

**BOROUGH OF INTERLAKEN
MINUTES
FEBRUARY 17, 2016
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:42 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. Sunshine Statement was read by Borough Clerk Administrator Reibrich. “The notice of the requirements of the Open Public Meetings Act has been satisfied by forwarding annual notice to the Coaster and Asbury Park Press. A copy of the annual notice is posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President White and Council members: Handerhan, Franks, Gunn, Horowitz, and Butler

Also Present: Borough Attorney Richard Shaklee, Borough CFO/Tax Collector Stephen O. Gallagher, Borough Clerk/Administrator Lori Reibrich and Shade Tree Co-Chairwoman Jodi Heinz

1. PUBLIC COMMENTS – FOR AGENDA SPECIFIC ITEMS ONLY – EXCLUSIVE OF ORDINANCES

Mayor Nohilly opened the floor for public comment. With no public comment, Mayor Nohilly closed the floor.

2. APPROVAL OF MINUTES: JANUARY 20, 2016- WORKSHOP & REGULAR

Councilman Handerhan made a motion to approve minutes, seconded by Councilman Gunn and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve			X				
Motion to Second					X		
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

3. ORDINANCE 2016-1: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14

**CALENDAR YEAR 2016
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 0% 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, the Borough Council of the Borough of Interlaken in the County of Monmouth finds it advisable and necessary to increase its CY 2016 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, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$35,645.86 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines 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.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Interlaken shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$35,645.86, and that the CY 2016 municipal budget for the Borough of Interlaken 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.

Council President White made a motion to approve ordinance, seconded by Councilman Handerhan and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve		X					
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

Mayor Nohilly set the date for public hearing on March 2, 2016.

CFO/Tax Collector Gallagher left the meeting at this time.

4. **RESOLUTION 2016-36: AUTHORIZING APPOINTMENT OF CONSTRUCTION OFFICIAL**

AUTHORIZING APPOINTMENT OF CONSTRUCTION OFFICIAL

WHEREAS, after many years of dedicated service to the Borough of Interlaken Mr. Salvatore Massarro, Jr., Construction Official for the Borough of Interlaken, has tendered his resignation effective February 12, 2016; and

WHEREAS, the Borough Administrator and Mayor have discussed and agreed upon a suitable replacement.

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the appointment of Mr. Thomas Haege to the part-time position of Construction Official at an annual salary of \$5,500.00 effective February 16, 2016;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Lori Reibrich, Borough Administrator/Clerk
2. Stephen O. Gallagher, CFO
3. Thomas Haege, Construction Official

Councilman Handerhan made a motion to authorize appointment, seconded by Councilwoman Horowitz and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve				X			
Motion to Second							X
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

5. **RESOLUTION 2016-37: AUTHORIZING APPOINTMENT OF BUILDING SUBCODE OFFICIAL**

AUTHORIZING APPOINTMENT OF BUILDING SUBCODE OFFICIAL AND BUILDING INSPECTOR

WHEREAS, after many years of dedicated service Mr. Salvatore Massaro Jr., Building Inspector and Building Sub Code Official for the Borough of Interlaken, has tendered his resignation effective February 12, 2016; and

WHEREAS, the Borough Administrator and Mayor have discussed and agreed upon a suitable replacement.

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the appointment of Mr. Todd Morgano to the part-time position of Building Sub Code Official and Building Inspector at an annual salary of \$3000.00 effective February 16, 2016;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

4. Lori Reibrich, Borough Administrator/Clerk
5. Stephen O. Gallagher, CFO
6. Todd Morgano, Building Sub Code Official

Councilman Franks made a motion to approve minutes, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly		Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve								
Motion to Second								
Approved			X	X	X	X	X	X
Opposed								
Abstain/ Recuse								
Absent/ Excused								

6. **RESOLUTION 2016-38: AUTHORIZING APPOINTMENT OF CODE ENFORCEMENT AND ZONING OFFICER**

AUTHORIZING APPOINTMENT OF ZONING AND CODE ENFORCEMENT OFFICER

WHEREAS, after many years of dedicated service to the Borough of Interlaken, Mr. Salvatore Massarro, Jr., Zoning and Code Enforcement Officer, tendered his resignation effective February 12, 2016; and

WHEREAS, the Borough Administrator and Mayor have agreed upon a suitable replacement.

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the appointment of Mr. Todd Morgano to the part-time position of Zoning and Code Enforcement Officer at an annual salary of \$4,000.00 effective February 16, 2016.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Lori Reibrich, Borough Administrator/Clerk
2. Stephen O. Gallagher, CFO
3. Todd Morgano, Zoning and Code Enforcement Officer

Councilwoman Horowitz made a motion to authorize appointment, seconded by Councilman Gunn and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve						X	
Motion to Second					X		
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

7. **RESOLUTION 2016-39: AUTHORIZING ESCROW REFUND TO MARIANNE GATCH FOR GRADING PLAN INSPECTION**

AUTHORIZING ESCROW REFUND TO MS. MARIANNE GATCH OF 727 RAYMERE AVENUE

WHEREAS, the Borough Engineer requested escrow in relation to a grading plan application submitted by Ms. Marianne Gatch, of 727 Raymere Avenue, for a project she was completing on her property; and

WHEREAS, the grading project is no longer being pursued by the homeowner; and

WHEREAS, the Borough Administrator has contacted the Board Engineer for authorization to release the funds and confirmed there is no billing; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby authorizes the Chief Financial Officer to refund said escrow in the amount of \$500.00 to Ms. Marianne Gatch of 727 Raymere Avenue.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the following:

1. Ms. Marianne Gatch, 727 Raymere Avenue
2. Stephen Gallagher, Chief Finance Officer

Mayor Nohilly stated that a yard regrading project was cancelled and the project is not going forward. With no further comment, Councilman Butler made a motion to approve refund, seconded by Council President White and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve							X
Motion to Second		X					
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

8. **RESOLUTION 2016-40: AUTHORIZING REFUND TO MINDY HOROWITZ FOR TAX OVERPAYMENT TO BLOCK 20, LOT 4**

AUTHORIZING REFUND OF TAX PAYMENT TO MINDY HOROWITZ IN THE AMOUNT OF \$395.55

WHEREAS, the Borough of Interlaken Tax Collector determined an overpayment on Block 20, Lot 4 has been made and recommends the authorization of a refund; and

WHEREAS, according to the tax roll, the overpayment on Block 20, Lot 4 was paid by Ms. Mindy Horowitz; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Tax Collector/Chief Financial Officer to refund said tax overpayment to Ms. Mindy Horowitz in the amount of \$395.55.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the following:

1. Stephen Gallagher, Chief Financial Officer/Tax Collector
2. Ms. Mindy Horowitz, 611 Woodmere Avenue

Councilman Gunn made a motion to authorize refund, seconded by Councilman Franks and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve					X		
Motion to Second				X			
Approved		X	X	X	X		X
Opposed							
Abstain/ Recuse						X	
Absent/ Excused							

9. **RESOLUTION 2016-41: PAYMENT OF BILLS**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
02/10/16-02/16/16	\$ 179,291.46

Resolution 2016-41:

WHEREAS, law requires listing of all bills approved for payment; and

WHEREAS, certification of available funds from the Chief Municipal Finance Officer has been made; and

WHEREAS, the total bill list for the regular meeting dated February 17, 2016 is in the amount of One Hundred Seventy Nine Thousand, Two Hundred Ninety-One Dollars and Forty-Six Cents ; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, of the Borough of Interlaken, that the CFO is hereby authorized to pay said bill list.

Council President White made a motion to approve payment, seconded by Councilman Gunn and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve		X					
Motion to Second					X		
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

10. **REPORTS/CORRESPONDENCE**

- ADMINISTRATION/FINANCE – Council President White stated that the budget will be discussed at the workshop meeting on March 2, 2016.
- PUBLIC SAFETY- Council President White confirmed that everyone was in receipt of the monthly Police Report.

Mayor Nohilly commented and was impressed with number of household checks.

- STREETS & ROADS – No report.
- RECREATION ADVISORY COMMITTEE - Mayor Nohilly suggested that this committee report should be taken off future agendas, as the committee no longer exists.
- SHADE TREE COMMISSION- No report.
- PLANNING BOARD – Councilman Gunn stated that there have been no applications before the Board. Borough Clerk/Administrator Reibrich noted that the Planning Board annual report was received and distributed to Council for review.
- BOARD OF EDUCATION- No report. Councilman Horowitz stated the meeting was cancelled and there was no notice.

Council discussed notice requirements for Board of Education meetings.

Borough Clerk/Administrator Reibrich stated that she had been in contact with Suzanne O'Halloran and will discuss future notice.

- BOROUGH ADMINISTRATOR – No report.

11. **COMMENTS FROM THE PUBLIC**

Mayor Nohilly opened the floor for public comment. With no public comment, Mayor Nohilly closed the floor.

12. **ADJOURNMENT**- With no Council comments, Council President White made a motion to adjourn, seconded by Councilman Handerhan and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve		X					
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

Lori Reibrich, RMC
Borough Administrator/Clerk