

**BOROUGH OF INTERLAKEN
MINUTES
MARCH 4, 2015
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:47 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence in memory of Harold Krivins, Debra Pescatore, Helyn Slovak and James Sullivan. “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: Franks, Gunn, Handerhan, Horowitz

Absent: Councilman Miller

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: FEBRUARY 18, 2015 - WORKSHOP & REGULAR

Councilwoman Horowitz MOTIONED to approve minutes, seconded by Councilman Gunn. With no Council comment the motion carried.

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

3. RESOLUTION 2015-42: PAYMENT OF THE BILLS

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

DATE SPAN	TOTAL
02/24/15-03/02/2015	\$ 100,879.48

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 4, 2015 is in the amount of One Hundred Thousand, Eight Hundred Seventy- Nine Dollars and Forty-Eight 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.

Council President White MOTIONED to make payment, seconded by Councilman Franks. With no Council comment the motion carried.

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

4. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – None.
- PUBLIC SAFETY – None.
- STREETS & ROADS – Councilman Handerhan stated that a couple of residents contacted him with their concerns about icy of the roads after the previous snow event.

Borough Administrator Reibrich stated that the salt supply vendor delivery was three weeks late. The remainder of the salt had been used during the weekend’s snow event which caused the shortfall for the latest storm. DPW Supervisor Cottrell went to the County for two loads of salt in anticipation of the snowfall tonight. There will not be an issue.

- RECREATION ADVISORY COMMITTEE – Borough Administrator Reibrich stated that the Borough has received an invitation from Allenhurst for the joint Egg Hunt. A flyer will be mailed shortly.
- SHADE TREE COMMISSION – No Report.
- PLANNING BOARD – Borough Administrator Reibrich distributed the 2014 yearly report submitted by the Planning Board.
- BOARD OF EDUCATION – No Report.
- BOROUGH ADMINISTRATOR - Borough Administrator Reibrich stated that the RFP for the Loch Arbour merger was posted in the Asbury Park Press on February 25, 2015. It is posted on the New Jersey League of Municipalities website and has also been sent to several companies. The RFP can be downloaded directly from the website.

5. COMMENTS FROM THE PUBLIC

Mr. Robert Napoli, 515 Windermere Avenue, asked if the RFP pricing would come back with an hourly fee. Mayor Nohilly stated that the RFP was written for a lump sum, set fee.

Mr. Napoli also questioned procedure regarding the proposed Planning Board ordinance to change Land Use.

Borough Attorney Shaklee stated that the genesis can come from the Planning Board or the Council, but the way he interprets that statute, it must go before the Planning Board for them to make a determination of whether it is consistent with the Master Plan.

Mr. Napoli asked Councilman Gunn when the general public would get to know what the changes to the Zoning Ordinance are going to be.

Councilman Gunn told Mr. Napoli that he is welcome to attend the next Planning Board meeting to ask questions where Mr. Napoli would have the benefit of the collective Board, as well as the Planning Board attorney. The meetings are open to the public.

Mayor Nohilly stated that Council does not answer Planning Board questions, just as Council does not answer BOE questions.

Council discussed the RFP for the merger with Loch Arbour. The status of the legislature regarding the special taxing district was discussed.

Councilman Gunn and Councilwoman Horowitz questioned whether any additional assessment or any additional knowledge can be gained about the legislation before spending money on the RFP.

Councilman Shaklee stated that legislative committees do issue statements giving a legislative intent to what the amendment is trying to accomplish. These statements are usually issued regarding legislation that has passed. In this case, the question would be about something that has not passed yet nor do we know if it will pass.

Mayor Nohilly stated that the whole consolidation is not based solely on receiving the \$5 million. He feels it is Council's job is to see if the merger is viable and ultimately give it to the residents to see if they want it or not.

Council and Borough Attorney Shaklee discussed the current status of the legislation regarding the special taxing district.

Mayor Nohilly and Councilwoman Horowitz discussed the significance of the special taxing district legislation on the decision to move ahead with the RFP. Councilwoman Horowitz suggested spending money on a lobbyist and not an RFP. Mayor Nohilly stated that the study is never going to say there is zero risk or that any legislation is guaranteed. All Council can do is present the study to the public and say, "Here is what the study says. Here is what it answers. Here is what it doesn't answer."

Councilwoman Horowitz asked why not get over hurdle one first. Hurdle number one being, will the \$500,000 come into our town?

Councilman Handerhan stated that there may still be a tax benefit of 12% if the legislation does not allow a special taxing district.

Council President White suggested speaking to Senator Beck or Assemblywoman Angelini, but in the end it would still only be one legislature's opinion.

Councilman Gunn stated that he had a clearer understanding about the status of the issues and feels more of the public should be in attendance to receive that benefit.

Mayor Nohilly recognized Mr. Napoli from the public audience. Mr. Napoli pointed out that it was not an agenda item. More public would be present. Mr. Napoli agreed that it would be beneficial for Council to speak to Senator Beck, as she is co sponsor of the bill. Mr. Napoli also stated that at the legislative committee meeting there was no opposition to the bill that was presented to the Assembly. There were changes made to the bill before it was approved by the subcommittee, so the amended bill must return to the Senate for approval.

Mr. Napoli stated that the RFP is for an impact study and when we get the study we will see what the impact is.

Mr. Napoli stated that Council was contradicting its own decision by passing budget that funds the impact study, then pulling the impact study.

Mayor Nohilly stated the funding for the study can be pulled from the budget.

Mayor Nohilly stated that it is not about what the members of Council's opinions are. Council represents the people who agree with us and the people who do not agree with us.

Councilwoman Horowitz stated that Council is making decisions about how to spend tax payer money.

Councilman White stated that Council has heard from the taxpayers that this is what they want.

Mayor Nohilly recognized Mr. John Butler, 503 Bendermere Avenue, from the audience as allowed him to give comment. Mr. Bulter stated that he has dealt with a lot of RFPs. He feels that that the study will be able to show the upside of a merger very easily because it is mathematical. Mr. Butler

stated that the problem is that they can't articulate or speculate on the downside. They will give a risk weighted average on the issues. Do we get pulled in by Ocean Township? They can analyze all of those things, but they will not be able to tell us definitively, "Here is your 25% risk or 50% risk of this. The risks are going to be very difficult to see. The upside is going to be very easy to see, but the downside may never be able to be answered by a professional. I understand it is a process and we will get there, but it is very difficult.

Mayor Nohilly stated that he agreed with Mr. Butler. The RFP was written very competently, but at the end of the day we may be no closer to the answer than we are today. However, there will still be a study to present to the residents.

Councilman Franks stated that he attended the annual Allenhurst Fire and First Aid dinner. Councilman Franks is impressed with their commitment and their dedication. Robert Todd received an award for 40 years of service. Councilman Franks feels we kind of lose sight that these are volunteers, some of which do not even live in town. Councilman Franks feels we should thank them.

6. ADJOURNMENT

Councilman Gunn MOTIONED to adjourn, seconded by Council President White. With no Council comment the motion carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz
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: _____