

**BOROUGH OF INTERLAKEN
MINUTES
MAY 18, 2016
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 8:02 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. 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 and Council members: Franks, Handerhan, Horowitz and Butler.

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

Absent: Councilman Gunn

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: APRIL 20, 2016- WORKSHOP & REGULAR

With no Council comments, Council President White made a motion to approve minutes, seconded by Councilman Handerhan and unanimously carried.

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

3. RESOLUTION 2016-56: AUTHORIZING AWARD OF BID FOR THE MONMOUTH COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT

**AUTHORIZING AWARD OF BID CONTRACT
“Interior Renovation of Existing Service Counter and Toilet Rooms”**

WHEREAS, the Borough of Interlaken applied for and was awarded Community Development Block Grant funding in the amount of \$110,536.00 for interior renovations including ADA accessible toilet rooms and service counters; and

WHEREAS, the Borough Engineer, Peter Avakian, was authorized by the Governing Body to prepare specifications, plans and to bid said project pursuant to law; and

WHEREAS, bids for the project known as “Interior Renovation of Existing Service Counter and Toilet Rooms” were duly advertised and publicly opened pursuant to law; and

WHEREAS, five (5) contractors took out bid packets and five (5) complete bids were received, ranging from a low base bid of \$ 97,000 to a high base bid of \$ 151,855.00.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Borough Engineer and clearance approval of the Monmouth County Community Development Program, that said bid be awarded to McCauley Construction Company, Inc. in the amount of \$97,000.

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. McCauley Construction Inc, Bid winner
2. Lori Reibrich, Borough Administrator/Clerk
3. Stephen Gallagher, Chief Financial Officer
4. Peter Avakian, Borough Engineer

With no Council comments, Council President White made a motion to award bid, seconded by Councilman Handerhan and unanimously carried.

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

4. **RESOLUTION 2016-57: AUTHORIZING TAX OVERPAYMENT REFUND TO MICHAEL MANNA**

AUTHORIZING REFUND TO MICHAEL MANNA IN THE AMOUNT OF \$1799.67 FOR TAX OVERPAYMENT TO THE PROPERTY TAX OF 731 BENDERMERE AVENUE BLOCK 26, LOT 20

WHEREAS, the Tax Collector’s office received a tax overpayment due to an error in closing and direct debit policies on the following property:

Block/Lot	Property	Owner	Refund Due
Block 26, Lot 20	731 Bendermere Avenue	Previous: MANNA, MICHAEL Current: SOBOTKA, DAVID H & DENISE	\$1779.67 to Michael Manna

WHEREAS, Michael Manna submitted written request for the refund to be issued for the total amount of: **\$1,799.67**

**Michael Manna
28 Oxford Drive
Ocean, NJ 07712**

WHEREAS, Michael Manna did not request the Borough Tax Department to stop his direct withdrawal of tax payments within the Borough direct debit guidelines; and

WHEREAS, Michael Manna sold and closed his home prior to the direct debit tax payment withdrawal and a payment was made to the account of which he was no longer responsible; and

WHEREAS, Stephen O. Gallagher, Chief Financial Officer and Tax Collector for the Borough of Interlaken, reviewed the request for refund and found it to just and owed to Michael Manna; and

BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Chief Financial Officer to refund said payment to Michael Manna in the amount of \$1,799.67; and

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

1. Lori Reibrich, Borough Administrator/Clerk

2. Stephen Gallagher, Chief Financial Officer
3. Michael Manna, 28 Oxford Drive, Ocean NJ 07712

With no Council comments, Council President White made a motion to authorize refund, seconded by Councilman Franks and unanimously carried.

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

5. **RESOLUTION 2016-58: AUTHORIZING TOWN WIDE GARAGE SALE PERMIT REFUND TO MICHAEL BRUNO**

AUTHORIZING REFUND OF TOWN WIDE GARAGE SALE PERMIT PAYMENT

WHEREAS, a payment of \$20.00 was made on April 20, 2016 via personal check number 3104 for the Annual Town Wide Garage Sale by Michael Bruno of 718 Fernmere Avenue; and

WHEREAS, Michael Bruno returned to Borough Hall on April 22, 2016 to request a refund of said payment stating he would no longer be able to participate in the event; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Chief Financial Officer to refund said payment of \$20.00 to Michael Bruno.

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

1. Lori Reibrich, Borough Administrator/Clerk
2. Stephen Gallagher, Chief Financial Officer
3. Michael Bruno, 718 Fernmere Avenue

With no Council comments, Councilman Handerhan made a motion to authorize refund, seconded by Councilwoman Horowitz and unanimously carried.

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

6. **RESOLUTION 2016-59: PARK USE APPLICATION- GESHER YEHUDA YESHIVA**

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the Geshher Yehuda Yeshiva has submitted an application to utilize the Borough of Interlaken Ballfield located at 715 Bridlemere Avenue, on July 17, 2016 from the hours of 8 a.m. to 6 p.m. for a charity Frisbee tournament; and

WHEREAS, pursuant to the Borough of Interlaken Code, Chapter XIV, Chapter 1.5, all residents, associations, entities and other persons desirous of using and/or enjoying the park areas, recreational areas and Borough facilities for the purpose of conducting, maintaining and/or operating an organized activity, shall obtain express prior written consent of the Borough Council.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Borough Administrator to execute the Park Use Agreement on behalf of the Borough of Interlaken, granting permission to the Gesher Yehuda Yeshiva to utilize the ballfield on date and time listed on the application submitted.

BE IT FURTHER RESOLVED, that the applicant must provide the Borough Administrator with a certificate of insurance naming the Borough of Interlaken as additional insured prior to execution of the Park Use Agreement.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to:

1. Lori Reibrich, Borough Administrator
2. Chief Ronen Neuman, Deal Police
3. Eric Setton, Applicant

With no Council comments, Council President White made a motion to authorize use, seconded by Councilman Handerhan and unanimously carried.

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

7. **RESOLUTION 2016-60: PAYMENT OF BILLS**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
04/29/16-05/16/16	\$100,186.84

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 May 18, 2016 is in the amount of One Hundred Thousand, One Hundred Eighty Six Dollars and Eighty- Four 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 a motion to approve payment, seconded by Councilman Franks and unanimously carried.

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

8. **REPORTS/CORRESPONDENCE**

- ADMINISTRATION/FINANCE - No report.
- PUBLIC SAFETY – No report.
- STREETS & ROADS – No report.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – No report.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR – Borough Clerk/Administrator Reibrich stated that Borough DPW Supervisor Norm Cotrell and DPW employees have been working to rehabilitate the Borough traffic islands. Quotes were provided for trees and plantings. New irrigation drip lines were installed. The work is scheduled to be complete before Memorial Day.

Council commented that the islands already look good.

Borough Clerk/Administrator Reibrich stated that the railroad repair project that was initially supposed to keep the road closed at the end of Grassmere Avenue ran into a delay. The bidder for the paving portion of the project did not pass the legality of the bid. The project has been rescheduled to be completed in September. The roadway will be closed for a short time during the repairs. There will be a preconstruction meeting in the fall.

Borough Clerk/Administrator Reibrich stated that the roadway at the end of Grassmere Avenue will open on Tuesday, May 24, 2016. Council made favorable comments about the appearance of the completed project.

Borough Clerk/Administrator Reibrich stated that the primary election will be held June 7, 2016.

Borough Clerk/Administrator Reibrich stated that summer hours will begin at Borough Hall on May 27, 2016.

Borough Clerk/Administrator Reibrich stated that plans and funding for the ADA accommodations projects at Borough Hall have been approved and awarded. The Borough did well with the bid. The cost came in under the grant award.

Borough Clerk/Administrator Reibrich stated that Borough Engineer Avakian’s office has not previously worked with the contractor who was awarded the bid, but they have positive recommendations. Work on the project will begin after the election. The construction plan will be discussed in regards to office closures and maintaining office services.

9. **COMMENTS FROM THE PUBLIC**

Mayor Nohilly opened the floor for public comment.

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

10. **RESOLUTION 2016-61: AUTHORIZING EXECUTIVE SESSION**

Contract Negotiations:

- 1) *Court service contract negotiations*
- 2) *Allenhurst sanitation contract negotiations*

Formal Action May Be Taken Upon Return to Open Session

Mayor Nohilly read resolution into record.

WHEREAS, the “Open Public Meeting Act” permits a public body to exclude the public from meetings or portions thereof wherein matters are to be discussed which are exempted from requirements of the Act; and

WHEREAS, the said Act requires that prior to the holding of a meeting or portion thereof from which the public shall be excluded, the public body should adopt a Resolution at a public meeting providing for the holding of a private meeting; and

WHEREAS, the Borough Council of the Borough of Interlaken has determined that a meeting should be held from which the public should be excluded in order to discuss a subject which is exempted under the said Act;

NOW, THEREFORE, BE IT RESOLVED by Borough Council, as follows:

1. That the next portion of this meeting be held in Private Session.
2. That the general nature of the matter(s) to be discussed relates to:

Contract Negotiations:

- Court Service Contract
 - Renewal of Refuse Removal Contract
3. That no official action will be taken at the meeting but Minutes shall be kept and shall be available to the public after official action on the subject matter has been taken.
 4. That after the conclusion of the private portion of this meeting, the meeting will resume in public session.
 5. It is anticipated the discussion conducted in closed session can be disclosed to the public as such time the matters are resolved.

Council President White made a motion to enter into Executive Session, seconded by Councilman Handerhan and unanimously carried.

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

11. **RETURN TO OPEN SESSION** Council President White made a motion to return to open session, seconded by Councilman Handerhan and unanimously carried.

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

12. **COMMENTS FROM THE PUBLIC**

Mayor Nohilly opened the floor for public comment.

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

13. **ADJOURNMENT**- With no Council comments, Council President White made a motion to adjourn, seconded by Councilman Franks and unanimously carried.

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

Lori Reibrich, RMC
Borough Administrator/Clerk