

**BOROUGH OF INTERLAKEN
MINUTES
APRIL 19, 2017
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order at 7:37 p.m., by Mayor Nohilly. 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 was posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President White, Council members: Butler, Gunn and Watson

Also Present: Borough Attorney Richard Shaklee, Borough CFO/Tax Collector Stephen O. Gallagher, Borough Auditor, Richard Hulsart and Borough Clerk/Administrator Lori Reibrich

Absent: Councilman Franks and Councilwoman Horowitz

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

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

2. APPROVAL OF MINUTES: MARCH 15, 2017- WORKSHOP & REGULAR

With no Council comments, Councilman Watson made motion to approve minutes, seconded by Councilman Gunn and unanimously carried.

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

3. ORDINANCE 2017-1 2nd READING/PUBLIC HEARING:

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

ORDINANCE 2017-1 WAS POSTED IN BOROUGH HALL ON MARCH 15, 2017 AND ADVERTISED IN FULL IN THE COASTER ON MARCH 23, 2017. PUBLIC HEARING WAS SET FOR APRIL 19, 2017.

**CALENDAR YEAR 2017
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 0.5% 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, the Borough Council of the Borough of Interlaken in the County of Monmouth finds it advisable and necessary to increase its CY 2017 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 \$30,822.42 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 \$30,822.42, and that the CY 2017 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.

ORDINANCE READING	DATE
1ST READING BY TITLE:	March 15, 2017
2ND READING BY TITLE:	April 19, 2017

With no Council comments, Councilman Gunn made motion to open public hearing, seconded by Council President White and unanimously carried.

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

With no public comments, Council President White made motion to close public hearing, seconded by Councilman Gunn and unanimously carried.

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

With no additional Council comments, Council President White made motion to adopt, seconded by Councilman Gunn and unanimously carried.

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

4. **2017 MUNICIPAL BUDGET - PUBLIC HEARING**

CFO & BOROUGH AUDITOR PRESENT

“THE 2017 MUNICIPAL BUDGET WAS INTRODUCED ON MARCH 15, 2017 AND ADVERTISED BY SUMMARY, AS REQUIRED BY LAW, ON MARCH 23, 2017, TOGETHER WITH A NOTICE OF THE PUBLIC HEARING FOR THIS TIME. PRINTED COPIES OF THE BUDGET HAVE BEEN MADE AVAILABLE TO THE PUBLIC. IN ADDITION, A FULL COPY OF THE BUDGET HAS BEEN POSTED ON THE BOROUGH WEBSITE.”

CFO/Tax Collector Gallagher made presentation to Council with regard to revenues and expenditures, highlighting differences and changes from last year’s budget.

CFO/Tax Collector Gallagher stated that property values in Interlaken are increasing. The average home in the Borough went from \$610,000 to \$634,000, an almost 4% increase.

CFO/Tax Collector Gallagher stated that in 2016 a home with the average Borough value of \$635,000 would bring in about \$4,694 in tax revenue. In 2017 that revenue will decrease to \$4,685 which would be a decrease of around \$10. One main reason for the tax decrease was a decrease in Borough debt service costs.

CFO/Tax Collector Gallagher stated that the Borough does a good job keeping expenditures low. The debt services costs decreased from \$195,000 to \$170,000.

CFO/Tax Collector Gallagher stated that the Borough benefits from being aggressive in utilizing shared services agreements. In 2017 the Court became part of the police contract. In the arrangement that Borough Clerk/Administrator helped negotiate, the Borough gets to keep the fines. This contract also stabilized a 2% cap on the yearly rate which is great for the Borough, because that helps the Borough live within the appropriation and tax levy caps. This is a win-win situation.

Mayor Nohilly noted that the rate for the garbage contract was stabilized, as well.

When asked how Interlaken’s debt compared to other towns, CFO/Tax Collector Gallagher stated that the maximum debt a municipality can carry is 3.5%. The Borough is well below that figure at .5%. The Borough’s rate is a little better picture.

CFO/Tax Collector Gallagher stated that the Borough surplus is at \$142,000. Part of the surplus goes to funding the current year’s budget and the rest is kept for emergencies.

CFO/Tax Collector Gallagher stated that Superstorm Sandy wiped out the surplus, but it has been replaced. The Borough wants to have some surplus to be able to respond to unforeseen expenses.

Councilman Watson asked at what point the surplus is too much.

CFO/Tax Collector Gallagher stated that between 25-35 percent of the budget is ideal.

Borough Auditor Hulsart stated the budget was reviewed for guideline compliance.

Borough Auditor Hulsart stated that it is beneficial to have a healthy surplus. If the town's surplus is low when an emergency expenditure is needed, the resulting large tax increase is not received well by the residents.

Mayor Nohilly noted that the Borough is 100 percent in control of the Department of Public works and Borough Administration. Everything else has been outsourced and stabilized for 10 to 20 years.

Council President White and Councilman Gunn agreed.

Borough Attorney Shaklee stated that the Borough had the best of both worlds. The Borough has both shared services and autonomy.

Mayor Nohilly stated that the quality of the services has increased on every measure.

With no Council comments, Councilman Butler made motion to open public hearing, seconded by Council President White and unanimously carried.

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

With no Council comments, Council President White made motion to close public hearing, seconded by Councilman Butler and unanimously carried.

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

5. **RESOLUTION 2017-49: AUTHORIZING TAX APPEAL JUDGEMENT REFUND OF \$375.66 TO BLOCK 5 LOT 16 205 WINDERMERE AVENUE**

RESOLUTION AUTHORIZING ADJUSTMENTS TO 4th QUARTER 2016 AND 1ST AND 2ND QUARTER 2017 TAX LEVY AND REFUNDS OR CREDITS FOR TAX OVERPAYMENTS RESULTING FROM MONMOUTH COUNTY TAX APPEAL JUDGEMENTS

WHEREAS, the County of Monmouth has rendered judgments on appeals made by tax payers regarding the property assessment of various properties and,

WHEREAS, there are properties which had an added tax assessment applied to their property for the year 2016 and the 1st half of 2017 property assessments and,

WHEREAS, the added assessment was appealed to the Monmouth County Board of Taxation and a judgment rendered by the County of Monmouth resulting in a reduction in the total taxes to be paid to the Borough of Interlaken for the year 2016, and,

WHEREAS, proper procedures require that an adjustment to the tax levy be made to the fourth quarter taxes and the preliminary 1st and 2nd quarter 2017 taxes, and tax refunds and or credits applied to future taxation if tax levy reductions result in an overpayment of total taxes due for the year

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 and the Chief Financial Officer to apply said tax reductions to the 4th quarter 2016 and the 1st and 2nd quarter 2017 taxes and refunds/credits applied of tax overpayments as per the following.

Block	Lot	Name	Property Address	Adjust 4th Qtr 2016 Taxes	Adjust 1 st Qtr Taxes	Adjust 2 nd Qtr Taxes
5	16	Roarty, Carolyn	205 Windermere Avenue	214.66	80.50	80.50
Totals				214.66	80.50	80.50

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

1. Tax Collector
2. Director of Finance
3. Borough Auditor

With no Council comments, Council President White made motion to approve refund, seconded by Councilman Butler and unanimously carried.

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

6. **RESOLUTION 2017-50: 2017 SAFETY CONTRACT FOR MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND**

**2017 SAFETY CONTRACT
MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND**

We, the governing body of the Borough of Interlaken recognize the important role an effective safety program plays in lowering employee injury rates, reducing lost time accidents and cutting insurance costs, all of which contribute to greater employee safety and lower tax rates. Health and Safety must never be compromised. Employee safety along with the safety of the public is our number one priority. We applaud the JIF’s initiative in providing many of the safety resources needed to enhance our local safety efforts, and we hereby declare our support of the JIF’s safety programs. We strive to achieve an accident free environment through a health and safety culture built on:

- **TRUST:** We respect each other’s opinions and decisions and will follow through on all health and safety concerns
- **CARE:** We approach each day with the determination to care for ourselves, co-workers and the community we serve
- **KNOWLEDGE:** We seek the education and skills to properly fulfill our responsibilities
- **COMMUNICATION:** We communicate with each other in a clear, open and honest manner.

*Because mutual respect is so important,
We cannot tolerate harassment or other forms of discrimination.*

1. We have established a Safety Committee that meets at least quarterly.
2. We “Put Safety on the Council Agenda” at least once a year.
3. We established a motor vehicle fleet safety program.

4. We keep our regulatory training and written programs current.
5. We conduct periodic hazard inspection surveys and Job Site Observations.
6. We encourage supervisors to make a “daily safety contact” with employees.
7. We manage our claims by reporting all incidents in a timely manner, offering transitional duty and investigating incidents and near misses.
8. We actively promote and support health and wellness activities.

With no Council comments, Council President White made motion to approve contract, seconded by Councilman Gunn and unanimously carried.

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

7. **RESOLUTION 2017-51: AUTHORIZING PARK USE AGREEMENT AND APPLICATION-SEPHARDIC YOUTH BOYS CAMP**

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the Sephardic Youth Boys Camp (S.Y.B.C.) has submitted an application to utilize the Borough of Interlaken Ballfield located at 725 Bridlemere Avenue, from June 28, 2017 through August 10, 2017, Monday through Friday, from 11 am to 1 pm; and

WHEREAS, pursuant to the Borough of Interlaken Code, Chapter XIV, Chapter 1.5, all residents, associations, entities and other persons desirous of using and/or enjoying the park areas, recreational areas and Borough facilities for the purpose of conducting, maintaining and/or operating an organized activity, shall obtain express prior written consent of the Borough Council.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Borough Administrator to execute the Park Use Agreement on behalf of the Borough of Interlaken, granting permission to the S.Y.B.C. to utilize the ballfield on dates and times listed on the application submitted.

BE IT FURTHER RESOLVED, that the applicant must provide the Borough Administrator with a certificate of insurance naming the Borough of Interlaken as additional insured prior to execution of the Park Use Agreement.

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

1. Lori Reibrich, Borough Administrator
2. Chief Ronen Neuman, Deal Police
3. Isaac Escava, S.Y.B.C.

Mayor Nohilly commented that this group uses the park and the application has been approved each year.

With no additional Council comments, Council President White made motion to authorize use, seconded by Councilman Watson and unanimously carried.

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

8. **RESOLUTION 2017-52: AUTHORIZING PARK USE AGREEMENT AND APPLICATION-OCEAN TOWNSHIP LITTLE LEAGUE**

RESOLUTION APPROVING PARK USE APPLICATION

WHEREAS, the Ocean Township Little League (O.T.L.L.) has submitted an application to utilize the Borough of Interlaken Ballfield located at 715 Bridlemere Avenue, from April 1, 2017 through July 30, 2017; and

WHEREAS, pursuant to the Borough of Interlaken Code, Chapter XIV, Chapter 1.5, all residents, associations, entities and other persons desirous of using and/or enjoying the park areas, recreational areas and Borough facilities for the purpose of conducting, maintaining and/or operating an organized activity, shall obtain express prior written consent of the Borough Council.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Borough Administrator to execute the Park Use Agreement on behalf of the Borough of Interlaken, granting permission to the O.T.L.L. to utilize the ballfield on dates and times listed on the application attached.

BE IT FURTHER RESOLVED, that the applicant must provide the Borough Administrator with a certificate of insurance naming the Borough of Interlaken as additional insured prior to execution of the Park Use Agreement.

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

1. Lori Reibrich, Borough Administrator
2. Chief Ronen Neuman, Deal Police
3. Norman Cottrell, DPW Foreman
4. Vincent Volek, O.T.L.L.

Mayor Nohilly commented that this group also has used the park and the application has been approved each year.

With no Council comments, Councilman Gunn made motion to authorize use, seconded by Council President and unanimously carried.

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

9. **RESOLUTION 2017-53: ARBOR DAY PROCLAMATION**



WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, 2017 is the 145th anniversary of the holiday and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Interlaken, do hereby proclaim *April 29, 2017* as the 145th anniversary celebration of Arbor Day in the Borough of Interlaken, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

BE IT FURTHER RESOLVED, the Mayor and Council of the Borough of Interlaken, urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

With no additional Council comments, Councilman Gunn made motion to authorize proclamation, seconded by Council President White and unanimously carried.

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

10. **RESOLUTION 2017-54: PAYMENT OF BILLS**

**BILL LIST REPORT FOR
BOROUGH COUNCIL APPROVAL**

DATE SPAN	TOTAL
02/13/17-04/18/17	\$103,151.33

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 April 19, 2017 is in the amount of One Hundred Three Thousand, One Hundred Fifty One Dollars and Thirty-Three Cents.

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.

With no Council comments, Council President White made motion to approve payment, seconded by Councilman Butler and unanimously carried. Council President White abstained.

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

11. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – No report.
- PUBLIC SAFETY -No report.
- STREETS & ROADS - Councilman Butler reported that the Committee will meet one more time to finalize pricing for the street light project.
- SHADE TREE COMMISSION- No report.
- PLANNING BOARD- Councilman Gunn reported that the Planning Board met on April 17, 2017 and approved two applications both regarding setback variances and will be nice enhancements to the neighborhood.
- BOARD OF EDUCATION- No report.
- BOROUGH ADMINISTRATOR- Borough Clerk/Administrator Reibrich stated that the Streets and Roads Committee’s sign replacement project that had previously been discussed at Council level was progressing. The replacement signs came in and DPW will begin installation.

Borough Clerk/Administrator Reibrich stated that the Town-wide Garage Sale would be on Saturday. There are 20 participants before the last minute rush.

Council had a brief discussion regarding preparations for the sale including signage and balloon delivery.

12. COMMENTS FROM THE PUBLIC Mayor Nohilly opened the floor for public comment. With no comments made, Mayor Nohilly closed the floor.

13. **ADJOURNMENT** With no further discussion, Council President White made a motion to adjourn, seconded by Councilman Butler and unanimously carried.

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

Lori Reibrich, RMC
Borough Administrator/Clerk