

**BOROUGH OF INTERLAKEN
MINUTES
FEBRUARY 5, 2014
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 8:02p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence for Joe Kampf and Ivria Damon. The following statement was read by Borough 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 members, Cohen, Handerhan, Miller, Morley, Napoli

Also Present: Borough Administrator Reibrich and Borough Attorney Richard Shaklee

Absent: Council President White

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

Mayor Nohilly opened the floor for public comment. No public comments were made. Mayor Nohilly closed the floor.

2. APPROVAL OF MINUTES: JANUARY 15, 2014- WORKSHOP & REGULAR

Councilman Miller motioned to approve minutes, seconded by Councilman Handerhan. Council voted to approve the minutes.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve			X				
Motion to Second							X
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

3. APPROVAL OF EXECUTIVE SESSION MINUTES: JANUARY 15, 2014

Councilman Handerhan motioned to approve minutes, seconded by Councilman Cohen. Council voted to approve the minutes.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve							X
Motion to Second						X	
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

4. ORDINANCE 2014-1: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14

**CALENDAR YEAR 2014
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 2.0% 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 2014 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 2% increase in the budget for said year, amounting to \$20,325.17 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 2014 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 \$35,569.04, and that the CY 2014 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.

Councilman Miller motioned to approve ordinance, seconded by Councilman Napoli.
Council voted to approve the ordinance.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve			X				
Motion to Second					X		
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

Mayor Nohilly set the public hearing for February 19, 2014.

5. RESOLUTION 2014-39: AUTHORIZING AWARD OF BID CONTRACT FOR “2013 ROAD IMPROVEMENT PROGRAM”

**AUTHORIZING AWARD OF BID CONTRACT
“2013 ROAD IMPROVEMENT PROGRAM IN THE BOROUGH OF INTERLAKEN”**

WHEREAS, bids for the project known as “*2013 Road Improvement Program in the Borough of Interlaken*” were duly advertised and publicly opened pursuant to law; and

WHEREAS, twelve (12) contractors took out bid packets and ten (10) complete bids were received, ranging from a low base bid of \$176,776.00 to a high base bid of \$233,675.20.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Borough Engineer, that said bid be awarded to S. Batata Construction, Inc. 11 Jackson Street Suite 2G South River NJ 08882 in the amount of \$176, 776.00

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents in this regard; and

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

1. S. Batata Construction Inc, bid winner
2. Lori Reibrich, Borough Administrator/Clerk
3. Stephen Gallagher, Chief Financial Officer
4. Peter Avakian, Borough Engineer

Councilman Cohen made motion to AWARD BID CONTRACT, seconded by Councilman Miller. A roll call was taken.

Councilman Napoli stated that he was opposed because of the following reasons: not much is gained from the rebid, sidewalks should have been included in the bid, more money should have been put in to the project, it is poor planning and it makes no sense to cut out a street.

Councilman Cohen motioned to award the bid contract, seconded by Councilman Miller. Council voted to award the bid contract, contingent upon attorney review of the bid documents.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve						X	
Motion to Second			X				
Approved			X			X	X
Opposed				X	X		
Abstain/Recuse							
Absent/Excused		X					

6. RESOLUTION 2014-40: AUTHORIZING CONTRACT FOR CDL DRUG AND ALCOHOL TESTING FOR 2014

**AUTHORIZING CONTRACT FOR CDL DRUG
AND ALCOHOL TESTING FOR 2014**

WHEREAS, there exists a need for professional service to coordinate alcohol and drug testing for those employees who hold a CDL license within the Borough of Interlaken; and

WHEREAS, Dynamic Testing Services, 230 Main Street, Suite C, Toms River, NJ 08753 offers these professional services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40:11-1 et seq) requires that the resolution authorizing the award of contracts for Professional Services without competitive bidding must be publicly advertised; and

WHEREAS, funds have been made available in the Annual Budget of the Borough of Interlaken to support these services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Interlaken that:

- 1) The aforementioned appointment is hereby ratified and confirmed.
- 2) The said contract was awarded without public bidding as “Professional Services” under the provisions of said Local Public Contracts Law.
- 3) The Borough Administrator/Clerk is authorized to execute the contract.
- 4) A summary of this Resolution shall be published in the Coaster within 10 days of its passage.

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

1. Dynamic Testing Service
2. J.A. Montgomery Risk Control
3. Lori Reibrich, Borough Administrator/Clerk
4. Stephen Gallagher, Chief Financial Officer

Councilman Morley motioned to authorize the contract, seconded by Councilman Handerhan. Council voted to approve the contract.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve				X			
Motion to Second							X
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

7. RESOLUTION 2014-41: AUTHORIZING THE APPOINTMENT OF WILLIAM COY AS ALTERNATE INSURANCE FUND COMMISSIONER

**CONFIRMING APPOINTMENT OF WILLIAM COY
AS INSURANCE FUND COMMISSIONER
ALTERNATE**

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby reappoints Bill Coy as the alternate Fund Commissioner for the Monmouth County Joint Insurance Fund for 2014, with said term expiring on December 31, 2014; and

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

1. Lori Reibrich, Borough Administrator
2. James Rogers, Chair, Monmouth County JIF
3. Cindy Lisa, Danskin Agency

Councilman Morley motioned to approve minutes, seconded by Councilman Napoli.
Council voted to approve the appointment.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve				X			
Motion to Second					X		
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

8. RESOLUTION 2014-42: APPROVING OF APPOINTMENT OF THOMAS WAILISHEN TO THE PLANNING BOARD- ALTERNATE II

APPROVING APPOINTMENT OF THOMAS WAILISHEN TO THE PLANNING BOARD AS ALTERNATE II – 2 YEAR TERM

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that pursuant to Chapter 25 of the Code of the Borough of Interlaken that the following appointment is hereby confirmed to the Planning Board:

Name	Class	Term	Expiration
Thomas Wailishen 34 Rona St	Alternate II	2 years	12/31/15

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

1. All members so appointed
2. Gina Kneser, Planning Board Secretary
3. Sanford Brown, Esq., Planning Board Attorney

Councilman Napoli motioned to approve the appointment, seconded by Councilman Handerhan.
Council voted to approve the appointment.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X		
Motion to Second							X
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

9. RESOLUTION 2014-43: PAYMENT OF THE BILLS

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

DATE SPAN	TOTAL
01/23/14-01/31/14	\$22,278.50

Resolution 2014-43:

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 January 15, 2014 is in the amount of Twenty Two Thousand, Two Hundred Seventy Eight dollars & Fifty 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.

Councilman Cohen stated that he reviewed the bills and they are in order for the meeting, but that he wanted to review the reason for block fees with the accountant at a later date.

Councilman Cohen motioned to approve minutes, seconded by Councilman Handerhan. Council voted to approve the bill payment.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve						X	
Motion to Second							X
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

10. DISCUSSION: RECREATION EVENTS

Council discussed the schedule for 2014 Recreation Events and set the following dates:

Egg Hunt	Saturday, April 20
Town-wide Garage Sale	Saturday, April 26
Arbour Day	Sunday, April 27 (STC confirmed)
Bark in the Park	Saturday, May 3
Annual Picnic	Saturday, August 16
5K Race	Saturday, October 18
Halloween Parade	Saturday, October 25
Veteran's Day	Sunday, November 9
Tree Lighting	Sunday, December 7
Volunteer Luncheon	Friday, December 19

11. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE- No report.
- PUBLIC SAFETY - Councilman Napoli stated that there was an increase to the cost of the Police Contract. Councilman Napoli stated that he is not happy about an increase, but it is the nature of contracts.

Mayor Nohilly stated that the contract was reviewed and the increase was equal to a 9.55% increase over a three year average.

- STREETS & ROADS – No report.
- RECREATION ADVISORY COMMITTEE –No report.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – Councilman Miller stated that the Planning Board reorganization meeting will be February 17, 2014.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR – Business Administrator Reibrich stated that a repair to the lights at the town gate would require an electrician. Business Administrator Reibrich stated that DPW checked the light and reported that the issue seems to be electrical. Council agreed to an electrical consult. Mayor Nohilly and Councilman Cohen noted that any repairs should be restorative.

Business Administrator Reibrich stated that Borough Hall has been getting calls all the time from residents saying they appreciate the great job that DPW is doing to keep the streets clear during the recent storms. The positive feedback is from residents who are comparing the streets to the condition of streets once they leave Interlaken.

Councilman Napoli questioned the salt supply. Business Administrator Reibrich stated that addition salt was purchased.

12. COMMENTS FROM THE PUBLIC

Mayor Nohilly opened the floor for public comment. No public comments were made. Mayor Nohilly closed the floor.

13. COMMENTS FROM MEMBERS OF COUNCIL

Councilman Napoli stated that there were schedule problems with the TOSA meeting regarding the calibration report.

Councilman Napoli stated that he received positive feedback from residents regarding the letter that he sent pertaining to communication to residents. A public portion of the meeting would be available remotely with no interference with the meeting. Councilman Napoli feels that residents should be asked how they feel.

Mayor Nohilly stated that, if there is a point in time that Councilman Napoli would like to put the matter on agenda for Council consideration, then that would be fine.

Councilman Morley stated that reaching out to residents and expressing what was important to him was the right thing for Councilman Napoli to do.

14. ADJOURNMENT

Councilman Napoli motioned to ADJOURN, seconded by Councilman Handerhan.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X		
Motion to Second							X
Approved			X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused		X					

Lori Reibrich
 Borough Administrator/Clerk
 Date Approved: _____