

**BOROUGH OF INTERLAKEN**  
**MINUTES**  
**NOVEMBER 7, 2018**  
**7:30 P.M. AT BOROUGH HALL**

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The regular meeting of the Borough of Interlaken was called to order at 7:30 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 President White, Council members: Butler, Franks, Watson and Menditto

Absent: Councilwoman Horowitz

Also Present: Borough Attorney Richard Shaklee 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 or public comment.

Donald Nissim, Interlaken Deal Lake Representative/Co-Chairman of the Deal Lake Commission addressed the Council with an update regarding the Deal Lake Commission. Mr. Nissim noted that he has been Co-Chairman for the past five years. Mr. Nissim stated that he received inquiries during the last nor'easter about why the flume to the lake was open in the middle of the storm. Mr. Nissim explained that the flume has two gates. Deal Lake is three foot higher than the ocean at mean time. This enables the Commission to empty water from the lake into the ocean when there is a storm event. The lake is only three feet higher than the ocean. At high tide the lake gets in water from the ocean every night. The storm was a good size and even with the gates completely closed water was flooding back in from the ocean. People think Deal Lake Commission's job is to make sure no one gets flooded from the lake, but the Commission's job is to protect the lake and get funding to do so. The Commission has received \$750,000 from the State to sure up some shorelines. The lakes biggest problem is that the amount of water that comes in now is much more than what it has been in the last five years due to development in local areas around the lake. The Seaview Square project is the biggest culprit.

Mr. Nissim stated that the Deal Lake Commission now has a good relationship with the Department of Environmental Protection (DEP). The DEP monitored the two recent bridge projects, so there was very little effect on the lake.

Mr. Nissim stated that the Deal Lake Commission received one and a half million dollars from the State for Superstorm Sandy remediation. Sand mitigation was done at the eastern end. The Commission has applied for a cut off to prevent large ocean surges from coming into the lake and are expecting that funding next year. Collection devices have been installed to capture sediment, oils and garbage from entering the lake. There is a large one on Comstock Avenue.

Mr. Nissim noted there are some things the Borough can do to help the lake. One would be to install smaller grating on the storm drains, which stop more debris.

Mayor Nohilly noted that the Borough does have some of the newer type grating which was installed during road improvement projects and asked about whether there was some sort of attachment that could be retrofit to the older drain covers.

Mr. Nissim stated that the Borough could also help the lake by creating a felled tree ordinance that asks residents be responsible for removal from the lake, if the tree falls from their property.

Mayor Nohilly stated that the Borough currently does have such an ordinance.

Mr. Nissim stated that, looking ahead, the Commission is expected to convert the gate opening system to be electric, rather than manual. This will make it easier for the flume to be controlled. The Commission will continue to work with Ocean Township and the owners of Seaview Square to install a retention basin, which will make a tremendous difference.

Mr. Nissim explained that the largest cost of lake soil remediation is due to the fact that the lake naturally creates arsenic. Due to the strict New Jersey pollution standards, the costs are seven times higher for remediation. These remediation costs are restrictive.

Mr. Nissim stated that the Commission’s attitude is a positive one. The wildlife around the lake is flourishing. There are two eagles that have taken up residence. Approval has been granted to have the lake stocked with fish, which has not been done in the last five years.

Mayor Nohilly told Mr. Nissim that Council appreciates his time and passion for his role as representative/Co-Chairman and thanked Mr. Nissim for all of his efforts.

Mayor Nohilly asked that the Borough receives some sort of end of year report from the Commission on a yearly basis, as a recap of where the funding is being applied.

With no additional comments made, Mayor Nohilly closed the floor.

**2. APPROVAL OF MINUTES: OCTOBER 17, 2018 REGULAR AND WORKSHOP**

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

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

**3. RESOLUTIONS 2018-80: ANNUAL BEST PRACTICES CHECKLIST**

Borough CFO/Tax Collector Gallagher stated that the last 5% of State Aid is dependent on the results and completion of the best practices checklist. The Borough score was 97%. Borough CFO/Tax Collector Gallagher reviewed the questions in greater detail, noting that the number of questions on the list nearly doubled compared to last year. There are many questions on the checklist that are not applicable to the Borough. There were 28 questions that do not pertain to the Borough and there were only two questions where the Borough’s answer was, “No.” Borough CFO/Tax Collector Gallagher stated that the questionnaire is moving into a more constructive type of questionnaire and is food for thought.

**RESOLUTION CERTIFYING REVIEW OF THE 2018 BEST PRACTICES CHECK LIST**

**WHEREAS**, the Borough of Interlaken is required by statute to complete the Best Practices Check List as instituted by the Division of Local Government Services; and

**WHEREAS**, the Best Practices Check List is a constructive way to encourage municipalities to consider and embrace a range of best practices that will help improve financial accountability and transparency; and

**WHEREAS**, the Check List has been certified by the Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

**WHEREAS**, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List;

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Interlaken, hereby certifies that they have reviewed and discussed the checklist at a public meeting held on November 7, 2018.

**BE IT FURTHER RESOLVED** that certified copies of this resolution are to be provided to the following:

1. Division of Local Government Services
2. Lori Reibrich, Administrator/Clerk
3. Stephen Gallagher, Chief Financial Officer

With no comments made, Councilman Butler made a motion to approve the checklist, seconded by Council President White and unanimously carried.

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

**4. RESOLUTIONS 2018-81: APPROVING APPOINTMENT OF DEAL LAKE REPRESENTATIVE - ALTERNATE**

Mayor Nohilly thanked Ms. Carolyn Roarty for volunteering.

Ms. Roarty stated that information about the Deal Lake Commission can be found at [deallake.org](http://deallake.org) there is information, links and photos.

**APPROVING APPOINTMENT OF DEAL LAKE COMMISSION  
ALTERNATE FOR REMAINDER OF 2018**

**BE IT RESOLVED** by the Borough Council of the Borough of Interlaken that it hereby appoints Carolyn Roarty as the alternate representative, effective November 7, 2018 through December 31, 2018; and

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

1. Donald Nissim, Deal Lake Representative
2. Carolyn Roarty, Deal Lake Alternate
3. Deal Lake Commission
4. Lori Reibrich, Borough Administrator

With no comments made, Council President White made a motion to approve the appointment, seconded by Councilman Menditto and unanimously carried.

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

**5. RESOLUTIONS 2018-82: BILL LIST**

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

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DATE SPAN	TOTAL
10/24/18-11/05/18	\$164,713.62

**Resolution 2018-79:**

**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 November 7, 2018 is in the amount of One Hundred Sixty Four Thousand, Seven Hundred Thirteen Dollars and Sixty-Two 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 comments made, Council President White made a motion to approve the bill list, seconded by Councilman Franks and unanimously carried.

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

**6. REPORTS/CORRESPONDENCE:**

- **Administration/Finance:** No Report
- **Public Safety:** No Report
- **Streets & Roads:** Borough Clerk/Administrator Reibrich stated that Raymere Avenue is being paved and should be done before Thanksgiving.

Councilman Butler stated that the street signs will be installed in spring.

- **Shade Tree:** No Report
- **Planning Board:** No Report
- **Board of Education:** Council President White questioned whether the contract was up this year and stated that he would attend the next meeting, if required.
- **Borough Administrator:**

Borough Administrator Reibrich started a discussion regarding the upcoming December events that will take place prior to the next Council Meeting. The Mayor and Council discussed the upcoming luminary purchase for display, the annual tree lighting and the Recreation Committee. The process of fund spending for the Recreation Committee was discussed.

Board Attorney Shaklee noted that if the committee was able to vote on things and approve spending they would become a public body and part of the Open Public Meetings Act. The intent of changing the ordinance was to take away the ability to vote and spend money and to make them purely advisory to the Council. Everything requires the Council approval.

Mayor Nohilly stated that the responsibility for the decisions of the Recreation committee rests on the Council. Everything must come before Council.

Councilman Watson questions clarification on pay as you go events.

Mayor Nohilly stated that the whole point of why the change was made was to give the committee casualness to stay involved and public meetings and minutes would not be required.

Councilman Watson asked that a credit card be established for use by the Recreation Committee, so that residents are not putting money out of their pockets for events. Council President White stated that funding is normally paid through the Borough purchase order system. The Committee would request the check in advance to give to the vendor.

Borough Clerk/Administrator Reibrich noted that the payment would be approved at a meeting.

Council President White noted that the Committee is newly formed. In the future, events will be planned in advance.

Councilman Watson stated that the mailing with information regarding the luminaries will be included with the flyer for the Tree Lighting event that is sent annually. This will not cost the Borough any additional expense. There will be an order form for luminaries. There will also be a description of the history of luminaries included.

Councilman Watson stated that the kits will cost between \$ .61 and \$.63 including the bag, sand and candle. The decision was made to get LED candles and were only \$.10 more. Residents will pick up the bags on the Saturday before the event and scoop their own sand with a measured scooper. Councilman Watson calculated the amount of sand needed. The event will be at no expense to the taxpayer. There is an opportunity for residents to sponsor luminaries to be placed around Borough Hall, if Council permits.

There was a brief discussion regarding the placement of the sand delivery.

Mayor Nohilly stated that he believes the event will work out fine.

Borough Clerk/Administrator Reibrich stated that the County is working on the circle. A sprinkler system and landscaping will be installed including a large focal point tree.

Borough Clerk/Administrator Reibrich noted that she will be attending the New Jersey League of Municipalities League next week to acquire Continuing Education Credits and will be available by email.

- 7. **NEW BUSINESS:** None
- 8. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment. With no comments made, he closed the floor.
- 9. **ADJOURNMENT:** With no further comments, Councilman Franks made a motion to adjourn, seconded by Council President White and unanimously carried.

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

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Lori Reibrich, RMC  
Borough Clerk/Administrator