

**BOROUGH OF INTERLAKEN  
MINUTES  
SEPTEMBER 21, 2022  
7:30 P.M. AT BOROUGH HALL**

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The regular meeting of the Borough of Interlaken was called to order 8:00 p.m., by Mayor Nohilly. The Sunshine Statement was read by Borough Clerk/Administrator Lori 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 Butler, Councilmembers DeSarno, Delia

Absent: Councilmembers Horowitz and Franks

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

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

Mayor Nohilly opened the floor for public comment. Mayor Nohilly noted there were no members of the public present and closed the floor.

**2. APPROVAL OF THE MINUTES: AUGUST 17 WORKSHOP & REGULAR MEETING**

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve						X	
Motion to Second		X					
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

**3. ORDINANCE 2022-6: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI (26) “LAND USE AND DEVELOPMENT” TO PROVIDE DEFINITION AND REGULATIONS REGARDING CABANAS**

**ORDINANCE NO. 2022-6**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI "LAND USE AND DEVELOPMENT" TO PROVIDE FOR A DEFINITION AND REGULATIONS REGARDING CABANAS.**

WHEREAS, the Borough of Interlaken Land Use Ordinances do not currently provide for a definition and regulations regarding cabanas; and

WHEREAS, the Borough wishes to provide guidance and regulations as to what is permitted in regard to cabanas.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, State of New Jersey, as follows:

**SECTION ONE.** Article I "General Provisions and Definitions" in Chapter 26 "Land Use and Development", Section 26-4, is amended and supplemented to add the following:

**CABANA**

A one-story ground level detached accessory structure with a closed roof permitted to serve a lawfully existing and approved inground swimming pool on a residential property to be used for recreational or storage purposes associated with the residential use of the property. Only one cabana is permitted per residential property.

In addition:

- A. A cabana shall be limited to a maximum size of 200 square feet in size.
- B. A pool cabana must be seasonal (closed for at least 90 days) and is not permitted to have heating equipment, contain a full-service kitchen (preparing and serving meals), or be designed for cooking or sleeping.

C. A deed restriction shall be filed with the Monmouth County Clerk's office stating that the grantor and grantee specifically represent that the cabana use will not contain heating equipment, bedroom and/or living quarters, full-service kitchen , or be designed for cooking or sleeping. This deed restriction is intended to prohibit conversion to a habitable space.

D. Cabanas shall meet the accessory setback requirements for the zone related to the location in the yard, lot coverage, height and setback.

E. An adjacent landscaped area shall be provided as a buffer to any existing adjacent residential property.

**SECTION TWO.** Article II "Establishment of Zones" in Chapter 26 "Land Use and Development", Section 26-33, is amended and supplemented as follows (New additions in underline):

a. In the R-A Single Family Residential Zone, no premises shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:

1. Single family dwellings;
2. Public parks and playgrounds; and
3. Municipal buildings, facilities and services essential to the operation of and solely intended for the needs of the Borough of Interlaken provided same are subject to the general review and recommendation of the Planning Board.
4. Family day care home.

b. Permitted Accessory Uses.

1. Private garage or carport for not more than three automobiles;
2. Private swimming pools;
3. Tool shed or similar storage building or domestic animal or pet housing not exceeding 120 square feet;
4. Outdoor barbecue structure;
5. Fences as regulated by ordinance;
6. Home occupation;
7. Other customary accessory uses and structures which are clearly incidental to the principal structure and use, such as but not limited to flag poles, swing sets, and ground mounted basketball nets.

8. Cabanas for use around swimming pools, are specifically permitted as accessory uses or structures.

c. Area, Yard and Building Requirements. As specified in the Schedule of Area, Yard and Building Requirements. (The Schedule of Area, Yard and Building Requirements is attached to this chapter as Exhibit A.)

**SECTION THREE.** All other sections and subsections of the Borough Code will remain unaltered.

**SECTION FOUR.** If any section, subsection, paragraph, sentence or other portion

of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FIVE.** All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

**SECTION SIX.** This Ordinance shall take effect immediately upon its final passage and publication according to law.

APPROVED:

\_\_\_\_\_  
MICHAEL NOHILLY

Mayor

ATTEST:

\_\_\_\_\_  
LORI REIBRICH, Borough Clerk

<b>ORDINANCE READING</b>	<b>DATE</b>
<b>1<sup>ST</sup> READING BY TITLE:</b>	September 21, 2022
<b>2<sup>ND</sup> READING BY TITLE:</b>	

I , Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022.

\_\_\_\_\_  
Lori Reibrich, RMC

Borough Administrator/Clerk

Mayor Nohilly recapped the previous meetings discussions on this topic and the importance of having something in place for the Zoning Officer and Planning Board to reference regarding cabanas.

With no further comments, Councilman DeSarno made a motion to introduce, seconded by Councilman Delia and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve						X	
Motion to Second				X			
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

Mayor Nohilly set the public hearing for October 19, 2022.

4. **ORDINANCE 2022-7: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI (26) “LAND USE AND DEVELOPMENT” TO PROVIDE DEFINITION AND REGULATIONS REGARDING ACCESSORY STRUCTURES**

**BOROUGH OF INTERLAKEN**

**ORDINANCE NO. 2022-7**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI “LAND USE AND DEVELOPMENT” SECTION 26-24 “ACCESSORY STRUCTURES” TO PROVIDE REGULATIONS REGARDING ACCESSORY STRUCTURES.**

**BE IT ORDAINED**, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, State of New Jersey, as follows:

**SECTION ONE.** Article III “General Regulations and Provisions” in Chapter 26 “Land Use and Development”, Section 26-24 is amended and supplemented as follows (additions shown in underline):

## **26-24 ACCESSORY STRUCTURES**

No accessory structure shall be erected prior to the completion of the principal building.

Accessory structures shall be permitted in rear and side yard areas only, behind the front line of the principal dwelling except for flag poles which shall be allowed in front yards.

Side and rear yard setbacks and building height shall comply with regulations contained in the Schedule of Area, Yard and Building Requirements for accessory uses.

**SECTION TWO.** All other sections and subsections of the Borough Code will remain unaltered.

**SECTION THREE.** If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

**SECTION FOUR.** All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

**SECTION FIVE.** This Ordinance shall take effect immediately upon its final passage and publication according to law.

APPROVED:

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MICHAEL NOHILLY

Mayor

ATTEST:

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LORI REIBRICH

Borough Clerk

<b>ORDINANCE READING</b>	<b>DATE</b>
<b>1<sup>ST</sup> READING BY TITLE:</b>	September 21, 2022
<b>2<sup>ND</sup> READING BY TITLE:</b>	

I , Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022.

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Lori Reibrich, RMC

Borough Administrator/Clerk

Mayor Nohilly recapped that this ordinance was discussed at a previous meeting and is being presented to better clarify the language of the Accessory Structure locations.

Borough Attorney Shaklee discussed amending the language prior to introduction to include allowing certain accessory fixtures to be allowed in the front yard if customary. An example given was flag poles.

The Council voted to amend the language.

With no further discussion, Councilman DeSarno made a motion to introduce as amended, seconded by Councilman Delia and unanimously carried.



	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve						X	
Motion to Second				X			
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

Mayor Nohilly set the public hearing for October 17, 2022.

## 5. RESOLUTION 2022-66: ANNUAL SALARY RESOLUTION

### RESOLUTION 2022-66

#### 2022 SALARY RESOLUTION

**WHEREAS**, on April 17, 2019, the Borough of Interlaken adopted an updated Salary Ordinance; and

**WHEREAS**, the Borough Auditor and the Chief Financial Officer have recommended the adoption of a Salary Resolution to confirm the salaries of the designated employees of the Borough of Interlaken.

**NOW, THEREFORE, BE IT RESOLVED** that the following base salaries be approved for the 2022 calendar year:

NAME	POSITION	ANNUAL SALARY
<b><u>Governing Body</u></b>		
Michael J. Nohilly	Mayor	\$0
John Butler	Council President	\$0
Mindy Horowitz	Councilwoman	\$0
Mervin Franks	Councilman	\$0
Michael Delia	Councilman	\$0
Michael DeSarno	Councilman	\$0
Vacancy	Councilman	\$0
<b><u>Full-Time Employees</u></b>		
Lori Reibrich	Administrator/ Borough Clerk	\$119,040
Gina Kneser	Deputy Clerk/Deputy Tax Collector/ Construction Clerk	\$ 52,643
Bill Coy	Finance Clerk/Administrative Assistant	\$ 52,880
Public Works	DPW Foreman/Recycling Coordinator	Paid per Union Contract
Public Works	DPW Laborers	Paid per Union Contract
<b><u>Part-Time Employees</u></b>		
Joseph Zanga	Chief Financial Officer	\$30,000
Tina McDermott	Tax Collector	\$10,000

Alex Worth	Tax Assessor	\$ 6,754
Eric Sudia	Electrical Inspector	\$ 6,557
Frank DiRoma	Zoning and Code Enforcement Officer	\$ 7,103
Thomas Haege	Construction Code Official	\$ 8,743
Thomas Haege	Fire Subcode Official	\$ 2,354
Marty Tellecamp	Plumbing Subcode Official	\$ 5,683
Ronald Vigliotti	Building Sub Code Official,	\$ 7,103
Vicki Labella	Librarian	\$ 6,265
Gina Kneser	Planning Board Secretary	\$ 3,500
Per-Diem Subcode Official	Temp or Covering Subcode Official	\$150 per day upon call

I, Lori Reibrich, Municipal Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022.

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Lori Reibrich, RMC  
Borough Administrator/Clerk

With no comments, Councilman Delia made a motion to approve, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve				X			
Motion to Second						X	
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

6. **RESOLUTION 2022-67: CHAPTER 159 CLEAN COMMUNITIES GRANT**

**CHAPTER 159 RESOLUTION  
CLEAN COMMUNITIES GRANT**

**WHEREAS, N.J.S.A.40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of any item of appropriation for any equal amount, and

**WHEREAS**, the Borough of Interlaken received \$4,000.00 from the New Jersey Department of Environmental Protection for the Fiscal Year 2022 Clean Communities Program,

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Interlaken, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2022 the sum \$4,000.00 which is now available as revenue from the State of New Jersey Department of Environmental Protection.

**BE IT FURTHER RESOLVED** that a like sum is hereby appropriated under the caption of:

Clean Communities Grant 2022  
 Other Expenses.....\$: 4,000.00

**BE IT FURTHER RESOLVED** that two copies of this resolution be forwarded to the following

1. DLGS, via electronic mail only
2. Director of Public Works
3. Director of Finance
4. Borough Auditor

I , Lori Reibrich, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022.

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Lori Reibrich, RMC  
 Borough Administrator/Clerk

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve				X			
Motion to Second		X					
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

7. **RESOLUTION 2022-67: CHAPTER 159 ALCOHOL EDUCATION & REHABILITATION**

**CHAPTER 159 RESOLUTION  
ALCOHOL EDUCATION & REHABILITATION GRANT**

**WHEREAS, N.J.S.A.40A:4-87** provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for any equal amount, and

**WHEREAS**, the Borough of Interlaken received \$631.73 from the State of New Jersey for the Fiscal Year 2022 Alcohol Education & Rehabilitation Grant,

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Interlaken, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2022 the sum \$631.73 which is now available as revenue from the State of New Jersey.

**BE IT FURTHER RESOLVED** that a like sum is hereby appropriated under the caption of:

Alcohol Education & Rehabilitation Grant 2022

Other Expenses.....\$: 631.73

**BE IT FURTHER RESOLVED** that two copies of this resolution be forwarded to the following

1. DLGS, via electronic mail only
2. Director of Public Works
3. Director of Finance
4. Borough Auditor

I , Lori Reibrich, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022.

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Lori Reibrich, RMC  
Borough Administrator/Clerk

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve				X			
Motion to Second		X					
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused			X		X		

8. **RESOLUTION 2022-69: BILL LIST**

**BOROUGH OF INTERLAKEN  
BILL LIST REPORT FOR  
BOROUGH COUNCIL APPROVAL**

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DATE SPAN	TOTAL
08/17/2022-09/19/2022	\$154,045.14

**RESOLUTION 2022-69**

**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 21, 2022 is in the amount of One Hundred Fifty-Four Thousand, Forty-Five Dollars and Fourteen 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.

I, Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on September 21, 2022

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Lori Reibrich, RMC  
Borough Administrator/Clerk

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve		X					
Motion to Second				X			
Approved		X		X		X	
Opposed							
Abstain/ Recuse							
Absent/ Excused		X		X			

9. **REPORTS/CORRESPONDENCE:**

- **Administration/Finance:** No Report.
- **Public Safety:** No Report
- **Streets & Roads:** No Report
- **Shade Tree Commission:** Mayor discussed Fall trimming and the Grant awarded to the Commission
- **Planning Board:** No Report, meeting was cancelled.
- **Board of Education:** Councilman DeSarno stated that no formal word has been provided to him from the BOE to report at this time. Mayor Nohilly thanked Councilman DeSarno and reminded the Governing Body that the BOE is an autonomous body that with their own elected officials, administrator and maintains its own public records. The Mayor and Council do not comment on BOE matters as they are not elected officials for the Board of Education, nor do they make any decisions or have any say in their matters.
- **Borough Administrator:** BA Reibrich discussed a few items that can be expected to be placed on the remaining meetings of the year. There are ordinance amendments regarding fees for lead certificates and new rental certificates that will be required to be submitted to the town each year.

Borough Attorney Shaklee commented on the rental certificate requirements that are being put into place and how the new law is vague in some language on who is required to submit the documents to the Borough for review. Borough Attorney Shaklee and BA Reibrich will work together on the ordinance wording. BA Reibrich said she was meeting with the Construction Official regarding to discuss reasonable fees.

BA Reibrich stated that during the fee changes she would like to include a fee increase to some zoning reviews as recommended by the Zoning Officer and the pool escrow fee.

BA Reibrich explained a shared service with Monmouth County regarding the maintenance of maps in a digital format. The agreement and resolution will be placed on the next meeting for Council comments and vote.

BA Reibrich announced that the contracts for the Open Space Grant project were received from the contractor awarded the project. The swing set and fitness station colors were chosen, and the equipment should be ordered in the coming week. Matt Mariano, of Avakian Inc.,

10. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment. With no public present, Mayor Nohilly closed the floor.

11. **ADJOURNMENT:** With no further comments, Councilman Franks made a motion to adjourn, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

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Lori Reibrich, RMC  
Borough Administrator/Clerk