

**BOROUGH OF INTERLAKEN
MINUTES
APRIL 3, 2013
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:56 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 annual notice is posted on the Borough bulletin board and is on file in the Borough Clerk's office."

Present: Mayor Nohilly, Council President Miller, Council members Folta, Morley, Napoli, White
Also Present: Borough Administrator Reibrich, Borough Attorney Richard Shaklee, Esq, and CFO Stephen Gallagher

1. **PUBLIC COMMENTS: FOR AGENDA SPECIFIC ITEMS ONLY- EXCLUSIVE OF ORDINANCES** Mayor Nohilly opened the floor for public comment. With no public present, he closed the floor.

2. **APPROVAL OF THE MINUTES: MARCH 20, 2013-WORKSHOP & REGULAR**

There were no council comments.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve						X	
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

3. **APPROVAL OF THE MINUTES: MARCH 20, 2013-EXECUTIVE SESSION**

There were no council comments.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve		X					
Motion to Second				X			
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

4. **ORDINANCE 2013-1—2ND READING/PUBLIC HEARING: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14**

Ordinance 2013-1 was posted in Borough Hall on March 20, 2013 and advertised in the Asbury Park Press on March 25, 2013. Public hearing was set for April 3, 2013.

Councilman White made motion to OPEN PUBLIC HEARING, seconded by Council President Miller and was unanimously carried.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve				X			
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

There was no public present. No PUBLIC COMMENT.

Councilman Napoli made motion to CLOSE PUBLIC HEARING, seconded by Council President Miller and was unanimously carried.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve						X	
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

**CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK**

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Interlaken in the County of Monmouth finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 2% increase in the budget for said year, amounting to \$21,391.38 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Interlaken shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$37,434.92, and that the CY 2013 municipal budget for the Borough of Interlaken be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

I hereby certify the foregoing to be a true copy of an Ordinance by the Borough Council of the Borough of Interlaken adopted on the 3rd day of April, 2013.

Michael J. Nohilly, Mayor

Lori Reibrich, Borough Administrator/Clerk

ORDINANCE READING	DATE
1ST READING BY TITLE:	March 20, 2013
2ND READING BY TITLE:	April 3, 2013

Councilman Napoli made motion to ADOPT, seconded by Councilman Miller and unanimously carried.

Administrator Reibrich took the roll call vote.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve						X	
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

5. RESOLUTION 2013-66: ACKNOWLEDGING THE HURRICANE SANDY RECOGNITION PLAQUE AND SAFETY AWARD RECEIVED FROM THE MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND'S EXECUTIVE SAFETY COMMITTEE

ACKNOWLEDGING THE HURRICANE SANDY RECOGNITION PLAQUE AND SAFETY AWARD RECEIVED FROM THE MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND'S EXECUTIVE SAFETY COMMITTEE

WHEREAS, the Borough of Interlaken is a member of the Monmouth County Municipal Joint Insurance Fund; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund's Executive Committee and Executive Safety Committee recognize the exemplary safety performance of its member municipalities, the Governing Body, Municipal Employees and Volunteers during Hurricane Sandy which occurred on October 29, 2012, and in the aftermath in the weeks following the storm; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund recognized the outstanding safety performance of their entire membership at the Monmouth JIF's Annual Safety Breakfast Event with a recognition plaque and safety award; and

WHEREAS, the Governing Body of the Borough of Interlaken has reviewed the recognition plaque and award and has publically acknowledged receipt of the said award in this meeting; and

NOW;THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Interlaken, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund Recognition be accepted; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution be sent to the Executive Director of the Monmouth County Municipal Joint Insurance Fund

Borough Administrator Reibrich accepted a plaque and \$250 award at the meeting of the Monmouth County Municipal Joint Insurance Fund’s Executive Safety Committee. Award is to be used to promote safety.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve				X			
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

6. RESOLUTION 2013-67: RECYCLING TONNAGE GRANT

APPROVING 2012 RECYCLING TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for calendar year 2012 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough Council of the Borough of Interlaken to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Interlaken that the Borough of Interlaken hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Norman Cottrell, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve				X			
Motion to Second						X	
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

7. RESOLUTION 2013-68: AUTHORIZING PAYMENT OF BILLS

BOROUGH OF INTERLAKEN

BILL LIST REPORT FOR

BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
03/19/13-04/01/13	199,987.18

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 April 3, 2013, is in the amount of One Hundred Ninety-Nine Thousand, Nine Hundred Eighty Seven and Eighteen 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.

There were no Council comments.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve				X			
Motion to Second							X
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

8. DISCUSSION: RECREATION EVENTS AND PROPOSED DATES

Council had brief discussion regarding the date for the Yard Sale. Council decided the date for the Yard Sale will be April 20th. The date was chosen to coordinate with the bulk pick-up date of Monday, April 22nd. Councilman Folta agreed to coordinate the event. Borough office will send out flyer to residents and place ad in Coaster. A \$100 budget was approved for signs and balloons.

A brief discussion was had by Council regarding the date and time of the Borough Picnic. The Borough Picnic date was set for September 7th, the first Saturday after Labor Day. A brief discussion was held regarding the catering for the event. Councilman Morley will provide a spreadsheet of the workload to aid in future discussion regarding additional planning.

9. REPORTS/CORRESPONDENCE:

Administration/Finance: No report.

Public Safety: Councilman Miller stated that there was no official report, but he did speak informally with Sgt. Brian Egan who updated him on the investigation about the break ins that previously happened in town. Sgt. Egan said that a suspect was caught in a Loch Arbour break in recently and they believe that the person who was captured there also committed the break ins in the Borough. Sgt. Egan said that they were checking fingerprint evidence to confirm.

Streets & Roads: Borough Administrator Lori Reibrich advised the council that the road work being done by Diamond Contractor is not going smoothly. The communication and response of the contractor is poor. Dave Howarth at Leon Avakian's office suggests to let them finish the current project and not give them a change order to add any additional projects. Dave Howarth feels the price they quoted for the change order to do work on Interlaken Drive was overpriced. Dave Howarth will supply written quote next week. Mayor Nohilly questioned whether the quotes for the separate project include engineering costs. Borough Administrator Lori Reibrich agreed to look into the cost difference. There was a brief discussion regarding the scope of the work that was included in the change order. It was decided that bids would be gotten for the 12 ft section of the sidewalk that needs repaired. Borough Administrator Lori Reibrich notified the Council that Joe O'Neil of Leon Avakian's office advised her that change orders may be done for some minor additional work including a repair at 113 Grasmere Avenue. The main lateral was full of rooting and the sump pump line had a crack in it. Joe O'Neil and Anthony Travers, Interlaken DPW, reviewed the issue and decided that it would be easier and more cost effective to have the repair done by the contractor. There was also an issue with the lateral at 308 Grasmere Avenue that was corrected. The sewer liner is being completed.

Shade Tree Committee: No report.

Planning Board: Councilman Napoli made a motion to introduce a resolution that was not provided within the 48 hour notice. The Council had a brief discussion regarding the 48 notice resolution. Councilman Napoli withdrew his motion.

Board of Education: Council President Miller did not make a formal report, but did speculate that Asbury Park is getting a new attorney and a new Superintendent of Schools and there was a brief discussion by Council regarding the effects of these changes.

Borough Administrator: Borough Administrator Lori Reibrich stated that Cycle For Life was requesting approval for a ride through the Borough on October 5, 2013. The Council approved the event contingent upon the approval of the Chief Carasia regarding the route and traffic patterns. Borough Administrator Lori Reibrich advised that there would an audit by the state on April 4, 2013 of the Borough's senior deduction records. Two

residents received the deductions. The Borough Tax Assessor, Alex Worth and the Tax Collector, Stephen Gallagher, will be present to meet with the state auditor.

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

11. **ADJOURNMENT:** With no further discussion, Councilman Napoli made a motion to adjourn at 8:38 p.m., seconded by Councilman Miller and unanimously carried.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Folta
Motion to Approve						X	
Motion to Second		X					
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused			X				

 Lori Reibrich
 Borough Administrator/Clerk
 Date Approved: _____