

**BOROUGH OF INTERLAKEN
WORKSHOP MINUTES
OCTOBER 09, 2013
7:00 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:01 p.m., by Council President Miller. 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 Cohen, Morley, Napoli, White

Also Present: Borough Administrator Reibrich, Borough Attorney Agent DeSimone, Esq.

Absent: Councilman Parry

1. **FELLED TREE ORDINANCE**– Council discussed the previously considered Felled Tree Ordinance that was written by Councilman Napoli and reviewed and amended by Borough Attorney Shaklee. Council discussed that this ordinance pertains to dangerous trees on private property, but does not address the actions required by the Borough regarding the Borough's trees. There was some discussion regarding the addendum that pertains to trees that have fallen into the lake. There was discussion about merging the two tree ordinances that are currently being considered. Councilman Napoli will follow up with Borough Attorney Shaklee to make changes to the ordinance, so that it addresses trees on Borough property and trees that have fallen into the lake.

2. **TREE ORDINANCE** -Council reviewed the original draft of the tree ordinance along with the comments written by Borough Attorney Shaklee. Council reviewed the progression of the tree ordinance. The tree ordinance draft went from Borough Council than to the Shade Tree Commission. The tree ordinance draft was given to the Planning Board to be revised by the previous Mayor. The Planning Board amended the draft to include an inspection by a tree expert commissioned by the Borough Engineer. The current Borough Attorney's opinion is that the Planning Board does not have the authority to pass an ordinance. Councilman White expressed concern about restricting homeowners from taking trees down on their property. Councilman Napoli agreed, especially if the homeowner is fearful of damages or injury a tree may cause. Councilman Napoli and Councilman Morley expressed concerns regarding the expense to the homeowner. Councilman Miller agreed that there should not be a hardship to the homeowner or a lengthy complicated permit process, but there should an ordinance that protects the trees. Councilman Napoli questioned the proposed permit process and the requirement that a resident would have to go before a review board to cut down a tree on their own property. Councilman White stated that the way the ordinance was currently written the process was a burden to the homeowner. Council discussed a desire for a low cost permit process. Borough Attorney Agent DeSimone stated that there should be an objective criteria, so that fair judgment can be made for all applications. Council would determine what the criteria should be. Mayor Nohilly stated that the original spirit and intent of the ordinance was to protect the tree canopy and prevent clear cut. Councilman Morley proposed a proclamation stating that when one tree is cut that another tree should replace it. Council decided that the ordinance would go back to the committee for recommendation. The committee will forward their recommendation to Borough Attorney Shaklee for review. After review by Borough Attorney Shaklee, it will be brought back to the Council at a workshop meeting.

3. **NEW BUSINESS** – New business topics for next workshop were proposed.

4. **COMMENTS FROM THE PUBLIC** -

Marguerite Dalton, 419 Grassmere Avenue, requested that Shade Tree Commission Members be part of the committee reviewing the tree ordinance. Ms. Dalton also confirmed that the

County Shade Tree Commission would be replacing the trees removed during the Grassmere Avenue improvement project, but in their own time.

Liz Brown, 718 Bendermere Avenue, felt there was no communication to the residents regarding what the process or policy was for removing trees.

Mayor Nohilly explained that there is no process, because there is no ordinance in place yet.

Ms. Jodi Heinz, 512 Bridlemere Avenue stated that in the place where she previously owned her home, there was an ordinance of only allowing two trees to be cut down per year. Ms. Heinz felt that this was a helpful in educating people regarding the trees. Ms. Heinz also agreed it would be helpful to inform people of the process/policy. Ms. Heinz received different information from passersby, as she was outside working on the landscape of her home.

Mayor Nohilly stated that we are fortunate that our residents appreciate the trees and that Council will keep working toward passing these ordinances.

5. **ADJOURNMENT:** With no further comments, Councilman Cohen made a motion to adjourn at 7:55 p.m., seconded by Council President Miller and unanimously carried.

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

 Lori Reibrich
 Borough Administrator/Municipal Clerk
 Date Approved: _____