

**BOROUGH OF INTERLAKEN  
MINUTES  
SEPTEMBER 18, 2019  
7:30 P.M. AT BOROUGH HALL**

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The regular meeting of the Borough of Interlaken was called to order 8:09 p.m., by Mayor Nohilly. The Sunshine Statement was read by Borough Clerk Administrator Reibrich. 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 was posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council members: Horowitz, Butler, Watson, Fama and Maloney

Absent: Council President White

Also Present: Borough Attorney Richard Shaklee, Chief Ronan Neuman, Lieutenant Matthew Sharin and Borough Clerk/Administrator Lori Reibrich

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**1. PUBLIC COMMENTS – FOR AGENDA SPECIFIC ITEMS ONLY – EXCLUSIVE OF ORDINANCES**

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

**2. APPROVAL OF MINUTES: AUGUST 21, 2019 WORKSHOP & REGULAR MEETINGS**

With no further comments, Councilman Butler made a motion to approve, seconded by Councilwoman Horowitz and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve				X			
Motion to Second			X				
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

**3. ORDINANCE 2019-6: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$390,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

*ORDINANCE 2019-6 WAS POSTED IN BOROUGH HALL ON AUGUST 21, 2019 AND ADVERTISED IN FULL IN THE COASTER ON AUGUST 29, 2019. SUPPLEMENTAL DEBT STATEMENT HAS BEEN FILED WITH THE DIVISION OF LOCAL GOVERNMENT SERVICES. PUBLIC HEARING WAS SET FOR SEPTEMBER 18, 2019.*

**BOROUGH OF INTERLAKEN  
COUNTY OF MONMOUTH  
Bond Ordinance No. 2019-6**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$390,200 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

**BE IT ORDAINED** by the BOROUGH COUNCIL OF THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby

authorized as general improvements to be undertaken in and by the Borough of Interlaken, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$390,200, said sum being inclusive of all appropriations heretofore made therefor, and including the sum of \$38,200 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, and \$200,000 grant funds expected to be received from the New Jersey Department of Transportation. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$152,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

- (i) road improvements to Woodmere Road, with a total appropriation and estimated cost of \$222,000, estimated maximum amount of bonds or notes therefor of \$20,900, grant funds in the amount of \$200,000 from the New Jersey Department of Transportation, and an average period of usefulness of 10 years; and
- (ii) various road and sidewalk improvements with a total appropriation and estimated cost of \$168,200, estimated maximum amount of bonds or notes therefor of \$131,100, and an average period of usefulness of 10 years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$152,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$390,200, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$390,200 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$38,200 down payment and the New Jersey Department of Transportation grant in the amount of \$200,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs

of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$152,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$23,380 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, excluding the grant funds referred to in Section 1 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

With no further comments, Councilwoman Maloney made a motion to open public meeting, seconded by Councilman Watson and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve						X	
Motion to Second					X		
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

With no further comments, Councilwoman Horowitz made a motion to close public hearing, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve			X				
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

With no further comments, Councilwoman Horowitz made a motion to adopt, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve			X				
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

4. **ORDINANCE 2019-8: AN ORDINANCE AMENDING “SWIMMING POOLS”, SUBSECTION “FENCING”**

*ORDINANCE 2019-8 WAS POSTED IN BOROUGH HALL ON AUGUST 21, 2019 AND ADVERTISED IN FULL IN THE COASTER ON AUGUST 29, 2019. PUBLIC HEARING SET FOR SEPTEMBER 18, 2019.*

**BOROUGH OF INTERLAKEN  
ORDINANCE NO. 2019-8**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XIII, “SWIMMING POOLS,” SECTION 13-3, “CONSTRUCTION AND MAINTENANCE STANDARDS,” SUB-SECTION 13-3.6, “FENCING”**

BE IT ORDAINED by the Borough Council of the Borough of Interlaken, in the County of Monmouth and State of New Jersey, that:

SECTION ONE. Sub-section 13-3.6 "FENCING" of the Code of the Borough of Interlaken is amended and supplemented as follows:

A good quality fence, which is no less than 50% percent open, shall enclose such pool ~~at least four (4) feet in height.~~ The fence shall be in compliance with the Swimming Pool Code of New Jersey, including being equipped with a gate or gates of the same height as the fence and equipped with a self-locking device.

Swimming pools shall be completely surrounded by protective fencing with a minimum of four (4) feet in height, but no more than ~~six (6) five (5) feet in height,~~ which fencing shall include self-closing and self-latching gates. ~~If pool fencing exceeds four (4) feet in height, it shall be set back from the rear lot line at least five (5) feet, and bounded by the side building lines.~~ Such fences shall be suitably landscaped to minimize the visual impact on adjacent residential uses.

No pool fence shall remain open, unlocked or unlatched, except when said pool is in use.

SECTION TWO: All other sections and sub-subsections of Chapter XIII,

“Swimming Pools,” will remain unaltered.

SECTION THREE. If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

SECTION FIVE. This Ordinance shall take effect immediately upon its final passage and publication according to law.

With no further comments, Councilman Fama made a motion to open public meeting, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve							X
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

With no further comments, Councilman Fama made a motion to close public hearing, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve							X
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

With no further comments, Councilman Fama made a motion to adopt, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve							X
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

5. **RESOLUTIONS 2019-71: BILL LIST**

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

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DATE SPAN	TOTAL
08/23/19-09-16-19	\$383,109.76

**Resolution 2019-71:**

**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 September 18, 2019 is in the amount of Three Hundred Eighty-Three Thousand One Hundred and Nine Dollars and Seventy-Six 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 further comments, Councilman Fama made a motion to adjourn, seconded by Councilman Butler and unanimously carried.

	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve							X
Motion to Second				X			
Approved			X	X	X	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

**PRESENTATION BY POLICE CHIEF:** Mayor Nohilly stated that the Public Safety report will be given first, as Chief Ronan Neuman and Lieutenant Sharin would be presenting finding of the latest traffic study.

Chief Neuman thanked Council for having him at the meeting and advised that a traffic study was done within the Borough between August 23, 2019 and September 2, 2019. It was a 10-day study. For the average 85 percentile the average speed was 29 mph. In the 85 percentile there were 34,720 cars going down the street for the 10-day period. The total number of cars was 40,858.

Chief Neuman stated that the 85 percentile is used for the study to account for variations like someone exiting a driveway for example. The report is broken down per day and number of vehicles per hour. The average speed was 29.4 mph.

Chief Neuman noted that three studies have been done. Every study shows the average speed of about 29-30 mph. There is only a perception of a speeding issue. Mayor Nohilly agreed that the issue is more of perception than a factual reality. Studies have been done on Grassmere Avenue, Bridlemere Avenue, and Westra Street. The results are the same.

Councilwoman Maloney asked questions regarding the 85 percentile. Chief Neuman gave a more detailed explanation and stated that the percentile is used and that at 100 percent the average speed is always lower.

Chief Neuman noted that there has been a lot enforcement done in Interlaken, using speeding signs and a decoy car as examples.

Chief Neuman also pointed out that a Department of Transportation (DOT) traffic study could increase the speed of the road. It is a divided road where you can park on both sides. DOT may decide traffic would flow better at a higher speed. There are several smaller streets in the area, that are even smaller than Grassmere Avenue, that have higher speeds. Chief Neuman gave examples of streets that are higher speed naming Ocean Avenue between Cedar Avenue and Lincoln Avenue which are smaller with higher speed. Whalepond Road is 35mph and that road is narrower than Grassmere Avenue.

Chief Neuman stated that the reason there is not a speeding issue is due to enforcement. It is .9 miles from the tracks and people in the area know the speed is being enforced.

Chief Neuman stated that it is a perception that cars are speeding. Chief Neuman discussed the Police training on radar and it requires the officers to be aware of factors affecting their perception such as size of car, how loud it is, whether it is a sports car. This would need to all be considered by a civilian when the feel that someone is speeding by sight alone.

Chief Neuman stated that the studies will continue, enforcement will continue. The traffic sign will be continued to be used.

Councilman Watson stated that he was glad the study was done during one of the busier weekends of the year and requested that the information from the study be summarized and added to the website.

Mayor Nohilly stated that the study will be summarized for the website.

Mayor Nohilly opened the floor for public comment.

Mike Mulhaul, 101 Grasmere Avenue, stated that the Borough is encouraging families to come into town. 35mph is fast for someone to walk across the street and asked if there were any additional locations the study was done. Mr. Mulhaul also asked questions regarding the direction when the radar picked up the cars.

Chief Neuman stated that the car is picked up way ahead of the sign and the speed is measured for cars going in both directions.

Lieutenant Sharin stated that the radar is focused about ½ mile down the road and uses a doppler effect to ensure that what it is seeing is accurate.

Laura Mulhaul, 101 Grassmere Avenue asked the average speed of the speeding tickets.

Marcie Horowitz, 510 Windermere Avenue stated that there is a huge difference between 25mph and 35mph. She stated that if there is a perception of speeding, maybe cars going 30 can get a warning.

Chief Neuman stated that if cars going 30mph were not being stopped the 85 percentile would be higher. It would be closer to 40-45mph. Chief Neuman sees his officers stopping cars doing 26mph, if there is suspicious activity.

Ms. Mulhaul noted that this is an active walking community and questioned whether a driver's field of vision is decreased at a higher speed.

Mayor Nohilly asked that it be remembered, with 40,858 cars in the study, the average speed was was 25.2mph.

Ms. Mulhaul asked about the effectiveness of speeding signage.

Chief Neuman stated that the blinking light is the reason why vehicles slow down at the intersection.

Mayor Nohilly stated that the Borough uses every deterrent available, other than temporary speed bumps, but if it stays in one place it eventually gets ignored. The most important thing is that people in the area know that you can't speed in Interlaken.

Ms. Mulhaul noted to Chief Neuman that their presence is a good deterrent on Grassmere Avenue.

Chief Neuman and Lieutenant Sharin were thanked by Council and left the meeting at this time.

## 7. **REPORTS/CORRESPONDENCE:**

- **Administration/Finance:** Borough Clerk/Administrator Reibrich stated that the Bond Ordinance just passed and after a 20-day estopple period, the bid documents will be compiled for the Road Program. The bid should be done over the winter, so that the Borough could be one of the first projects in Spring.
- **Public Safety:** No additional report.
- **Streets & Roads:** No report.
- **Shade Tree Commission:** No report.
- **Planning Board:** Councilman Butler reported that the Planning Board is asking to make some changes to the Land Use Ordinance related to recommendations of Master Plan Reexamination Report of 2006, specifically the implementation to development the floor area ratio ordinance to prevent the bulk and size of a dwelling extended above the first floor area. It is in the preliminary phase, but the Board would like to know whether Council would be receptive to this type of ordinance.

Council had a brief discussion regarding floor area ratio.

Mayor Nohilly stated Council should familiarize themselves with the Master Plan and asked that the Planning Board present a paragraph summary and their thoughts regarding their proposal.

- **Board of Education:** Councilwoman Maloney stated that there are 44 students. There are 7 high school, 31 elementary school, 1 vocational school, 1 charter school, 2 special education students out of district and 2 private school students.

Mayor Nohilly noted that the contract will be up for renegotiation this year.

Councilwoman Maloney noted that there are bus driver positions available.

- **Borough Administrator:** Borough Clerk/Administrator Reibrich distributed a safety pamphlet from the Joint Insurance Fund (JIF) which highlights a decrease in safety matters by 65%.

Borough Clerk/Administrator Reibrich noted that Allenhurst will be hosting a joint Halloween event on October 19<sup>th</sup> with a rain date of October 20<sup>th</sup>. The Borough Veteran's Day event will be held on November 9<sup>th</sup>.

Councilman Watson reported on the success of the Fall Fest. There were 267 adults, with 181 attending last year. There were 75 kids, with 60 attending last year. Admission fees collected were around \$4,000 up from \$2,700 last year. There was an increase in apparel sales. This year it was around \$2,000 where last year it was close to \$1,000. Profit was \$563 compared to \$241 last year.

Councilman Watson noted that expenses will go up some next year. There was a credit for this year's movie expense and more food will be required as attendance grows.

Council had a brief discussion regarding the recreation line item in the budget.

Councilman Watson thanked the volunteers and said that the rain delayed set up until Saturday morning. Everyone worked hard. It was a great time.

Recreation Committee is proposing a fall mailer that would tell residents of upcoming events. The mailer would include a list of events including Veteran's Day. A luminary order form and an invitation to the Winter Social would be included.

Councilman Watson reviewed plans for the Winter Social. An increased menu, longer open bar and a DJ will be added to this year's event.

Mayor Nohilly noted that the mailing should be clear that it is from the Recreation Committee.

Councilman Watson reviewed additional events. There is a fundraiser with Bungalow Road and Tandem Cycle where proceeds would go to the Recreation Committee.

Mayor Nohilly reminded Council that the Recreation Committee is an advisory committee and that Council makes the approvals regarding the events.

Councilman Watson gave further details regarding specific events including the luminary sales and pick up, refund deadline for Winter Social and timing of the mailing.

Borough Clerk/Administrator stated that she has received calls and complements on the success of the Fall Fest from people coming into Borough Hall.

8. **NEW BUSINESS:** None

9. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment.

With no additional public comment, the floor was closed.

10. **ADJOURNMENT:** With no further comments, Councilwoman Maloney made a motion to adjourn, seconded by Councilman Fama and unanimously carried.



	Mayor Nohilly	Council President White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
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>					

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Lori Reibrich, RMC  
Borough Clerk/Administrator