

**BOROUGH OF INTERLAKEN
MINUTES
FEBRUARY 19, 2014
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:32 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, Handerhan, Miller, Morley, Napoli

Also Present: Borough Administrator Reibrich and Borough Attorney Richard Shaklee

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

Mayor Nohilly opened the floor for public comment. No public comments were made. Mayor Nohilly closed the floor.

2. MAYOR'S PROCLAMATION: READ ACROSS AMERICA

**PROCLAMATION
READ ACROSS AMERICA**

WHEREAS, the citizens of the Borough of Interlaken stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for American's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, the Borough Council of the Borough of Interlaken has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, NEA'S Read Across America, a national celebration of reading, will be conducted on March 2, 2014, which would have been the 110th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America – NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Interlaken calls on the citizens of Interlaken to assure that every child is in a safe place reading together with a caring adult on March 2, 2014; and

BE IT FURTHER RESOLVED, that this body enthusiastically endorses NEA's Read Across America and Read Across America–NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

DATED: February 19, 2014

3. APPROVAL OF MINUTES: FEBRUARY 5, 2014- WORKSHOP & REGULAR

Councilman Morley made a motion to approve the minutes, seconded by Councilman Cohen.

Council President White commented that he was marked absent but, was also marked as approving the business at the last meeting.

The minutes were approved as amended by a unanimous vote.

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

4. ORDINANCE 2014-1: AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO NJSA 40A:4-45.14

Mayor Nohilly read the following statement into the record.

ORDINANCE 2014-1 WAS POSTED IN BOROUGH HALL ON FEBRUARY 5, 2014 AND ADVERTISED IN FULL IN THE ASBURY PARK PRESS ON FEBRUARY 10, 2014. PUBLIC HEARING WAS SET FOR FEBRUARY 19, 2014.

Mayor Nohilly asked for a motion to open the public hearing. Councilman Cohen made the motion to open the public hearing, seconded by Councilman Napoli and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Morley	Councilman Napoli	Councilman Cohen	Councilman Handerhan
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, Mayor Nohilly asked for a motion to close the public hearing. Council President White made a motion to close the public hearing, seconded by Councilman Handerhan and unanimously carried.

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

With no further comments, Councilman Napoli made a motion to adopt the ordinance, seconded by Councilman Morley and unanimously carried.

**CALENDAR YEAR 2014
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 2014 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 \$20,325.17 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 2014 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 \$35,569.04, and that the CY 2014 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.

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

5. RESOLUTION 2014-44: ADOPTING THE MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND’S 2014 SAFETY AND COMPLIANCE PROGRAM

ACCEPTING AND ADOPTING MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND’S 2014 SAFETY AND COMPLIANCE PROGRAM

WHEREAS, The Borough of Interlaken is a member of the Monmouth County Municipal Joint Insurance Fund (MONMOUTH JIF); and

WHEREAS, it is the policy of the MONMOUTH JIF to achieve the best and most practical degree of freedom from accidents and/or injuries; and

WHEREAS, the MONMOUTH JIF endeavors to ensure that all of their members’ employees, volunteers and public are provided with a safe and healthy environment, free from any recognized hazards; and

WHEREAS, the MONMOUTH JIF’s endeavors to ensure that all of their members are in compliance with applicable safety and health requirements; and

WHEREAS, the MONMOUTH JIF’s Safety Committee is made up of volunteers representing many of the Fund’s Municipalities, along with the professionals employed by the Fund; and

WHEREAS, over the past year, the MONMOUTH JIF’s Safety Committee has worked hard to develop a new Safety and Compliance Program like none other in the State that will better represent the members of the Fund’s needs; and

WHEREAS, the new Program will assist all the Monmouth JIF’s members in becoming or maintaining compliance with all Public Employees Occupational Safety and Health (PEOSH) Requirements; and

WHEREAS, the MONMOUTH JIF has adopted the new 2014 SAFETY AND COMPLIANCE PROGRAM which should succeed in providing safe, healthful, and pleasant environment; and

WHEREAS, the Administrator/Clerk of the Borough of Interlaken has reviewed the SAFETY AND COMPLIANCE PROGRAM and has recommended its adoption by the Governing Body; and

NOW; THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth, State of New Jersey that the Monmouth County Municipal Joint Insurance Fund SAFETY AND COMPLIANCE PROGRAM be adopted by the Borough of Interlaken.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows:

1. Karen La Sala, J.A. Montgomery Risk Control
2. Cindy Lisa, Danskin Agency
3. James Rogers, Chair, Monmouth County JIF
4. Lori Reibrich, Borough Administrator

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

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

6. RESOLUTION 2014-45: AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Borough of Interlaken is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Borough Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Interlaken, County of Monmouth, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows: 1983 Case MW24C Wheel Loader

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties.

(6) The Borough of Interlaken reserves the right to accept or reject any bid submitted.

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

1. Gov Deals
2. Stephen O. Gallagher, CFO
3. Lori Reibrich, Borough Administrator/Clerk

Councilman Napoli questioned if the amount the Borough would approve for purchase can be determined. Borough Administrator Reibrich explained that a representative from Case Equipment provided an estimate of \$10,000 for a 30 year old loader. Borough Administrator Reibrich stated that in the contract and the resolution, the Borough has the right to accept or reject any bid submitted.

Councilman Napoli questioned some of the process of the auction and the questions were answered by Borough Administrator Reibrich and Mayor Nohilly.

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

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

7. RESOLUTION 2014-46: PAYMENT OF THE BILLS

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
01/14/2014-02/14/2014	\$95,872.77

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 February 19, 2014 is in the amount of Ninety-Five Thousand, Eight Hundred Seventy-Two Dollars and seventy-seven 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 comment, Council President White made a motion to approve the bill list, seconded by Councilman Handerhan and unanimously carried.

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

8. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE- Council President White explained that the Administration and Finance Committee will be meeting with CFO Gallagher and Borough Administrator Reibrich to discuss the budget. With the new tax assessment program in place, the Borough will be afforded extra time for budget review because the adoption of the budget cannot take place until May.
- PUBLIC SAFETY – No report.
- STREETS & ROADS – Councilman Miller discussed the salt shortage.
- RECREATION ADVISORY COMMITTEE –No report.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – Councilman Miller stated that the Planning Board had their reorganization on Monday February 17th. A variance application was approved at the meeting as well.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR – Borough Administrator Reibrich discussed correspondence from the PBA 57 representative, John Gaul. Mr. Gaul requested authorization from the Council to run their PBA’s annual 5K race through Interlaken on Saturday June 7, 2014. The Council unanimously agreed via voice vote. Borough Administrator Reibrich said she would request the certificate of insurance and route plan be provided prior to the race.

9. COMMENTS FROM THE PUBLIC

Mayor Nohilly opened the floor for public comment.

Mr. Chris McLoughlin, Allenhurst Commissioner, asked the Council to set a meeting date to discuss the Allenhurst Fire Department’s proposed purchase of an ambulance, of which Interlaken would bear 41% of the cost.

Mayor Nohilly explained Interlaken’s Committee system and said that if a Commissioner would like to meet with the Public Safety to discuss it would be beneficial to have discussions that way. Mr. McLoughlin stated that the Commissioners of Allenhurst do not have that same structure and asked if the Committee would attend an Allenhurst Commissioner Workshop Meeting in Allenhurst. The Fire Department will be present at the meeting to discuss the ambulance.

After a brief discussion, Councilman Napoli said that the Committee would agree to meet at an Allenhurst Commissioners’ meeting.

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

10. COMMENTS FROM MEMBERS OF COUNCIL: Mayor Nohilly asked the Council for any comments.

Councilman Miller requested that the newly drafted Tree Ordinance be placed on the next Workshop Meeting for discussion. Councilmen Napoli and Miller had a brief discussion about the proper vetting

of the ordinance. It was determined that the Committee would meet first and bring the final comments to full Council.

Councilman Napoli looked to the larger than normal audience in attendance and questioned why so many people attended the meeting but no one took the opportunity to speak during public comment.

When the public indicated they would like to speak, Mayor Nohilly reopened the floor to public comment.

Ms. Robin Kenney, 510 Windermere Avenue, said that many of the residents heard a rumor that the Borough Council was going to discuss terminating the Allenhurst Fire and First Aid Department and move to the services to the Asbury Park Fire and First Aid Department.

Mayor Nohilly immediately said that there is no truth to that rumor. The Council has never discussed that on an agenda nor has it ever been brought up at the table for a possible discussion. The Borough is in the fourth (4th) year of a ten (10) year contract and has not discussed the status of that contract or wanting to terminate it.

There was a brief discussion about how this rumor circulated. A few residents in attendance said they heard about moving fire and first aid service to Asbury Park.

Mr. and Mrs. Lukas, 107 Grasmere Avenue, spoke of their support for the Allenhurst Fire Department.

Mayor Nohilly reiterated that the Borough Council does not have any plans to separate itself from the Allenhurst Fire Department. He stated that if there was ever a time that the Borough was thinking of ending the 60-70 year shared service relationship, the community would definitely be included.

With no further comments, Mayor Nohilly closed the floor to public comment.

11. ADJOURNMENT

Councilman Napoli motioned to ADJOURN, seconded by Councilman Handerhan and unanimously carried.

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

 Lori Reibrich
 Borough Administrator/Clerk
 Date Approved: _____