

**BOROUGH OF INTERLAKEN
WORKSHOP MINUTES
JULY 18, 2018
7:00 P.M. BOROUGH HALL**

The workshop meeting of the Borough of Interlaken was called to order at 7:02 p.m., by Mayor Nohilly. Sunshine Statement was read by Borough Clerk Reibrich. “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 and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President White, Council members: Franks and Watson

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

Late Arrival: Councilwoman Horowitz Councilman Gunn and Councilman Butler

1. FALL FEST- *Planning of the upcoming event let by Councilman Watson*

Councilman Watson questioned where Council thinks the Borough stands in their desire for a Recreational component. Does the Borough just want minimal events such as the tree lighting and the garage sale or do they want something more.

The town picnic started 20 years ago and there would be 20 families, maybe 40, people helping with the events. Participation has shrunk over time. Council is currently driving the whole thing and becoming burnt out. A letter was sent asking for volunteers with only two people responding. It begs the question, “Is Council spinning our wheels or is it something the residents want?” To turn this around there has to be more outsourcing and higher ticket pricing. With time running out, do we just simplify the event this year and work on building the recreation committee for the future.

Mayor Nohilly stated that it is his experience that there is not a lot of volunteerism. There are people willing to show up at the event, but not go to monthly meetings. That is why the shift has been to having it catered. Last year was a big effort. It was a heavy lift. The feedback was 100% positive. It was a great event, but you are not going to get 50 people to volunteer to help with it.

Councilman Watson agreed that there is a lot of preplanning that is required. The pressure cooker is the cost. In past years the Recreation Committee had funds.

Mayor Nohilly stated that in the past, the committee held fundraisers to support the picnic.

Council President White noted that the picnic was not a large expense. People donated the food and Council would cook. The Committee got burned out. It was the same people doing the event. There had to be meetings and everyone had to be sworn in.

Mayor Nohilly that is not how it is today.

Mayor Nohilly stated that Council knows the residents like it, there is a good turnout. Whether it is catered or it is done by the volunteers, it is well attended.

There was additional discussion regarding the picnic.

Borough Clerk/Administrator Reibrich asked whether the event should be scaled back to just be the monument dedication.

Mayor Nohilly noted that prior to last year, the picnic was pretty scaled back. It was beer and wine and catered BBQ. There were people who asked why they should pay 15 dollars to have a hot dog in the park. Attendees liked last year's event. The feedback was positive. Maybe get a band or have John Leidersdorff showcase the young talent again.

Borough Clerk/Administrator Reibrich stated that the funding for the State permits is on the regular meeting.

Borough Clerk/Administrator Reibrich stated that event would be Saturday, September 8, 2018.

2. **RAFFLE LICENSES** – *Discussion of Pay to Play laws and possible ordinance*

Councilman Watson proposed that the Borough allow raffles, as a way to raise funds for the picnic.

Borough Clerk/Administrator Reibrich stated that there is no one who uses our facilities that has a 501C status to be able to get a raffle license.

Borough Attorney Shaklee stated that it would have to be a nonprofit organization to be able to raise funds. The Borough would give a license to the organization with 501c status to have a raffle on a date.

Council President White noted that an organization with a 501c status and can designate the proceeds to go to another organization.

Borough Attorney Shaklee stated that registration from the State must be procured to do the raffle. The only ones the State allows a registration are those with the 501c.

Mayor Nohilly noted that Loch Arbour has a raffle ordinance.

Borough Attorney Shaklee suggested that maybe the ordinance was put into place to designate the procedure to get a raffle license within the Borough, but noted that he has not read the ordinance.

Mayor Nohilly suggested that the procedure maybe too complicated to add to the pile this year.

3. **REVIEW OF NOISE ORDINANCE** – *led by Councilman Watson*

Councilman Watson stated that he handles his own maintenance of his house and is at the mercy of the weather on Saturday. Councilman Watson questioned whether there is some way there could be a compromise on the noise ordinance regarding work on Sunday and has been approached by several people regarding the matter. Is there a way to make it less restrictive? There is no idea what percentage of people are against the noise ordinance.

Mayor Nohilly stated that this topic comes up every year and it has been his experience that the residents want to keep the current ordinance. It is an ordinance that is over forty years old. Every year there are only a couple of people who ask about changing the noise ordinance. The residents like the quiet Sundays and he believes that if there is a proposal to change it, the room would be packed with those that do not want it changed.

Councilman Watson noted that it was interesting that it comes up every single year. There are those that want to see it changed. Councilman Watson is not looking to dissolve the ordinances, but would like to see a compromise. Maybe dictate a time or a specified month.

Council President White stated that he has lived here 11 years, works full time and manages to get his lawn done. Sometimes it is up to 12 days between mowing, but he enjoys the quiet on Sunday. If people start to mow the lawn residents are calling to complain. Residents do not want to hear the noise. It happens every spring when it rains a lot. There are a handful of complaints. It just goes away. If you try to change the ordinance, you will hear from those who do not want it changed.

Councilman Franks stated that there are six days to mow and believes that the residents want quiet. If the ordinance changes it invites commercial companies in our town on Sunday. It takes him over four hours to do his lawn. He would not be able to finish during an 11-2 proposed time slot.

Councilman Watson stated that the crux is that everyone enjoys the beautification of the town. Residents want the homes to look nice and want the value of the town to increase. There is a percentage of the town that are DIY people. There is no dispute that the ordinance is an inconvenience for some residents who work full time. We don't have six days, we have two. Councilman Watson believes there is room for compromise.

Councilman Franks believes that, if the town was polled, they would want the ordinance to stay the way it is.

4. **REVIEW OF TRAILER ORDINANCE** – *led by Councilman Franks*

Councilman Franks stated there is an ordinance for trailers in the Borough, but it only applies to commercial trailers. Noncommercial trailers can be stored in the front of houses. It is a matter of optics. Councilman Franks is proposing that the ordinance apply to all types of trailers. There was an instance where someone stored their boat trailer in their front driveway and called every night to keep their car on the street. In addition, police officers have to get out of their vehicles to determine if the trailer has a commercial plate.

Council President White asked for confirmation of what type of trailers.

Councilman Franks clarified that it would be pull trailers.

Mayor Nohilly asked if there was a history of instances of this type of trailer storage in the Borough.

Mayor Nohilly stated that there is no concern about construction trailers, because they are temporary.

Mayor Nohilly asked that Councilman Franks get more information regarding the number of instances. Council needs to know the size of the problem and whether this ordinance change will cause hardship to the residents.

5. **NEW BUSINESS:** No new business was discussed at this time.
6. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment.

Maryanne Gatsch, 727 Raymere Avenue, asked questions regarding the fence ordinance. Ms. Gatsch has a shared driveway and a fence that was newly installed by her neighbor is causing difficulty getting through to her garage.

Mayor Nohilly stated that the Borough does not get involved in individual neighbor issues. When an ordinance is passed, it should work for the majority of people but there are always going to be people who have individual situations. Those issues outside of the ordinance fall to the Zoning Officer and the Planning Board to see what they can do. Mayor Nohilly stated that his “non-Land Use attorney” opinion is that Ms. Gatsch’s neighbor is within their right as long as the fence falls within their property line. Then the matter falls to how good of a neighbor or friend they are to see if it can be worked out between the two parties.

Ms. Gatsch thanked Council for their time.

Kathy Umfrid, 519 Windermere Avenue, stated that she has lived in the Borough since January 1992 and commented that she loves the quietness on Sunday. It is a positive thing for Interlaken. It is one of the things that make Interlaken unique, different and a place where a lot of people want to live. A Councilman mentioned there are a lot of other days in the week when we have daylight when the grass can be cut and the weeds whacked.

Tom Trokkan, 514 Bendermere Avenue, stated that Borough Clerk/Administrator Reibrich and Borough Engineer Representative, Denis Higgins have been out to his house to view the property. Mr. Trokkan stated that he moved into Interlaken for the beauty, the quiet and the value. Mr. Trokkan stated that his property has been severely compromised by things that have been done by his next door neighbor. The Borough is reviewing the matter but he would like to invite everyone in the room to walk down his driveway and look what has been done and he guarantees that everyone would be upset

Mayor Nohilly thanked Mr. Trokkan for his invitation but stated that Council is aware of Mr. Trokkan’s situation and will leave the matter in the hands of Borough Clerk/Administrator Reibrich and Borough Engineer Representative, Denis Higgins to handle.

Michael Delia, 414 Bendermere Avenue, stated that he disagreed with some Council comments that there are enough hours to complete yard work and believes it is a naïve assumption. Mr. Delia does not get home until 6, 7, 8 or 9pm and has young children. Mr. Delia has moved into a house that needs a lot of work and is trying to get it done without paying someone else to do it. Maybe there is some compromise that can be considered. There needs to be time for property maintenance. He is trying to fix up his house. The change can exclude commercial vehicles. The ordinance is not the character of the town. It is an ordinance. It is ludicrous to say that the ordinance is the character of this town. Younger families are trying to afford the homes. There

are others who support this change. Mr. Delia feels just because the opinion is of the minority it does not mean it should not be considered.

Kiernan Dugan, 409 Grassmere Avenue, asked that there be some sort of compromise especially in the fall and spring. There are a lot of leaves in the fall. Maybe it can be a three or four week window to help people fix up their lawn and to help people be able to afford to stay in this town. Mr. Dugan does not believe the data regarding the number of noise complaints is correct. It may be the same person calling multiple times.

Susan Delia, 414 Bendermere Avenue, asked about the process to put something on a Council agenda.

Mayor Nohilly stated that this matter comes up every year and every year there is not enough support from Council or from the public to make the change. In the past, when changes were suggested to be made to the ordinance there has been a large turnout of people who do not want it changed. There is not enough people to say that this is something that needs to be looked at.

Ms. Delia stated that the reason why the Borough changed the schools to West Long Branch was to attract younger families to the neighborhood. Mayor Nohilly stated that Council can take no credit. It was a Board of Education decision.

Ms. Delia stated that the newer residents are renovating and increasing property values. Maybe there can be some type of compromise.

Mr. Delia stated that the ordinance has no decibel reference and it is subjective. It allows anyone to call on a neighbor when they don't like what you are doing. Mr. Delia's neighbor called when he used an electric blower for less than twenty seconds.

Margaret Maloney, 511 Windermere Avenue, stated that she works from home on Mondays and Fridays and would love to have the noise ordinance extended to those days. She would love days of more restricted noise though she stated she knows that is not a feasible thing. Ms. Maloney likes to have one day of peace. Ms. Maloney questioned the process for getting a subject on the agenda.

Borough Clerk/Administrator Reibrich stated that under the current rules of order, the Mayor sets the agenda. The Council members can bring new business and topics to her and the Mayor for consideration for a subsequent meeting. Borough Clerk/Administrator Reibrich stated that she brings matters to the that Mayor and Council that have come to the office via numerous calls, emails and/or letters.

Mayor Nohilly explained that if an issue is raised it is put on a workshop. If the matter needs further review it can be reviewed by Committee. The Committee will be put on a meeting agenda to then share their recommendations and findings. If the matter involves an ordinance to make a desired change, it will be put on an agenda. There will be a public hearing that is advertised, where the public can weigh in on the matter and there will be a vote.

Mayor Nohilly stated that he can see both sides of the issue, but speaking from his experience as Mayor, the consensus of the Council is that the majority of the residents do not want to change.

Roger Yehl, 711 Fernmere Avenue, asked where the agenda can be found prior to the meeting. Borough Clerk/Administrator Reibrich stated that it is posted on the website and in Borough Hall or Mr. Yehl can contact Borough Hall with questions.

Kathy Umfrid asked if there was a program within the Borough to have a homeowner's sidewalk repaired at a better price in conjunction with a road project.

Mayor Nohilly stated that the Borough has an ordinance that requires homeowners to maintain their sidewalks. When there is a Borough road project there is normally an agreement with the contractor to offer residents within the area sidewalk repairs at a discounted rate.

With no additional public comment, Mayor Nohilly closed the floor.

4. **ADJOURNMENT:** Council President White made a motion to adjourn, 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
Opposed							
Abstain/ Recuse							
Absent/ Excused				X	X	X	

Lori Reibrich, RMC
Borough Clerk/Administrator