

**BOROUGH OF INTERLAKEN
MINUTES
JANUARY 18, 2017
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order at 7:44 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, 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 present for comment, Mayor Nohilly closed the floor.

2. APPROVAL OF MINUTES: DECEMBER 15, 2016- WORKSHOP & REGULAR

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

3. APPROVAL OF MINUTES: JANUARY 4, 2017- REORGANIZATION

With no Council comments, Councilman Gunn made motion for 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		

4. RESOLUTION 2017-30: AUTHORIZING PAYMENT ENGINEER’S CERTIFICATE #1 TO FERNANDES CONSTRUCTION FOR IMPROVEMENTS TO STAFFA STREET

**RESOLUTION AUTHORIZING PAYMENT CERTIFICATE #1
IMPROVEMENTS TO STAFFA STREET**

WHEREAS, the Borough previously entered into a contract with Fernandes Construction for the road project entitled Improvements to Staffa Street; and

WHEREAS, the Borough Engineer has recommended approval of Payment Certificate No. 1 to Fernandes Construction authorizing payment of \$113,234.00 for work completion;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that Payment Certificate No. 1 to McCauley Construction Inc is hereby authorized in the payment of \$113,234.00 for work completion.

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

1. McCauley Construction, Inc, Erick Luton
2. Peter Avakian, Borough Engineer
3. Borough Administrator
4. Chief Financial Officer

With no Council comments, Council President White made motion to authorize payment, 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		

5. **RESOLUTION 2017-31: AUTHORIZING EXECUTION OF A CONTRACT FOR CANADIAN GOOSE MANAGEMENT PROGRAM**

AUTHORIZING EXECUTION OF AN AGREEMENT FOR CANADIAN GOOSE MANAGEMENT PROGRAM

WHEREAS, Canadian goose presence on the Borough of Interlaken properties result in accumulation of feces, grazing of lawns, aggressive behavior of geese during nesting season, creation of traffic hazards on roadways, hazards to aviation and other problems that affect the quality of life for residents and employees in the surrounding Borough of Interlaken properties; and

WHEREAS, the Borough Council of the Borough of Interlaken are desirous of continuing a Canadian Goose Management Program with the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA/APHIS) Wildlife Service at a cost not to exceed \$2411.00 for 2017.

WHEREAS, the Borough Council of the Borough of Interlaken awards this contract without public advertising for bids being it is below the bid threshold; and

WHEREAS, the contract is being awarded to the USDA, a government entity, pursuant to N.J.S.A. 40A:11-5(2); 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 attached agreement is hereby ratified and confirmed.
- 2) Said agreement was awarded without public bidding by being under the bid threshold.
- 3) Said agreement was awarded to governmental entity pursuant to N.J.S.A. 40A:11-5(2)
- 4) The Mayor and Borough Administrator/Clerk are hereby authorized to execute the agreement.

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

1. Nicole Rein, Wildlife Biologist, USDA
2. Lori Reibrich, Borough Administrator

- Stephen Gallagher, Chief Financial Officer

With no Council comments, Councilman Gunn made motion to execute 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		

6. **RESOLUTION 2017-32: AUTHORIZING ESCROW REFUND TO MS. ELEANOR MILAZZO**

AUTHORIZING ESCROW REFUND TO MS. ELEANOR MILAZZO

WHEREAS, the Ms. Eleanor Milazzo submitted a Planning Board Variance Application regarding her property at 701 Fernmere Avenue; and

WHEREAS, escrow fees of \$2,000.00 were collected in regards to the Planning Board Variance Application; and

WHEREAS, Ms. Milazzo decided to retract her Planning Board Variance Application before the Planning Board after services were rendered by Borough professionals; and

WHEREAS, Ms. Milazzo has made a formal request for release of the remaining escrow funds in the amount of \$816.50; 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 710 Fernmere 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 \$816.50 to Ms. Eleanor Milazzo of 701 Fernmere Avenue.

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

- Ms. Eleanor Milazzo, 701 Fernmere Avenue
- Stephen Gallagher, Chief Finance Officer

With no Council comments, Council President White made motion to authorize escrow refund, 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		

7. RESOLUTION 2017-33: AUTHORIZING LEON S. AVAKIAN INC. TO PERFORM PROFESSIONAL ENGINEERING SERVICES FOR DOT GRANT SUBMISSION

AUTHORIZING LEON S. AVAKIAN, INC TO PERFORM PROFESSIONAL ENGINEERING SERVICES NOT TO EXCEED \$2250.00 IN CONNECTION WITH THE PREPARATION AND SUBMISSION OF THE FY 2017 NJDOT MUNICIPAL AID APPLICATION THROUGH THE SYSTEM FOR ADMINISTERING GRANT APPLICATIONS (SAGE)

WHEREAS, the New Jersey Department of Transportation (NJDOT) provides for a Municipal Aid Program as a significant resource for municipalities in funding local transportation projects; and

WHEREAS, there exists a need for an engineer to perform professional engineering services in connection with the preparation and submission of the FY 2017 NJDOT Municipal Aid application through the System for Administering Grant Applications (SAGE); and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Borough Council of the Borough of Interlaken as follows:

1. Leon S. Avakian, Inc. is hereby authorized to perform professional engineering services in connection with the preparation and submission of the FY 2017 NJDOT Municipal Aid application through SAGE not to exceed \$2,250.00.
2. This contract is awarded without competitive bidding as a professional service contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this resolution shall be published in the official newspaper of the Borough of Interlaken within ten (10) days of its passage.

With no Council comments, Councilman Butler made motion to authorize services, 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		

8. RESOLUTION 2017-34: APPROVING APPOINTMENT OF THE DEAL LAKE ALTERNATE REPRESENTATIVE

APPROVING APPOINTMENT OF DEAL LAKE COMMISSION ALTERNATE REPRESENTATIVE FOR 2017

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby appoints David D'Alessio as the Deal Lake Commission Representative, effective retroactive January 1, 2017 through December 31, 2017; and

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

1. David D’Alessio, Alternate DLC Representative
2. Deal Lake Commission
3. Lori Reibrich, Borough Administrator

With no Council comments, Councilman Franks made motion to approve appointment, 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		

9. **RESOLUTIONS 2017-35: BILL LIST**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
12/20/16-01/17/17	\$213,258.99

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 18, 2017 is in the amount of Two Hundred Thirteen Thousand, Two Hundred Fifty-Eight Dollars and Ninety-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, Councilman Gunn made motion approve bill list, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused					X		

11. REPORTS /CORRESPONDENCE

ADMINISTRATION/FINANCE – No report.

PUBLIC SAFETY – No report.

STREETS & ROADS – No report.

SHADE TREE COMMISSION – Council President White stated that there was a resident that commented on the “Next Door” site that the County came and cut down a perfectly healthy tree in front of their house, because it was too close to the light and they also left the stump.

Mayor Nohilly stated that, as a rule, Council does not want to respond to social website comments. Council President White asked, if the County was required to ask the Borough about cutting down trees.

Borough Clerk/Administrator Reibrich stated that the County had contacted the Borough. The DPW Supervisor, Norm Cotrell, was advised that the tree was being removed. They also spoke with Marguerite Dalton, Co-Chairperson of the Shade Tree, and received approval for the removal.

Mayor Nohilly stated that the County has jurisdiction over the trees on the County road and that they contacted Ms. Dalton because they are aware that the Borough has a very active Shade Tree Commission.

Mayor Nohilly stated that Council should not be discussing items that come up on social media. The Borough has a process to resolve resident matters. They can contact Borough Hall. They can come to a meeting. They can speak to Council. The Council is not going to monitor social media and make those items agenda topics.

PLANNING BOARD – No report.

BOARD OF EDUCATION – No report.

BOROUGH ADMINISTRATOR – Borough Clerk/Administrator Reibrich stated that she will be meeting with Borough CFO/Tax Collector Reibrich for a preliminary budget meeting to prepare for a meeting with the Committee.

12. COMMENTS FROM THE PUBLIC:

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

13. **ADJOURNMENT:** With no further Council discussion, Councilman Franks made a motion to adjourn, 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		

Lori Reibrich, RMC
Municipal Clerk/Borough Administrator