



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

**DATE: JUNE 20, 2023
REGULAR MEETING**

MEETING CALLED TO ORDER

Mayor Higgins called the meeting to order at 7:49pm

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 third day of January 2023 in which Resolution the time and place of Agenda and Regular Meetings commencing with January 3, 2023 were set forth. Notice of same was delivered to the Asbury Park Press, the Coast Star and TAPinto and a copy of the notice was posted on the borough website at www.lakecomonj.org and on the bulletin board in Borough Hall. All meetings are open to the public.

ROLL CALL

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

APPROVAL OF MINUTES

No minutes were available for approval at this meeting

COMMUNICATIONS

No Communications on the agenda

REPORTS OF COMMITTEES

- Councilwoman Albala-Doyle reported that all matters are in order.
- Councilman Ventrice reported that like in years past, the Environmental Commission is going to be giving Certificates of Appreciation to residents with environmentally friendly yards but this year, on July 29th, this will be done at a garden tour beginning at 10am. The Commission in conjunction with Candide's Garden will be going to different homes to present them with the certificates and the public are invited to join. All other matters are in order.
- Councilman D'Antuono reported that all matters are in order.

- Councilwoman Scull reported that all matters are in order.
- Councilman Witte reported that all matters are in order.
- Mayor Higgins reported that all matters are in order.

UNFINISHED BUSINESS

No Unfinished Business

PUBLIC COMMENTS ON NEW BUSINESS & CONSENT AGENDA

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

No Public Comments

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

CONSENT AGENDA

All items listed under this section are considered to be routine by the Borough Council and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

No items on the consent agenda

NEW BUSINESS

Application for use of Recreational Facilities

With Intentions Holistic Studio LLC

- Regina Vequira came before the Council asking for permission to hold yoga classes at the lake front. These will be 1-hour gentle movement yoga classes and her clients have expressed the desire to have outside classes. She is requesting Monday mornings and Tuesday afternoons in the area close to Main Street on North Boulevard with approximately 10 people participating.
- Councilman Ventrice asked if there will be signage stating that this is not a Borough sponsored event and Councilwoman Scull expressed her concerns about the new plantings that were just done at the lake front.

Councilman Witte made a motion to approve the application, seconded by Councilwoman Albala-Doyle, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

Resolution 2023-88

Canceling Outstanding and Stale Checks

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

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

Resolution 2023-89

Payment of Bills

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

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

Resolution 2023-90

Changing Meeting Date

Offered by Councilwoman Albala-Doyle, seconded by Councilwoman Scull, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

Resolution 2023-91

Closed Session

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

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

PUBLIC COMMENTS

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

No Public Comments

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

At this point in the meeting, 8:02pm the Council entered into closed session per resolution 2023-91 reconvening at with nothing to report at this time.

ALCOHOLIC BEVERAGE CONTROL BOARD

Resolution 2023-87

MacTav Inc. t/a McCann's Steer and Spirits

- Tom McCann, owner of McCann's Tavern came before the Council and stated he has no objections with any of the conditions on his license. Chief Scott, the Council and Borough Administrator Andrew Huisman have no issues with the renewal of their license. Acting Borough Clerk, Amy Boney, stated that all paperwork has been filed and all fees have been paid and everything is in order pertaining to this license.

Councilman Witte made a motion to approve this Resolution, seconded by Councilman D'Antuono, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

Resolution 2023-86

Salty's Beach Bar Belmar LLC t/a Salty's Beach Bar

- Samuel Reale, the attorney for Salty's Beach Bar was present on behalf of the establishment.
- Joseph Casello of Collins, Vella and Casello was present on behalf of the objector, Four Thirty Club. Peg Schaffer, Borough Attorney, stated to Ms. Schaffer that the council is only renewing the license pertaining to 1705 Main Street and will be including the objection to the property at 1707 Main Street in the resolution.

Councilman D'Antuono made a motion to approve the resolution as modified, seconded by Councilman Ventrice, roll call vote as follows:

Yes: Councilmembers Witte, Scull, D'Antuono, Ventrice and Albala-Doyle

No: None

Abstain: None

Absent: Councilman DeMauro

NEXT MEETING

The next regular meeting of the Mayor and Council will be held on Tuesday, July 11, 2023, immediately following the 7:30 PM Workshop in the Lake Como Meeting Room. All meetings are open to the public.

MOTION TO ADJOURN

Councilwoman Scull made a motion to adjourn, seconded by Councilman Ventrice, all are in favor.

Respectfully Submitted

Amy L. Boney

Acting Borough Clerk

The minutes of this meeting are not verbatim. Please call Borough Hall at (732)681-3232 to schedule an appointment to hear the tape(s) of this meeting in its entirety. All tapes are subject to being destroyed 80 days after the approval of the Minutes.



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

Borough of Lake Como **Application for Use of Recreational Facility**

Name: Regina Viqueira, co-owner, With Intentions Holistic Studio LLC

Address: 1700 Main St, Ste 101, Lake Como, NJ

Telephone Number: 732-800-6960

Date(s) of Request: Mondays, July - September 2023 Time: from 8:00am to 10:30am *9am Tue 5:30-6:30*

Description of Use: Sun Flow Yoga Class - This open level yoga class is a mindful vinyasa based flow to tune into our bodies and breath. It would be open to the public, and sign up and waivers would be completed through our business via withintentions.com/Mindbody.

Area Requested:

- Soccer Fields – Behrman Park
- Baseball/Softball Fields – Behrman Park (Little League Field located at the south end of the park is not to be used)
- Lake Como lakefront

RV Please initial here that you understand the following conditions and requirements:

- The remainder of the park is still open to the public
- The area that you use must be cleaned before leaving
- The area requested can be for a period not to exceed 5 hours
- You are to keep the permit with you when using the park
- All Borough ordinances must be followed (No Alcoholic Beverages, No Animals, etc.)
- Hours of permits are between 8:00AM and 9:00PM unless otherwise approved
- Please note that field availability is contingent of Lake Como Little League and Soccer League use

Signature *R. H.*

6/15/2023
Date

| FOR OFFICE USE ONLY | |
|---|---|
| Date of Receipt of Application | <u>6/16/23</u> |
| Date of Approval/Rejection of Application | _____ |
| Signature of Licensing Official | _____ |
| Copies given to | <input type="checkbox"/> Public Works <input type="checkbox"/> Police |

RESOLUTION 2023-88
A RESOLUTION AUTHORIZING THE CANCELLING OF OUTSTANDING
AND STALE CHECKS

WHEREAS, the Borough of Lake Como maintains bank accounts in all funds of the Borough for checking accounts, statement savings and cash management funds; and

WHEREAS, the Chief Municipal Finance Officer of the Borough reconciles the various municipal accounts on a monthly basis; and

WHEREAS, there exists reconciling items that relate to the period ending 5/31/2023; and

WHEREAS, such items are deemed outdated and stale; and

WHEREAS, generally accepted accounting principals and general accepted internal control standards require periodic review; and

WHEREAS, the Chief Municipal Finance Officer of the Borough and the Lake Como Court Administrator have performed and reviewed and determined that such action of cancellation be taken as follows:

Fund: Checks from Lake Como Municipal Court General Account Ending in 2045

Outstanding Checks

| Check # | Amount |
|-----------------------------|------------|
| 1029 | \$1.00 |
| 1057 | \$1.00 |
| 1111 | \$60.00 |
| 1121 | \$2.00 |
| 1122 | \$60.00 |
| 1130 | \$650.00 |
| 1157 | \$175.00 |
| 1189 | \$1.00 |
| 1190 | \$1.00 |
| 1255 | \$60.00 |
| 1256 | \$3.00 |
| 1257 | \$4.00 |
| 1282 | \$3.00 |
| Total Amount to be canceled | \$1,021.00 |

Total Amount to be cancelled = \$1,021.00

NOW, THEREFORE, BE IT RESOLVED that the Chief Municipal Finance Officer and the Lake Como Court Administrator are authorized to make such adjustments to the books and records.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Chief Municipal Finance Officer.

Dated: June 20, 2023

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 20, 2023.

Amy L. Boney
Acting Borough Clerk

Resolution 2023 - 89

Be it resolved by the Mayor and Council of the Borough of Lake Como that the proper officers be directed and authorized to make payment from the following accounts:

CURRENT ACCOUNT:

Per Attached Bill List \$ 338,420.69

WATER/SEWER ACCOUNT:

Per Attached Bill List \$ 63,563.15

TOURISM ACCOUNT:

Per Attached Bill List \$ 1,084.48

ACH WIRE PAYMENTS:

Per Attached Budget Entry List \$ 23,984.87

TOTAL: \$ 427,053.19

Dated: June 20, 2023

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 20, 2023.

Amy L. Boney
Acting Borough Clerk

Rcvd Batch Id Range: First to Last Rcvd Date Start: 0 End: 06/15/23 Report Format: Condensed

| Rcvd Date | Batch Id | PO # | Description | Vendor | Amount | Contract |
|------------------------|----------|----------|------------------------------|------------------------------------|----------|----------|
| 06/06/23 | DAWND | 23-00385 | ANIMAL CONTROL SERVICE APRIL | MCSPCA MONMOUTH COUNTY SPCA | 200.00 | |
| 06/06/23 | DAWND | 23-00402 | CFO SERVICES MAY 2023 | HOLMANFR HOLMAN FRENIA ALLISON, PC | 5,000.00 | |
| 06/06/23 | DAWND | 23-00405 | NJLM MINI CONFERENCE 6/14/23 | NJLM NJ LEAGUE OF MUNICIPALITIES | 375.00 | |
| 06/06/23 | DAWND | 23-00408 | FIBER | NJ034 NJ GRAVEL & SAND CO | 96.00 | |
| Total for Batch: DAWND | | | | | 5,671.00 | |

Total for Date: 06/06/23 Total for All Batches: 5,671.00

| | | | | | | |
|------------------------|-------|----------|---------------------------|--------------------------------------|--------|--|
| 06/07/23 | DAWND | 23-00387 | MONTHLY WATER TESTING MAY | R4640 E. RUNYON T/A AQUATIC SERVICES | 465.00 | |
| Total for Batch: DAWND | | | | | 465.00 | |

Total for Date: 06/07/23 Total for All Batches: 465.00

| | | | | | | |
|------------------------|-------|----------|-----------------------------|-------------------------------------|----------|--|
| 06/08/23 | DAWND | 23-00406 | TIPPING FEES MAY 16-31 | DELIS DELISA WASTE SERVICES | 2,678.86 | |
| 06/08/23 | DAWND | 23-00415 | GROUP DENTAL INSURANCE JULY | DELTADNJ DELTA DENTAL OF NEW JERSEY | 1,038.68 | |
| Total for Batch: DAWND | | | | | 3,717.54 | |

Total for Date: 06/08/23 Total for All Batches: 3,717.54

| | | | | | | |
|------------------------|-------|----------|--------------------------------|-----------------------------------|----------|--|
| 06/09/23 | DAWND | 23-00400 | HARDWARE STORE MAY | T0059 TAYLOR HARDWARE | 114.94 | |
| 06/09/23 | DAWND | 23-00417 | STREET OPENING 23-11 REFUND | JOHNKELL JOHN KELLY MECHANICAL | 600.00 | |
| 06/09/23 | DAWND | 23-00424 | QUARTERLY MAINT. APRIL BILLING | ATLSEFIR ATLANTIC SECURITY & FIRE | 689.55 | |
| Total for Batch: DAWND | | | | | 1,404.49 | |

Total for Date: 06/09/23 Total for All Batches: 1,404.49

| | | | | | | |
|------------------------|-------|----------|----------------------------|-------------------------------------|------------|--|
| 06/12/23 | DAWND | 23-00399 | WATER COOLER SERVICE | KEPWE KEPWEL SPRING WATER CO. | 51.25 | |
| 06/12/23 | DAWND | 23-00410 | FOUNTAIN SUPPLIES | GOODELEC GOOD FRIEND ELECTRIC | 56.40 | |
| 06/12/23 | DAWND | 23-00412 | MONTHLY LEGAL SERVICE JUNE | SHAINSCH SCHAFFER SHAIN JALLOH, PC | 2,125.00 | |
| 06/12/23 | DAWND | 23-00416 | Online Mandatory Training | NJPO NEW JERSEY PLANNING OFFICIALS | 196.00 | |
| 06/12/23 | DAWND | 23-00426 | WATER SERVICE MAY 2023 | NJAW0 NEW JERSEY AMERICAN WATER CO. | 53,679.64 | |
| 06/12/23 | DAWND | 23-00427 | SCHOOL TAXES JUNE | SBBED LAKE COMO BOARD OF EDUCATION | 320,166.60 | |
| Total for Batch: DAWND | | | | | 376,274.89 | |

Total for Date: 06/12/23 Total for All Batches: 376,274.89

| | | | | | | |
|------------------------|-------|----------|-------------------------------|---------------------------------|-----------|--|
| 06/13/23 | DAWND | 23-00428 | CELLULAR SERVICE IPADS | VERW1 VERIZON WIRELESS | 2,216.92 | |
| 06/13/23 | DAWND | 23-00429 | RAW WATER QUAR MAINT 4/1-6/30 | NJW00 NJ WATER SUPPLY AUTHORITY | 9,223.11 | |
| Total for Batch: DAWND | | | | | 11,440.03 | |

Total for Date: 06/13/23 Total for All Batches: 11,440.03

| | | | | | | |
|------------------------|-------|----------|--------------------------|---------------------------------|----------|--|
| 06/14/23 | DAWND | 23-00401 | STUDENT BANNERS 2023 | RILEIGHS RILEIGHS OUTDOOR DECOR | 1,084.48 | |
| 06/14/23 | DAWND | 23-00407 | FUEL SERVICE MAY 2023 | BELMA BOROUGH OF BELMAR | 1,194.04 | |
| 06/14/23 | DAWND | 23-00414 | PLOW LIGHTS, LAWN BLADES | AMAZON AMAZON BUSINESS | 464.30 | |
| Total for Batch: DAWND | | | | | 2,742.82 | |

| Rcvd Date | Batch Id | PO # | Description | Vendor | Amount | Contract |
|-----------|----------|------|-------------|--------|--------|----------|
|-----------|----------|------|-------------|--------|--------|----------|

Total for Date: 06/14/23 Total for All Batches: 2,742.82

| | | | | | | |
|----------|-------|----------|--------------------------|---------------------------------|------------------------|----------|
| 06/15/23 | DAWND | 23-00409 | REGULAR LOCATES | ONECC ONE CALL CONCEPTS | 45.40 | |
| 06/15/23 | DAWND | 23-00418 | CELL PHONE RELIEF | RYDHO SEAN RYDHOLM | 75.00 | |
| 06/15/23 | DAWND | 23-00419 | CELL PHONE RELIEF | KELLY JOSEPH KELLY | 75.00 | |
| 06/15/23 | DAWND | 23-00420 | CELL PHONE RELIEF | CUSIC JOHN CUSIC | 75.00 | |
| 06/15/23 | DAWND | 23-00421 | CELL PHONE RELIEF | BRAHN JUSTIN BRAHN | 75.00 | |
| 06/15/23 | DAWND | 23-00422 | CELL PHONE RELIEF | DALEX DEREK ALEXANDER | 75.00 | |
| 06/15/23 | DAWND | 23-00430 | EMPLOYEE DENTAL INS JULY | DSO DENTAL SERVICE ORGANIZATION | 267.15 | |
| 06/15/23 | DAWND | 23-00431 | ZERO'S AMENDED SITE PLAN | H2MASSOC H2M ASSOCIATES, INC. | 380.00 | |
| 06/15/23 | DAWND | 23-00432 | ALACAN VARIANCE APP | H2MASSOC H2M ASSOCIATES, INC. | 190.00 | |
| 06/15/23 | DAWND | 23-00433 | DYNAMIC VARIANCE APP | H2MASSOC H2M ASSOCIATES, INC. | 95.00 | |
| | | | | | Total for Batch: DAWND | 1,352.55 |

Total for Date: 06/15/23 Total for All Batches: 1,352.55

| Batch Id | Batch Total |
|------------------------|-------------------|
| Total for Batch: DAWND | 403,068.32 |
| Total Of All Batches: | <u>403,068.32</u> |

| Totals by Year-Fund Fund Description | Fund | Budget Total | Revenue Total | G/L Total | Total |
|---|------|-------------------|---------------|-------------|-------------------|
| | 3-10 | 338,420.69 | 0.00 | 0.00 | 338,420.69 |
| | 3-20 | 63,563.15 | 0.00 | 0.00 | 63,563.15 |
| | 3-74 | 1,084.48 | 0.00 | 0.00 | 1,084.48 |
| Total Of All Funds: | | <u>403,068.32</u> | <u>0.00</u> | <u>0.00</u> | <u>403,068.32</u> |

Batch Id: HLTHEMP Batch Date: 06/13/23 Batch Type: Recurring

| Account No. Account Description | Type | Entry Description | Amount | Tracking Id | Seq |
|--|-------------|-------------------------------|-----------|----------------------|----------------------------|
| 3-10- -013-304 EMPLOYEE GROUP INSURANCE | Expenditure | emp health benifit | 17,247.45 | | 1 |
| db: 3-10- - -500-001 | | CURRENT APPROPRIATIONS | | Cr: 3-10- - -100-010 | CURRENT CHECKING INVESTORS |
| 3-10- -900-993 DUE TO/FROM PAYROLL AC | Expenditure | emp health benifit emp co pay | 2,043.64 | | 2 |
| db: 3-10- - -300-006 | | DUE TO/FROM PAYROLL A/C | | Cr: 3-10- - -100-010 | CURRENT CHECKING INVESTORS |

WARNING: This account would have a negative balance: 3-10- -013-304. Balance would be: 79,263.39-.

WARNING: Control Acct would have a negative balance but error was overridden: 3-10- -013-304. Balance would be: 79,263.39-.

| Fund Description | Fund | Expenditures | Reimbursements | Transfer In | Transfer Out | Cancel | Encumbrances |
|---------------------|------|--------------|----------------|-------------|--------------|--------|--------------|
| | 3-10 | 19,291.09 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total of All Funds: | | 19,291.09 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Entries | Amount |
|-----------------|---------|-----------|
| Expenditures: | 2 | 19,291.09 |
| Reimbursements: | 0 | 0.00 |
| Transfer In: | 0 | 0.00 |
| Transfer Out: | 0 | 0.00 |
| Cancel: | 0 | 0.00 |
| Encumbrance: | 0 | 0.00 |
| YTD 1099: | 0 | 0.00 |
| Total: | 2 | |

There are warnings in this listing, but can proceed with update.

| | Updated Entries | Updated Amount |
|-----------------|-----------------|----------------|
| Reimbursements: | 0 | 0.00 |
| Expenditures: | 2 | 19,291.09 |
| Transfer In: | 0 | 0.00 |
| Transfer Out: | 0 | 0.00 |
| Cancel: | 0 | 0.00 |
| Encumbrances: | 0 | 0.00 |
| YTD 1099: | 0 | 0.00 |

Batch: HLTHEMP Updated Entries: 2 Updated Amount: 19,291.09 Ref Num: 2172

Batch Id: HLTHRET Batch Date: 06/13/23 Batch Type: Recurring

| Account No. Account Description | Type | Entry Description | Amount | Tracking Id | Seq |
|---|-------------|-----------------------------|----------|---|-----|
| 3-10- -013-304 EMPLOYEE GROUP INSURANCE | Expenditure | retired emp health benifits | 4,693.78 | | 1 |
| Db: 3-10- - -500-001 CURRENT APPROPRIATIONS | | | | Cr: 3-10- - -100-010 CURRENT CHECKING INVESTORS | |

WARNING: This account would have a negative balance: 3-10- -013-304. Balance would be: 83,957.17-.

WARNING: Control Acct would have a negative balance but error was overridden: 3-10- -013-304. Balance would be: 83,957.17-.

| Fund Description | Fund | Expenditures | Reimbursements | Transfer In | Transfer Out | Cancel | Encumbrances |
|---------------------|------|--------------|----------------|-------------|--------------|--------|--------------|
| | 3-10 | 4,693.78 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total of All Funds: | | 4,693.78 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | Entries | Amount |
|-----------------|---------|----------|
| Expenditures: | 1 | 4,693.78 |
| Reimbursements: | 0 | 0.00 |
| Transfer In: | 0 | 0.00 |
| Transfer Out: | 0 | 0.00 |
| Cancel: | 0 | 0.00 |
| Encumbrance: | 0 | 0.00 |
| YTD 1099: | 0 | 0.00 |
| Total: | 1 | |

There are warnings in this listing, but can proceed with update.

| | Updated Entries | Updated Amount | | | |
|-----------------|------------------|----------------|-----------------|----------|---------------|
| Reimbursements: | 0 | 0.00 | | | |
| Expenditures: | 1 | 4,693.78 | | | |
| Transfer In: | 0 | 0.00 | | | |
| Transfer Out: | 0 | 0.00 | | | |
| Cancel: | 0 | 0.00 | | | |
| Encumbrances: | 0 | 0.00 | | | |
| YTD 1099: | 0 | 0.00 | | | |
| Batch: HLTHRET | Updated Entries: | 1 | Updated Amount: | 4,693.78 | Ref Num: 2173 |

RESOLUTION 2023-90
CHANGE OF MEETING DATE

BE IT RESOLVED by the Mayor and Council of the Borough of Lake Como that the Regular meeting of Mayor and Council scheduled for Tuesday, July 18, 2023 shall be cancelled and rescheduled for Tuesday, July 11, 2023 at 7:30 PM, following the workshop meeting.

A copy of this Notice shall be published in the Coast Star and on the Borough website and a copy shall be sent to the Asbury Park Press and TapInto. All meetings are open to the public.

Dated: June 20, 2023

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 20, 2023.

Amy L. Boney
Acting Borough Clerk

RESOLUTION 2023-91

RESOLUTION OF THE BOROUGH OF LAKE COMO COUNCIL EXECUTIVE SESSIONS

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: 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:

- 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 20, 2023

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 20, 2023.

Amy Boney, Acting Borough Clerk

RESOLUTION 2023-87

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, 2023 until October 15, 2023 and from April 15, 2024 until June 30, 2024.

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 1st, 2023 through June 30th 2024.

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 17th 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, 2023 through June 30, 2024.

Dated: June 20, 2023

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 20, 2023

Amy L. Boney
Acting Borough Clerk

RESOLUTION 2023-86

WHEREAS, Salty's Beach Bar Belmar LLC, t/a Salty's ("Licensee") has applied to the Borough of Lake Como to renew its liquor license situated at 1705 Main Street; and

WHEREAS, Four Thirty LLC ("Objector") objected to the renewal of the seasonal expansion of Licensee's premises which included a portion of 1707 Main Street owned by the Objector; and

WHEREAS, the Borough sought to impose special conditions on the Licensee, some of which had not been previously imposed, to which the Licensee objected; and

WHEREAS, a hearing was held on June 7, 2023 at which the Licensee and Objector appeared through counsel and testimony was taken; and

WHEREAS, the hearing was continued until June 20, 2023 with the consent of both parties; and

WHEREAS, the Borough and Licensee have agreed to the special conditions set forth below; and

WHEREAS, Licensee reserves the right to appeal the limitation of the expansion of premises to 1705 Main Street.

NOW, THEREFORE, BE IT RESOLVED, that Alcoholic Beverage License No. 1347-33-006-012 shall be renewed for one year upon the following conditions:

1. Outside Live bands and DJ's (with reduced amplification) are permitted until 10:00pm. No amplification of percussions.
2. All windows in the licensed premises shall be closed at all times during the hours of operation. Doors should be closed when there is a live band inside. Licensee shall have the discretion to keep the door open from 12:00 noon to 9:00pm as long as there is no noise emanating from the premises in violation of the noise ordinance.
3. The Licensee shall reimburse the Borough of Lake Como for the cost of additional police patrol hours in the affected areas, i.e., within 200 feet of the licensed premises, 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, and payable within 15 days of invoicing.
4. At least two security personnel must be outside to monitor and maintain any line that forms to enter the establishment. Any security personnel must be clearly identified wearing Salty's Tavern staff attire.

5. 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.
6. Shush patrol will be implemented at the discretion of the Chief of Police.
7. The Licensee shall provide a litter patrol, which shall remove litter and debris on the west side of Main Street from 17th to 18th Avenue by 10:00 a.m. each morning.
8. 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's Police Department.
9. Intoxicated Patrons: All personnel may not sell, dispense, or give away alcohol to any person who is deemed intoxicated. When a customer has been "cut-off", the server will notify the other employees. Management will support the server's decision to terminate service to any customer. The customer will be asked to leave and management shall use best efforts consistent with the regulations to dissuade the customer from driving. If those efforts fail, management will notify the Borough's Police Department with a description of the person and the license plate number of the vehicle, if possible.
10. 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 as required by N.J.S.A. 33:1-77.
11. 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 as required by N.J.S.A. 33:1-77.

12. 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.

13. 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.

14. The licensee shall keep an accurate count either by electronic or manual means of the number of persons entering and exiting the premises in order to have an accurate count of the occupancy of the licensed premise at all times.

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

BE IT FURTHER RESOLVED that the seasonal area originally designated in Resolution 2008-160 shall be limited to the area located on 1705 Main Street and renewed for the periods July 1, 2023 through October 15, 2023 and April 15, 2024 through June 30, 2024. This area shall be subject to be renewed on a year-by-year basis and shall be a licensed premises for the sale and consumption of alcoholic beverages.

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

BE IT FURTHER RESOLVED the State of New Jersey Alcoholic Beverage Control Board be notified and License be issued to the above for the period of July 1, 2023 through June 30, 2024.

Dated: June 20, 2023

Douglas Witte
Council President

Kevin G. Higgins
Mayor

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 20, 2023

Amy L. Boney

Acting Borough Clerk