

**BOROUGH OF INTERLAKEN
MINUTES
APRIL 20, 2022
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order 7:30 p.m., by Mayor Nohilly. The Sunshine Statement was read by Borough Clerk/Administrator Lori Reibrich. It was followed by a salute to the flag and a moment of silence. “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 was posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President Butler, Councilmembers Horowitz, Franks, DeSarno

Absent: Councilman Delia

Also Present: Borough Administrator/Clerk Lori Reibrich, Borough Attorney Representative Drew Stauffer, Esq.

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

Mayor Nohilly opened the floor for public comment. Mayor Nohilly noted there were no members of the public present and closed the floor.

2. APPROVAL OF THE MINUTES: MARCH 2, 2022 WORKSHOP & REGULAR MEETING AND MARCH 16, 2022 REGULAR MEETING

With no comments, Councilman Franks made a motion to approve, seconded by Councilwoman Horowitz and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second			X				
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

3. **RESOLUTION 2022-46: AUTHORIZING THE 2022 MUNICIPAL BUDGET TO BE READ BY TITLE**

**AUTHORIZING THE 2022 MUNICIPAL BUDGET
TO BE READ BY TITLE ONLY**

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing the following provisions are met:

1. A complete copy of the budget, as advertised, is posted in a public place where public notices are customarily posted.
2. A complete copy of the budget has been available to each person requesting the same during said week and during the public hearing.
3. A complete copy of the budget was posted, as advertised, on the official Borough website.

WHEREAS, the Borough of Interlaken has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year 2022.

I, Lori Reibrich, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on April 20, 2022.

Lori Reibrich, RMC
Borough Administrator/Clerk

With no comments, Councilman DeSarno made a motion to approve, seconded by Councilwoman Horowitz and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve						X	
Motion to Second			X				
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

4. **2022 MUNICIPAL BUDGET- PUBLIC HEARING**

“THE 2022 MUNICIPAL BUDGET WAS INTRODUCED ON MARCH 16, 2022, AND ADVERTISED BY SUMMARY, AS REQUIRED BY LAW, ON MARCH 24, 2022 IN THE COASTER, TOGETHER WITH A NOTICE OF THE PUBLIC HEARING FOR THIS TIME. PRINTED COPIES OF THE BUDGET HAVE BEEN MADE AVAILABLE TO THE PUBLIC. IN ADDITION, A FULL COPY OF THE BUDGET HAS BEEN POSTED ON THE BOROUGH WEBSITE.”

Mayor Nohilly and the Council noted that no public was present for the public hearing. CFO Zanga asked if there were any questions regarding the budget procedures and if anyone would like another presentation regarding any points.

With no comments, Council President Butler opened the floor for public comment, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve			X				
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

With no public present, Councilman Franks made a motion to close the public hearing seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

5. **RESOLUTION 2022-47 ADOPTION OF THE 2022 MUNICIPAL BUDGET**

*** Resolution can be found in the State Budget Long Form Document for review***

With no comments, Council President Butler made a motion to adopt the budget, seconded by Councilman DeSarno and unanimously carried via roll call vote.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve		X					
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

6. **ORDINANCE 2022-2: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER IV, "GENERAL LICENSING," SECTION 4-1, "CANVASSERS AND SOLICITORS," SUB-SECTION 4-1.6 "HOURS"**

ORDINANCE 2022-2 WAS POSTED IN BOROUGH HALL AND THE BOROUGH WEBSITE ON MARCH 16, 2022 AND ADVERTISED IN FULL IN THE COASTER ON MARCH 24, 2022. PUBLIC HEARING WAS SET FOR APRIL 20, 2022.

**BOROUGH OF INTERLAKEN
ORDINANCE NO. 2022-2**

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER IV, "GENERAL LICENSING," SECTION 4-1, "CANVASSERS AND SOLICITORS," SUB-SECTION 4-1.6, "HOURS"

BE IT ORDAINED by the Borough Council of the Borough of Interlaken, in the County of Monmouth and State of New Jersey, that:

SECTION ONE. Sub-section 4-1.6 "HOURS" of the Code of the Borough of Interlaken is amended and supplemented as follows:

§ 4-1.6 HOURS.

Solicitation shall take place within the Borough only between the hours of 9:00 a.m. and ~~9:00~~ 7:00 p.m. on weekdays and 9:00 a.m. to 5:00 p.m. on Saturday. A permit shall be effective for three months after the date it is issued.

SECTION TWO: All other sections and sub-subsections of Chapter IV, "GENERAL LICENSING," will remain unaltered.

SECTION THREE. If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

SECTION FIVE. This Ordinance shall take effect immediately upon its final passage and publication according to law.

APPROVED:

MICHAEL NOHILLY
Mayor

ATTEST:

LORI REIBRICH, Borough Clerk

ORDINANCE READING	DATE
1ST READING BY TITLE:	March 16, 2022
2ND READING BY TITLE:	April 20, 2022

I, Lori Reibrich, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on April 20, 2022.

Lori Reibrich, RMC
Borough Administrator/Clerk

With no comments, Councilman Franks made a motion to open the public hearing, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

With no public present, Councilman Franks made a motion to close the public hearing, seconded by Council President Butler and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second		X					
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

With no further comments, Councilman DeSarno made a motion to adopt the ordinance, seconded by Councilwoman Horowitz and unanimously carried by roll call vote.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second		X					
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

7. **ORDINANCE 2022-3: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XVII "STREETS AND SIDEWALKS" TO PROVIDE FOR SECTION 18-3 "SNOW REMOVAL"**

ORDINANCE 2022-2 WAS POSTED IN BOROUGH HALL AND THE BOROUGH WEBSITE ON MARCH 16, 2022 AND ADVERTISED IN FULL IN THE COASTER ON MARCH 24, 2022. PUBLIC HEARING WAS SET FOR APRIL 20, 2022.

**BOROUGH OF INTERLAKEN
ORDINANCE NO. 2022-3**

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XVIII "STREETS AND SIDEWALKS" TO PROVIDE FOR A SECTION 18-3 "SNOW REMOVAL".

BE IT ORDAINED, by the Borough Council of the Borough of Interlaken, in the County of Monmouth, State of New Jersey, as follows:

SECTION ONE. Chapter XVIII "Streets and Sidewalks" is amended and supplemented to add a Section 18-3 as follows:

18-3 SNOW REMOVAL

18-3.1 Snow and Ice Removal from Sidewalks

The owner, occupant or tenant of any lot abutting or bordering any street in the Borough shall remove snow and/or ice from any sidewalk for public use on the property. Such removal must result in a path of at least two feet in width for the entire length. In the case of ice which is so frozen that it would make removal impracticable, the owner, occupant or tenant shall cause the same to be covered with sand, salt or other suitable abrasive within sixteen (16) daylight hours after the snow shall have fallen, or, of the ice having formed, whichever is the earlier.

18-3.2 Casting of Snow or Ice

When casting snow or ice, no owner, tenant or occupant of any lot shall throw, place or deposit any snow or ice into or upon any street or into or upon any sidewalk for public use. Any snow or ice inadvertently thrown, placed or deposited into or upon any street or sidewalk must be removed by the owner, tenant or occupant within two (2) hours of being so thrown, placed or deposited.

18-3.3 Violations and Penalties

Each and every person violating any of the provisions of this section shall, upon conviction thereof, be liable to the penalty stated in Chapter I, Section 1-5. Each violation of the provisions of this section and each day the same is violated, shall be deemed and taken to be a separate and distinct violation.

SECTION TWO. All other sections and subsections of the Borough Code will remain unaltered.

SECTION THREE. If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

SECTION FIVE. This Ordinance shall take effect immediately upon its final passage and publication according to law.

APPROVED:

MICHAEL NOHILLY
Mayor

ATTEST:

LORI REIBRICH, Borough Clerk

ORDINANCE READING	DATE
1ST READING BY TITLE:	March 16, 2022
2ND READING BY TITLE:	April 20, 2022

I, Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on April 20, 2022.

Lori Reibrich, RMC
Borough Administrator/Clerk

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve						X	
Motion to Second			X				
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

With no public present, Councilman Franks made a motion to close the public hearing, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

With no comments, Council President Butler made a motion to adopt, seconded by Councilman DeSarno and unanimously carried and a roll call vote.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve		X					
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

8. RESOLUTION 2022-48: AUTHORIZING REJECTION OF ALL BIDS- BRIDLEMERE PARK IMPROVEMENTS (OPEN SPACE GRANT PROJECT)

AUTHORIZING REJECTION OF ALL BIDS – BRIDLEMERE PARK IMPROVEMENTS

WHEREAS, bids for Bridlemere Park Improvements for the Borough of Interlaken were duly advertised and opened on April 14, 2022; and

WHEREAS, four bids received have been reviewed by the Borough Administrator, Borough Engineer and Borough Attorney; and

WHEREAS, the seven (7) contractors picked up bid documents and four (4) complete bids were received, with a low base bid of \$384,225.00 and a high base bid of \$567,270.00; and

WHEREAS, the lowest bid received exceeded the Borough Engineer’s cost estimates and funding available through the Open Space Grant Program and the Borough of Interlaken; and

WHEREAS, the Local Public Contracts Law provides that a municipality may reject all bids when the lowest bid substantially exceeds the funds appropriated for the goods and services provided; and

WHEREAS, such additional appropriation would represent a substantial increase in appropriation, and, would fall squarely upon the resident taxpayers.

WHEREAS, it has been recommended by the Borough Engineer, Borough Attorney and Borough Council that all bids received be rejected, and the Bridlemere Park Improvements be rebid as soon as is practicable; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it has been determined that said bid for the Bridlemere Park Improvements should be rejected in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-13.2

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

1. All Bidders
2. Joseph Zanga, Chief Finance Officer
3. Richard Shaklee, Esq., Borough Attorney

I, Lori Reibrich, Acting Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on April 20, 2022.

Lori Reibrich, RMC

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second		X					
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

9. RESOLUTION 2022-49: BILL LIST

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

DATE SPAN	TOTAL
04/04/22-04/18/22	\$166,695.19

RESOLUTION 2022-49

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 20, 2022 is in the amount of One Hundred Sixty-Six Thousand, Six Hundred Ninety-Five Dollars and Nineteen 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.

I, Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on April 20, 2022

Lori Reibrich, RMC
Borough Administrator/Clerk

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

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve		X					
Motion to Second					X		
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

10. **REPORTS/CORRESPONDENCE:**

- **Administration/Finance:** No Report.
- **Public Safety:** No Report
- **Streets & Roads:** No Report
- **Shade Tree Commission:** No Report
- **Planning Board:** Council President Butler discussed two approved applications.
- **Board of Education:** No Report
- **Borough Administrator:** BA Reibrich reported that there were 23 people signed up for the garage sale on Saturday. Council discussed who would volunteer to do deliver the balloons. BA Reibrich also reported that the Shade Tree Commission would be hosting a Arbor Day Celebration on May 1st from 1-4 at Borough Hall and in the arboretums.

11. **COMMENTS FROM THE PUBLIC:** Mayor Nohilly opened the floor for public comment. Noting there was no public present, Mayor Nohilly closed the floor.

12. **ADJOURNMENT:** With no further comments, Councilman Franks made a motion to adjourn, seconded by Councilman DeSarno and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Vacancy
Motion to Approve					X		
Motion to Second						X	
Approved		X	X		X	X	
Opposed							
Abstain/ Recuse							
Absent/ Excused				X			

Lori Reibrich, RMC
Borough Administrator/Clerk