

**BOROUGH OF INTERLAKEN
MINUTES
APRIL 8, 2015
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:05 p.m., by Mayor Nohilly. 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 is posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President White, Council members: Franks, Gunn, Handerhan, Horowitz, Miller

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

1. RECEIPT OF REQUEST FOR PROPOSALS (RFPs) – *Governing Body to discuss the receipt of RFPs for a study regarding potential consolidation of the Borough of Interlaken and the Village of Loch Arbour*

Mayor Nohilly stated that there was one order of business for the evenings meeting. Request for Proposals have been received back from two parties for the consolidation between Loch Arbour and Interlaken. The special meeting was called, because a line item for \$ 35,000 was put into this year’s budget to cover the potential cost of the study. The bids came back higher than \$35,000. The meeting was called, so that Council could decide how the \$35,000 line item should be handled. Any scenario is possible. The line item can be removed or additional funding added to it.

Council discussed the RFPs that were received.

Councilman Franks stated that two RFPs were received and neither included studies of infrastructure or environmental issues which would increase the costs of the studies. Councilman Franks found it interesting that one of the companies, who submitted an RFP, had real concern regarding the school issue and suggested hiring a specialized attorney to look into the matter. Councilman Franks stated that he would have agreed to the \$35,000, but the RFP’s were higher and infrastructure and environmental studies would increase the costs.

Councilman Horowitz stated that she agreed with Councilman Franks and would not be in favor of going above \$35,000. Councilman Horowitz asked Council to consider changing the scope of the analysis. Start with the issues that Council knows are contentious, including the special taxing district and the Ocean Township school issue. See how those issues flush out and then decide, if there is a need to go further.

Councilman White stated that both responses to the RFPs indicated that there would not be a definitive answer to either one of those concerns.

Councilman Miller stated that he expected the RFP costs to be high because of the comprehensive detail included. Councilman Miller questioned if there could be a meeting with the companies that submitted the RFPs and determine if there are ways to complete the work within the budget the Borough established. Councilman Miller also suggested that the Borough ask Loch Arbour to share in the cost difference for the study. Councilman Miller stated that there was a whole study presented to Council by Loch Arbour and Council’s job was to vet that information to determine whether it was valid and whether there were benefits to the town. Councilman Miller stated that the RFPs went much further than that to examine details that did not need to be examined.

Councilman White stated that there was no doubt that Loch Arbour did a great job providing the benefits to a potential merger, however Council must do their due diligence for the residents of the Borough to look at the positives and the negatives.

Mayor Nohilly stated that Loch Arbour’s study was a financial impact study. The Borough is looking for a comprehensive study.

Mayor Nohilly stated that Council’s responsibility to every resident is to make sure they are not put in harm’s way. There was a unanimous vote to do a very comprehensive study designed to inform and protect every resident in Interlaken, should they decide to vote for consolidation. Mayor Nohilly

stated that the decision before Council at this meeting is to decide if the budget should be adjusted before next week's adoption.

Councilman Gunn stated that he agreed with the Mayor, in that he wants the residents to go into the voting booth well prepared. Councilman Gunn is aware that the RFP is exhaustive and it is reasonable to expect that all of the questions will not be answered. Councilman Gunn believes it is incumbent on Council to do the best possible job to enlighten our citizens. Councilman Gunn believes no one came into this with the idea in mind that the Borough would spend \$100,000. At the cost of \$200 on the tax bill for the year, Councilman Gunn feels it is unfortunate, but it is the cost of informing our residents.

Councilman Handerhan stated that two of the biggest questions being asked are not going to be answered by the RFP. Councilman Handerhan questions whether Council wants to keep the \$35,000 line item budgeted for a time when the answers to those questions are favorable.

Councilman Handerhan stated that it looks like spending the money is still not going to get answers to the biggest questions the Borough has. There may be a time when we know that there will be a special district allowed. At that time, the Borough will know what the school budget will be. If the answers don't come back favorable, then the money could be used for infrastructure.

Council discussed surplus.

Councilman Miller stated that the only revenue Interlaken has is from taxation. Loch Arbour is offering a carrot saying there is a possible way to avoid huge tax increases and build the Borough's infrastructure. Loch Arbour has agreed to pay Interlaken \$500,000 a year for 10 years.

Council discussed the pending legislation regarding the creation of a special tax district.

Councilman Handerhan feels it would be prudent to do a study, but maybe not just now.

Council President White stated that there is a responsibility to the 900 residents in this town who would like to have an understanding of what the possible benefits could be. Council represents the residents.

Mayor Nohilly stated that at the end of the day whether Council wants Loch Arbour to be part of Interlaken or not is irrelevant. Loch Arbour has proposed a savings to the taxpayer and it is Council's responsibility to look into that. Council has previously agreed to spend \$35,000 to do an exhaustive study to make sure that if the residents go into the voting booth to decide if they want this or not, they would have the best possible information. They would know all the risks. The only thing that has changed is the cost of \$35,000. The cost is now a minimum of \$50,000. Now the question is whether to increase the amount by \$15,000 or walk away.

Council discussed details of the RFPs.

Mayor Nohilly stated that the RFPs indicated that legislation regarding the special taxing district is going to be what it is going to be, but it also stated that the issue regarding Ocean Township Board of Education is not going to be answered at any price.

Council President White stated that Loch Arbour's biggest savings could be from the school tax and points out that one RFPs states that the worst case could be that the NJ Department of Education could abrogate the arrangement with West Long Branch and force Interlaken to join Ocean Township on an assessment basis.

Mayor stated that the Council knows that the risk regarding Ocean Township is going to be there. That risk is going to stay there even at the end of a study, at any price. The study is being done, because it is Council's responsibility to make sure everything is covered before the decision is handed over to the residents. The unknowns regarding Ocean Township will not change, but the residents will have the information from an independent Interlaken commissioned study.

Audience member asked a point of order of the Mayor. Is it a fait accompli that it is going to a vote booth or is that still up in the air?

Mayor Nohilly stated that the example was hypothetical. Council is taking this one step at a time. The only thing being decided tonight is about this one budget line item.

Council President White stated that in the event that the process does move forward and in the event the residents do go to the voting booth to vote, the question regarding Ocean Township will never be answered. It will not be answered until the residents come out of the voting booth whether you spend 35, 50, or \$77,000.

Resident from audience asked why Council was discussing Board of Education. Council's job is not to talk about Board of Education.

Councilman Franks stated that the lowest proposal was for \$50,000 and that proposal points out other things that would be needed. Even if \$15,000 is added to the \$35,000. It is probably not going to cover what is needed.

Mayor Nohilly stated that the Borough is never going to get to the point where there is no risk. The point of an exhaustive study is to determine the benefits and risks. So they can be shared with the residents and the residents can make an informed decision of whether they want to move forward.

Council President White stated that Council is just looking to have this study done not to hire attorneys to investigate the other scenarios proposed.

Councilman Franks stated that there will be added costs to investigate infrastructure and environmental issues which neither response to the RFP will provide

Mayor Nohilly agreed that the study is not going to solve everything, but Council wants to be proactive in protecting the Borough from any downside

Councilman Horowitz asked if it would be enough of a due diligence for the risks to be identified, if it is known that the identified risks are things that will never be resolved.

2. PUBLIC COMMENT

Mayor Nohilly opened the floor for public comment.

Jen Krimko 502 Buttermere Avenue stated that she understood that Council cannot put a question of this importance to a poll of the residents to get a popular vote regarding the merge with Loch Arbour. We do not have enough information. But certainly the very black and white question of, "Do we spent 50 to 75 thousand dollars to investigate this?" can easily be polled. Ms. Krimko stated that if you knocked on her door asking for \$200 to do a study she would refuse. Ms. Krimko wants Council to ask the residents if they are willing to pony up \$200 per person for the potential benefit of saving \$2,000 a year in the future. Ms. Krimko stated that the risks and implications of the Board of Education issue cannot be answered. As an attorney Ms. Krimko feels that no one is going to say yes or no. Ms. Krimko feels the Borough can hire an attorney who specializes in school law to provide a legal written opinion as to what the risks are and what the likelihood is, based on the law. Ms. Krimko asked, "If that is what the overriding issue is, why aren't you looking at that question?"

Nick McDonough, 205 Windermere Avenue, stated that he attended the meeting in December and asked the same question. "Why are we looking at all of this?" There is a preponderance of people in this town who don't want this at all. Mr. McDonough does not want to spend \$35,000 and feels it will end up being \$60,000 when it is all said and done. Mr. McDonough does not want to hand his money over so there could be surplus, if he does not have to. Of everyone that Mr. McDonough talks to, nobody wants this. Mr. McDonough feels the Borough is going to spend 100 grand. Mr. McDonough stated that Council will get their butts kicked at the voting booth. There's no doubt about it. Mr. McDonough stated that he heard Mr. White say how much time and energy was spent on all of this and feels it is a waste that Council couldn't be spending it on something better. Mr. McDonough does not understand why Council does not get it. Nobody wants this. Forget spending the money. Council can do all the surveys they want, but at the end of the day this will get crushed at the voting booth. Mr. McDonough asked that Council take the line item out of the budget and do the right thing.

Rob Levinsky 510 Bridlemere ,stated that he commends Council for doing what they are trying to do and respects that Council is trying to do their job. Mr. Levinsky feels that at the end of the day, most people are not going to be in favor of a merger and has grievance with the amount to money that may be spent trying to get answers to questions that are not going to be answered. Mr. Levinsky stated that the residents should be asked how they feel about spending 50 to \$100,000. It seems that if Loch Arbour wants this they should be paying for the independent study. Loch Arbour is coming to us with a proposal. Mr. Levinsky thinks that this is the time to nip that in the bud.

Hank Heinz, 512 Bridlemere Avenue, stated that he read the proposals and said they were well thought out and professionally done. Mr. Heinz stated that his issue is the same as others. Mr. Heinz believes the Borough should not spend all of this money when there is no clarity. Mr. Heinz would be more agreeable to spend the money if all of the questions would be answered by the study. It does not make a whole lot of sense to pursue the study and not get the answers we want. It doesn't make sense a whole lot of sense to pursue this any further.

Mary Dieffenbach, 518 Bridlemere Avenue, stated that the Borough ought to just end it right here and go back to Loch Arbour and say there are never going to be answers. That's the reason we don't want to move forward.

Danielle Savage, 405 Bridlemere Avenue, stated that she is concerned with the environmental and the infrastructure. Ms. Savage stated that her background is with Caterpillar and engineering. Ms. Savage has experience with RFPs. Ms. Savage feels a study of just environmental and infrastructure issues would be six figures. Ms. Savage feels it is very important to have environmental and infrastructure studies done before any merger.

Blanche Franks, 310 Bendermere Avenue, stated that during the decision regarding the police building in town, the residents got a petition that was professionally done by a lawyer and brought it to Council to let them know what the residents wanted. There was then a referendum and the residents voted it down. Ms. Franks stated that the residents of this town know what they want. Ms. Franks stated that she agreed with Ms. Krimko. A survey should be sent out to the people and ask them if they want to spend 50 to \$100,000 to find out 80 percent of the information. Ms. Franks suggested that the surveys be numbered as in a previous survey.

Robert Cancellari, 714 Bridlemere Avenue, stated that he was against it. Mr. Cancellari thanked Councilman Handerhan for being honest in saying that if the money is not spent on the study it will be used for something else. Mr. Cancellari stated that there was supposed to be a surplus when the police building was not built, but he never saw a decrease in his taxes. Mr. Cancellari feels he will never see a \$2,000 decrease in his taxes. The residents are never going to see it. Mr. Cancellari feels the Borough should call it a day and say we've wasted enough time.

Don Field, 408 Buttermere Avenue, stated that he agrees with everyone on the floor. Mr. Fields thanked Council for taking this on. It is an arduous and unpopular subject. Mr. Fields stated that everyone he talks to is against it. Mr. Fields stated that he has lived here 15 years and feels there is a slow erosion of the town. The demographic is changing. The town is getting younger. Mr. Fields said he moved to a shore town not a beach town. The town has a unique feel and he does not want to merge and deal with an inflow of summer residents and parking issues. Mr. Fields feels there should be a poll and asked that Council serve their constituents

Karen Hahn, 22 Westra Street, stated that she sent a letter to the Mayor and Council advising them that she is not in favor of the consolidation and that she would never vote for it. Ms. Hahn agrees with everyone at the meeting. Ms. Hahn is not in favor of this consolidation and does not want to waste the money. Ms. Hahn does not want to spend the money on a feasibility study. The rest of the town should be asked what they think by using some sort of polling system so that Council is comfortable knowing that one third of the town will say no and the vote is not going to pass.

Joseph Coyne, 211 Buttermere Avenue, as previous Mayor of Allenhurst, Mr. Coyne stated that many years ago there was a breakdown of negotiations between Loch Arbour and Allenhurst for police. Joe Palaia stepped in and said that he could pass something through the state legislature that grants Loch Arbour some sweeping relief allowing them to merge with Ocean Township for their schools and police. There was a sunset on that legislation. The sunset came and now Loch Arbour is now out scrambling. Mr. Coyne stated that he has friends in Loch Arbour and there is no sour grapes but there are two issues. Number one is the education issue. We are on thin ice here in Interlaken and we understand that. The second one is the five million dollars. Is it a bribe or is it a ransom? Mr. Coyne does not understand why we are muddying up the works. Interlaken did not ask for five million dollars. Mr. Coyne also stated that he does not trust Trenton and he would not put his hope on some legislature. It could end up being an arrangement that has a sunset. Where would Interlaken be running to 10, 15, 30 years from now? Mr. Coyne also stated that Loch Arbour changed their form of government. Loch Arbour is now a commission form of government. An ordinance would be required to produce the five million dollars and the residents of Loch Arbour could refuse to pay. Mr. Coyne said no deal is better than a bad deal.

Robert Napoli, 515 Windermere Avenue, stated that he disagreed with the former Mayor of Allenhurst about not being able to trust the legislature. Mr. Napoli stated that he puts all his faith in the legislature of not only the country, including those that represent us tonight. Mr. Napoli stated that there seems to be two contentions and asked Mr. Shaklee, if the essential legislation that is before the legislature would that take care of those issues.

Borough Attorney Shaklee stated that the legislation that came out of the assembly committee would affect the special taxing district but not the other matter.

Mr. Napoli stated that there was a hold harmless clause inserted stating that no other municipality can sue Interlaken or Loch Arbour.

Borough Attorney Shaklee stated that he did not remember that clause, but had not committed it all to memory.

Mr. Napoli asked that the special taxing district and the education issues be put aside. Mr. Napoli feels the only decision to be made is whether to fund the impact study. Mr. Napoli stated that environmental and infrastructure questions have already been answered. The same engineer who works for this town has done the infrastructure studies and has done the environmental studies in Loch Arbour. They are one in the same. Mr. Napoli says he has those records. All you have to do is consult the Borough Engineer. Mr. Napoli questioned, "If we take those two elements out, what is left for the voters to decide."

Ms. Krimko stated that legislators cannot put in a hold harmless clause to prevent people from suing the Borough. It certainly may put in the statute to limit the ability, but that doesn't stop Ocean Township from suing the Borough. It doesn't stop the Borough from having to fight and defend that suit. The only one who can hold Interlaken harmless would be the other municipality and would be Loch Arbour. Ms. Krimko stated that just because they are making a provision in the legislature about hold harmless or the ability to sue it doesn't necessarily protect the Borough. Ms. Krimko also stated that there was a lot of discussion about the merge but the question is, "Do you want to take the step and spend your money to get that information?" That's the only question. Ms. Krimko thinks that before you take \$200 out of her pocket to look into it. She should be asked individually, if the money should be spent.

Naomi Schaffer, 301 Grassmere Avenue stated that she is a brand new resident and wanted to say that her and her husband do not want to go forward with this. They were attracted to this town because of exactly the way it is. One of the huge attractions of this town for them is that it is not on the water and beach front property. It is this smaller community with that intimacy and that environment that they were seeking. It is a strong uniqueness. This town is special. Ms. Schaffer feels that the discussion is complicated and things will get worse. Ms. Schaffer stated that she lived in Scotch Plains where there was a lot of politics and issue all the time. They were looking to make things simpler by moving here.

Ms. Schaffer said that she is new but has not met anyone who wants it. A survey seems like an efficient, practical thing to do.

Ruth Keiser, 731 Raymere Avenue, asked if the constitution of the Borough would need to be changed. The current constitution currently states there is no commercial business permitted.

Mayor Nohilly and Ms. Keiser discussed the changes and fees regarding a constitution change.

Ms. Keiser stated that she is a former resident of Loch Arbour and also served on their Board. Ms. Keiser stated that she can concur that Loch Arbour is very different kind of town in its composition and the way it operates. Ms. Keiser also stated that when she went to the meeting where Mayor Fernicola made a presentation, there were questions pertaining to lawsuits and liability on the beach. Ms. Keiser stated that Mayor Fernicola's response was that they are not allowed to sue a town. Ms. Keiser stated that she knew this was not true because she knows how many lawsuits Loch Arbour had. They are allowed to sue. Ms. Keiser questioned the real liability of the beach in regard to lawsuits. Ms. Keiser stated that she worked for the state. One day they would tell you one thing and then change it the next day.

Pat Mitrik, 601 Fernmere Avenue, stated that she spent \$300 letting people know about the situation. The mailing was her reaction to Mayor Fernicola's presentation meeting. Ms. Mitrick stated that she fact checked some of the things that were presented at the meeting and found several of them be incorrect. Ms. Mitrik stated that she was happy that there were people at the meeting. Ms. Mitrik stated that she feels Council is well intended, but no one wants this. Ms. Mitrik feels it is time to cut and run. She does not want to give up her tax dollars for this.

Jodi Heinz 512 Bridlemere Avenue stated that the majority of the people who took the time out to come to the meeting pretty much feel it is time to cut and run. Ms. Heinz stated that not one person she has spoken to wants it. Ms. Heinz feels a poll should be taken.

Linda Reeves, 32 Barra Street, stated that she echoes what people are saying. Ms. Reeves thought common sense would prevail and never dreamed that the Borough would be going forward with a feasibility study. The two questions regarding the special tax district and the school district will not even be answered by a study. Interlaken and Loch Arbour are two different towns. Ms. Reeves is happy with our little town. Ms. Reeves stated that as a former resident of Ocean Township and a former school employee, she believe that Ocean Township will not let go of Loch Arbour that easily. Ms. Reeves knows that the state may in the future look at regionalizing schools, but thinks Interlaken will have less of a firm footing if we go with Loch Arbour.

William Silvain, 208 Grassmere Avenue, stated that he agrees with the majority of the people at the meeting. Mr. Silvain understands the stand on not taking a poll. Mr. Silvain feels that Council could make a decision just by how many people live in this town vs. how many are sitting at the meeting.

Mr. Silvain feels the town is being represented by those who bothered to show up at the meeting. Mr. Silvain asked if a poll of the audience would suffice to say, "Okay then. We are going to drop it."?

Mayor Nohilly stated that the people in attendance do represent the town. It doesn't seem like those that are in support of consolidation argued tonight. Those people do exist. We do not know how many of them there are vs. the 22 people here tonight.

Mr. Silvine stated that it makes sense to ask the residents if they want to spend the money on the study.

Rob Levinsky, 510 Bridlemere Avenue, stated that at a previous meeting with Loch Arbour Robert Fernicola made a statement to him and to many other people that was very condescending, stating that people are scared. Mr. Levinsky feels that maybe Mr. Fernicola was correct. People don't want to change. It may be a mistake, but that is what people want. Mr. Levinsky commends Council for doing an honorable, decent job. Before any more money is spent, find out if this is good. In the end 2/3rds of the people need to vote for it. There is never going to be an outpouring of people who are going to vote for this.

Ms. Franks, stated that when Loch Arbour Mayor Fernicola was here in December he stated that 35% of Loch Arbour were year round residents. That leaves 65% that could be winter rentals. Ms. Franks stated that right now there are probably a dozen of those homes that are winter rentals. Ms. Franks stated that with her experience in the real estate business she knows that a lot of divorced women with children move into winter rentals. Children could be coming in to these winter rentals. Ms. Franks read a copy of the law. Ms. Franks stated that, if they come into the school system and they have to get out by Memorial Day, Interlaken would have to provide them with transportation from their new residence to the school they are currently attending, which at this point it is West Long Branch. We have to finish out the year for them. Right now it is a dozen rentals, but it can be hundreds. Ms. Franks feels this is just a big mushroom of bad news. Ms. Franks feels if the people of town were polled they would not want the merger.

Mr. Napoli stated that it is important to have public comment, but you have less than one percent of the people represented at the meeting.

Ms. Krimko stated that 22 people were in attendance which is 2.4% of the 900 residents.

Mr. Napoli stated that procedure was not being followed. Mr. Napoli stated that if he was in Council's shoes he would not know what to do either. Mr. Napoli stated that there are people in town who have interest and want the information and want to be educated. The 900 residents cannot be spoken for at this meeting. It is not fair.

Danielle Savage, 405 Buttermere Avenue, stated that she thinks it makes sense to draw a line in the sand and say the RFP didn't come back less than \$35, 000 with all of the questions being answered. It's going to cost more than we are willing to pay to get answers. Ms. Savage stated that, in her opinion, it will cost more than six figures to look into environmental and infrastructure issues.

Mayor Nohilly closed the floor for public comment.

Mayor Nohilly asked Council to circle back to the decision at hand. Will there be a change before the budget adoption to take place next Wednesday? Will the budget contain zero, \$35,000, \$50,000 or \$77,000 for that line item? Those are the options to be decided before this council tonight, so we can let the CFO know in the morning how to adjust the budget. Take the line item out, leave it in or change it.

Councilman Franks said zero.

Councilman Gunn stated that he feels the \$35,000 item should be left in. Councilman Gunn thanked everyone for being there and for being so open with their comments. Councilman Gunn stated that one of his greatest concerns is that the issue be decided by the population at large. Chairman Gunn stated that a small part of the population was at the meeting. Chairman Gunn stated that he is eager to preserve some budget and some opportunity to present the results of some study. Councilman Gunn liked Ms. Krimko's suggestion of focusing on the legal issue with the school. Chairman Gunn stated that he was also influenced by Councilman Handerhan's comments about the special tax district being undecided right now. If the line item is maintained, there may be an opportunity should the matter become more clear regarding the legislation. Chairman Gunn would like the opportunity to bring this information before the public with more clarity than we have right now but perhaps less than we expected with the full study.

Chairwoman Horowitz asked if the budget can be amended.

Mayor Nohilly stated that there are funding mechanisms, but no, changes cannot be made to the budget.

Councilwoman Horowitz stated that in the absence of a proposal of under \$35,000 and without adjusting the budget for what the RFP are going to cost she would say change the line item to zero.

Councilman Handerhan stated that he is for keeping the \$35,000 appropriated. Councilman Handerhan stated that he would hate to see there have to be an emergency appropriation, as has been done in the past. Councilman Handerhan stated that the Borough CFO says that the Borough surplus is low. Councilman Handerhan stated that he knows it is not a popular thing to talk about surplus, but it has gone down to appoint where there is no cushion. Once that money is in the budget, if the study is not done, that money can be used for the town in many other ways.

Councilman Miller stated that he is for keeping the \$35,000.

Council President White stated that he would like to bring the line item back to zero. The RFP does not need to be done. Council President White stated the information in the returned proposals tell us that were weren't not going to have all of the answers, so the line item needs to be zero. Council President White stated that Council needs to take it one step further and say no thank you and just be done with it.

Borough Attorney Shaklee stated that there has to be a motion.

Council President White made a motion to decrease the line item to zero, seconded by Councilman Franks.

Mr. Napoli questioned how a budget amendment could be made out of scope.

Borough Attorney Shaklee stated that the budget cannot be amended until the time of the hearing, but the question was whether you are going to advertise for the amendment. If you are going to adopt an amended budget you have to advertise three days beforehand. Then you have a hearing on the budget and then you have a hearing on the amendment. Borough Attorney Shaklee stated there would have to have some kind of mechanism to know that there is going to be an amendment, so we can advertise that.

Mr. Napoli stated that Council is actually having a budget discussion outside of the scope of the budget law.

Borough Attorney Shaklee stated that Council was having a discussion about the subject of these proposals and part of that subject is whether the budget needs to reflect a certain amount in order to do that. Council would not be able to take money out of the budget unless it is advertised three days before the budget adoption, so Council has to do something to let us know whether we are going to have to advertise about amending the budget.

Councilman Gunn asked if the meeting could be adjourned. Councilman Gunn asked if the meeting was adjourned, could the budget go ahead at the subsequent meeting. Would there be a need for any further business.

Council President White stated that by doing nothing tonight and adopting the budget on the 15th Council would be adopting an appropriation of \$35,000. Whether it is spent or not the taxpayers are still going to be taxed on that extra \$35,000. Why should they be taxed for that extra money, if it is not going to be used?

Borough Attorney Shakelee stated that changes need to be advertised, if there is an increase or decrease of any item more than 10%.

Borough Attorney Shaklee and the Council discussed the figures of the line item and the process to amend.

Mayor Nohilly stated that Council was discussing the best procedure regarding the amendment and the budget being adopted next Wednesday.

Borough Attorney Shaklee stated that if there is an amendment, it will be done the night of the budget. The decision at this meeting is whether you are going to advertise that there is a potential for an amendment.

Borough Administrator Reibrich stated that the amendment will be voted on at the meeting the night of the budget meeting. Borough Administrator Reibrich needs to know what to advertise.

As a point of order, Ms. Krimko stated Council had the motion and a second. Council either has to withdraw that motion, vote on that motion or Council President White can amend the motion to be a motion to advertise for a potential amendment on the budget from \$35,000 to zero.

As a point of order Mr. Napoli questioned how an amendment can be made on that and questioned the notice.

Mayor Nohilly stated that the governing body was to discuss the receipt of RFPs for a study regarding potential consolidation between the Borough of Interlaken with the village of Loch Arbour.

Mr. Napoli stated that the notice does not say anything about budget.

Council President White amended the motion to state that Council advertise for an amendment to the budget before adoption before April 25, 2015, seconded by Councilman Franks.

Borough Attorney Shaklee stated that the vote on the actual amendment of the budget will be held the night of the budget adoption.

Council President White MOTIONED to advertise for the amendment removing the \$35,000 from the budget, seconded by Councilman Franks. With no Council comment the motion carried, by roll call at the request of Councilman Miller.

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

3. ADJOURNMENT

Mayor Nohilly requested a motion for adjournment.

Councilman Gunn MOTIONED to adjourn, seconded by Councilman Franks. With no Council comment the motion carried, by roll call.

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

 Lori Reibrich
 Borough Administrator/Clerk
 Date Approved: _____