

**BOROUGH OF INTERLAKEN
MINUTES
MARCH 2, 2016
7:00 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:00 p.m., by Council President white. It was followed by a salute to the flag and a moment of silence. Sunshine Statement was read by Borough Clerk 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. Notice of time change was forwarded to the Coaster on February 18, 2016. A copy of the annual notice, as well as, the time change notice was posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Council President White and Council members: Franks, Gunn, Horowitz, and Butler

Also Present: Borough Attorney Richard Shaklee, Borough CFO/Tax Collector Stephen O. Gallagher, Borough Clerk/Administrator Lori Reibrich

Absent: Mayor Nohilly, Councilman Handerhan

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

Council President White opened the floor for public comment. With no public comment, Council President White closed the floor.

2. APPROVAL OF MINUTES: FEBRUARY 17, 2016- WORKSHOP & REGULAR

Councilman Gunn made a motion to approve minutes, seconded by Councilman Franks and unanimously carried.

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

3. ORDINANCE 2016-1 – 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 2016-1 WAS POSTED IN BOROUGH HALL ON FEBRUARY 17, 2016 AND ADVERTISED IN FULL IN THE ASBURY PARK PRESS ON FEBRUARY 20, 2015. PUBLIC HEARING WAS SET FOR MARCH 2, 2016.

**CALENDAR YEAR 2016
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 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 2016 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 3.5% increase in the budget for said year, amounting to \$35,645.86 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 2016 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 \$35,645.86, and that the CY 2016 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.

ORDINANCE READING	DATE
1ST READING BY TITLE:	February 17, 2016
2ND READING BY TITLE:	March 2, 2016

Councilwoman Horowitz made a motion to open public hearing, seconded by Councilman Gunn and unanimously carried.

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

Councilman Franks made a motion to close public hearing, seconded by Councilman Gunn and unanimously carried.

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

With no Council comment, Councilman Gunn made a motion to adopt, seconded by Councilwoman Horowitz and unanimously carried.

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

4. **RESOLUTION 2016-42: THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF INTERLAKEN**

AUTHORIZING MONMOUTH COUNTY MOSQUITO EXTERMINATION COMMISSION TO APPLY MOSQUITO PESTICIDES

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area,” the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Interlaken is designated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Interlaken, County of Monmouth, State of New Jersey, hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard or both understanding that:

- a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b. Such operations will be performed in compliance with applicable Federal and State regulations, and
- c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to:

- 1. Lori Reibrich, Borough Administrator
- 2. Chief Ronen Neuman, Deal Police
- 3. Victoria Thompson, Acting Superintendent

Council had a brief discussion regarding application methods.

Councilwoman Horowitz made a motion to authorize, seconded by Councilman Gunn and unanimously carried.

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

5. **RESOLUTION 2016-43: PARK USE APPLICATION- SEPHARDIC YOUTH BOYS CENTER**

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the Sephardic Youth Boys Camp (S.Y.B.C.) has submitted an application to utilize the Borough of Interlaken Ballfield located at 725 Bridlemere Avenue, from June 26 through August 22, 2016, Monday through Friday, from 11 am to 1 pm; and

WHEREAS, pursuant to the Borough of Interlaken Code, Chapter XIV, Chapter 1.5, all residents, associations, entities and other persons desirous of using and/or enjoying the park areas, recreational areas and Borough facilities for the purpose of conducting, maintaining and/or operating an organized activity, shall obtain express prior written consent of the Borough Council.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Borough Administrator to execute the Park Use Agreement on behalf of the Borough of Interlaken, granting permission to the S.Y.B.C. to utilize the ballfield on dates and times listed on the application submitted.

BE IT FURTHER RESOLVED, that the applicant must provide the Borough Administrator with a certificate of insurance naming the Borough of Interlaken as additional insured prior to execution of the Park Use Agreement.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to:

1. Lori Reibrich, Borough Administrator
2. Chief Ronen Neuman, Deal Police
3. Isaac Escava, S.Y.B.C.

Borough Clerk/Administrator Reibrich stated that this group has used the park for the last four years. All documentation is in order. Insurance information will be provided by applicant in May.

Councilman Gunn asked, if a fee was charged for park use.

Council President White stated that Ocean Township also uses the field as a practice field. Ocean Township has been donating clay about every three years.

With no further Council comment, Councilman Franks made a motion to approve park use, seconded by Councilman Butler and unanimously carried.

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

6. **RESOLUTION 2016-44: AUTHORIZING LATE FEE REFUND TO MS. KATHRYN VISCITO FOR DOG LICENSE 073**

AUTHORIZING LATE FEE REFUND TO MS. KATHRYN VISCITO FOR DOG LICENSE 073

WHEREAS, under Ordinance 2011-7.1, the Borough of Interlaken assesses an \$8.00 late fee on a dog licenses purchased after February 28, 2016 fee; and

WHEREAS, the Clerk’s office assessed a late fee on dog license 073 on February 18, 2016 purchased by Ms. Kathryn Viscito; and

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 incorrectly assessed late fee of \$8.00 to Ms. Kathryn Viscito ; 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. Ms. Kathryn Viscito

With no Council comment, Councilman Franks made a motion to approve refund, seconded by Councilman Butler and unanimously carried.

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

7. **RESOLUTION 2016-45: PAYMENT OF BILLS**

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

DATE SPAN	TOTAL
02/19/16-02/29/16	\$65,355.18

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 March 2, 2016 is in the amount of Sixty Five Thousand, Three Hundred Fifty Five Dollars and Eighteen 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 Council comment. Councilman Gunn made a motion to approve bill list, seconded by Councilwoman Horowitz and unanimously carried.

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

8. **REPORTS/CORRESPONDENCE**

- ADMINISTRATION/FINANCE – Council President White stated that the Finance Committee had a meeting. Councilman Butler joined as well. Council President White stated that CFO/Tax Collector Gallagher would be presenting the information.
- PUBLIC SAFETY- Council President White confirmed that everyone was in receipt of the monthly Police Report.
- STREETS & ROADS – No report.
- RECREATION ADVISORY COMMITTEE – No report.
- SHADE TREE COMMISSION- Council President White stated that he attended the January meeting and there is concern over the maintenance of some of the public portions of the Borough mainly the upkeep of the islands.

Council President White stated that there will be a meeting with Shade Tree to define the responsibilities of the Shade Tree Committee and the DPW.

- PLANNING BOARD – Councilman Gunn stated that the Planning Board did not meet as there have been no applications before the Board. A meeting is scheduled for March to discuss the Master Plan with Borough Engineer Avakian.
- BOARD OF EDUCATION- No report. Councilman Horowitz stated she will be attending the next meeting to get an update on the budget and contracts.

Council had a brief discussion regarding when the BOE budget was due.

- BOROUGH ADMINISTRATOR – Borough Clerk/Administrator Reibrich stated that she had a meeting with the Borough Historian, Bob Waitt. Borough Clerk/Administrator Reibrich stated that Mr. Waitt was an excellent Historian who is also part of the Ocean Grove Historical Society and the Monmouth County Historical Society. Borough Historian Waite told Borough Clerk/Administrator Reibrich that there was a presentation in Ocean Grove about the Interlaken Air Show held in 1910. There were 30 attendees from Interlaken at the Ocean Grove presentation.

Borough Historian Waitt plans to do a video about the air show. Borough Historian Waitt would like to do a presentation in town and has asked permission to put the video on the website.

Borough Historian Waitt has talked to people in town and feels the air show should be commemorated in the Borough. Borough Historian Waite has proposed a black granite monument that features the Wright Brothers’ plane that participated in the air show. The monument was quoted to cost \$4,700.00.

Council President White asked whether there may be some type of grant to pay for the monument.

Borough Clerk/Administrator Reibrich stated that a search for a grant found that most grants of this type are for restoration.

Council had a brief discussion about the location, cost and funding of the monument.

Councilman Gunn stated that he feels the project is something that should be encouraged, but does not agree with spending \$4,500 on the monument. Councilman Gunn stated that the Borough could give a platform or set up a publicized event maybe at Borough Hall to help with fundraising efforts. If the money can be raised, that would mean the Borough residents want the memorial. If the funds cannot be raised that would indicate lack of support.

Councilman Franks stated that he spoke with Borough Historian Waitt at length and suggested that there be a couple of meetings to promote the project and get attention to the cause. Councilman Franks also feels the money should be raised, not funded by the Borough.

Council President White agreed that the monument should not be paid for by all of residents of the town by using their tax money. If the project is promoted, the residents who want to support it will do so.

Council had a brief discussion regarding ways to promote the project.

Councilman Franks stated that Borough Historian Waitt is a hard worker and the enthusiasm is incredible. Borough Historian Waitt is doing a tremendous job and should be complimented.

Borough Clerk/Administrator Reibrich agreed, stating that Borough Historian Waite has collected many stories about the homes and the residents of the past. He is compiling all the stories and information into a large book. He is known to spend 7-8 hours a day speaking to people and doing research on the homes and the residents who lived there.

Borough Clerk/Administrator Reibrich stated that the Borough bridge project's completion is ahead of schedule by about two weeks. The bridge is scheduled to open on May 15, 2016.

9. **COMMENTS FROM THE PUBLIC**

Council President White opened the floor for public comment.

Ms. Jodi Heinz, Shade Tree Commission Co-Chair, stated that the tree on the old Vaccaro property is really falling apart. Ms. Heinz feels the tree needs to be taken care of. Limbs are falling onto the sidewalk.

Ms. Dalton, Shade Tree Commission Co-Chair, stated that the tree is dead and is coming apart.

Borough Clerk/Administrator Reibrich stated that he property owner was noticed, but the notices were returned undeliverable. The first letter was sent out by the previous Code Enforcement Official, Sal Massaro. There is a realtor sign on the lawn. The realtor will be contacted and the new Code Enforment Official, Todd Morgano is being brought up to speed on the needed removal.

Council had a brief discussion regarding the property and the Borough tree ordinances with input from Borough Attorney Shaklee.

Ms. Heinz stated that she was looking forward to the meeting with Shade Tree and DPW.

Ms. Heinz stated that she does not want \$4,000 appropriated for the air show monument.

Ms. Heinz suggested that something can be done at the Shade Tree Commission Arbor Day event to promote the air show.

With no additional public comment, Council President White closed the floor.

10. **ADJOURNMENT**- With no Council comments, Councilman Butler made a motion to adjourn, seconded by Councilman Gunn and unanimously carried.

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

Lori Reibrich, RMC
Borough Administrator/Clerk