

**BOROUGH OF INTERLAKEN  
MINUTES  
JUNE 17, 2015  
7:30 P.M. AT BOROUGH HALL**

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The meeting of the Borough of Interlaken was called to order at 7:34 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. Borough Clerk Reibrich read the sunshine statement “The notice of the requirements of the Open Public Meetings Act has been satisfied by forwarding notice to the Coaster and Asbury Park Press. A copy of the notice is posted on the Borough bulletin board, on the Borough website and is on file in the Borough Clerk’s office.”

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

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

Absent: Councilman Gunn

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1. **PUBLIC COMMENTS – FOR AGENDA SPECIFIC ITEMS ONLY- EXCLUSIVE OF ORDINANCES** Mayor Nohilly opened the floor for public comment.

2. **APPROVAL OF MINUTES: MAY 20, 2015 - WORKSHOP & REGULAR MEETING**

Councilman Miller made a motion to approve the minutes, seconded by Council President White and unanimously carried.

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

3. **RESOLUTION 2015-66: APPOINTMENT OF REGISTERED MUNICIPAL CLERK – LORI REIBRICH**

**CONFIRMING APPOINTMENT OF LORI REIBRICH AS MUNICIPAL CLERK**

**WHEREAS**, N.J.S.A 40A-9-133.1 designates that no person shall be appointed as a Municipal Clerk unless that person holds a Registered Municipal Clerk Certificate; and

**WHEREAS**, Acting Clerk, Lori Reibrich, has completed all statutory required courses, passing the State Examination on April 14, 2015 and has received her certification as a Municipal Clerk.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Interlaken that it hereby appoints Lori Reibrich as Municipal Clerk for the Borough of Interlaken for a three year term commencing June 17, 2015, with said term expiring June 16, 2018; and

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

1. Lori Reibrich, RMC/Borough Administrator
2. Director, Local Government Services
3. NJ Department of Community Affairs
4. Stephen Gallagher, CFO

Councilman Miller stated that Borough Clerk Reibrich should be commended for the accomplishment of passing the certification test. It is a difficult test and so few people pass the test on their first attempt.

Council President White made a motion to appoint, seconded by Councilwoman Horowitz and unanimously carried.

	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
Opposed							
Abstain/ Recuse							
Absent/ Excused						X	

Mayor Nohilly administered the Oath of Office to Borough Clerk Reibrich.

Borough Clerk/Administrator Reibrich thanked everyone for their support. Borough Clerk Reibrich stated that she enjoys working with this Council and it is a pleasure to work for the Borough.

Mayor Nohilly stated that he had no doubt that Borough Clerk Reibrich would pass, though he knows Councilman Miller was correct about the difficulty of the test.

**4. RESOLUTION 2015-67: AUTHORIZING SALARY INCREASE FOR LORI REIBRICH, BOROUGH ADMINISTRATOR/CLERK**

**AUTHORIZING SALARY INCREASE FOR LORI REIBRICH, BOROUGH ADMINISTRATOR/MUNICIPAL CLERK**

**WHEREAS**, the Mayor and Council appointed Lori Reibrich as Municipal Clerk for the Borough of Interlaken; and

**WHEREAS**, the Mayor and Council feel it is just and right to increase Ms. Reibrich’s salary from \$60,178 per year to \$70,000, effective June 17, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Interlaken that it hereby approves the increase in salary for the Borough Administrator/Municipal Clerk, Lori Reibrich, to \$70,000 effective June 17, 2015.

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

1. Lori Reibrich, RMC/Borough Administrator
2. Stephen Gallagher, Chief Financial Officer
3. Personnel File

Council President White made a motion to authorize increase, seconded by Councilman Miller and unanimously carried.

	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
Opposed							
Abstain/ Recuse							
Absent/ Excused						X	

**5. RESOLUTION 2015-68: AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR BUTTERMERE AVENUE TO LEON S. AVAKIAN, INC – CONSTRUCTION INSPECTIONS**

WHEREAS, there exists a need for an engineer to perform professional engineering services in connection with construction inspection for the project known as “Improvements to Buttermere Avenue”; 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 construction inspection for the project known as “Improvements to Buttermere Avenue” not to exceed \$57,500.00.
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.

Council President White made a motion to authorize services, seconded by Councilman Handerhan and unanimously carried.

	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
Opposed							
Abstain/ Recuse							
Absent/ Excused						X	

**6. RESOLUTION 2015-69: AUTHORIZING AWARD OF BID CONTRACT “IMPROVEMENTS TO BUTTERMERE AVENUE”**

**AUTHORIZING AWARD OF BID CONTRACT  
“IMPROVEMENTS TO BUTTERMERE AVENUE”**

WHEREAS, bids for the project known as “*Improvements to Buttermere Avenue*” were duly advertised and publicly opened pursuant to law; and

WHEREAS, four (4) contractors took out bid packets and two (2) complete bids were received, ranging from a low base bid of \$499,413.13 to a high base bid of \$599,830.00.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Borough Engineer, that said bid be awarded to Earle Asphalt Company PO Drawer 556, Farmingdale, NJ 07727 in the amount of \$499,413.13.

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

Council President White made a motion to TABLE the resolution, seconded by Councilman Miller and unanimously carried.

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

**7. RESOLUTION 2015-70: ACCEPTING THE 2014 AUDIT**

**ACCEPTING THE 2014 MUNICIPAL AUDIT**

**WHEREAS**, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

**WHEREAS**, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and,

**WHEREAS**, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

**WHEREAS**, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit:

***R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.***

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Interlaken, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

Council President White made a motion to accept the audit, seconded by Councilman Handerhan and unanimously carried.

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

**8. RESOLUTION 2015-71: PARK USE APPLICATION – GESHER YEHUDA YESHIVA**

**RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION**

**WHEREAS**, the Gesher Yehuda Yeshiva has submitted an application to utilize the Borough of Interlaken Ballfield located at 715 Bridlemere Avenue, on August 2, 2015 from the hours of 8 a.m. to 5 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

Councilman Miller made a motion to approve the application, seconded by Councilman Handerhan and unanimously carried.

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

**9. RESOLUTION 2015-72: PARK USE APPLICATION – DEAL POLICE/ DEAL FIRE DEPT**

**RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION**

**WHEREAS**, the Deal PBA has submitted an application to utilize the Borough of Interlaken Ballfield located at 715 Bridlemere Avenue, on June 20, 2015 from the hours of 11 a.m. to 3 p.m.; 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 Deal PBA 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. Vincent Volek, Applicant

Councilman Miller made a motion to approve the application, seconded by Council President White and unanimously carried.

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

**10. RESOLUTION 2015-73: AUTHORIZING PAYMENT CERTIFICATE NO. 2 S. BATATA**

**AUTHORIZING PAYMENT FOR FINAL ENGINEER’S CERTIFICATE NO. 2  
2013 ROAD IMPROVEMENT PROGRAM**

**WHEREAS**, the Borough previously entered into a contract with S. Batata Construction, Inc. for the 2013 Road Improvement Program; and

**WHEREAS**, the Borough Engineer has recommended approval of Final Engineer’s Certificate No. 2 to S. Batata Construction, Inc., authorizing payment of \$4,480.07 for work completion;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council that Final Engineer’s Certificate No. 2 to S. Batata Construction is hereby authorized in the payment of \$4,480.07 for completion of work and Final Engineer’s certificate.

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

1. S. Batata Construction, Inc.
2. Peter Avakian, Borough Engineer
3. Borough Administrator
4. Chief Financial Officer

Council President White made a motion to authorize payment, seconded by Councilman Franks and unanimously carried.

	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
Opposed							
Abstain/ Recuse							
Absent/ Excused						X	

**11. RESOLUTION 2015-74: PAYMENT OF BILLS**

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

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DATE SPAN	TOTAL
04/27/15-06/15/15	\$ 75,941.07

**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 June 17, 2015 is in the amount of Seventy- Five Thousand, Nine Hundred Forty-One Dollars and Seven Cents.

**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.

Council President White made a motion to approve payment of bills, seconded by Councilman Handerhan and unanimously carried.

	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
Opposed							
Abstain/ Recuse							
Absent/ Excused						X	

**12. REPORTS/CORRESPONDENCE**

- ADMINISTRATION/FINANCE – No Report.
- PUBLIC SAFETY – Councilman Miller stated that the monthly Police report has been distributed.

Councilman Miller stated that there was a meeting regarding the Deal Lake Flume. Representative Chris Smith and Assemblywoman MaryPat Angelini were in attendance to discuss the problems with the Deal Lake Flume being clogged due to the work of the beach replenishment done by the Army Corp of Engineers. The issue will be addressed by the Deal Lake Commission. Councilman Miller’s concern is that when the Army Corp of Engineers has completed their project, they leave. If the problem with the flume returns, months or years from now, the responsibility and costs to correct the issue will fall to the Deal Lake Commission. There could be large expenses in the future. The Borough signed the Deal Lake Commission contract to be responsible for 20 percent of the costs with no cap.

Councilman Handerhan stated that there was a warning put out about a rabid fox in the area. Rabies could be in the area. Please be sure your pets are vaccinated.

- STREETS & ROADS – Councilman Handerhan asked about the crack sealing procedure that was done to some roads last year. Borough Clerk/Administrator Reibrich stated that DPW would like to do the process again this year.

Councilman Handerhan asked about DPW removing oil stains from asphalt. Several contractor trucks have been on Barra Street and left behind large oil stains on the newly paved road. Council discussed determining which contractors caused the issue and holding them accountable for cleaning the oil. Oil must be cleaned to prevent damage to the asphalt.

- RECREATION ADVISORY COMMITTEE – No report.
- SHADE TREE COMMISSION – No Report.
- PLANNING BOARD – No report.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR- Borough Clerk/Administrator Reibrich stated that she met with the NJ Transit Authority to discuss upgrades to the railroad crossing on Grassmere Avenue. The drop on the tracks will be repaired and a pedestrian gate will be installed. Additional planning meetings will be scheduled. A start date for the project has not been determined.

**13. COMMENTS FROM THE PUBLIC**

Mayor Nohilly opened the floor for public comment.

With no comments from the public, Mayor Nohilly closed the floor.

14. **ADJOURNMENT** With no further Council comments, Council President White made a motion to adjourn, seconded by Councilman Handerhan and unanimously carried.

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

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Lori Reibrich  
Borough Administrator/Clerk