

**BOROUGH OF INTERLAKEN
MINUTES
NOVEMBER 12, 2014
7:00 P.M. ALLENHURST FIRE HOUSE**

The meeting of the Borough of Interlaken was called to order at 7:00 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. The following statement was read by Borough 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 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: Cohen, Franks, Handerhan, Miller, Napoli

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

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

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

2. APPROVAL OF MINUTES: OCTOBER 1, 2014- REGULAR & WORKSHOP

Councilman Napoli MOTIONED to approve minutes, seconded by Councilman Franks. With no Council comment the motion carried. Councilman Handerhan abstained.

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

3. ORDINANCE 2014-5: BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2013-2 ADOPTED ON MAY 15, 2013, WHICH PROVIDED FOR VARIOUS IMPROVEMENTS IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$241,000 FOR A TOTAL APPROPRIATION OF \$748,500, AND TO INCREASE THE AUTHORIZED BONDS AND NOTES TO BE ISSUED TO FINANCE A PORTION OF THE COSTS THEREOF BY \$38,950 FOR A TOTAL DEBT AUTHORIZATION OF \$470,575, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

**BOROUGH OF INTERLAKEN
COUNTY OF MONMOUTH**

BOND ORDINANCE NO. 2014-5

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WHEREAS, the Borough Council of the Borough of Interlaken, in the County of Monmouth, New Jersey (the "Borough") adopted Bond Ordinance No. 2013-2 on May 15, 2013 (the "Prior Ordinance") providing for various improvements; and

WHEREAS, the Borough has determined to supplement the appropriation and bonds and notes authorized therefor.

NOW, THEREFORE, 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. Section 1 of Bond Ordinance No. 2013-2 is hereby amended to read as follows:

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 \$748,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$77,925 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 funds expected to be received by a New Jersey Department of Transportation Grant. 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. Section 2 of Bond Ordinance No. 2013-2 is hereby amended to read as follows:

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 \$470,575, 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. Section 3 of Bond Ordinance No. 2013-2 is hereby amended to read as follows:

(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) Buttermere Avenue Phase III road improvements, with a total appropriation and estimated cost of \$558,500, estimated maximum amount of bonds or notes therefor of \$340,575, and grant funds of \$200,000 from a New Jersey Department of Transportation Grant, and an average period of usefulness of 10 years;

(ii) miscellaneous road improvements, with a total appropriation and estimated cost of \$180,000, estimated maximum amount of bonds or notes therefor of \$130,000, and an average period of usefulness of 10 years; and

(iii) acquisition of new computers/projector, with a total appropriation and estimated cost of \$10,000, and an average period of usefulness of 5 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 \$470,575, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$748,500, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$748,500 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$77,925 down payment, and the New Jersey Department of Transportation Grant in the amount of \$200,000.

Section 4. Section 5(b) of Bond Ordinance No. 2013-2 is hereby amended to read as follows:

(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 9.93 years.

Section 5. Section 5(c) of Bond Ordinance No. 2013-2 is hereby amended to read as follows:

(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 \$470,575 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 6. All other authorizations set forth in the Bond Ordinance remain unchanged and are hereby confirmed.

Section 7. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section 8. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*

Councilman Napoli MOTIONED to open the public hearing, seconded by Councilman Miller and unanimously carried.

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

With no comments from the public, Councilman Napoli MOTIONED to close the public hearing, seconded by Councilman Handerhan and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan	Councilman Franks
Motion to				X			

Approve							
Motion to Second						X	
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

Councilman Cohen MOTIONED to ADOPT bond ordinance, seconded by Councilman Handerhan and was unanimously carried.

Municipal Clerk Reibrich took roll call.

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

4. RESOLUTION 2014-114: AUTHORIZING A REFUND TO DOVENMUEHLE MORTGAGE IN THE AMOUNT OF \$3385.17 FOR TAX OVERPAYMENT TO THE PROPERTY TAX OF 306 WINDERMERE AVENUE BLOCK 10, LOT 36

WHEREAS, the Tax Collector’s office received a tax overpayment due to an error in the closing process by Dovenmuehle Mortgage on the following property:

Block/Lot	Property	Owner	Refund Due
Block 10 Lot 36	306 Windermere Ave	Falazarano, P	\$3385.17

WHEREAS, Dovenmuehle Mortgage submitted written request for the refund to be issued for the total amount of: **\$3385.17**

**Dovenmuehle Mortgage
1206 Charles St
Elgin, IL 60120**

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 Dovenmuehle Mortgage in the amount of \$3385.17; 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. David Lynch, Escrow Dept, Dovenmuehle Mortgage

With no comments, Councilman Miller made a MOTION to approve, seconded by Councilman White and unanimously carried.

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

RESOLUTION 2014-115: AUTHORIZING RELEASE OF TWO-YEAR MAINTENANCE BOND TO SALVATORE & ELIZABETH SCAFIDI IN THE AMOUNT OF \$3225.00 FOR MINOR SUBDIVISION AT 203/205 BENDERMERE AVENUE, BLOCK 20, LOT 17-19

WHEREAS, the Borough of Interlaken accepted a Maintenance Guarantee in the form of cash from Salvatore & Elizabeth Scafidi in the amount of \$3225.00 for the minor sub-division at 203/205 Bendermere Avenue (Block 20, Lots 17-19), based upon the recommendation by the Borough Engineer’s Office in correspondence dated November 16, 2012; and

WHEREAS, the Borough Council of the Borough of Interlaken approved Resolution 2012-121 authorizing the acceptance of the maintenance guarantee and authorizing the dates of which the guarantee will be held; and

WHEREAS, said maintenance guarantee was to be held by the Borough of Interlaken for a two year period (November 16, 2012 to November 16, 2014) to cover the maintenance of all improvements constructed under the original performance guarantee; and

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Interlaken does hereby authorize the Chief Financial Officer to release the maintenance guarantee in the amount of \$3,225.00 to Salvatore & Elizabeth Scafidi of 203 Bendermere Avenue.

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

1. Salvatore & Elizabeth Scafidi
2. Stephen Gallagher, Chief Finance Officer
3. Peter Avakian, Borough Engineer
4. Lori Reibrich, Borough Administrator

With no comments, Councilman Franks made a motion to approve the resolution, seconded by Councilman White and unanimously carried.

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

5. RESOLUTION 2014-113: BILL LIST

BOROUGH OF INTERLAKEN

BILL LIST REPORT FOR

BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
10/17/14-11/1014	\$116,163.43

Resolution 2014-116:

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 12, 2014 is in the amount of One Hundred Sixteen Thousand, One Hundred Sixty Three Dollars and Forty-Three 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.

Councilman Cohen MOTIONED to approve the bill list, seconded by Councilman Handerhan. There was no Council comment and the bill list was unanimously carried.

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

6. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – No report.
- PUBLIC SAFETY – No report.
- STREETS & ROADS - No report.
- RECREATION ADVISORY COMMITTEE – No report.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – No report.
- BOARD OF EDUCATION –No report.
- BOROUGH ADMINISTRATOR – Borough Administrator Reibrich reminded the Governing Body that the NJ League of Municipalities Conference was Nov17-20 and that she would be out of the office Tuesday through Thursday.

Borough Administrator Reibrich referred the Governing Body to the NJ MEL safety report regarding the Department of Public Works. The Borough had a surprise safety inspection and received accolades for the excellent safety procedures being used by the Department of Public Works Employees.

7. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment. With no public comment, Mayor Nohilly closed the floor.

8. **ADJOURNMENT:**

With no further comment, Councilman Miller MOTIONED to adjourn, seconded by Councilman Napoli and unanimously carried.

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

 Lori Reibrich
 Borough Administrator/Municipal Clerk
 Date Approved: _____