

**MINUTES
MAY 19, 2021
7:30 P.M. AT BOROUGH HALL
ZOOM: DETAILS FOR PUBLIC PARTICIPATION POSTED ON THE WEBSITE**

The regular meeting of the Borough of Interlaken was called to order 8:10 p.m., by Mayor Nohilly followed by a salute the flag. The Sunshine Statement was read by Borough Clerk/Administrator Lori Reibrich. “The Notice requirements of the Open Public meetings act has been satisfied by forwarding notice to the Asbury Park Press and the Coaster that the regularly scheduled meeting would be held on May 19, 2021 at 7:30 p.m. via Zoom Conference under the Governor’s Executive Order 107. A Copy of the Notice is posted on the official borough website with full directions on how the public can attend and make comment at the meeting. Also, a copy was placed on the door at Borough Hall and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President Butler, Council members: Horowitz, Watson, Maloney, Delia and Franks

Also Present: Borough Attorney Richard Shaklee and Borough Clerk/Administrator Reibrich

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

Mayor Nohilly opened the floor. With no comments made, Mayor Nohilly closed the floor.

2. APPROVAL OF MINUTES: APRIL 21, 2021 REGULAR COUNCIL MEETING

With no comments, Councilwoman Horowitz made a motion to approve the minutes, seconded by Councilwoman Maloney and unanimously carried.

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

3. ORDINANCE 2021-3: 2nd Reading/Public Hearing

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING
CHAPTER XXVI (26), "LAND USE AND DEVELOPMENT", SECTION 26-
28, “PROHIBITED USES” RELATING TO CANNABIS
ORDINANCE NO. 2021-3**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN
AMENDING CHAPTER 26, "LAND USE AND DEVELOPMENT",
SECTION 26-28, "PROHIBITED USES"**

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. Section 26-28 "PROHIBITED USES" of the Code of the Borough of Interlaken is amended to add the following to the existing language:

Without limiting any of the preceding, the Borough of Interlaken expressly prohibits any Class 1 Cannabis Cultivator License, Class 2 Cannabis Manufacture License, Class 3 Cannabis Wholesale License, Class 4 Cannabis Distributor License, and Class 5 Cannabis Retailer License in any zone within the Borough of Interlaken.

SECTION TWO. All other sections and subsections of Chapter 26, "Land Use and Development" 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
1 ST READING BY TITLE:	April 21, 2021
2 ND READING BY TITLE:	May 19, 2021

Borough Administrator Reibrich noted that the Planning Board provided a memo relating to their role in the Master Plan consistency review of this ordinance. The memo stated that the Planning Board agreed this ordinance was consistent with the Master Plan and there were no additional comments made by the Board.

With no further comments made, Councilwoman Maloney made a motion to open the public hearing, seconded by Councilwoman Horowitz and unanimously carried.

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

No public comments were made.

Councilman Watson made a motion to close the public hearing, seconded by Councilwoman Maloney and unanimously carried.

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

With no further discussion, Councilwoman Horowitz made a motion to adopt, seconded by Councilwoman Maloney and unanimously carried.

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

4. **RESOLUTION 2021-48: AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE COUNTY OF MONMOUTH MUNICIPAL OPEN SPACE GRANT PROGRAM IN CONNECTION WITH RECEIPT OF GRANT**

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF INTERLAKEN AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH THE COUNTY OF MONMOUTH MUNICIPAL OPEN SPACE PROGRAM IN CONNECTION WITH RECEIPT OF A GRANT

WHEREAS, the Borough has applied to the County of Monmouth (“**County**”) for financial assistance under the Municipal Open Space Program (the “**Grant**”); and

WHEREAS, the County has reviewed the application and found it to be in conformance with the scope and intent to the program and it approved the Borough’s request for funding; and

WHEREAS, a requirement for receiving the Grant is execution and completion of a Grant Agreement (the “**Agreement**”) by June 30, 2021; and

WHEREAS, the amount of the award to be provided by the County under this Agreement is \$175,000; and

WHEREAS, the project scope includes installation and improvements at the Interlaken park, including, but not limited to the installation of a tot lot playground equipment and walkway, pavilion and perimeter path, fitness station, benches, rose/flower garden, and the construction of steps at two waterfront locations to increase access to Deal Lake as well as construction of kayak launch; and

WHEREAS, these Grant funds are disbursed on a reimbursement basis after satisfactory conclusion of the project; and

WHEREAS, under the terms and conditions the Borough is agreeing that any program funds received from the County shall be used only for the purposes described in the Project Description; and

WHEREAS, the work and requirements in the Agreement also include execution of a Deed of easement with various restrictions on the property, indemnification of the County and insurance requirements.

NOW THEREFORE BE IT RESOLVED;

1. The Mayor is authorized to sign and the Clerk to attest “the County of Monmouth Municipal Open Space Program Grant Agreement” in the form attached.
2. A certified copy of said Resolution will be forwarded to:
 - a. Monmouth County Board of County Commissioners;
 - b. The Monmouth County Park System, Board of Recreation Commissioners;
 - c. The Borough Engineer.

With no comments made, Councilman Delia made a motion to approve, seconded by Councilman Watson and unanimously carried.

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

5. RESOLUTION 2021-49: AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE A RENEWAL OF THE SHARED SERVICE AGREEMENT WITH MONMOUTH COUNTY FOR MOD IV TAX SYSTEMS SERVICES

WHEREAS, the State of New Jersey has mandated the use of the MOD IV Property Assessment Computer System for all New Jersey Municipalities; and

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth, in conjunction with the County Board of Taxation, is continuing to offer the County’s MOD IV Property Assessment Computer System services to the municipalities; and

WHEREAS, this is a renewal of the shared services agreement for this purpose, pursuant to N.J.S.A. 40A:65-1 et seq; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Interlaken that the agreement entitled “Agreement Between the County of Monmouth and the Borough of Interlaken for MODIV Property Assessment Computer Services”, a copy of which is attached hereto, be approved for the 1st of January, 2022, through December 31, 2031; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute the contract agreement.

BE IT FURTHER RESOLVED that certified copies of this resolution are to be provided to the following:

1. Matthew S. Clark, County Tax Administrator
2. Alex Worth, Tax Assessor
3. Lori Reibrich, Administrator/Clerk

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

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

6. **RESOLUTION 2021-50: APPROVING PARK USE APPLICATION- MITCH BROWN**

RESOLUTION APPROVING PARK USE APPLICATION

WHEREAS, Mr. Mitch Brown has submitted an application to utilize the Borough of Interlaken Ballfield, Playground and Picnic area located at 725 Bridlemere Avenue, from 4 pm to 6 pm on Wednesday, June 2, 2021; 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 Mr. Mitch Brown to utilize the ballfield and park facilities on dates and times listed on the application attached.

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. Norman Cottrell, DPW Foreman
4. Mr. Mitch Brown, Applicant.

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

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

7. **RESOLUTION 2021-51: BILL LIST**

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

DATE SPAN	TOTAL
04/22/2021-05/17/2021	\$98,445.26

RESOLUTION 2021-51

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 19, 2021 is in the amount of Ninety-Eight Thousand Four Hundred Forty-Five Dollars and Twenty-Six 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 comments, Councilman Franks made a motion to approve the application, seconded by Councilwoman Maloney and unanimously carried.

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

8. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE: No Report
- PUBLIC SAFETY: No Report
- STREETS & ROAD: No Report
- SHADE TREE COMMISSION: Councilwoman Horowitz reported that the Commission discussed the tree replacement piece of the tree ordinance.
- PLANNING BOARD: Council President Butler reported on two applications from the previous meeting.
- BOARD OF EDUCATION: No Report
- RECREATION COMMITTEE: No Report
- BOROUGH ADMINISTRATOR: BA Reibrich advised the Council of work she has been doing with Lt. Sharin regarding FEMA paperwork for reimbursement due to the Hurricane Isaias back in August of 2020. Also discussed were the upcoming bi-annual recommended changes to the Employee Handbook from the Joint Insurance Fund. The deadline was extended until November of 2021 due to Covid. Also, the Borough auditor is looking to schedule the audit of 2020 within the next two months. Financial Disclosure Forms will need to be completed by June 30, 2021.

9. COMMENTS FROM THE PUBLIC

Mayor Nohilly opened the floor for public comment. With no comments, Mayor Nohilly closed the floor.

10. ADJOURNMENT

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

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

Lori Reibrich, RMC
Borough Administrator/Clerk