

**BOROUGH OF INTERLAKEN
MINUTES
SEPTEMBER 20, 2017
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order at 7:46 p.m., by Mayor Nohilly. Sunshine Statement was read by Borough Clerk Administrator Reibrich. It was followed by a salute to the flag and a moment of silence. “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, Franks, Gunn and Watson

Also Present: Borough Attorney Richard Shaklee and Borough Clerk/Administrator Lori Reibrich

Absent: 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, Mayor Nohilly closed the floor.

2. APPROVAL OF MINUTES: AUGUST 16, 2017- WORKSHOP & REGULAR

With no Council comments, Council President White made motion to approve minutes, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

3. RESOLUTION 2017-74: AUTHORIZING LABOR AGREEMENT BETWEEN THE INTERLAKEN PUBLIC WORKS DEPARTMENT AND THE BOROUGH OF INTERLAKEN

WHEREAS a settlement has been reached between the Borough of Interlaken and CWA Local 1034 for the employees of the Interlaken Public Works Department, and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Interlaken upon the recommendation of Mayor and Borough Administrator does hereby approve the settlement agreement, as amended and attached, between the employees of the Interlaken Public Works Department and the Borough of Interlaken for the period of January 1, 2017 through December 31, 2021, and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk of Interlaken are hereby authorized to execute the labor agreement.

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

1. Mr. Tom Fagan, CWA Local 1034
2. Interlaken Public Works Employees
3. Interlaken Chief Financial Officer

Council President White expressed disapproval about the lack of involvement from full Council during the negotiation process. Council President White stated that the matter should have been discussed at a workshop meeting, before the resolution was put on the agenda.

Mayor Nohilly stated that it had previously been discussed at a previous Council meeting that employee reviews and salary, etc. would be done by himself and Borough Clerk/Administrator Reibrich. No commitments would be made and then it would be brought to Council.

Councilman Gunn stated that it was his recollection that it was concluded that the Mayor and Borough Clerk/Administrator Reibrich would sit down with the union and do the negotiation, because it would not make sense for the whole Council to be part of the give and take negotiation.

Councilman Franks stated that he agreed with the percentage, but not the process of the negotiation.

Mayor Nohilly gave Council the background on how the negotiation process unfolded. Borough Clerk/Administrator Reibrich met with the employees of the Department of Public Works and their union representative. The employees asked for a 3% increase, which is what they have been getting for the last two years.

Mayor Nohilly reminded Council that the last time the contract was negotiated, the employees were asked to change to the State health plan. The employees did not want to change to that plan. The matter went to arbitration. The cost of the arbitration was \$18,000 and the employees did not switch to the State plan.

Mayor Nohilly explained that he and Borough Clerk/Administrator Reibrich then met with the employees and their union representative. He wanted to have a face to face with them and let them know that the contract needed to be beneficial to the Borough and also that it is fair to the employees.

Mayor Nohilly relayed that the employees and union asked for a 3% annual raise for the term of a three year contract and agreed that they would consider to switch to the State health care plan.

Mayor Nohilly stated that a switch to the State health care plan would be a significant savings to the Borough. The current insurance cost to the Borough is \$130,000. The State plan brings the premium down to \$96,000. The difference is \$33,787.08. The employee contribution to the current plan is \$19,081. The employees asked for a 10% cap on contributions, if they agree to switch to the State plan. The employee contribution would then be \$9,629.

Mayor Nohilly stated that the contract also initially requested that the cost savings of the plan switch be split between the Borough and the employees. Mayor Nohilly advised the employees and the union representative that that option would not be on the table.

Mayor Nohilly stated that he is recommending that the contract be approved. The net impact to the tax payer is a savings of \$18,288. It is a rare situation where there is a win for the tax payer and the employee.

Councilman Watson questioned the employee contributions.

Borough Attorney Shaklee advised that a graduated scale was put into effect in 2010. Employees would contribute a certain percentage of the health care premium. Where you fall on the scale is dependent on salary. It was mandatory that the percentage would remain for a certain date, then it could be negotiated.

Borough Clerk/Administrator Reibrich stated that after the fourth step on the scale, percentages could be negotiated. One employee pays 30% of the premium. The contribution increases with the increase in salary.

Council had a brief discussion about a 2% salary cap in other municipalities.

Borough Attorney Shaklee stated that the 2% salary cap may be tied to the fact that an arbitrator cannot give more than 2% on Police and Fire agreements, which may get carried to other departments.

Mayor Nohilly stated that the intention was to streamline the process. There was no commitment made for the contract. If Council does not approve it, it will go back to the drawing board.

Council discussed their position regarding arbitration.

Mayor Nohilly asked Council to consider that Council represents both, the tax payer and the employees. It is a rare opportunity where both sides come out with a win.

Mayor Nohilly noted that the contract was extended to cover five years.

Councilman Watson questioned the savings compared to the previous contract.

Mayor Nohilly stated that the Borough lost the savings and paid for arbitration in previous contract negotiation. That was not good for the tax payers or for the employees.

Borough Clerk/Administrator Reibrich noted that the State plan premiums did not increase this year. There were increases to the current plan premiums. A savings is realized, even if it is just for the first year. Healthcare costs are unpredictable.

Council President White stated that he is in agreement with the contract, but feels that Council should have been made aware of contract details before the resolution was put on the agenda.

With no additional Council comments, Councilman Gunn made motion to approve contract, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

4. **RESOLUTION 2017-75: AUTHORIZING PARTICIPATING IN THE STATE HEALTH BENEFIT PROGRAM**

Mayor Nohilly noted that Borough Clerk/Administrator has worked diligently regarding the benefit transfer.

Copy of full content of Resolution is attached.

With no Council comments, Councilman Franks made motion to approve participation, 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							
Motion to Second							
Approved		X	X	X		X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

5. **RESOLUTION 2017-76: APPROVING 2018 NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION-RAYMERE AVENUE**

APPROVING 2017 NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2018; and

WHEREAS, the Borough of Interlaken is desirous of submitting an application under this program for the following purpose:

- Improvements to Raymere Avenue

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Interlaken, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Improvements to Raymere-00248 to the New Jersey Department of Transportation on behalf of the Borough of Interlaken; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Interlaken and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

With no Council comments, Councilman Butler made motion to approve grant application, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

6. **RESOLUTION 2017-77: BEST PRACTICES CHECKLIST**

**RESOLUTION CERTIFYING REVIEW OF THE 2017
BEST PRACTICES CHECK LIST**

WHEREAS, the Borough of Interlaken is required by statute to complete the Best Practices Check List as instituted by the Division of Local Government Services; and

WHEREAS, the Best Practices Check List is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

WHEREAS, the Check List has been certified by the Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

WHEREAS, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Interlaken, hereby certifies that they have reviewed and discussed the checklist at a public meeting held on September 20, 2017.

BE IT FURTHER RESOLVED that certified copies of this resolution are to be provided to the following:

1. Division of Local Government Services
2. Lori Reibrich, Administrator/Clerk
3. Stephen Gallagher, Chief Financial Officer

With no Council comments, Council President White made motion to certify review, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

7. **RESOLUTION 2017-78: AUTHORIZING ESCROW REFUND – DOLAN**

AUTHORIZING ESCROW REFUND TO MS. PATRICIA DOLAN

WHEREAS, the Ms. Patricia Dolan submitted a Planning Board Variance Application regarding her property at 102 Buttermere Avenue; and

WHEREAS, escrow fees of \$2,000 were collected in regards to the Planning Board Variance Application; and

WHEREAS, Ms. Dolan received approval from the Planning Board relating to her variance; and

WHEREAS, Ms. Dolan has made a formal request for release of the remaining escrow funds in the amount of \$628.50; and

WHEREAS, the Planning Board Secretary and Borough Administrator contacted the Planning Board Engineer and Planning Board Attorney for confirmation that there is no further billing in regards to this application; and

WHEREAS, the Planning Board Engineer and Planning Board Attorney both have no further billing in regards to the Planning Board Variance Application for 102 Buttermere Avenue.

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 \$628.50 to Ms. Patricia Dolan of 102 Buttermere Avenue.

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

1. Ms. Patricia Dolan, 102 Buttermere Avenue
2. Stephen Gallagher, Chief Finance Officer

With no Council comments, Council President White made motion to approve refund, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

8. **RESOLUTION 2017-79: AUTHORIZING ESCROW REFUND COPPOLA**

AUTHORIZING ESCROW REFUND TO MR. JONATHAN COPPOLA

WHEREAS, the Mr. Jonathan Coppola submitted a Planning Board Variance Application regarding her property at 615 Bendermere Avenue; and

WHEREAS, escrow fees of \$2,000 were collected in regards to the Planning Board Variance Application; and

WHEREAS, Mr. Coppola received approval from the Planning Board relating to her variance; and

WHEREAS, Ms. Dolan has made a formal request for release of the remaining escrow funds in the amount of \$560.00; and

WHEREAS, the Planning Board Secretary and Borough Administrator contacted the Planning Board Engineer and Planning Board Attorney for confirmation that there is no further billing in regards to this application; and

WHEREAS, the Planning Board Engineer and Planning Board Attorney both have no further billing in regards to the Planning Board Variance Application for 615 Bendermere Avenue.

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 \$560.00 to Mr. Jonathan Coppola of 615 Bendermere Avenue.

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

3. Mr. Jonathan Coppola, 615 Bendermere Avenue
4. Stephen Gallagher, Chief Finance Officer

With no Council comments, Councilman Gunn made motion to approve refund, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

9. **RESOLUTION 2017-80: PAYMENT OF BILLS**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
08/04/17-09/19/17	\$ 182,138.49

Resolution 2017-80:

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 September 20, 2017 is in the amount of One Hundred Eighty Two Thousand One Hundred Thirty Eight Dollars and Forty-Nine 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.

With no Council comments, Council President White made motion to approve minutes, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

10. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE - No report.
- PUBLIC SAFETY - No report.
- STREETS & ROADS – Councilman Butler stated that Phase II of the lighting project has begun. The lighting outside Borough Hall has been completed as well as the lights on Bendermere Avenue. The project was interrupted, as JCP&L had to send resources to Florida for the hurricane relief efforts. The estimate to replace the side mount lighting is expected

Council had a brief discussion about getting the crosswalk sign removed from in front of Borough Hall, as well as the remaining base of the old snake light.

Councilman Franks questioned the results of the USDA goose egg oiling project.

Borough Clerk/Administrator Reibrich stated that the program can only be carried out on Borough property. Workers are not permitted on private property. A homeowner would have to contact the Borough to advise of a nest.

Council had a discussion regarding past egg oiling efforts.

Borough Clerk/Administrator Reibrich suggested giving the opportunity for the homeowners along the lake to give permission for the workers to enter their property, but noted that the cost of the program would increase. The current program covers Borough property only. The scope would increase.

- SHADE TREE COMMISSION - Councilman Butler noted that he contacted the Shade Tree Commission recently to report that he noticed a large number of oak trees have been dying off.

Council had a brief discussion regarding the maintenance of the islands throughout the Borough.

- PLANNING BOARD – Councilman Gunn reported that a case before the Board was carried due to a very last minute medical emergency of a Board member.

Councilman Gunn also noted that the Board was in need of additional member.

- BOARD OF EDUCATION - No report.
- BOROUGH ADMINISTRATOR - Borough Clerk/Administrator Reibrich stated that she met with Borough Engineer/Planner, Peter Avakian, to review the improvements on Wickapecko Drive.

The approved sidewalk installation along Wickapecko Drive will be starting at the end of the month or the beginning of October. The roadway will be paved to Grassmere Avenue where the water main work was completed. Ocean Township will be paving the roadway from Grassmere Avenue into Ocean Township on the Grassmere Avenue side only. Borough Engineer/Planner Avakian reviewed the road condition and it is not terrible. The condition can be assessed after Ocean Township completes the project and the Borough can look into micro surfacing or paving the portion as an add on to another road project, should the road require attention.

Councilman Franks asked that Borough Clerk/Administrator Reibrich suggest to Police Chief Neuman to increase the impact and make more of an impression with their stops by making noise to deter speeders. This will assure residents of their presence.

Councilman Franks also suggested extra patrols on Bridlemere Avenue and maybe Grassmere Avenue especially at times when people are coming home from work.

Borough Clerk/Administrator Reibrich stated that the Borough of Allenhurst has once again extended an invitation for a joint Halloween event. It will be on October 21, 2017. There will be a hayride and costume contest. Last year the Borough donated supplies. Borough Clerk/Administrator Reibrich asked Council to approve participation. Council agreed.

11. **COMMENTS FROM THE PUBLIC** Mayor Nohilly opened the floor for public comment.

Liz Brown, 718 Bendermere Avenue, stated that it was nice to be at the meeting to listen and also wanted to say once again that the picnic was great. Ms. Brown would also like to see events returning to Interlaken.

With no additional public comment, Mayor Nohilly closed the floor.

12. **ADJOURNMENT** With no further discussion Councilman Gunn made a motion to adjourn, seconded by Councilman Franks 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

Lori Reibrich, RMC
Borough Administrator/Clerk