%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)				

Approximately 80.3 percent of the Borough’s workers were employed in private wage and salary positions, while 2.6 percent of workers are self-employed. Government workers comprise about 17.1 percent of the Borough’s workforce. Table 18 provides a breakdown of worker classifications.

**TABLE 18: CLASSIFICATION OF WORKERS IN LAKE COMO, 2023**

	Number	Percent
Total	1,020	100%
Private Wage and Salary Worker	819	80.3%
Government Worker	174	17.1%
Self-Employed Worker	27	2.6%
Unpaid Family Worker	0	0.0%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

An analysis of employees (over the age of 16) by economic sector indicates that employed working age individuals in Lake Como were involved in a range of economic sectors. As depicted in Table 19 below, the highest concentration of workers (24.2%) are employed in the Educational services, and health care and social assistance sector. Construction; Retail Trade; Professional, scientific, and management, and administrative and waste management services; and Arts, entertainment, and recreation, and accommodation and food service sectors each employ more than 10 percent of the Borough’s workforce and employ the next highest concentrations of Borough workers respectively.

**TABLE 19: WORKFORCE BY SECTOR**

<b>Sector</b>	<b>Number</b>	<b>Percent</b>
Civilian employed population 16 years and over	1,020	100%
Agriculture, forestry, fishing and hunting, mining	3	0.3%
Construction	147	14.4%
Manufacturing	83	8.1%
Wholesale Trade	25	2.5%
Retail Trade	107	10.5%
Transportation and Warehousing, and Utilities	37	3.6%
Information	3	0.3%
Finance and insurance, and real estate and rental and leasing	57	5.6%
Professional, scientific, and management, and administrative and waste management services	155	15.2%
Educational services, and health care and social assistance	247	24.2%
Arts, entertainment, and recreation, and accommodation and food services	105	10.3%
Other Services, except public administration	31	3.0%
Public administration	20	2.0%
U.S. Census Bureau, American Community Survey 2023 5 Year Estimates (table DP03)		

Table 20 provides a percentage comparison of the Borough's workforce against that of the County. The Borough's profile of employment by sector generally mirrors that of the County. However, a higher percentage of the Borough's workforce is employed in Construction and Arts, entertainment, and recreation, and accommodation and food service; while a higher percentage of the County's workforce was employed in the Finance and insurance, and real estate and rental and leasing and public administration sectors.

**TABLE 20: COMPARISON OF WORKFORCE BY SECTOR  
LAKE COMO BOROUGH AND MONMOUTH COUNTY, 2023**

Sector	Lake Como	Monmouth County
Civilian employed population 16 years and over	1,020	331,018
Agriculture, forestry, fishing and hunting, mining	0.3%	0.36%
Construction	14.4%	6.9%
Manufacturing	8.1%	6.2%
Wholesale Trade	2.5%	2.4%
Retail Trade	10.5%	10.4%
Transportation and Warehousing, and Utilities	3.6%	4.4%
Information	0.3%	3.2%
Finance and insurance, and real estate and rental and leasing	5.6%	10.3%
Professional, scientific, and management, and administrative and waste management services	15.2%	15.5%
Educational services, and health care and social assistance	24.2%	24.3%
Arts, entertainment, and recreation, and accommodation and food services	10.3%	7.7%
Other Services, except public administration	3.0%	3.7%
Public administration	2.0%	4.3%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

Table 21 provides a breakdown of occupations by type for the Borough’s employed civilian labor force. Almost three-quarters of the Borough’s employed civilian labor force was employed in management, professional, or related occupations while a little less than one fifth of the Borough’s labor force was employed in sales and office occupations.

**TABLE 21: OCCUPATIONS BY TYPE**

Occupation	Number	Percent
Employed Civilian population 16 years and over	979	100%
Management, business, science and arts occupations	705	72.0%
Service occupations	58	5.9%
Sales and office occupations	150	15.3%
Natural resources, construction and maintenance occupations	40	4.1%
Production Transportation and material moving occupations	26	2.7%
U.S. Census Bureau, American Community Survey 2023 5-Year Estimates (table DP03)		

As indicated in Table 22 below, it is projected that Monmouth County will add 21,400 jobs by 2032. The Ambulatory Health Care Services, Transportation and Warehousing, and Information sectors are poised to experience the greatest increase in number of jobs over

the course of the projection period.

**TABLE 22: PROJECTED EMPLOYMENT, MONMOUTH COUNTY, 2032**

Industry Title	2022 Actual Employment	2032 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Mining	0	50	13.6	0.0	0.0%	Stable
Utilities	16,250	16,900	650	4.1	4.0%	Growing
Construction	1,300	1,400	100	6.9	7.8%	Growing
Manufacturing	9,700	10,250	550	5.9	5.6%	Growing
Wholesale Trade	8,900	9,200	300	3.5	3.3%	Growing
Retail Trade	36,450	36,700	250	0.7	1.5%	Growing
Transportation and Warehousing	6,100	7,100	1,000	16.6	16.3%	Growing
Postal Service	1,050	1,000	-50	-6.8	-4.7%	Declining
Information	6,050	6,950	900	14.8	14.8%	Growing
Finance and Insurance	10,950	11,050	100	0.9	0.9%	Growing
Real Estate and Rental and Leasing	4,150	4,300	150	4.0	3.6%	Growing
Professional, Scientific, and Technical Services	21,850	22,650	800	3.9	3.6%	Growing
Management of Companies and Enterprises	4,150	4,800	650	15.3	15.7%	Growing
Administrative and Support and Waste Management and Remediation Services	14,650	15,450	800	5.4	5.4%	Growing
Educational Services	25,800	27,350	1,550	6.0	6.0%	Growing
Health Care and Social Assistance	51,200	57,750	6,550	12.7	12.7%	Growing
Ambulatory Health Care Services	24,450	29,550	5,100	20.8	20.9%	Growing
Hospitals	11,250	11,600	350	3.2	3.1%	Growing
Nursing and Residential Care Facilities	8,150	8,400	250	3.0	3.1%	Growing
Social Assistance	7,350	8,200	850	11.4	11.5	Growing
Arts, Entertainment, and Recreation	8,150	9,700	1,550	19.4	13.9%	Growing
Accommodation and Food Services	28,750	30,650	1,900	6.7	6.6%	Growing
Other Services (except Government)	14,150	15,450	1,300	9.1	9.2%	Growing
Government	14,350	15,150	800	5.3	5.5%	Growing
Total Federal Government Employment	1,950	1,900	-50	-3.3	-2.5%	Declining
State Government, Excluding Education and Hospitals	1,300	1,200	-100	-7.3	-7.6%	Declining
Local Government, Excluding Education and Hospitals	11,100	12,050	950	8.3	8.6%	Growing
Federal Government, Excluding Post Office	900	900	0	0.8	0	Stable
Total Self Employed and Unpaid Family Workers, All Jobs	18,700	19,950	1,250	6.5	6.6%	Growing
<b>Total All Industries</b>	<b>302,150</b>	<b>323,550</b>	<b>21,400</b>	<b>7.1</b>	<b>7.0%</b>	<b>Growing</b>

Source: 2022-2032 Industry Employment Projections, NJ Department of Labor and Workforce Development

## **Lands Most Appropriate for Affordable Housing**

An analysis was conducted to determine which areas of the Borough could accommodate developments that address affordable housing need. This analysis reviews the Borough's existing zoning and planned zoning changes and outlines the Borough's capacity to accommodate residential and non-residential growth projections. The following are included:

- An analysis of the available existing and planned infrastructure;
- The projected demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns; and
- Factors, such as environmental conditions, that present constraints on development.

## **Infrastructure**

### *Water and Sewer*

The Borough of Lake Como is located within public water and sewer service areas. Lake Como uses a combination of purchasing and sourcing to provide the Borough with public water. Lake Como gets their public water from New Jersey American Water or NJAW – Coastal North (Monmouth system). The water system combines the water with groundwater from the Potomac-Raritan-Magothy Aquifer System, the Glendola Reservoir, the Manasquan River/Reservoir, the Shark River and Swimming River. Sewer service is provided by the South Monmouth Regional Sewerage Authority (SMRSA). The SMRSA maintains and operates the pump station as well as central treatment to the wastewater.

## **Anticipated Demand and Land Use Patterns**

Lake Como Borough is predominantly residential, featuring single-family homes, public parks, and other recreational spaces.. Commercial activities are mainly concentrated in designated general business zone allocated along Main Street. As a fully developed municipality with limited vacant land, Lake Como anticipates addressing future population and employment changes through redevelopment opportunities as they arise. According to the North Jersey Transportation Planning Authority (NJTPA), Lake Como's population is expected to remain relatively stable in the coming decades, with a slow increase in population. Projections for 2050 estimated a population of approximately 1,835 persons.

### *Residential*

Lake Como Borough is predominantly residential, featuring single-family housing. The Borough's residential zones, R-60, R-50, and R-40 are designated for single-family detached dwellings that take up a majority of the Borough. These zones can be found covering almost the entire Borough, with the exception of the commercial corridor located in the western

portion of the Borough.

#### *Non-Residential*

Lake Como Borough features a small, but well-defined commercial area located along Main Street. However, the intersection of Main Street and Eighteenth Ave contains a mixed use overlay, which allows residential housing/uses in this area. This overlay extends to the border of Belmar Township.

#### **Environmental Constraints**

Lake Como enjoys many natural environmental amenities, including proximity to the Atlantic Ocean coastline to the east and Lake Como to the south. Due to the location of the Borough, Lake Como is impacted by natural hazards such as flooding, storm surges, and hurricanes. Due to the fully developed nature of the Borough and limited groundwater opportunities, flooding during storm events can contribute to negative environmental outcomes by creating high velocity runoff. Given these realities, the conservation of natural features within Lake Como is a priority so that these spaces can absorb excess stormwater and help filter polluted runoff.

#### **Historic**

There are no properties within Lake Como that are listed on the State Register of Historic Places. Historic status is not generally a major source of development constraint in Lake Como.

#### **Existing Land Use Designations**

The Borough's land use designations have been continually examined and updated through the Master Plan Reexamination process. The last Reexamination Report was adopted July 2019.

The following districts comprise the Borough's **residential** zones:

*Single-Family Residential Zones:* R-60, R-50, and R-40

The Borough has established three residential zones, which have the same principal, accessory, and conditional uses. The principal permitted uses included are: Single-family detached dwelling units; Public playgrounds, parks and public purpose uses; and Public and private day schools of elementary and/or high school grade not operated for profit.

The R-60 Zone District occupies the southern portion of the Borough, bordering Lake Como. This zone also abuts the GB Zone to the north and R-40 Zone to the east, west, and north.

The R-50 Zone District occupies the southeastern portion of the Borough, bordering Lake Como to the south, the Borough of Belmar to the east, and the R-40 Zone to the north.

The R-40 zone is the biggest zone in the Borough and covers a majority of the land area within the Borough.

*Multi-Family Zones: MD*

The Borough has established a Multi-Family Zoning District. Permitted principle uses include: Garden apartments, Townhouses , and Single-family detached dwelling units.

In addition to its residential zones, Lake Como has established the following **non-residential overlay zone** where the main purpose is to accommodate non-residential uses, but **where dwelling units are permitted as a conditional use:**

*Street Oriented Mixed-Use Zone*

The street oriented mixed-use zone is a conditional use within the GB Business Zone. The purpose of the street oriented mixed-use zone is to provide a variety of opportunities for retail sales and services, office space, and residential living in a vibrant, street-oriented community. This district is centered on Main Street. The design of the Street-Oriented, Mixed-Use Zone is encouraged to be traditional downtown styling, that is, two- and three-story buildings set right on the first floor and residential units on the second and higher stories. Residential uses are envisioned to be upper-end one- to two- bedroom units. Townhouses are envisioned to be located behind the buildings which front on Main Street. Permitted principal uses in this zone include: Professional offices on the street level of properties fronting Main Street; Business offices on the street level of properties fronting on Main Street; Retail sales of goods and services on the street level of properties fronting Main Street; Personal service establishments on the street level of properties fronting on Main Street; Banks, trust companies, and deposit institutions; Restaurants; Professional and business offices on the second level of properties fronting on Main Street; Residential dwelling uses on floors above the street level floor; and Townhouses. Multiple principal buildings are permitted on each lot in this zone

Lake Como has established the following **non-residential** zones, where dwelling units are not permitted:

*Business Zones: GB*

The Borough has established a General Business Zone District. Permitted principle uses include: Restaurants including bars, taverns, package good stores, nightclubs, dance halls, and businesses having alcoholic beverage licenses shall only be permitted uses for property located between the north side of Redmond Avenue and 16th Avenue on Main Street, having Main Street frontage, both east and west sides of Main Street, including all property from the curbline of Main Street extending back one hundred fifty (150) feet east and west respectively and on the west side of 16th Avenue between Main Street and the railroad tracks; Department stores; Banks, including drive-in facilities; Offices and office

buildings; Theatres with a minimum seating capacity of one hundred (100) seats and music, art and dance studios; Public utility uses as a conditional use; Public purpose uses; Undertaking and funeral services; Nursing homes; and Churches.

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## **FAIR SHARE PLAN**

### **Fair Share Obligation Summary**

The Fourth Round (2025-2035) housing obligation is based upon the figures calculated in the NJ Department of Community Affairs Affordable Housing Obligations for the 2025-2035 (Fourth Round) Methodology. The Borough's housing obligation is outlined in Table 23, below:

**TABLE 23: FAIR SHARE OBLIGATION SUMMARY**

<b>Obligation Component</b>	<b>Number of Credits Required</b>
Present Need	11
Prior Round Obligation (1987-1999)*	30
Third Round 'Gap" and Prospective Need (1999-2025)*	109
Fourth Round Prospective Need (2025-2035)	19
Total Realistic Development Potential	0

*\*obligations for South Belmar*

The following sections outline how the Borough will comply with its Fair Share Obligation.

#### **Lack of Developable Vacant Land**

Lake Como Borough has to contend with the reality that it is a built-out municipality with virtually no available developable vacant land upon which to construct new affordable housing units.

Given the Borough's lack of sufficient vacant and developable land, the Borough's ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, submitted as part of this plan as Appendix A. The Borough continues to exhibit a lack of vacant developable land, with redevelopment over time presenting itself as the principal vehicle for accomplishing projects with affordable housing. The prepared VLA illustrates a lack of vacant land and a Realistic Development Potential (RDP) of zero (0) affordable units.

#### **Satisfaction of the Borough's Rehabilitation/Present Need Obligation**

The Borough of Lake Como has a rehabilitation obligation of 11 units and will participate in Monmouth County Housing Improvement Program, which is administered by the Monmouth County Community Development Block Grant (CDBG) program through an intergovernmental agreement between the Borough and the County. The Borough will fund the program until such time as the funds become available in the Affordable Housing Trust Fund. The Borough anticipates completing one (1) rehabilitation per year to satisfy its obligation.

### **Satisfaction of the Borough's Realistic Development Potential**

The Borough's RDP is zero (0). The Borough proposes to address this RDP through a mandatory set-aside ordinance ("MSO") and a Mixed Use- Affordable Housing Overlay Zone.

### **Satisfaction of the Borough's Unmet Need**

The Borough's unmet need is 19 units based on the remaining Fourth Round Obligation. The Borough proposes to implement the following mechanisms to address its unmet need:

#### *Mandatory Set-Aside Ordinance ("MSO")*

The Borough will adopt a Borough-wide Mandatory Set-Aside Ordinance ("MSO"). The MSO will require a 20 percent (20%) affordable housing set-aside for for-sale residential developments and 15 percent (15%) for rental developments, comprised of five or more dwelling units. The MSO requires that to the extent possible, in all inclusionary developments, low and moderate income units shall be integrated with market units.

The MSO will ensure that the MSO does not give any developer the right to any such rezoning, variance, redevelopment designation or other relief, or establish any obligation on the part of Lake Como or its boards to grant such rezoning, variance, redevelopment designation or other relief. The proposed ordinance is included herein as Appendix C.

#### *General Business Street- Oriented Mixed- Use Zone*

The General Business Zone District permits the street-oriented mixed-use zone as a conditional use, permitting residential units on the second and higher stories and townhouses located behind buildings which front on Main Street. The Borough will amend this ordinance to allow for U.H.A.C. compliant, affordable housing opportunities within the conditional use zone district. The proposed ordinance is included herein as Appendix D.

#### *Affordable Housing/Development Fee Ordinance*

The Borough will adopt a development fee ordinance for all new non-residential development and new non-inclusionary residential development. The ordinance will also require residential development fees to be collected for all residential expansions that increase density pursuant to N.J.S.A. 40:55D-70d(5). The proposed ordinance can be found in Appendix E.

## Appendices

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**Appendix A. Vacant Land Adjustment**

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# Vacant Land Inventory and Analysis Report

**Prepared for:**  
**Borough of Lake Como**  
**Monmouth County, New Jersey**

June 2025

Prepared By:

**LEON S. AVAKIAN INC.**  
CONSULTING ENGINEERS

788 Wayside Road  
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(732) 922-9229

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Christine Bell, PP, AICP  
License No. 06289

## **I. INTRODUCTION**

As noted in N.J.A.C. 5:93, “there may be instances where a municipality can exhaust an entire resource (land, water or sewer) and still not be able to provide a realistic opportunity for addressing the need for low and moderate income housing.” In recognition of the need to provide for the opportunity to adjust municipal affordable housing obligations, N.J.A.C. 5:93 outlines standards and procedures for municipalities to demonstrate that a municipal response to its housing obligation is limited by lack of land, water or sewer. This report outlines the vacant land analysis methodology and summarizes the results of the vacant land analysis prepared on behalf of the Borough of Manasquan by Leon S. Avakian Inc (Avakian).

### *Previous Housing Rounds and Vacant Land Analyses*

The Borough of Lake Como is a fully developed shore community located in southern Monmouth County. Lake Como has not participated in any prior housing rounds.

### *Current Housing Round and Vacant Land Assessment*

Given the Borough’s relative lack of vacant and developable land, the Borough’s ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, which includes the following components:

- An inventory of all vacant parcels in accordance with N.J.A.C. 5:93-4.2(b), included as Attachment A.
- A Vacant Land Map depicting vacant properties within the Borough, included as Attachment B.
- An existing land use map for the Borough in accordance with N.J.A.C. 5:93-4.2(a), included as Attachment C.

The realistic development potential (RDP) of the Borough’s vacant land was analyzed in accordance with the provisions of Subchapter 4 of N.J.A.C. 5:93 based on the most recently available data. After following the procedures as outlined, the analysis shows that the Borough has zero (0) suitable sites available for development, and consequently, has an RDP new construction obligation of zero (0) affordable units.

## **II. PERMITTED EXCLUSIONS**

N.J.A.C. 5:93 establishes criteria by which sites, or portions thereof, in a municipal land inventory may be excluded from a municipality’s RDP. Environmentally sensitive areas, including flood hazard areas, areas within Environmentally Sensitive Planning Areas according to the State Plan Policy Map, areas outside of the Sanitary Sewer Service Area (SSA), wetlands, and areas characterized by steep slopes of greater than 15 percent that render a site unsuitable for affordable housing may be excluded from consideration. In addition, small, isolated lots lacking sufficient acreage to generate an affordable housing set-aside as part of an inclusionary

development may also be excluded. Vacant lots under development or properties for which site plan approval has been granted may also be excluded. Finally, landlocked parcels or sites with limited or no access may also be excluded from the calculation of the Borough's RDP.

The vacant land inventory table in Attachment A provides a parcel-by-parcel description of exclusions that have been made pursuant to N.J.A.C. 5:93.

It should be noted that the Borough is permitted to reserve up to three percent of its total developed and developable acreage, less existing active municipal recreation areas, for active municipal recreation and exclude this acreage from consideration as potential sites for low and moderate income housing pursuant to N.J.A.C. 5:93-4.2(e)4. Any such site designated for active recreation in accordance with this section must be purchased and limited to active recreational purposes within one year of substantive certification. Although this calculation has not been completed as part of this analysis, the Borough reserves the right to revise this analysis to complete this calculation.

### **III. Summary and Conclusion**

Based on the procedures for municipal adjustments provided in N.J.A.C. 5:93, the Borough of Lake Como's RDP has been determined to be zero (0) affordable units. This finding is consistent with the Borough's current development conditions.

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**ATTACHMENT A: VACANT LAND INVENTORY**  
**TABLE**

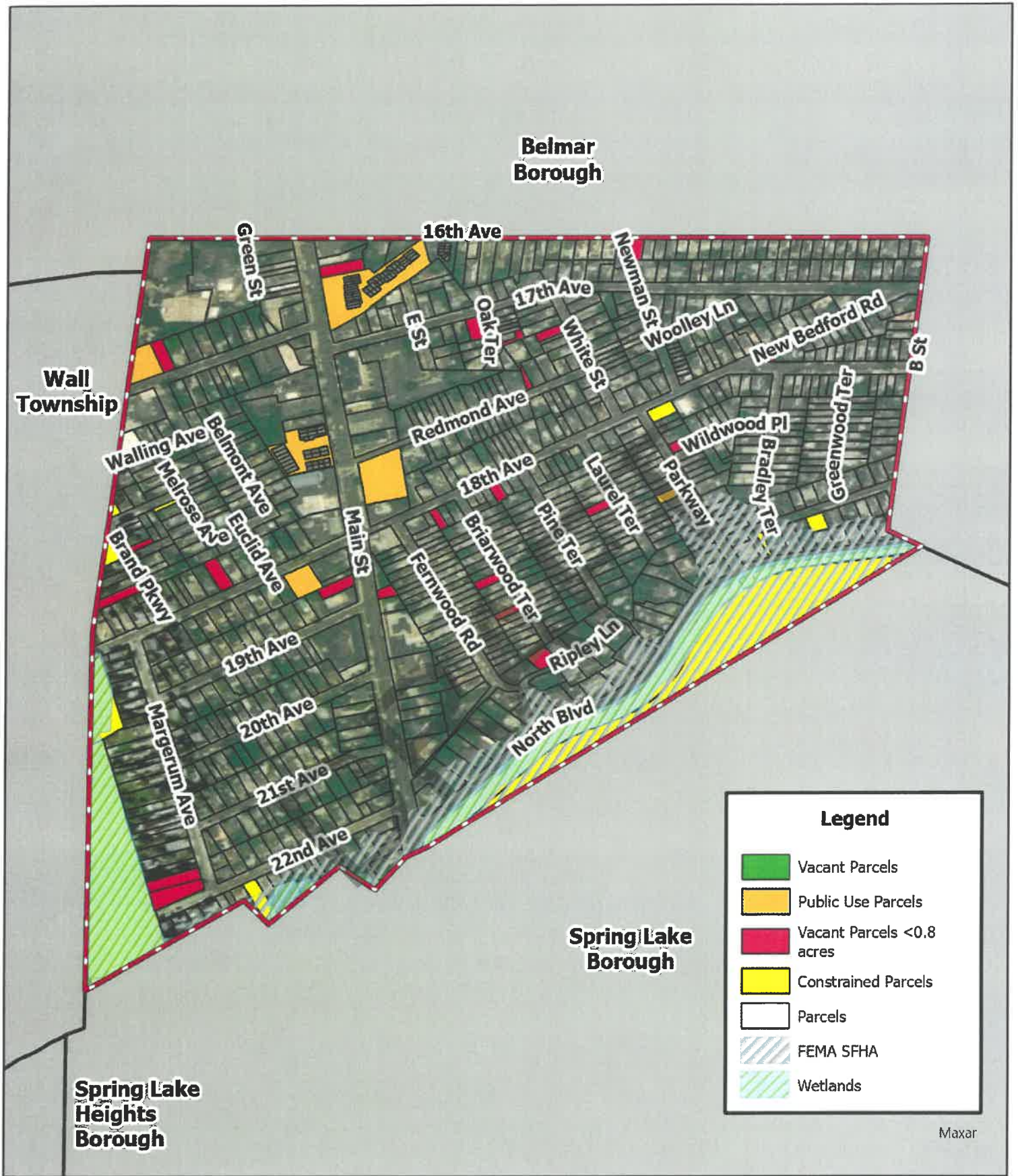
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Borough of Lake Como  
 Vacant Land Analysis  
 June 2025

Block	Lot	Property Class	Owner	Location	Area	Reason for Exclusion	Total Units	Ordable Un
1	22	1	SOZEK, GREGORY	423 SIXTEENTH AVENUE	0.11	Undersized (less than 0.8 acres)	0	0
2	16	15C	LAKE COMO BOROUGH	NEW BEDFORD ROAD & 18TH	0.02	Undersized (less than 0.8 acres)	0	0
5	1	15C		NORTH BOULEVARD	0.05	Undersized (less than 0.8 acres)	0	0
5	5	1	DAVIS, MICHELLE A	NINETEENTH AVENUE	0.11	Undersized (less than 0.8 acres)	0	0
10	40	1	WOODLAND SQ CONDO % ASSOC. ADVIS NJ	1606 MAIN STREET	1.03	condo assoc. common space	0	0
10	41	1	HYDE ASSOCIATES LLC	1604 MAIN STREET	0.18	Undersized (less than 0.8 acres)	0	0
11	17	1	FISHER, BRONWYN & KEVIN M FIELY	1712 OAK TERRACE	0.05	Undersized (less than 0.8 acres)	0	0
11	35	1	BARRON, DONALD & MAUREEN	608 REDMOND AVENUE	0.04	Undersized (less than 0.8 acres)	0	0
11	12.01	1	OAK TERRACE PARTNERS, LLC	615 SEVENTEENTH AVENUE	0.14	Undersized (less than 0.8 acres)	0	0
12	1	15C	LAKE COMO BOROUGH	1728-1740 MAIN STREET	0.74	VOLUNTEER FIRE CO.	0	0
13	40	1	LAKE COMO ON MAIN, LLC	1900 MAIN STREET	0.07	Undersized (less than 0.8 acres)	0	0
14	9	1	KENDRICK, DEBORAH	1819 BRIARWOOD TERRACE	0.09	Undersized (less than 0.8 acres)	0	0
14	13	1	ARRUDA, PAULO P	1829 BRIARWOOD TERRACE	0.07	Undersized (less than 0.8 acres)	0	0
14	45	1	TORTORA, KATHLEEN B	617 EIGHTEENTH AVENUE	0.07	Undersized (less than 0.8 acres)	0	0
15	40	1	JOYCE, JEAN & WILLIAM H	603 EIGHTEENTH AVENUE	0.08	Undersized (less than 0.8 acres)	0	0
16	6	1	QUINN, JOSEPH & MARY	1815 LAUREL TERRACE	0.09	Undersized (less than 0.8 acres)	0	0
17	10	1	1821 PARKWAY CONDOMINIUM ASSOC, INC	1821-1823 PARKWAY	0.09	condo assoc. common space	0	0
18	1	15C	SOUTH MONMOUTH REG SEWER AUTHORITY	1800 PARKWAY	0.13	PUMPING STATION	0	0
18	5	1	BRADY, RAYMOND, CHARLES, DENNIS & TIM	1810 PARKWAY	0.10	Undersized (less than 0.8 acres)	0	0
21	1	15C	LAKE COMO BOROUGH	NORTH BOULEVARD	2.24	Lake Como, on ROSI	0	0
21	2	15C	LAKE COMO BOROUGH	LAKE COMO	4.65	Lake Como, on ROSI	0	0
21	3	15C	LAKE COMO BOROUGH	NORTH BOULEVARD	0.05	PUMPING STATION	0	0
21	4	15C	LAKE COMO BOROUGH	LAKE COMO	0.44	Lake Como, on ROSI	0	0
22	19	1	HYDE ASSOCIATES, LLC	718 SEVENTEENTH AVENUE	0.15	Undersized (less than 0.8 acres)	0	0
22	20	15C	LAKE COMO BOROUGH	720 SEVENTEENTH AVENUE	0.33	MAINTENANCE BLDG	0	0
24	6	1	VILLAS AT LAKE COMO CONDOMINIUM	1713-1719 MAIN STREET	0.46	condo assoc. common space	0	0
26	1	1	HILEMAN, JUNE	MEL ROSE AVENUE	0.03	ON ROSI	0	0
26	11	1	GODDARD, JOY M	714 EIGHTEENTH AVENUE	0.17	Undersized (less than 0.8 acres)	0	0
28	4	1	O'HARA, TIMOTHY	722 BURTON PLACE	0.05	Undersized (less than 0.8 acres)	0	0
29	6	15C	LAKE COMO BOROUGH	LERROY PLACE	0.04	ON ROSI	0	0
30	8	1	HUETH, MARK LOUIS	1747 BRAND PARKWAY	0.15	Undersized (less than 0.8 acres)	0	0
30	12	15C	LAKE COMO BOROUGH	1739 BRAND PARKWAY	0.12	Park, ON ROSI	0	0
31	25	15C	BOROUGH OF LAKE COMO	703 EIGHTEENTH AVENUE	0.29	RESCUE SQUAD	0	0
31	28	1	HAMID, FAHIMA & BASHIR	1807 MAIN STREET	0.15	Undersized (less than 0.8 acres)	0	0
35	9	1	DESTEFANO, MICHAEL J & MARIE	739 TWENTYSECOND AVENUE	0.24	Undersized (less than 0.8 acres)	0	0
36	25	1	BALKA, NICH, JAN, WM & JUL MEGYES	TWENTYSECOND AVENUE	0.22	lots 25 & 26 combined Undersized (less than 0.8 acres)	0	0
36	26	1	BALKA, NICHOLAS A & JANET	762 TWENTYSECOND AVENUE	0.30	lots 25 & 26 combined Undersized (less than 0.8 acres)	0	0
36	27	15C	SPRING LAKE HEIGHTS BOROUGH	SOUTHWEST BOUNDARY OF SB	0.01	part of park	0	0
36	28	15C	LAKE COMO BOROUGH	TWENTYSECOND AVENUE	4.09	PLAYGROUND, ON ROSI	0	0
36	29	15C	LAKE COMO BOROUGH	EIGHTEENTH AVENUE	0.64	parking lot for Behrman Park	0	0
							<b>RDP:</b>	<b>0</b>

**ATTACHMENT B: VACANT LAND MAPPING**

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**LEON S. AVAKIAN, Inc.**  
 Consulting Engineers

## Vacant Land and Constraints

Vacant Land Assessment  
 Borough of Lake Como  
 Monmouth County, New Jersey

Source: LSA, NJGIN, and Monmouth County GIS  
 Revised: April 24, 2025

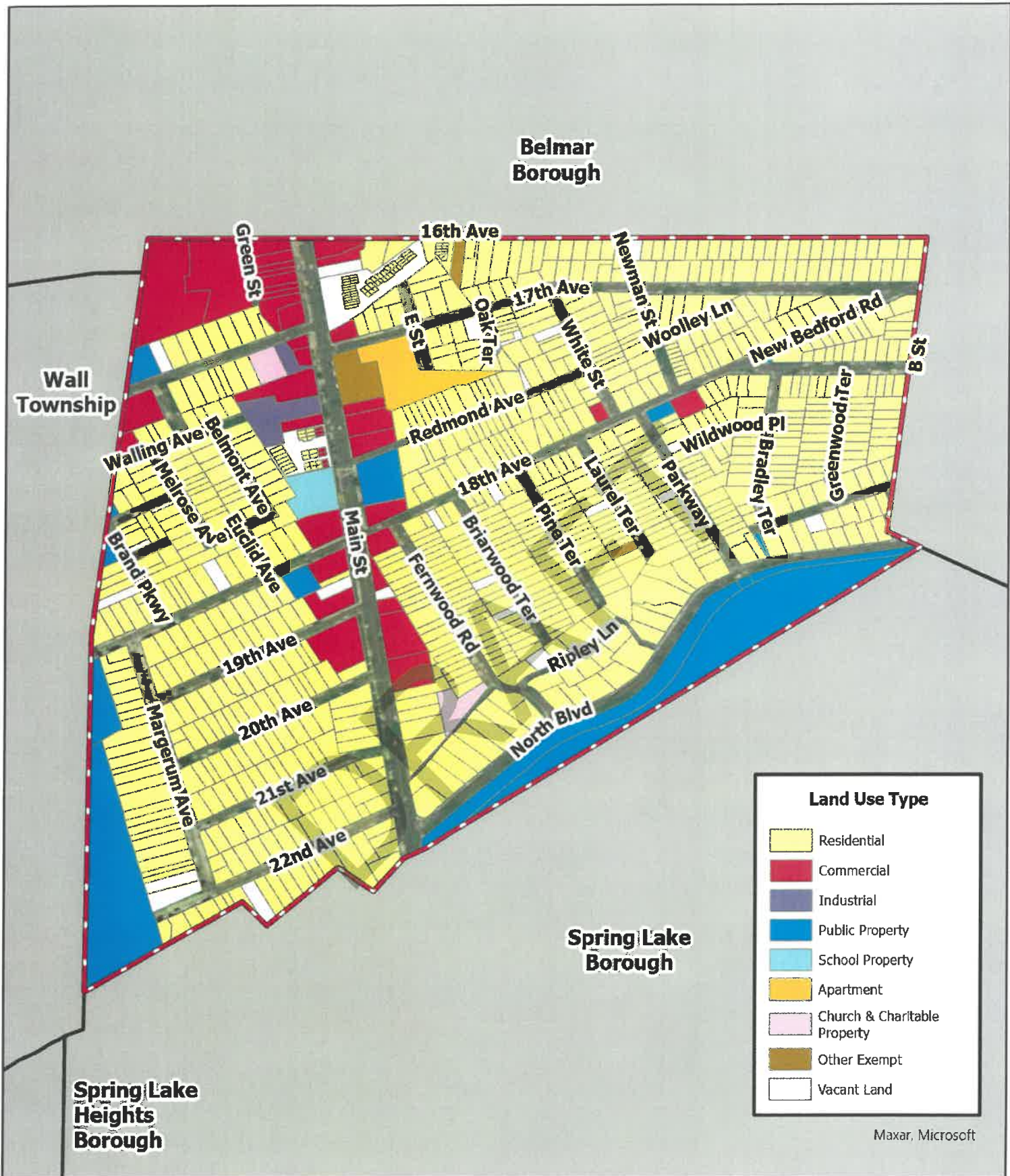
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized or endorsed.

0 125 250 500 750 1,000 Feet



**ATTACHMENT C: EXISTING LAND USE MAP**

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Land Use Type	
	Residential
	Commercial
	Industrial
	Public Property
	School Property
	Apartment
	Church & Charitable Property
	Other Exempt
	Vacant Land

Maxar, Microsoft

**LEON S. AVAKIAN, Inc.**  
 Consulting Engineers

**Existing Land Use**  
 Vacant Land Assessment  
 Borough of Lake Como  
 Monmouth County, New Jersey

Source: LSA, NJGIN, and  
 Monmouth County GIS  
 Revised: April 24, 2025

This map was developed using New Jersey Department of Environmental Protection Geographic Information Systems digital data, but this secondary product has not been verified by NJDEP and is not state-authorized or endorsed.

0 125 250 500 750 1,000 Feet



## Appendix B. Spending Plan

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**LAKE COMO BOROUGH**  
**AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**  
**May 2025**

The Borough has prepared a Fourth Round Housing Element and Fair Share Plan that advances a comprehensive strategy for meeting its regional share of affordable housing need in accordance with the intent of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52:27D-301), and in accordance with the procedural and substantive requirements of N.J.A.C. 5:93-1 et seq. and N.J.A.C. 5:91-1 et seq. The Borough has actively participated in the Fourth Round compliance process.

The Borough will adopt a development fee ordinance, codified as part of the Borough's Revised General Ordinances, to require and regulate the collection of residential and non-residential development fees as revenue for the Borough's affordable housing trust fund at a percentage of 1.5% for residential development and 2.5% for non-residential development. The sections below outline the Borough's plan for the administration and use of collected development fee revenues as per the requirements of N.J.A.C. 5:93-5.1(c).

**I. Projected Revenues 2025 through 2035**

A projection of anticipated revenues to be collected during the tenure of the Fourth Round has been calculated based on historical annualized trends in average increase in value of structures after being knocked down and rebuilt in Lake Como. Lake Como is a fully developed community, in which all development occurs through the removal of a previously existing structure.

Multiplying the average development fee by the average number of rebuilds per year provides a reasonable estimate for the anticipated annual development fee revenues through 2025. We estimate that Lake Como should generate approximately \$92,500 in development fees each year.

The Borough has not collected any revenue in the form of payments in lieu of construction of affordable units.

**II. Administrative Mechanisms for Collecting and Distributing Revenues**

The Borough's Development Fee Ordinance will be recorded in Chapter 17, of Lake Como's General Ordinance. Procedures for collection, administration, and distribution of development fees as affordable housing trust fund revenues are fully established in this section. The Borough's ordinance complies with P.L. 2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7).

The Development Fee Ordinance covers the following general topics:

1. Determination of residential development fees;
2. Determination of non-residential development fees;
3. Fee collection procedures;
4. Operation of the affordable housing trust fund;
5. Permitted uses of funds;
6. Monitoring; and
7. Ongoing collection of fees as related to affordable housing compliance.

### **III. Anticipated Use of Development Fees**

As per the Borough's ordinance, development fees shall be used for the sole purpose of providing low- and moderate-income housing. Funding mechanisms can be set up as a grant or revolving loan program to cover costs associated activities, including, but not limited to, the following:

1. Preservation or purchase of housing for maintaining or implementing affordability controls;
2. Rehabilitation grants;
3. New construction of affordable housing units and related costs;
4. Implementing accessory apartment, market to affordable, or regional housing partnership programs;
5. Conversion of existing non-residential buildings to create new affordable units;
6. Green building strategies designed to be cost saving and in accordance with accepted national or State standards;
7. Purchase of land or improvement of land to be used for affordable housing;
8. Extensions or improvements of roads and infrastructure to affordable housing sites;
9. Financial assistance designed to increase affordability; and
10. Administration necessary for implementation of the Housing Element and Fair Share Plan.

#### **(A) Anticipated Rehabilitation and New Construction Projects**

As discussed in the Housing Element and Fair Share Plan, Lake Como has a rehabilitation present need obligation of 11 units in the Fourth Round. Lake Como plans to dedicate between \$40,000- \$50,000 per unit to rehabilitation projects. The Borough plans to participate in the County's Rehab Program. At the average cost of \$45,000 per unit, the Borough preliminarily expects to rehabilitate approximately 11 units through 2035, totaling to \$510,000. An outline of these expenditures can be found in Table 3 attached to this Spending Plan.

**(B) Affordability Assistance Requirement**

The Borough anticipates dedicating \$309,500 to its affordability assistance program.

As per the requirements of N.J.A.C. 5:93-8.16, at least thirty (30%) percent of all development fees and interest earned shall be used to provide low- and moderate-income households in affordable units with affordability assistance. One-third of the required affordability assistance shall specifically be used to provide affordability assistance to very low-income households (i.e. those households earning thirty percent or less of regional median income).

The projected minimum affordability assistance requirement through 2035 is calculated as follows:

**Table 1. Minimum Affordability Assistance**

Projected development fees plus interest, 2025 - 2035	\$1,027,478.32
<b>PROJECTED TOTAL</b>	\$1,027,478.32
Projected minimum affordability assistance requirement (30%)	\$ 308,243.50
Projected minimum required for very low-income households (1/3 of total affordability assistance)	\$ 102,747.80

Affordability assistance programs may include down payment assistance; security deposit assistance; low interest loans; rental assistance; assistance with homeowner's association or condominium fees and special assessments; and assistance with emergency repairs.

Affordability assistance to households earning thirty (30%) percent or less of median income may further include buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning thirty (30%) percent or less of median income.

**(C) Administrative Expenses**

Lake Como Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan. Also in accordance with N.J.A.C. 5:93-8.16, the Borough can use up to twenty (20%) percent of all revenues collected from development fees on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, rehabilitation program, a Housing Element and Fair Share Plan, an affirmative marketing program, income qualification of households, monitoring the turnover of sale and rental units, and/or compliance with monitoring requirements.

The projected maximum administrative expenditures through 2035 is calculated as follows:

Table 2. Maximum Administrative Expenditures

Projected development fees plus interest, 2025-2035	\$1,027,478.32
<b>PROJECTED TOTAL</b>	\$1,027,478.32
Projected maximum administrative expenditures (20%)	\$ 205,495.66

**IV. Schedule for New or Rehabilitated Housing Units**

The schedule for new or rehabilitated housing units is documented by year in the Projected Expenditures table attached to this Spending Plan.

**V. Expenditure Schedule**

The schedule for expenditures by year can be found in Table 3 attached to this Spending Plan.

**VI. Excess of Funds**

In the event that more funds than anticipated are collected, these excess funds will be used to fund additional rehabilitation and/or affordability assistance programs.

**VII. Barrier Free Escrow**

Collection and distribution of barrier free funds shall be consistent with the Borough's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5. A process describing the collection and distribution procedures for barrier free escrow funds pursuant to N.J.A.C. 5:97-8.5 is detailed within the Affordable Housing Ordinance.

**VIII. In Sum**

Lake Como has prepared this Spending Plan in support of the implementation of its Fourth Round Housing Element and Fair Share plan, and in accordance with the administrative requirements of N.J.A.C. 5:93-1 et seq. The Borough has a balance of \$0 as of January 1, 2025 and anticipates an additional \$1,027,478.32 in revenues, including interest, by December 31, 2035. The Spending Plan represents the Borough's intended use of development fee revenues that are collected in its Housing Trust Fund, illustrating how the Borough will use these funds to provide for its fair share of regional affordable housing need. This will leave a balance of \$2,868.32, which the Borough will reserve in the event that an additional affordable housing project becomes necessary. The Spending Plan represents the Borough's intended use of development fee revenues that are collected in its Housing

Trust Fund, illustrating how the Borough will use these funds to provide for its fair share of regional affordable housing need.

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**Table 3: Housing Trust Fund  
Borough of Lake Como, New Jersey  
Projected Revenues for 2025-2035**

Funding Source	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
AHTE Balance as of 1/1/2025	\$ -											\$ -
Projected Development Fees	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 92,500.00	\$ 1,017,500.00
Pmts in lieu of construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest on total account balance (2.53%)	\$ 1,129.14	\$ 2,258.28	\$ 3,387.42	\$ 2,223.62	\$ 1,110.42	\$ 9.87	\$ 47.82	\$ 85.77	\$ (2.78)	\$ (91.33)	\$ (179.88)	\$ 9,978.32
<b>Total</b>	<b>\$ 93,629.14</b>	<b>\$ 94,758.28</b>	<b>\$ 95,887.42</b>	<b>\$ 94,723.62</b>	<b>\$ 93,610.42</b>	<b>\$ 92,509.87</b>	<b>\$ 92,547.82</b>	<b>\$ 92,585.77</b>	<b>\$ 92,497.22</b>	<b>\$ 92,408.67</b>	<b>\$ 92,320.12</b>	<b>\$ 1,027,478.32</b>

**Projected Expenditures for 2025-2035**

Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	Total
Rehabilitation Program				\$90,000	\$90,000	\$90,000	\$45,000	\$45,000	\$50,000	\$50,000	\$50,000	\$ 510,000.00
Affordability Assistance	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 27,500.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 27,000.00	\$ 309,500.00
Administrative Costs	\$ 17,870.00	\$ 17,870.00	\$ 17,870.00	\$ 18,500.00	\$ 19,000.00	\$ 19,006.00	\$ 19,000.00	\$ 19,000.00	\$ 19,000.00	\$ 19,000.00	\$ 19,000.00	\$ 205,110.00
<b>Total</b>	<b>\$ 47,870.00</b>	<b>\$ 47,870.00</b>	<b>\$ 47,870.00</b>	<b>\$ 138,500.00</b>	<b>\$ 136,500.00</b>	<b>\$ 136,000.00</b>	<b>\$ 91,000.00</b>	<b>\$ 91,000.00</b>	<b>\$ 96,000.00</b>	<b>\$ 96,000.00</b>	<b>\$ 96,000.00</b>	<b>\$ 1,024,610.00</b>
<b>Projected Balance available for Future Projects and Programs</b>												
												<b>\$ 2,868.32</b>

**Appendix C. Mandatory Set Aside Ordinance**

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**ORDINANCE #2025-XX**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF**  
**THE BOROUGH OF LAKE COMO TO ADD SECTION 17-XXX ENTITLED**  
**“AFFORDABLE HOUSING MANDATORY SET-ASIDE REQUIREMENT”**

**WHEREAS**, the Borough Council of the Borough of Lake Como (the “Borough”) has determined that it is in the best interests of the community to revise portions of its existing Borough Code concerning the Development Regulations, to establish a Mandatory Set-Aside Ordinance to promote the creation of low- and moderate-income housing within the Borough; and

**WHEREAS**, the Borough has sought, to the best of its ability as a built-out municipality with a lack of available vacant land, to meet the intent and spirit of the Affordable Housing process by drafting an affordable housing plan and reviewing its existing land use ordinances; and

**WHEREAS**, the Borough has determined that enacting a Borough-wide Mandatory Set-Aside Ordinance to ensure that any site that benefits from rezoning, variance or redevelopment plan approved by the Borough or the Borough’s Planning Board that results in multi-family residential development of five (5) or more dwelling units, produces affordable housing at a set-aside of 20%, is in the public interest with respect to the Borough’s Fourth Round Housing Element and Fair Share Plan; and

**WHEREAS**, such set-aside requirement shall apply and be effective immediately for multi-family residential development of five (5) or more dwelling units in the Borough with the exception of the set-aside required of those developments that are subject to settlement in accordance the terms of a Settlement Agreement reached with Fair Share Housing Center.

**NOW THEREFORE BE IT ORDAINED** by the Governing Body of the Borough of Lake Como that Chapter 40 of the Borough Code of the Borough of Lake Como, be and is hereby amended and supplemented as follows:

**SECTION 1: Amend Chapter 17 to add Section 17-XX “Affordable Housing Mandatory Set-Aside Requirement”**

- a. If the Borough or the Borough’s Planning Board permits the construction of multi-family or single-family attached residential development that is “approvable” and “developable,” as defined at N.J.A.C. 5:93-1.3, the Borough or the Borough’s Planning Board shall require that an appropriate percentage of the residential units be set aside for low and moderate income households.
- b. This requirement shall apply, beginning with the effective date the Ordinance creating this section was adopted, to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units, whether permitted by a zoning amendment, a variance granted by the Borough’s Planning Board, or adoption of a Redevelopment

Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation.

- c. For any such development for which the Borough's land use ordinances (e.g. zoning or an adopted Redevelopment Plan) already permitted residential development as of the date of the Ordinance creating this section was adopted, this requirement shall only apply if the Borough or the Borough's Planning Board permits an increase in approvable and developable gross residential density to at least twice the permitted approvable and developable gross residential density as of the effective date of this Ordinance.
- d. Nothing in this section precludes the Borough or the Borough's Planning Board from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law.
- e. For all inclusionary projects, the appropriate set-aside percentage shall be twenty percent (20%) or a minimum of one (1) unit.
- f. This requirement does not create any entitlement for a property owner or applicant to a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project.
- g. This requirement does not apply to any sites or specific zones otherwise identified in the Borough's Settlement Agreement with Fair Share Housing Center, or in the Borough's Housing Element and Fair Share Plan, for which density and set-aside standards shall be governed by the specific standards set forth therein.
- h. Furthermore, this section shall not apply to developments containing four (4) or less dwelling units.
- i. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section.
- j. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.
- k. All inclusionary projects created under this section must comply with the affordable housing requirements in Chapter [        ] (Affordable Housing Regulations).

**SECTION 2.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**SECTION 3.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough of Lake Como, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Borough of Lake Como are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**SECTION 4.** This Ordinance shall take effect immediately upon (1) adoption; (2) approval by the Mayor and Council pursuant to N.J.S.A. 40:69A-149.7; (3) publication in accordance with the laws of the State of New Jersey; and (4) filing of the final form of adopted ordinance by the Clerk with (a) the Monmouth County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

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**Appendix D. Amended General Business Street Oriented Mixed Use  
Zone Ordinance**

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**AN ORDINANCE AMENDING CHAPTER 17, DEVELOPMENT REGULATIONS, SECTION 9.3  
DISTRICT REGULATIONS - GENERAL BUSINESS OF THE REVISED GENERAL  
ORDINANCES OF THE BOROUGH OF LAKE COMO**

**BE IT HEREBY ORDAINED** by the Mayor and Council of the Borough of Lake Como in the County of Monmouth, State of New Jersey, that the Borough's Development Regulations Ordinance at Chapter 17 is hereby amended as follows:

**NOTE:** Sections of Chapter 17, Development Regulations, Section 9.3 General Business, that are to be amended are set forth below. All additions are shown in ***bold italics with underlines***. All deletions are shown in ***bold italics with strikeouts***. All sections that are unchanged remain in regular typeface.

Chapter 17-9 District Regulations shall be amended as follows:

**Chapter 17 DEVELOPMENT REGULATIONS**

**§17-9 DISTRICT REGULATIONS**

**§17-9.3 General Business**

c. Conditional Uses.

1. Street-Oriented Mixed-Use Zone.

(a) Purpose. To provide a variety of opportunities for retail sales and services, office space, and residential living in a vibrant, street-oriented community. This district is centered on Main Street. The design of the Street-Oriented, Mixed-Use Zone is encouraged to be traditional downtown styling, that is, two- and three-story buildings set right on the first floor and residential units on the second and higher stories. Residential uses are envisioned to be upper-end ***one-to-two-bedroom units***. Townhouses are envisioned to be located behind the buildings which front on Main Street.

(b) Permitted Principal Uses:

- (1) Professional offices on the street level of properties fronting Main Street.
- (2) Business offices on the street level of properties fronting on Main Street.
- (3) Retail sales of goods and services on the street level of properties fronting Main Street, except:
  - [a] Large food stores exceeding eight thousand (8,000) square feet, commonly called supermarkets.
  - [b] Pawn shops and adult bookstores.
  - [c] Shops that offer for sale firearms and/or ammunition.
  - [d] Go-Go bars or other establishments where dancers entertain the general public.

- [e] Drive-in fast food sales.
- (4) Personal service establishments on the street level of properties fronting on Main Street except:
  - [a] Massage parlors, except therapeutically certified massages from accredited schools are permitted.
  - [b] Tattoo parlors/body piercing.
  - [c] Tarot, palm readers, psychics.
- (5) Banks, trust companies, and deposit institutions.
- (6) Restaurants.
- (7) Professional and business offices on the second level of properties fronting on Main Street.
- ~~(8) Residential dwelling uses on floors above the street level floor. Each dwelling unit shall have a minimum of 1,000 square feet of habitable enclosed floor area, **and shall have no more than two bedrooms. [Amended 3-1-2022 by Ord. No. 2022-970]**~~
- (9) Townhouses. Each townhouse shall have a minimum of 1,500 square feet of habitable enclosed floor area ~~and shall have no more than two bedrooms. [Amended 3-1-2022 by Ord. No. 2022-970]~~
- (10) Multiple principal buildings are permitted on each lot in this zone.
- (c) Permitted Accessory Uses.
  - (1) Off-street parking for residential dwelling units not permitted in front yard. Parking must not interrupt of the continuity of the shopping pedestrian realm.
  - (2) Fences and walls, in accordance with subsection 17-10.4 hereof.
  - (3) Signs, in accordance with subsection 17-10.10 hereof.
  - (4) Public swimming pools are part of any townhouse development.
  - (5) Playgrounds, conservation areas and parks.
- (d) Area, Yard and Structure Requirements.
  - (1) Minimum lot area: seven thousand (7,000) square feet.
  - (2) Minimum lot frontage: fifty (50) feet.
  - (3) Minimum rear yard setback: twenty (20) feet.
  - (4) Minimum front yard setback: zero (0) for retail and mixed-use buildings fronting Main Street. Additional streets in the zone must meet twenty (20) feet or the prevailing setback, whichever is less, on additional streets.
  - (5) Minimum side yard setback: five (5) feet on each side.

- (6) The minimum side and rear setback requirements for any proposed mixed-use structure adjacent to a single-family residential zone is twenty (20) feet.
  - (7) Maximum structure height: thirty-five (35) feet, not to exceed three stories. The maximum height to the roof line at the front facade is 30 feet, with an exception that a maximum of 25% of the facade may be allowed to extend to the maximum thirty-five (35) foot building height to allow for architectural details, that will add distinct style and variety to the structures facade.
  - (8) Maximum lot coverage of principal and accessory structures: seventy (70%) percent.
  - (9) Off-street parking: the parking shall conform to the requirements of the Residential Site Improvement Standards (RSIS).
- (e) Aesthetics.
- (1) Buildings in this zone should be designed with an eye toward architectural detailing that can be unique, but should not detract from the appearance of any adjacent structures and should conform to the visionary statements of the municipal master plan. Innovative reuse of existing unique and/or attractive structures is encouraged to the extent possible.
- (f) **Affordable Housing Compliance**
- (1) **All proposed residential dwellings and townhouses are required to have a mandatory 20% set aside for affordable housing.**
  - (2) **All affordable housing units generated shall be in compliance with UHAC requirements, including, but not limited to for size and bedroom distribution.**

**Appendix E. Affordable Housing/ Development Fee Ordinance**

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## ORDINANCE NO. 2025-XX

### AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF LAKE COMO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REPEALING AND REPLACING THE BOROUGH'S CURRENT DEVELOPMENT FEE ORDINANCE WITH AN UPDATED DEVELOPMENT FEE ORDINANCE TO COMPLY WITH CURRENT STATE AFFORDABLE HOUSING REGULATIONS

#### SECTION I. Purpose:

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 *et seq.*, and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH or court approved spending plan may retain fees collected from non-residential development.
- c) In Re: Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), also known as the Mount Laurel IV decision, the Supreme Court remanded COAH's duties to the Superior Court. As a result, affordable housing development fee collections and expenditures from the municipal affordable housing trust funds to implement municipal Third Round Fair Share Plans through July 1, 2025 are under the Court's jurisdiction and are subject to approval by the Court.
- d) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

#### SECTION II. Definitions:

- a) The following terms, as used in this ordinance, shall have the following meanings:
  - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
  - ii. **"COAH"** or the **"Council"** means the New Jersey Council on Affordable Housing established under the Fair Housing Act.
  - iii. **"Development fee"** means money paid by a developer for the improvement of property as authorized by Holmdel Builder's Association v. Holmdel Borough, 121 N.J. 550 (1990) and the Fair Housing Act of 1985, N.J.S.A. 52:27d-301, *et seq.*, and the NJ Statewide Non-Residential Development Fee Act, P.L. 2008, c. 46 (N.J.S.A. 40:55D-8.1 *et seq.*), regulated by applicable COAH regulations.
  - iv. **"Developer"** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
  - v. **"Equalized assessed value"** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the

property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

- vi. “**Green building strategies**” means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

### SECTION III. Residential Development Fees:

- a) Imposed Fees
  - i. Within the residential district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and one-half percent (1.5%) of the equalized assessed value for residential development provided no increased density is permitted.
  - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers shall be required to pay a development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.
- b) Eligible exactions, ineligible exactions and exemptions for residential development
  - i. Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
  - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
  - iii. Owner-occupied residential structures demolished and replaced as a result of a fire, flood, or natural disaster shall be exempt from paying a development fee.
  - iv. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
  - v. Developers of one or two family owner occupied dwelling units and green buildings shall be subject to a reduced fee of fifty percent (50%).
  - vi. Nonprofit organizations which have received tax exempt status pursuant to section 501(c)(3) of the Internal Revenue Code, providing current evidence of that status is submitted to the municipal clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.

- vii. Federal, state, county and local governments shall be exempted from paying a development fee.

#### **SECTION IV. Non-Residential Development Fees**

- a) Imposed fees
- i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half percent (2.5%) of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
  - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half percent (2.5%) of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
  - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half percent (2.5%) development fee, unless otherwise exempted below.
  - ii. The two and one-half percent (2.5%) fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
  - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
  - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
  - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within forty-five (45) days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Lake Como as a lien against the real property of the owner.

#### **SECTION V.: Collection Procedures**

a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official or Zoning Officer responsible for the issuance of a building permit.

b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.

d) Within ninety (90) days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.

e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.

f) Within ten (10) business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.

g) Should Lake Como fail to determine or notify the developer of the amount of the development fee within ten (10) business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L. 2008, c.46 (C.40:55D-8.6).

h) Fifty percent (50%) of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

i) Appeal of development fees

1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Lake Como. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within forty-five (45) days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Lake Como. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within ninety (90) days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

## SECTION VI. Affordable Housing Trust Fund

a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.

b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. payments in lieu of on-site construction of affordable units;
2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. rental income from municipally operated units;
4. repayments from affordable housing program loans;
5. recapture funds;
6. proceeds from the sale of affordable units;
7. development fees; and
8. any other funds collected in connection with Lake Como's affordable housing program.

c) In the event of a failure by Lake Como to comply with trust fund monitoring and reporting requirements or to submit accurate monitoring reports; or a failure to comply with the conditions of the judgment of compliance or a revocation of the judgment of compliance; or a failure to implement the approved Spending Plan and to expend funds within the applicable required time period as set forth in In re Tp. of Monroe, 442 N.J. Super. 565 (Law Div. 2015) (aff'd 442 N.J. Super. 563); or the expenditure of funds on activities not approved by the Court; or for other good cause demonstrating the unapproved use(s) of funds, the Court may authorize the State of New Jersey, Department of Community Affairs, Division of Local Government Services (LGS), to direct the manner in which the funds in the Affordable Housing Trust Fund shall be expended, provided that all such funds shall, to the extent practicable, be utilized for affordable housing programs within Lake Como, or, if not practicable, then within the County or the Housing Region.

d) Any party may bring a motion before the Superior Court presenting evidence of such condition(s), and the Court may, after considering the evidence and providing the municipality a reasonable opportunity to respond and/or to remedy the non-compliant condition(s), and upon a finding of continuing and deliberate non-compliance, determine to authorize LGS to direct the expenditure of funds in the Trust Fund. The Court may also impose such other remedies as may be reasonable and appropriate to the circumstances.

e) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH or court of competent jurisdiction.

## **SECTION VII. Use of Funds**

a) The expenditure of all funds shall conform to a spending plan approved by COAH or court of competent jurisdiction. Funds deposited in the housing trust fund may be used for any activity approved by COAH or court of competent jurisdiction, to address Lake Como's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

- b) Funds shall not be expended to reimburse Lake Como for past housing activities.
- c) At least thirty (30) percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with home-owners association or condominium fees and special assessments, and assistance with emergency repairs.
  - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
  - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Lake Como may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than twenty percent (20%) of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than twenty percent (20%) of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH or court of competent jurisdiction's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to COAH's regulations and/or action are not eligible uses of the affordable housing trust fund.

#### **SECTION VIII. Monitoring**

- a. On an annual basis commencing with the first anniversary of the entry of the Order granting a Final Judgment of Compliance and Repose Lake Como shall provide annual reporting of trust fund activity to the New Jersey Department of Community Affairs ("DCA"), COAH, or Local Government Services ("LGS"), or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center and posted on the municipal website, using forms developed for this purpose by the DCA, COAH, or LGS. This reporting shall include an accounting of all housing trust fund activity, including the collection of development fees from residential and nonresidential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Lake Como's housing program, as well as to the expenditure of revenues and implementation of the plan approved by the Court.

#### **SECTION IX. Ongoing collection of fees**

a. The ability for Lake Como to impose, collect and expend development fees shall expire with its Judgment of Compliance and Repose. If Lake Como fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance and Repose it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Lake Como shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its Judgment of Compliance and Repose, nor shall Lake Como retroactively impose a development fee on such a development. Lake Como shall not expend development fees after the expiration of its Judgment of Compliance and Repose.

#### **SECTION X.**

This Ordinance shall be in full force and effect from and after its adoption and publication as may be required by law.

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**Appendix F. Draft Administrative Agent Ordinance**

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## **§ XX-XXX Administrative Agent.**

The Administrative Agent may be an independent entity serving under contract to and reporting to the Borough. For new sale and rental developments, all of the fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required. For resales, single-family homeowners and condominium homeowners shall be required to pay 3% of the sales price for services provided by the Administrative Agent related to the resale of their homes. That fee shall be collected at closing and paid directly to the Administrative Agent. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in §§ 5:80-26.14, 5:80-26.16 and 5:80-26.18 thereof, which include:

### **A. Affirmative marketing:**

- (1)** Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Borough of Lake Como and the provisions of N.J.A.C. 5:80-26.15; and
- (2)** Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

### **B. Household certification:**

- (1)** Soliciting, scheduling, conducting and following up on interviews with interested households;
- (2)** Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- (3)** Providing written notification to each applicant as to the determination of eligibility or noneligibility;
- (4)** Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
- (5)** Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
- (6)** Employing a random selection process as provided in the Affirmative Marketing Plan of the Borough of Lake Como when referring households for certification to affordable units; and

**(7)** Notifying the following entities of the availability of affordable housing units in the Borough of Lake Como: FSHC, the New Jersey State Conference of the NAACP, the Trenton, Red Bank, Asbury Park/Neptune, Bayshore, Greater Freehold, and Greater Long Branch branches of the NAACP, Shiloh Baptist Church, the Latino Action Network, and the Supportive Housing Association.

**C. Affordability controls:**

**(1)** Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

**(2)** Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

**(3)** Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Monmouth County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit;

**(4)** Communicating with lenders regarding foreclosures; and

**(5)** ensuring the issuance of continuing certificates of occupancy or certifications pursuant to N.J.A.C 5:80-26.10.

**D. Resales and rentals:**

**(1)** Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and

**(2)** Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or rental.

**E. Processing requests from unit owners:**

**(1)** Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this article;

**(2)** Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air-conditioning systems;

**(3)** Notifying the Borough of an owner's intent to sell a restricted unit; and

**(4)** Making determinations on requests by owners of restricted units for hardship waivers.

**F. Enforcement:**

**(1)** Securing annually from the Borough a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

**(2)** Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

**(3)** The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;

**(4)** Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

**(5)** Establishing a program for diverting unlawful rent payments to the Borough's Affordable Housing Trust Fund; and

**(6)** Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Borough Committee and the Court, setting forth procedures for administering the affordability controls.

**G. Additional responsibilities:**

**(1)** The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

**(2)** The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet any monitoring requirements and deadlines imposed by the Court.

**(3)** The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

**Appendix G. Draft Municipal Housing Liaison Ordinance**

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## **§ XX-XXX: Municipal Housing Liaison.**

**A.** The Borough of Lake Como shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering the affordable housing program, including affordability controls, the Affirmative Marketing Plan, monitoring and reporting, and, where applicable, supervising any contracted Administrative Agent. Beach shall adopt an ordinance creating the position of Municipal Housing Liaison. Lake Como shall adopt a resolution appointing a Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full- or part-time municipal employee of Lake Como. The Municipal Housing Liaison shall be reported to the Superior Court and thereafter posted on the Borough website and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

**B.** The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Borough of Lake Como, including the following responsibilities, which may not be contracted out to the Administrative Agent:

- (1)** Serving as Lake Como's primary point of contact for all inquiries from the state, affordable housing providers, Administrative Agents and interested households;
- (2)** The implementation of the Affirmative Marketing Plan and affordability controls;
- (3)** When applicable, supervising any contracting Administrative Agent;
- (4)** Monitoring the status of all restricted units in Lake Como's Fair Share Plan;
- (5)** Compiling, verifying and submitting annual monitoring reports as may be required by the Court;
- (6)** Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and
- (7)** Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Affordable Housing Professionals of New Jersey (AHPNJ), if such continuing education opportunities are made available by COAH or the DCA.

**C.** Subject to the approval of the Court, the Borough of Lake Como shall designate one or more Administrative Agent(s) to administer and the affirmatively market the affordable units constructed in the Borough in accordance with UHAC and this section. An operating manual for each affordable housing program shall be provided by the Administrative Agent(s), to be adopted by resolution of the governing body and subject to approval of the

Court. The Operating Manual(s) shall be available for public inspection in the office of the Borough Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the contracting Administrative Agent(s).

DRAFT

# Stormwater Pollution Prevention Plan

*Lake Como Borough  
Monmouth County  
NJG0150088*

*Annual Review Date: August 21, 2024*

*Stormwater Program Coordinator: Samuel J. Avakian*

Signature:  Date: 4-16-25

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## Form 1 – Team Members

<b>Stormwater Program Coordinator (SPC)</b>			
Name and Title		<i>Samuel J. Avakian, P.E. Borough Engineer</i>	
Phone	<i>(732) 922-9229</i>	Email	<i>smyer@leonsavakian.com</i>
<b>Individual(s) Responsible for Major Development Project Stormwater Management Review</b>			
Name and Title		<i>Alan P. Hilla, Jr., P.E., P.P., CME Planning/Zoning Engineer</i>	
Phone	<i>(732) 414.2661</i>	Email	<i>ahilla@H2M.com</i>
Name and Title			
		Email	
<b>Other Municipal Stormwater Team Members</b>			
Name and Title		<i>Andrew Huisman Borough Administrator</i>	
Phone	<i>(732) 681-3232</i>	Email	<i>ahuisman@lakecomonj.org</i>
Name and Title			
Phone		Email	
Name and Title			
Phone		Email	
<b>Shared/Contracted Service Providers</b>			
Provider Name	Service Provided	Term of Service	
<i>Monmouth County</i>	<i>Street Sweeping</i>	<i>Renewed Annually</i>	
<i>Borough of Belmar</i>	<i>Salt and De-icing Material</i>	<i>Renewed Annually</i>	
<i>Monmouth County</i>	<i>Vehicle Washing</i>	<i>Renewed Annually</i>	

## Form 2 – Revision History

Revision Date	Form # Changed	Reason for Revision (Updates to staff, policy, webpage, etc.)
<i>3/14/2025</i>	<i>Cover Page, Form #1</i>	<i>Changed SPC listed on Cover Page and Form #1 to reflect current SPC to satisfy Notice of Violation.</i>
<i>3/19/2024</i>	<i>Ordinance 2024-2</i>	<i>Stormwater Control Ordinance</i>
<i>5/7/2024</i>	<i>Ordinance 2024-06</i>	<i>Salt storage on privately owned properties</i>
<i>2/21/2023</i>	<i>Ordinance 2023-1</i>	<i>Tree Replacement Plan Added Trees</i>

### Form 3 – Public Announcements

#### Part IV.B. and C.

1. Provide the link to the dedicated stormwater webpage for your municipality.

*<https://www.lakecomonj.org/home/page/19>*

2. List the name and title of person(s) responsible for stormwater webpage postings/updates.

*Amy L. Boney, Borough Clerk*

3. List the newspapers, social media outlets, websites, direct mailings (Email or postal), and other communication approaches typically used to inform/educate the public on stormwater program information and related events/activities.

*Public education and outreach events/activities are advertised on the Borough website <https://www.lakecomonj.org> and with fliers and public announcements at the Board of Commissioners meetings. Additionally, stormwater educational materials are available to the public at the Municipal Building.*

## Form 4 – Post-Construction Stormwater Management in New Development and Redevelopment

### Part IV.E.

<p>1. How does the municipality define “major development”? If it is different from the definition in N.J.A.C. 7:8, explain the difference.</p>	<p><i>As per Lake Como Borough Ordinance # 2021-956 amended under Ordinance 2024-02, “Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:</i></p> <ol style="list-style-type: none"> <li><i>1. The disturbance of one or more acres of land since February 2, 2004;</i></li> <li><i>2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;</i></li> <li><i>3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or</i></li> <li><i>4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.</i></li> </ol> <p><i>Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development”.</i></p>
<p>2. Is the municipality’s stormwater control ordinance (SCO) the same as or more stringent than NJDEP’s model SCO? If more stringent, explain the difference.</p>	<p><i>Lake Como Borough stormwater control ordinance #2021-956 amended under Ordinance 2024-02 is as exacting as the NJDEP model stormwater control ordinance. The Borough of Lake Como has updated the stormwater control ordinance in accordance with the State requirements.</i></p>
<p>3. Describe the process for reviewing major development project applications for compliance with the SCO and Residential Site Improvement Standards (RSIS).</p>	<p><i>The Planning Board Engineer reviews all major development projects for compliance with the Stormwater Management Rules (N.J.A.C. 7:8), and the Lake Como Borough Stormwater Control Ordinance and/or the Residential Site Improvement Standards for stormwater management, as applicable. If the project is compliant, a recommendation for Approval is made to the Planning Board/Zoning Board of Adjustment.</i></p>
<p>4. Does your municipality have a mitigation plan included in your Municipal Stormwater</p>	

<p>Management Plan and Stormwater Control Ordinance? Indicate the location of records of all variances granted.</p>
<p><i>Yes, the Lake Como Borough Municipal Stormwater Management Plan includes a Mitigation Plan and the Lake Como Stormwater Control Ordinance addresses conditions that must be met to grant a waiver or variance from N.J.A.C. 7:8-5.3. No variances have been granted to date.</i></p>
<p>5. Indicate the dates of each iteration of the township's Stormwater Control Ordinance, starting with the initial adoption and including revisions.</p>
<p><i>Stormwater Control Ordinance #2007-797 Stormwater Control Ordinance #2021-956 Adopted February 16, 2021 Stormwater Control Ordinance #2024-02 Adopted March 19, 2024</i></p>
<p>6. Indicate the dates of each iteration of the township's Municipal Stormwater Management Plan, starting with the initial adoption and including revisions.</p>
<p><i>Borough of Lake Como Municipal Stormwater Management Plan Adoption: June 2005</i></p>

## Form 5 – Ordinances

### Part IV.F.1.

Ordinance	Date Adopted	Was the DEP model adopted without change? If not, explain how the municipality's is more stringent.	Entity Responsible for Enforcement	Fees & Fines
1. Pet Waste	7/5/2006	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
2. Wildlife Feeding	6/1/2004	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
3. Litter Control	7/5/2006	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
4. Improper Disposal of Waste	7/5/2006	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
5. Yard Waste	7/5/2006	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
6. Private Storm Drain Inlet Retrofitting	12/21/2010	<i>Adopted without change</i>	<i>Code Enforcement and/or Code Enforcement Official</i>	<i>Up to \$2,000</i>
7. Illicit Connections	7/5/2006	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
8. Privately-Owned Salt Storage	5/7/2024	<i>Adopted without change</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$2,000</i>
9. Tree Removal- Replacement	2004 Amended	<i>Adopted without change 2/21/2023 added fees</i>	<i>Code Enforcement, Zoning Officer or Police Department</i>	<i>Up to \$1,500</i>
<p><b>List any additional stormwater-related ordinances the municipality has adopted that address issues beyond the scope of the MS4 permit. Include adoption date, entity responsible for enforcement, and related fees and fines.</b></p> <p style="text-align: center;"><i>None at this time</i></p>				
<p><b>Indicate the location of records associated with ordinances and related violations and enforcement actions below.</b></p> <p style="text-align: center;"><i>Records associated with ordinances are located in the Municipal Clerk's office and records related to enforcement actions are located in the Code Enforcement office.</i></p>				

## Form 6 – Street Sweeping

### *Part IV.F.2.a.i. and ii.*

1. Provide a written description and/or attach a map outlining the sweeping schedule for the following:

- Segments of municipal roads with storm drain inlets that discharge to surface water (required at least 3 times each year)
- Segments of municipal roads that do not have storm drain inlets but do discharge to surface water (required at least 1 times each year)

*Note: Only asphalt and concrete roads need to be swept. Roads that do not have storm drain inlets and do not discharge to surface water do not need to be swept.*

*There are approximately 5.03 linear miles of streets in Lake Como where 0.44 miles are County roads. All of the streets have storm drain inlets that discharge to surface water (Lake Como) and are swept a minimum once per quarter, or more often if needed. Limited street sweeping is conducted during the winter months.*

2. Indicate if sweeping work is outsourced and if so, describe the arrangement.

*No street sweeping, all 5.47 miles of sweeping work is outsourced in Monmouth County.*

**Form 7 – MS4 Infrastructure**  
*Part IV.F.2-4. and Part IV.G.2-3.*

**1. Municipal Storm Drain Inlets**

- a. Describe how you ensure that municipal inlets without permanent wording cast into the design have been properly labelled.
- b. Describe how you ensure that municipal and private storm drain inlets have been retrofitted.
- c. Describe how you ensure that newly installed storm drain inlets include corresponding catch basins or other BMPs to collect solids.
- d. Describe when and how you conduct inspections of storm drain inlets and the criteria used to determine when they need to be cleaned.

- a. At least annually, the Lake Como Borough DPW staff conduct drive-by inspections of the municipal storm drain inlets. At the same time, the condition of labelling on storm drain inlets without permanent wording cast into the design is evaluated. Non-permanent storm drain inlet labels found to be missing or damaged are scheduled for repair or replacement.*
- b. As part of the Annual Road Resurfacing Program, municipally owned or operated storm drain inlets are retrofitted or replaced, if needed, when the road is resurfaced to meet the solids and floatable materials control standards in the Lake Como Borough stormwater control ordinance. Lake Como Borough Ordinance #2010-853 requires that storm drain inlets on private property be retrofitted or replaced to meet the design standard as specified in the ordinance when the roadway is repaved, repaired, resurfaced, reconstructed or altered. The engineer for the Planning Board will identify projects that are subject to Ordinance #2010-853 and inform the applicant of the ordinance requirements.*
- c. As part of the review process, the Borough Engineer checks the plans submitted for road projects and major development projects to confirm that new storm drain inlets that drain to surface waters include a corresponding catch basin or other BMP to collect solids.*
- d. At least annually, the Lake Como Borough DPW staff conduct drive-by inspections of the municipal storm drain inlets. If debris is present, the grate and surrounding area is cleaned at that time or scheduled for cleaning within one week.*

**2. Municipal Catch Basins**

- a. Describe when and how you conduct inspections of catch basins.
- b. Describe the criteria used to determine when catch basins need to be cleaned.

- a. All catch basins are visually inspected annually.*

b. Catch basins that are approximately 50% filled with debris are scheduled for cleaning.

### **3. Municipal Conveyance System**

Describe when and how inspections of MS4 conveyance systems are conducted, and the criteria used to determine when they need to be cleaned. Include a description of the equipment and techniques used.

*Periodic inspections of the MS4 conveyance system are conducted throughout the year. These inspections are often conducted in conjunction with stream scouring and illicit connection inspections. Observed or reported localized street flooding may also trigger an inspection of the conveyance system. If an obstruction is found the line may be televised and water jetted to relieve the blockage.*

### **4. Municipal Outfall Inspections – Stream Scouring**

Describe the program in place to detect, investigate, and control localized stream scouring from stormwater outfalls. Include a description of the equipment and techniques used.

*There are 12 municipally owned or operated stormwater outfalls in Lake Como Borough. Each year at least 20% of the outfalls are inspected for localized stream scouring. New and/or newly identified outfalls are inspected within 30 days of identification. Complaints or reports of stream scouring are also investigated within 30 days. If localized stream scouring is detected, the source of the stormwater contributing to the scouring will be identified within 3 months.*

*Outfalls with localized stream scouring are evaluated and prioritized for repair or restoration within the constraints of the existing budget. If the identified sources are located on property owned or operated by Lake Como Borough, corrective action will be taken to reduce stormwater rate and/or volume when feasible. In the event that the remediation of identified localized stream scouring will take longer than 12 months the MS4 Case Manager will be notified.*

### **5. Municipal Outfall Inspections – Illicit Discharge Detection and Elimination**

Describe the program in place for conducting visual dry weather inspections of municipally owned or operated outfalls. Include a description of the equipment and techniques used. Record cases of illicit discharges using the DEP's Illicit Connection Inspection Report Form from the Department's main stormwater webpage.

*There are 12 municipally owned or operated stormwater outfalls in Lake Como Borough. Each year at least 20% of the outfalls are visually inspected for evidence of a dry weather flow. New and/or newly identified outfalls are inspected within 30 days of identification. Complaints or reports of illicit connections are also investigated within 30 days.*

*If a dry weather flow is confirmed, additional physical information is collected and an investigation is conducted within 30 days. An Illicit Connection Inspection Report Form is completed to assist with the determination of the source of the dry weather flow. Non-stormwater discharges that are traced to their source and found to be an illicit connection will be eliminated as soon as possible, but no later than one year from the date of discovery.*

**6. Other Municipal Infrastructure**

List the types of MS4 infrastructure in your town that require inspection but are not noted above in items 1-5. Describe when and how you conduct inspections of this infrastructure and the criteria used to determine when they need to be maintained and/or cleaned.

*Not applicable. There is no other municipal infrastructure in Lake Como Borough.*

**7. Stormwater Facilities Not Owned or Operated by the Municipality**

Describe your program for ensuring adequate long-term cleaning, operation, and maintenance of stormwater facilities not owned or operated by the municipality. This should include your plan for ensuring annual inspections are being done on these private properties and describe how you record the locations and logs associated with private infrastructure.

*Not applicable. There are no non-Borough owned or operated stormwater facilities within Lake Como.*

**8. Infrastructure Records**

Indicate the location of records related to stormwater infrastructure inspection, cleaning, maintenance, and repair activities.

*Records associated with the inspection, cleaning, maintenance, and repair of stormwater infrastructure are kept on file in the Public Works office.*

## Form 8 – Community-wide Measures

### Part IV.F.2.

<p><b>1. Herbicide Application Management</b> Describe your program for preventing herbicides from being washed into the waters of the State and to prevent erosion caused by de-vegetation.</p>
<p><i>Not applicable. The Lake Como DPW does not spray along roadsides for weed control.</i></p>
<p><b>2. Excess Deicing Material Management</b> Describe your program for ensuring that excess salt piles are removed in a timely manner after storm events.</p>
<p><i>If present, excess salt piles that remain on roadways or in parking areas are removed by the Lake Como DPW within 3 days after the storm event is over.</i></p>
<p><b>3. Roadside Vegetative Waste</b> Describe your program for ensuring proper pickup, handling, storage, and disposal of wood waste and yard trimmings generated by the permittee along municipal roads or on municipal properties (trimming trees, mowing, etc.).</p>
<p><i>Wood waste and yard trimmings generated by the permittee along municipal roads and on municipal property are disposed of as they are generated.</i></p>
<p><b>4. Roadside Erosion Control</b> Describe your program to detect and repair erosion along municipal roadways.</p>
<p><i>At least annually, the Lake Como Borough DPW staff inspect for erosion of shoulders, embankments, ditches, and soil along municipal roadways. If erosion is noted, corrective measures are taken within 90 days of discovery. Depending on the nature and severity of the erosion, vegetative plantings, riprap, or other measures may be implemented to promote soil stabilization. In the event that the corrective measures will take longer than 90 days, the MS4 Case Manager will be notified.</i></p>

**Form 9 – Municipal Maintenance Yards & Other Ancillary Operations**  
*Part IV.F.5.*

*Please complete a separate Form 9 for each yard or site. Indicate the number of yards/sites the municipality owns or operates:   1*

<b>1. Site Name and Address</b>	
<i>The Lake Como Borough Public Works Yard is located at 720 17<sup>th</sup> Avenue, Lake Como, NJ 07719</i>	
<b>2. Monthly Site Inspections</b>	
Describe the nature of inspections conducted at this site and the location of inspection logs.	
<i>DPW staff conduct monthly inspections of the entire Public Works Yard to identify conditions that may contribute stormwater contaminants or otherwise negatively impact the MS4. Findings are documented in an inspection log that is kept on-site.</i>	
<b>3. Inventory List</b>	
List all materials and machinery that are potentially exposed to stormwater.	
<b>Materials</b>	<b>Machinery/Equipment</b>
	<i>DPW equipment</i>
	<i>DPW vehicles</i>
	<i>Employee vehicles</i>
<b>4. Discharge of Stormwater from Secondary Containment</b>	
Describe the process in place for discharging stormwater from secondary containment areas where outdoor containers are stored.	
<i>Not applicable.</i>	
<b>5. Fueling Operations</b>	
Does fueling occur on site? If so, describe the BMPs in place to minimize contamination of stormwater from fueling activities. If not, explain where fueling takes place.	

*Not applicable. The Borough of Lake Como does not have a municipal fueling station. Fuel is purchased from Belmar Marina fueling facility.*

**6. Vehicle/Equipment Maintenance and Repair**

Do you perform maintenance and repair on site? Is this conducted indoors or outdoors? If outdoors, describe the BMPs in place to minimize contamination of stormwater from maintenance and repair activities.

*Vehicle and equipment maintenance and repair is conducted indoors at the Public Works Garage.*

**7. Wash Wastewater Containment**

Do you wash vehicles on site? If so, describe the BMPs in place to minimize contamination of stormwater from these activities. Note that on site containment structures require annual inspections by a NJ licensed professional engineer. If not, explain where vehicle washing takes place.

*No vehicle washing is conducted on site. Vehicles washing will take place at the Monmouth County Reclamation Center Vehicle Wash Facility or a commercial vehicle wash facility.*

**8. Salt and Other Granular De-icing Materials**

Do you store salt and other granular deicing materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.

*Salt and de-icing materials are not stored at the Borough DPW yard. The Borough has an interlocal with the Borough of Belmar and purchase all salt from the Borough of Belmar and load our trucks at the Belmar Public Works yard.*

**9. Aggregate Material, Wood Chips, and Finished Leaf Compost**

Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.

*Not applicable. No aggregate materials, wood chips, or finished leaf compost are stored at Public Works Yard.*

**10. Cold Patch Asphalt**

Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where

<p>these materials are stored.</p>
<p><i>Not applicable. No cold patch asphalt is stored at the Public Works Yard.</i></p>
<p><b>11. Street Sweepings and Storm Sewer Cleanout Materials</b>  Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p>
<p><i>Street sweepings and catch basin clean out materials are collected and disposed of at the Monmouth County Reclamation Center.</i></p>
<p><b>12. Construction and Demolition Waste, Wood Waste, and Yard Trimmings</b>  Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p>
<p><i>Not applicable. No construction and demolition waste, wood waste, or yard trimmings are stored at the Public Works yard.</i></p>
<p><b>13. Scrap Tires</b>  Do you store these materials on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater from these materials. If not, explain where these materials are stored.</p>
<p><i>Not applicable. No scrap tires are stored at the Public Works yard.</i></p>
<p><b>14. Inoperable Vehicles and Equipment</b>  Do you store inoperable vehicles or equipment on site? If so, describe how they are stored and the BMPs in place to minimize contamination of stormwater. If not, explain where they are stored.</p>
<p><i>Not applicable. No inoperable vehicles or equipment are stored at the Public Works yard.</i></p>

## Form 10 – Training

### Part IV.F.6-10.

<b>Stormwater Program Coordinators</b>	
Describe the training provided for the municipal Stormwater Program Coordinator.	
<i>The Stormwater Program Coordinator (SPC) will receive the required NJDEP training for SPC responsibilities by January 1, 2026 and once per permit cycle thereafter.</i>	

<b>Topic</b>	<b>Municipal Employees</b>
Examples: in-person or virtual group sessions, e-Learning, field trainings, and videos	
Describe the training provided for municipal staff.	
<b>SPPP</b>	<i>Annual training will be provided to appropriate municipal staff on the current SPPP and applicable recordkeeping requirements through in-person and/or virtual training sessions.</i>
<b>Construction Site Stormwater Runoff</b>	<i>The Construction Official will receive the proper NJDEP training to determine if a general or individual Construction Site Stormwater Runoff permit is required at a construction site. The training will be provided through in-person and/or virtual training sessions.</i>
<b>Post-Construction Stormwater Management in New and Redevelopment</b>	<i>Annual training is provided to appropriate municipal staff on the requirements for Post-Construction Stormwater Management in New Development and Redevelopment. The training will be provided through in-person and/or virtual training sessions.</i>
<b>Community-wide Ordinances</b>	<i>Annual training is provided to appropriate municipal staff on the stormwater related ordinances. The training includes a review of the requirements, enforcement, and the repercussions of non-compliance and will be through in-person and/or virtual training sessions.</i>
<b>Community-wide Measures</b>	<i>Annual training is provided to municipal staff that implement community-wide pollution prevention measures and good housekeeping measures to control solid and floatable materials. The training will be through in-person and/or virtual training sessions.</i>

Stormwater Facilities Maintenance	<i>Annual training is provided to municipal staff involved with the inspection, maintenance, and repair of Borough owned or operated stormwater infrastructure. The training will be through in-person and/or virtual training sessions.</i>
Municipal Maintenance Yards and Other Ancillary Operations	<i>Annual training will be provided to appropriate municipal staff on implementing BMPs, good housekeeping measures, and conducting and documenting site inspections at the Municipal Maintenance Yard. The training will be through in-person and/or virtual training sessions.</i>
MS4 Mapping	<i>Not applicable. Staff from the Borough Engineer's office will collect stormwater infrastructure GPS points and associated attributes that will be used to create the Lake Como Borough Stormwater Infrastructure Map.</i>
Outfall Stream Scouring	<i>Annual training is provided to municipal staff and/or consultants that inspect stormwater outfalls for outfall stream scouring. The training will cover identification, elimination, and documentation of stream scouring through in-person and/or virtual training sessions.</i>
Illicit Discharge Detection and Elimination	<i>Annual training is provided to municipal staff and/or consultants that inspect stormwater outfalls for illicit discharges. The training will cover identification, elimination, and documentation of illicit discharges through in-person and/or virtual training sessions.</i>

<b>Stormwater Management Design Reviewers</b>	
Describe the training provided for individuals responsible for reviews and approvals of stormwater management designs.	
<p><i>All individuals that review and approve stormwater management designs for major development projects in Lake Como Borough will complete the NJDEP Stormwater Management Design Review training course at a minimum of once every 5 years.</i></p> <p><i>Whenever the Stormwater Management rules at N.J.A.C. 7:8 are amended and the NJDEP determines that training is warranted, all individuals who have completed the Stormwater Management Design Review course will also be required to complete the Stormwater Management Rule Amendment Training provide NJDEP.</i></p>	

<b>Municipal Board and Governing Body Members</b>
Describe the training provided for members of the planning/zoning board and municipal council.
<p><i>Within 6 months of taking office, members of the Lake Como Borough Planning Board and members of the Lake Como Borough Board of Commissioners will complete the “Asking the Right Questions in Stormwater Review” online training tool provided by NJDEP at <a href="https://dep.nj.gov/stormwater/stormwater-training/">https://dep.nj.gov/stormwater/stormwater-training/</a>.</i></p> <p><i>Once per term of service thereafter, members of the Lake Como Borough Planning Board and members of the Lake Como Borough Council will review at least one of the NJDEP training tools offered under Post-Construction Stormwater Management found at <a href="https://dep.nj.gov/stormwater/stormwater-training/">https://dep.nj.gov/stormwater/stormwater-training/</a>.</i></p>

<b>Training Records</b>
Indicate the location of training records for the above required training.
<p><i>Training records for the Lake Como Borough Council and the Lake Como Borough Planning Board are kept on file in the Borough Clerk’s office.</i></p>

## Form 11 – MS4 Mapping

### Part IV.G.1.

1. Provide a link to the most current MS4 outfall/infrastructure map.	
<p><i>The Lake Como Borough Stormwater Outfall map is posted on the municipal stormwater webpage at: <a href="https://www.lakecomonj.org/home/storm-water-information">https://www.lakecomonj.org/home/storm-water-information</a></i></p>	
2. Indicate the total of each type of MS4 infrastructure listed below (due 01 Jan 2026).	
a. MS4 outfalls	12
b. MS4 ground water discharge points (basins or overland flow infiltration areas)	TBD
c. MS4 interconnections	TBD
d. MS4 storm drain inlets	TBD
e. MS4 manholes	TBD
f. Length of conveyance (channels, pipes, ditches, etc.)	TBD
g. MS4 pump stations	TBD
h. MS4 stormwater facilities (any that are not listed above)	TBD
i. Maintenance yard(s) and other ancillary operations	1
3. Describe how the municipality’s outfall/infrastructure map is reviewed and updated to reflect any new or newly identified MS4 infrastructure (e.g., an outfall is closed, a new basin is constructed, ownership of an outfall has changed, etc.).	
<p><i>Before the end of each year, the Borough Engineer’s office reviews the current Stormwater Outfall Map for accuracy. Map revisions are made if there are new or newly identified outfalls or any other significant changes.</i></p>	
4. Describe how the municipality will create and update its MS4 Infrastructure Map.	
<p><i>Staff from the Borough Engineer’s office will collect GPS points and associated attributes for all Borough owned or operated MS4 infrastructure. The data collected will be used to create a Stormwater Infrastructure Map for Lake Como Borough.</i></p> <p><i>The final Stormwater Infrastructure Map has been submitted electronically to NJDEP as a georeferenced shapefile on or before January 1, 2026. The approved Stormwater Infrastructure Map will be posted on the Borough’s stormwater webpage and included as a weblink within the SPPP. The MS4 Infrastructure Map will be reviewed and updated annually or more frequently if necessary.</i></p>	

**Form 12 – Watershed Improvement Plan**  
*Part IV.H.*

1. Describe how your municipality is developing its Watershed Improvement Plan.

*Staff from the Borough Engineer's office are in the process of collecting the requisite data for the Watershed Inventory Report. The Watershed Inventory Report is Phase 1 of the Watershed Improvement Plan and will be submitted to NJDEP on or before January 1, 2026.*

2. Describe any regional projects or collaboration efforts with other municipalities.

*2022 NJDEP Lake Management Grant – Dredging of Lake Como (managed by the Borough of Spring Lake)*

3. Indicate the location of records related to all public information sessions and meetings for discussions of the Watershed Improvement Plan.

*All records related to Watershed Improvement Plan public information sessions and meetings will be kept on file in the Borough Clerk's office.*

**ORDINANCE 2025-11  
CALENDAR YEAR 2025  
AMENDING ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, by Ordinance 2025-5 the Mayor and Council of the Borough of Lake Como, in the County of Monmouth found it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, due to a CAP base adjustment, the calculation of the permitted increase specified in Ordinance 2025-5 is now incorrect.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Lake Como, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2025 budget year, the final appropriations of the Borough of Lake Como shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$82,631.33 and that the CY 2025 municipal budget for the Borough of Lake Como be approved and adopted in accordance with this ordinance; and,

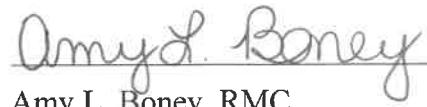
**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Adopted on First Reading

Dated: June 3, 2025

\_\_\_\_\_

Amy L. Boney, RMC

Borough Clerk

Adopted on Second Reading

Dated: \_\_\_\_\_

\_\_\_\_\_  
Amy L. Boney, RMC

Borough Clerk

Approval by the Mayor on This \_\_\_\_ Day Of \_\_\_\_\_, 2025

\_\_\_\_\_  
Kevin G. Higgins, Mayor

**ORDINANCE 2025-12**

**AN ORDINANCE OF THE BOROUGH OF LAKE COMO PROHIBITING PARKING ON CERTAIN STREETS AND REGULATING HANDICAP PARKING ON A PORTION OF REDMOND AVENUE PROVIDING A PENALTY FOR THE VIOLATION THEREOF.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Lake Como.

Section 1: No one other than Handicapped persons, with their vehicle displaying either Handicapped License Plates or a Handicapped Parking placard issued and approved by the Division of Motor Vehicles shall be permitted to park in said street.

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
Redmond Avenue	North	Located in front of 614 Redmond Avenue

Section 2: All ordinances or parts of this ordinance inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3: Any person who shall violate the provisions of this ordinance shall, upon conviction, suffer and pay the penalty as per the schedule set forth in the Municipal Ordinances of the Borough of Lake Como and or State statutes.

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

**SO ORDAINED as aforesaid.**

Adopted on First Reading  
Dated: June 17, 2025

\_\_\_\_\_  
Amy L. Boney, RMC  
Borough Clerk

Adopted on Second Reading  
Dated: July 1, 2025

\_\_\_\_\_  
Amy L. Boney, RMC  
Borough Clerk

Approval by the Mayor on This \_\_\_\_ Day Of \_\_\_\_\_, 2025

\_\_\_\_\_  
Kevin G. Higgins, Mayor

**RESOLUTION 2025-97  
BOROUGH OF LAKE COMO  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**RESOLUTION TO AMEND 2025 BUDGET**

**WHEREAS**, the 2025 Local Municipal Budget was approved on the 6<sup>th</sup> day of May 2025; and

**WHEREAS**, the public hearing on said budget has been held as advertised, and

**WHEREAS**, it is desired to amend said approved budget, now

**THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Lake Como, County of Monmouth, that the following amendments to the approved 2025 Local Municipal Budget be made:

	<b>From</b>	<b>To</b>
<b><u>CURRENT ACCOUNT:</u></b>		
General Appropriations:		
Operations Within CAPS		
Employee Group Insurance:	\$348,400.00	\$338,000.00
PERS:	<u>\$90,279.00</u>	<u>\$110,863.00</u>
Total Operations Including Contingent Within "CAPS"	\$2,458,442.00	\$2,468,626.00
Operations Excluded from "CAPS"		
Employee Group Insurance:	\$21,600.00	\$32,000.00
PERS:	<u>\$20,584.00</u>	<u>\$0.00</u>
Total Other Operations – Excluded from "CAPS"	\$1,915,250.06	\$1,905,066.06
 Total General Appropriations	 \$4,829,473.46	 \$4,829,473.46
<b><u>WATER-SEWER UTILITY ACCOUNT:</u></b>		
Appropriations:		
Other Expenses – Purchase of Water	\$375,000.00	\$216,614.00
Deferred Charges – Overexpenditure of Appropriation	\$40,000.00	\$198,386.00
 Total Appropriations for Water-Sewer Utility	 \$1,399,350.00	 \$1,399,350.00

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

**BE IT FURTHER RESOLVED**, that this amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the June 19, 2025 issue of the Coast Star, and that said publication contain a notice of a public hearing on said amendment to be held at Lake Como Borough Hall, 1740 Main Street, on July 1, 2025 at 7:30 PM.

Dated: June 17, 2025

\_\_\_\_\_  
Kevin G. Higgins  
Mayor

\_\_\_\_\_  
Douglas Witte  
Council President

Certification

I hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Lake Como Borough Council at its meeting held on June 17, 2025.

---

Amy L. Boney, RMC  
Borough Clerk

**RESOLUTION 2025-98**  
**RESOLUTION OF THE BOROUGH OF LAKE COMO COUNCIL**  
**EXECUTIVE SESSIONS**

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**WHEREAS**, the Borough Council of the Borough of Lake Como must discuss matters which are not appropriate for discussion in a public meeting; and

**WHEREAS**, these subjects are within the exceptions to the Open Public Meetings Act and are permitted to be discussed in Closed Session pursuant to N.J.S.A. 10:4-12b; and

**WHEREAS**, the Borough Council intends to discuss matters as follows:

- Pursuant to N.J.S.A. 10:4-12b(1), "any matter which, by provision of federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of subsection a." of N.J.S.A. 10:4-12, public meetings. The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:
- Pursuant to N.J.S.A. 10:4-12b(2), "any matter in which the release of information would impair a right to receive funds from the Government of the United States". The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:
- Pursuant to N.J.S.A. 10:4-12b(3), "any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:
- Pursuant to N.J.S.A. 10:4-12b(4), "any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body." The collective bargaining contract(s) discussed are between the Commission and:
- Pursuant to N.J.S.A. 10:4-12b(5), "any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matter were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:
- Pursuant to N.J.S.A. 10:4-12b(6), "any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:

- Pursuant to N.J.S.A. 10:4-12b(7), "any pending or anticipated litigation or contract negotiation other than in subsection b. (4)" of N.J.S.A. 10:4-12 "in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is: legal advice and attorney-client privilege
- Pursuant to N.J.S.A. 10:4-12b(8), "any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or discipline of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is: personnel matters
- Pursuant to N.J.S.A. 10:4-12b(9), "any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality, is:

**WHEREAS**, the length of the Closed Session is estimated to be **30 minutes** after which the public meeting of the Borough Council shall reconvene, and action may be taken.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council will recess into Closed Session for only the aforesaid subject(s); and

**BE IT FURTHER RESOLVED** that the Borough Council hereby declares that its discussion of the aforesaid subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure in accordance with the Open Public Meetings Act.

Dated: June 17, 2025

\_\_\_\_\_  
Kevin G. Higgins, Mayor

\_\_\_\_\_  
Douglas Witte, Council President

### **CERTIFICATION**

I hereby certify the foregoing Resolution to be a true and exact copy of a Resolution adopted by the Borough of Lake Como Council at its meeting held on June 17, 2025.

\_\_\_\_\_  
Amy L. Boney, RMC  
Borough Clerk

Resolution 2025 - 99

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:

<u>CURRENT ACCOUNT:</u>	
Per Attached Bill List	\$ 365,074.10
<u>WATER/SEWER ACCOUNT:</u>	
Per Attached Bill List	\$ 9,967.71
<u>ACH WIRE PAYMENTS:</u>	
Per Attached Bill List	\$ 86,793.24
<u>TOURISM ACCOUNT:</u>	
Per Attached Bill List	\$ 1,035.88
<b>TOTAL:</b>	<b>\$ 462,870.93</b>

Dated: June 17, 2025

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Kevin G. Higgins  
Mayor

---

Douglas Witte  
Council President

Certification

I hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Lake Como Borough Council at its meeting held on June 17, 2025.

---

Amy L. Boney  
Borough Clerk

**6-17-25 BILL LIST**

**PURCHASE ORDER LIST:**

<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>
AMAZON BUSINESS	Hose Reel	179.99
AMAZON BUSINESS	HOSE SPRAY NOZZLE	39.98
BOROUGH OF BELMAR	DIESEL SERVICE MAY 2025	248.79
BOROUGH OF BELMAR	GAS SERVICE MAY 2025	756.04
JUSTIN BRAHN	CELL PHONE RELIEF	75.00
BRANDED MUSIC GROUP	WED ON THE WATER 6/18/25	1,035.88
THE COAST STAR	LEGALS/AFFIDAVITS 5/8/25	359.00
THE COAST STAR	LEGALS/AFFIDAVITS 5/22/25	180.44
THE COAST STAR	LEGALS/AFFIDAVITS 5/29/25	72.16
JOHN CUSIC	CELL PHONE RELIEF	75.00
DELISA WASTE SERVICES	TIPPING FEES MAY 16-31,2025	3,718.03
DELISA WASTE SERVICES	RECYCLE TIPPING FEES MAY 2025	2,186.15
DELTA DENTAL OF NEW JERSEY	GROUP DENTAL INS JULY 2025	754.80
DYNAMIC TESTING SERVICE	BREATH ALCOHOL 6/4/2025	40.00
DYNAMIC TESTING SERVICE	URINE SCREEN 6/4/2025	55.00
FAST SIGNS	BUTTERFLY GARDEN SIGN	335.00
FRANCOTYP POSTALIA, INC.	POSTAGE MACHINE LEASE JUNE	117.00
FRANCOTYP POSTALIA, INC.	POSTAGE MACHINE LEASE JULY	117.00
FRANK CINELLI	CELL PHONE RELIEF (2 QUARTERS)	150.00
GANNETT NY/NJ LOCALIQ	AD FOR 2025-2026 BUDGET	192.50
GANNETT NY/NJ LOCALIQ	AD FOR SEALED BIDS 5/3/25	85.16
GOOD FRIEND ELECTRIC	2032 LITHIUM BATTERY 3V	1.67
GREG LERTCH DEMOLITION	OFFICE FURNITURE	250.00
GREG LERTCH DEMOLITION	OFFICE FURNITURE	250.00
GREG LERTCH DEMOLITION	OFFICE FURNITURE	250.00
GREG LERTCH DEMOLITION	OFFICE FURNITURE	250.00
JOHN GUIRE SUPPLY LLC	LAWN MOWER REPAIR	764.28
JOSEPH KELLY	CELL PHONE RELIEF	75.00
KEPWEL SPRING WATER CO.	WATER COOLER DPW MAY	10.00
KEPWEL SPRING WATER CO.	WATER COOLER BORO MAY	10.00
KEPWEL SPRING WATER CO.	WATER SERVICE BORO MAY	25.25
KEPWEL SPRING WATER CO.	WATER SERVICE DPW MAY	40.75
LERTCH RECYCLING COMPANY INC	ASPHALT DISPOSAL	38.16
NJ WATER SUPPLY AUTHORITY	QUARTERLY OPERATION/MAINTENANC	4,068.11
NJ WATER SUPPLY AUTHORITY	QUARTERLY CAPITAL CHARGE	4,790.63
NJ WATER SUPPLY AUTHORITY	SOURCE WATER PROTECTION	136.88
NJ WATER SUPPLY AUTHORITY	NJEIT	227.49
ONE CALL CONCEPTS	REGULAR LOCATES MAY	45.60
RAINONE COUGHLIN MINCHELLO LLC	MONTHLY LEGAL SERVICE JUNE	2,125.00
RAINONE COUGHLIN MINCHELLO LLC	TAX APPEALS 5/1/25-5/21/25	653.91
RAINONE COUGHLIN MINCHELLO LLC	WATER SALE 5/6/25-5/9/25	374.00

RAINONE COUGHLIN MINCHELLO LLC	PERSONNEL ISSUES 5/1-5/26/25	4,860.00
RAINONE COUGHLIN MINCHELLO LLC	OPRA ISSUE 4/28/25-5/21/25	153.00
SEAN RYDHOLM	CELL PHONE RELIEF	75.00
LAKE COMO BOARD OF EDUCATION	SCHOOL TAX LEVY JUNE 2025	345,074.50
SIGNS SEALED & DELIVERED	STREET SIGNS 6X18	160.00
SIGNS SEALED & DELIVERED	STREET SIGNS 6X24	150.00
TAYLOR HARDWARE	HARDWARE STORE MAY	72.99
VAN WICKLE AUTO SUPPLY, INC.	AUTO SUPPLIES APRIL-MAY	288.08
VERIZON	DISPATCH PHONE JUNE	84.47
PURCHAE ORDER TOTAL:		376,077.69
<b>ACH PAYMENT LIST:</b>		
6-4-25 PAYROLL		53,630.41
EMPLOYEE HEALTH BENEFITS JUNE 2025		33,162.83
ACH PAYMENT TOTAL:		86,793.24
<b>GRAND TOTAL:</b>		<b>462,870.93</b>

**RESOLUTION 2025-100**

**ACCEPTING ACCOUNT CREDIT FROM NEW JERSEY AMERICAN WATER**

**WHEREAS**, the Certified Municipal Finance Officer and Tax/Water Sewer Collector discovered a billing discrepancy in the way New Jersey American Water was calculating water bills for the Borough of Lake Como; and

**WHEREAS**, this discrepancy was due to a billing methodology change in 2020/2021 and prior to this change, the Borough was billed up to its monthly maximums at its uninterruptible rate and any excesses over the monthly maximums did not count toward the APR (36.5 MGY); and

**WHEREAS**, after significant discussions between New Jersey American Water and the Borough of Lake Como, it has been determined that the contract language is ambiguous and could support multiple interpretations of the billing methodology. As a result, NJAW will be reverting back to the previous billing methodology and rebilling the Borough; and

**WHEREAS**, based on the rebill and the diligence of the CMFO and Collector, NJAW has calculated a credit to Lake Como's account in the amount of \$324,272.35.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Lake Como accepts the credit from New Jersey American Water in the amount of \$324,272.35.

Dated: June 17, 2025

\_\_\_\_\_  
Kevin Higgins, Mayor

\_\_\_\_\_  
Douglas Witte, Council President

**CERTIFICATION**

I hereby certify the foregoing Resolution to be a true and exact copy of a Resolution adopted by the Lake Como Borough Council at its meeting held on June 17, 2025.

\_\_\_\_\_  
Amy L. Boney, RMC  
Borough Clerk

## RESOLUTION 2025-93

**WHEREAS**, Mayor and Council of the Borough of Lake Como have 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. 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, 2025 until October 15, 2025 and from April 15, 2026 until June 30, 2026.

**AND WHEREAS**, the applicant shall also comply with the Borough of Lake Como's outside dining ordinance.

**AND WHEREAS**, 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.

**NOW THEREFORE BE IT RESOLVED** that the outdoors expansion is approved for the period of July 1<sup>st</sup>, 2025 through June 30<sup>th</sup> 2026.

**BE IT FURTHER RESOLVED** that the licensee has agreed to the following conditions:

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 licensed premises at all times.
4. All employees licensed to handle alcoholic beverages must 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 17<sup>th</sup> Avenue and Redmond Avenue by 10:00am each morning.
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: No personnel may 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.
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 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 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.
14. Occupancy limits contained herein are superseded by any executive order currently in effect.

**BE IT FURTHER RESOLVED** that the Licensee 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, 2025 through June 30, 2026.

Dated: June 17, 2025

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Kevin G. Higgins  
Mayor

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Douglas Witte  
Council President

Certification

I hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Lake Como Borough Council at its meeting held on June 17, 2025.

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Amy L. Boney, RMC  
Borough Clerk