

**BOROUGH OF INTERLAKEN
MINUTES
MAY 17, 2023
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 Mayor Nohilly. 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, Councilwoman Horowitz, Councilman Franks and Councilman Blasucci

Absent: Council President Butler, Councilman Delia and Councilman DeSarno

Also Present: Municipal Deputy Clerk Gina Kneser and Borough Attorney Richard Shaklee

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 noted there closed the floor.

2. APPROVAL OF THE MINUTES: APRIL 19, 2023 WORKSHOP & REGULAR MEETINGS

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

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

3. ORDINANCE 2023-2: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XIV (14) “PARK AND RECREATIONAL AREAS” TO ADD 14-2 “KAYAK RACK REGULATIONS” TO PROVIDE REGULATIONS REGARDING KAYAK RACKS

BOROUGH OF INTERLAKEN

ORDINANCE NO. 2023-2

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XIV “PARKS AND RECREATIONAL AREAS” TO ADD 14-2 “KAYAK RACK REGULATIONS” TO PROVIDE REGULATIONS REGARDING KAYAK RACKS.

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 14 “Use Regulations,” Section 14 is amended and supplemented as follows:

14-2 KAYAK RACK REGULATIONS

14-2.1 Kayak Rack Availability

Recreational facilities such as kayak racks are those facilities that are funded by the tax revenue which the Borough of Interlaken collects from its residents. As such, kayak rack facilities can only be utilized by a limited group of residents at any given time. Kayak racks are to be constructed by the Borough of Interlaken for residents use to store their kayaks from May 1 to November 1. No kayaks may be placed or stored on municipal land except in accordance with the terms of this section.

a. The use of kayak racks will be determined through a lottery system open to Borough of Interlaken residents only.

b. Kayak racks will be located on Windemere Avenue and Bridlemere Avenue.

c. Availability for a kayak rack is determined by a lottery system on a first come first serve basis as provided in Section 14-2.2.

14-2.2 Kayak Rack Lottery System

Kayak racks will be available to Borough of Interlaken residents only through a lottery system. The lottery for kayak rack slots will become available on April 1st. Residents have until April 15th to submit their lottery applications for a kayak rack. Applications must be delivered to the Interlaken Borough Hall. Residents may state a preference for whether they wish to obtain a kayak rack on Windermere Avenue or Bridlemere Avenue, but requests cannot be guaranteed.

14-2.3 Kayak Rack Fees

Applicants for a kayak rack will be charged a fee of \$35.00 for the season. The fee may be made payable to: Borough of Interlaken by check or money order.

14-2.4 Kayak Rack Usage

a. Kayak racks are located on Windermere Avenue and Bridlemere Avenue to prevent kayaks from being placed in other public locations other than these racks. All kayaks on municipally owned land must be placed in a kayak rack to which the individual has been assigned.

b. Residents assigned a kayak rack will be issued a sticker for their kayak. The sticker noting the specific rack the resident is assigned to must be affixed to the kayak at all times. This will allow Borough officials to determine if kayaks are in the wrong rack, if the kayak is misplaced, or, if damaged to quickly identify a resident’s kayak. The Borough will maintain records of residents with a kayak rack and the corresponding sticker number.

14-2.5 Consequences of Non-Removal by the End of the Season

The season in which kayaks may be placed in the rack is from May 1 through November 1. Any resident must remove kayaks from the racks by November 2nd. Failure to remove one’s kayak by the end of the season may forfeit the resident’s opportunity to apply for the next season’s lottery. Any such kayak that is not removed by December 31st will be viewed as abandoned property and may be discarded by the Borough.

14-2.6 Fines and Penalties

For each violation of this ordinance, the violator is subject to a fine of \$25.00.

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.

ORDINANCE READING	DATE
1ST READING BY TITLE:	May 17, 2023
2ND READING BY TITLE:	

Councilwoman Horowitz made a motion to approve, seconded by Councilman Blasucci and unanimously carried.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Delia	Councilman Franks	Councilman DeSarno	Councilman Blasucci
Motion to Approve			X				
Motion to Second							X
Approved			X		X		X
Opposed							

Abstain/ Recuse							
Absent/ Excused		X		X		X	

MAYOR NOHILLY SETS THE PUBLIC HEARING FOR JUNE 21, 2023.

4. RESOLUTION 2023-60: AUTHORIZING AWARD OF BID CONTRACT “IMPROVEMENTS TO BRIDLEMERE AVE PHASE II”- FERNANDES CONSTRUCTION

**AUTHORIZING AWARD OF BID CONTRACT
“IMPROVEMENTS TO BRIDLEMERE AVENUE- PHASE II”**

WHEREAS, bids for the project known as “BRIDLEMERE AVENUE PHASE II” were duly advertised and publicly opened pursuant to law; and

WHEREAS, four (4) contractors took out a bid packet and four (4) complete bids were received ranging from low base bid of \$119,505.89 to high base bid of \$140,755.00.; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Borough Engineer and Borough Attorney Richard Shaklee, that said bid be awarded to Fernandes Construction Inc;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents in this regard; and

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

1. Fernandes Construction Inc, Bid winner
2. Lori Reibrich, Borough Administrator/Clerk
3. Josphe Zanga, Chief Financial Officer
4. Peter Avakian, Borough Engineer

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	Councilman Blasucci
Motion to Approve					X		
Motion to Second			X				
Approved			X		X		X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X		X		X	

5. RESOLUTION 2023-61: AUTHORIZING PAYMENT CERTIFICATE NUMBER 3 AND CHANGE ORDER NUMBER 2 FOR “IMPROVEMENTS TO BRIDLEMERE PARK”

RESOLUTION AUTHORIZING PAYMENT CERTIFICATE # 3 AND CHANGE ORDER #2 FOR BRIDLEMERE PARK IMPROVEMENTS

WHEREAS, the Borough previously entered into a contract with Thor Construction Group, LLC for the project entitled “Bridlemere Park Improvements”; and

WHEREAS, payment certificate No. 3 has been submitted by Thor Construction Group, LLC to Borough Engineer, Avakian, Inc for payment of \$33,998.00; and

WHEREAS, Thor Construction Group, LLC submitted Change Order No. 2 which increases the overall contract by \$6,500.00; and

WHEREAS, the following changes have been submitted and approved by Borough Engineer, Leon S. Avakian, Inc.:

Original Contract Amount:	\$324,250.00
Previously Adjusted Contract Amount:	\$309,810.00
Amount of Supplemental Agreement:	\$ 6,500.00
Total Adjusted Contract Amount Due:	\$316,310.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that Change Order No. 2 and Payment Certificate No. 3 is hereby authorized; and

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk is hereby authorized to execute the necessary documents for Change Order No. 2 and Payment Certificate No. 3.

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

1. Peter Avakian, Borough Engineer
2. Thor Construction Group, LLC
3. Lori Reibrich, Borough Administrator
4. Joseph Zanga, Chief Financial Officer

Councilwoman Horowitz made a motion to approve, seconded by Councilman Blasucci and unanimously carried.

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

6. RESOLUTION 2023-62: CHAPTER 159- NJDEP STORMWATER ASSISTANCE

**CHAPTER 159 RESOLUTION
NJDEP STORMWATER ASSISTANCE GRANT**

WHEREAS, N.J.S.A.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for any equal amount, and

WHEREAS, the Borough of Interlaken received \$25,000.00 from the State of New Jersey for the Fiscal Year 2023 NJDEP Stormwater Assistance Grant,

NOW, THEREFORE BE IT RESOLVED that the Borough of Interlaken, County of Monmouth hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget year 2023 the sum \$25,000.00 which is now available as revenue from the State of New Jersey.

BE IT FURTHER RESOLVED that a like sum is hereby appropriated under the caption of:

NJDEP Stormwater Assistant Grant 2023
Other Expenses.....\$: 25,000.00

BE IT FURTHER RESOLVED that two copies of this resolution be forwarded to the following

1. DLGS, via electronic mail only
2. Borough Engineer
3. Director of Finance
4. Borough Auditor

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

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

7. **RESOLUTION 2023-63: AUTHORIZING RENEWAL OF AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN COMMUNITY DEVELOPMENT PROGRAM**

RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK

TO EXECUTE THE FY2024-2026 AGREEMENT WITH MONMOUTH COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM PURSUANT TO THE INTERLOCAL SERVICES ACT

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

WHEREAS, a Revised Cooperation Agreement has been adopted under which the Borough of Interlaken and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the Borough of Interlaken to enter into such an agreement.

NOW, THEREFORE, BE IT RESOLVED by the Interlaken Borough Council of the Borough of Interlaken, that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached thereto, be and same is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and same are hereby authorized to execute said agreement in accordance with the provisions of law; and

BE IT FURTHER RESOLVED this resolution shall take effect immediately upon its enactment.

Councilwoman Horowitz made a motion to approve the minutes, seconded by Councilman Blasucci and unanimously carried.

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

8. RESOLUTION 2023-64: APPOINTMENT OF PLUMBING SUBCODE OFFICIAL

AUTHORIZING APPOINTMENT OF PLUMBING SUBCODE OFFICIAL AND PLUMBING INSPECTOR

WHEREAS, Marty Tellekamp, Plumbing Inspector and Plumbing Sub Code Official for the Borough of Interlaken, tendered his resignation effective March 31, 2023; and

WHEREAS, the Borough Administrator, Construction Official and Mayor have discussed and agreed upon a suitable replacement.

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the appointment of Ryan Backes to the part-time position of Plumbing Sub Code Official and Plumbing Inspector at an annual salary of \$6000.00 effective April 16, 2023;

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

1. Lori Reibrich, Borough Administrator/Clerk
2. Joseph Zanga, CFO
3. William Coy, Finance Clerk/Payroll
4. Ryan Backes, Plumbing Official

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

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

9. RESOLUTION 2023-65: AUTHORIZING FACILITY USE- DSN LITTLE LEAGUE

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the DSN Community Center has submitted an application to utilize the Borough of Interlaken Ballfield located at 725 Bridlemere Avenue, on Sundays in July and August from 9 am to 12:30 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 DSN Community Center 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. Jon Entel, DSN Community Center

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

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

10. RESOLUTION 2023-66: BILL LIST

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

DATE SPAN	TOTAL
04/25/2023-05/15/2023	\$190,922.28

RESOLUTION 2023-66

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 May 17, 2023 is in the amount of One Hundred Ninety Thousand, Nine Hundred Ninety Twenty-Two Dollars and Twenty-Eight 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.

Councilwoman Horowitz made a motion to approve the minutes, seconded by Councilman Franks and unanimously carried.

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

11. REPORTS/CORRESPONDENCE

Administration/Finance – No Report

Public Safety – No Report

Streets & Roads – No Report

Shade Tree Commission – No Report

Planning Board – No Report

Board of Education – No Report

Borough Administrator – No Report

12. COMMENTS FROM THE PUBLIC:

Mayor Nohilly opened the floor for public comment.

Janet Casini-Pepe, 731 Raymere Avenue, asked where the paths to kayak access would be.

Mayor Nohilly described the location of the paths. The paths would lead down to the 4ft wide floating docks.

Ms. Casini-Pepe stated that the plans sounds great.

With no additional public comment, Mayor Nohilly closed the floor.

Councilman Franks questioned a large sign that was put on a property under construction on Westra Street.

Mayor Nohilly noted that the sign is permitted under the ordinance. The size of construction signs was previously discussed by the Council when the sign ordinance was put in place. The Council felt most construction companies have this type of sign. There are so few of this type of sign in town.

13. ADJOURNMENT:

With no further comments, Councilman Blasucci made a motion to adjourn, seconded by Councilwoman Horowitz and unanimously carried.

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

Gina Kneser, CTC/CMR
Borough Deputy Clerk