

**BOROUGH OF INTERLAKEN
MINUTES
JUNE 20, 2018
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order at 7:36 p.m., by Mayor Nohilly. Sunshine Statement was read by Borough Clerk Administrator 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 White, Council members: Butler, Franks and Horowitz

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

Absent: Councilman Watson and Councilman Gunn

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: MAY 16, 2018- WORKSHOP & REGULAR

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

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

3. ORDINANCE 2018-2: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING CHAPTER XXVI “LAND USE AND DEVELOPMENT”, SECTION 26-49 “FENCE REGULATIONS”.

ORDINANCE 2018-2 WAS POSTED IN BOROUGH HALL ON JUNE 6, 2018 AND ADVERTISED IN FULL IN THE ASBURY PARK PRESS ON JUNE 12, 2018. PUBLIC HEARING SET FOR JUNE 20, 2018.

BOROUGH OF INTERLAKEN

ORDINANCE NO. 2018-2

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING CHAPTER XXVI “LAND USE AND DEVELOPMENT”, SECTION 26-49 “FENCE REGULATIONS”.

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 26-49 “FENCES REGULATIONS” of the Code of the Borough of Interlaken is amended supplemented as follows:

26-49 FENCE REGULATIONS.

- a. Fences in a residential type zone (R-A, R-B), may be erected, altered or reconstructed to a height not exceeding five (5) feet above ground level when located to the rear of the front building line. Fences in no event shall be erected, permitted or otherwise located in front of the building line or in the front yard, or in the case of a corner lot, or any lot more than one side of which borders any street, in or along any yard abutting a street. (Illustrations One through Four attached hereto are by way of examples of application in circumstances depicted)
- b. All fences must be erected entirely within the property lines. No fence shall be erected within any public right-of-way.
- c. All fences shall be maintained in a safe, sound and upright condition.
- d. No fence shall be erected which is imbedded with or made of pieces of glass, sharpened metal or sharp or otherwise hazardous material nor shall any fence be erected which is intended to injure persons or animals.
- e. Nothing in this section shall be construed to restrict the construction of a retaining wall or other means utilized to enable one to retain earth or dirt at the level which it existed at the time of the passage of this chapter.
- f. All fences shall be installed with the finished side facing outward from the owner's property and the post-side facing inside toward the owner's property.
- g. Fences shall comply with any standards as may be required by the Planning Board or other reviewing board pursuant to the General Ordinances of the Borough when an application is before such board.
- h. A fence shall be at least fifty (50%) percent open between grade level and the top cross member, when observed in a position perpendicular to the fence line.

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

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

SECTION FIVE. Copies of this Ordinance upon adoption shall be forwarded to:

- a. Coded Systems
- b. Interlaken Planning Board

ORDINANCE READING	DATE
1ST READING BY TITLE:	June 6, 2018
2ND READING BY TITLE:	June 20, 2018

Board Attorney Shaklee stated that the Planning Board found the ordinances consistent with the Master Plan and made no other recommendations.

Borough Engineer/Planner Avakian stated that there was no additional recommendations by the Planning Board. The Board was of the same opinion as Council that the change to the fence ordinance was overlooked within a group of ordinances. No one realized the potential impact. Once an application was put in, it was realized that the ordinance permitted fences in a corner lot. The Board agreed unanimously that the Borough does not want fences in corner lot.

With no Council comments, Councilman Franks made motion to open public hearing, seconded by Councilwoman Horowitz and unanimously carried.

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

With no Council comments, Councilman Franks made motion to close public hearing, seconded by Council President White and unanimously carried.

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

With no Council comments, Council President White made motion to adopt ordinance, seconded by Councilwoman Horowitz and unanimously carried.

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

4. **ORDINANCE 2018-3: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$335,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$175,750 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

ORDINANCE 2018-3 WAS POSTED IN BOROUGH HALL ON JUNE 6, 2018 AND ADVERTISED IN FULL IN THE ASBURY PARK PRESS ON JUNE 12, 2018. SUPPLEMENTAL DEBT STATEMENT HAS BEEN FILED WITH THE DIVISION OF LOCAL GOVERNMENT SERVICES. PUBLIC HEARING WAS SET FOR JUNE 20, 2018.

**BOROUGH OF INTERLAKEN
COUNTY OF MONMOUTH**

Bond Ordinance No. 2018-03

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$335,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$175,750 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED by the BOROUGH COUNCIL OF THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less

than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Interlaken, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$335,000, said sum being inclusive of all appropriations heretofore made therefor, and including the sum of \$9,250 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, and \$150,000 grant funds expected to be received from the New Jersey Department of Transportation. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$175,750, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3 (a). The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the projects listed below, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough, and the estimated cost of each project, estimated maximum amount of bonds or notes, and the period or average period of usefulness of the improvements are as follows:

- (i) road improvements to Raymere Road, with a total appropriation and estimated cost of \$150,000, grant funds in the amount of \$150,000 from the New Jersey Department of Transportation, and an average period of usefulness of 10 years;
- (ii) yard improvements to the Department of Public Works, with a total appropriation and estimated cost of \$50,000, estimated maximum amount of bonds or notes therefor of \$47,500, and an average period of usefulness of 5 years;
- (iii) street sign improvements, with a total appropriation and estimated cost of \$70,000, estimated maximum amount of bonds or notes therefor of \$66,500, and an average period of usefulness of 5 years; and
- (iv) various road and sidewalk improvements with a total appropriation and estimated cost of \$65,000, estimated maximum amount of bonds or notes therefor of \$61,750, and an average period of usefulness of 10 years.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$175,750, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$335,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$335,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$9,250 down payment and the New Jersey Department of Transportation grant in the amount of \$150,000.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes

from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 6.75 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$175,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$38,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, excluding the grant funds referred to in Section 1 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE READING	DATE
1ST READING BY TITLE:	June 6, 2018
2ND READING BY TITLE:	June 20, 2018

With no Council comments, Councilman Franks made motion to open public hearing, seconded by Council President White and unanimously carried.

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

With no Council comments, Councilman Franks made motion to close public hearing, seconded by Council President White and unanimously carried.

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

With no Council comments, Council President White made motion to adopt ordinance, seconded by Councilwoman Horowitz and unanimously carried.

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

5. **RESOLUTIONS 2018-51: CONFIRMING REAPPOINTMENT OF MUNICIPAL CLERK**

CONFIRMING REAPPOINTMENT OF MUNICIPAL CLERK

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the reappointment of Lori Reibrich as Municipal Clerk, with said term expiring June 18, 2020; and

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

1. Lori Reibrich, RMC
2. Timothy Cunningham, Director, DCA, DLGS
3. Chief Financial Officer

With no Council comments, Councilwoman Horowitz made motion to appoint, seconded by Councilman Butler and unanimously carried.

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

6. **RESOLUTIONS 2018-52: FACILITY USE REQUEST- MAJER DAVID YESHIVA**

RESOLUTION: 2018-52

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the Mager David Yeshiva has submitted an application to utilize the Borough of Interlaken Ballfield located at 725 Bridlemere Avenue, on August 26, 2018 from the hours of 8 a.m. to 5 p.m. for a charity Frisbee tournament; 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 Mager David Yeshiva to utilize the ballfield on date and time 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. Eric Setton, Applicant

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

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

7. **RESOLUTIONS 2018-53: BILL LIST**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
05/14/18-06/18/18	\$264,437.72

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 June 20, 2018 is in the amount of Two Hundred Sixty Four Thousand Four Hundred Thirty Seven Dollars and Seventy Two 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 comments, Councilman Franks made motion to approve bill list, seconded by Council President White and unanimously carried.

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

8. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – No report
- PUBLIC SAFETY – Councilman Franks stated that he attended the Deal Police Department Awards Ceremony. It was a very good ceremony. He said that all of Council should make an effort to attend events of this nature to show support and respect for your Police and Fire Departments. Mayor Nohilly stated that he has always attended but was away on business this year. The Council agreed to confirm that at a presence of the members of Council attend each event to show the support to the Police and Fire Departments.
- STREETS & ROADS - No report
- SHADE TREE COMMISSION – No report
- PLANNING BOARD - No report.
- BOARD OF EDUCATION - No report.
- BOROUGH ADMINISTRATOR -- Borough Clerk/Administrator Reibrich reported that a letter was sent asking for volunteers for the Recreation Committee. There has been no response yet from the letter, but there needs to be a discussion regarding the picnic. The volunteers who put

the picnic together, organized the set up and were responsible that day have expressed that they will not have the same amount of time to dedicate to the picnic this year.

Mayor Nohilly stated that the picnic will be put on the next workshop meeting. There may be a need to simplify the event, as volunteerism remains an issue.

Borough Clerk/Administrator Reibrich stated that the Municipal Auditor should have recommendations within the week or so. The audit deadline is June 30, 2018.

Borough Clerk/Administrator Reibrich stated that DPW Supervisor, Norm Cotrell, responded to an underground irrigation leak in the arboretum. The Borough was notified by NJ American Water that there was an excess billing for that meter. Norm Cotrell and Anthony Travers located the leak that was not visible in the grass or above ground, and made the repair. Borough Clerk/Administrator Reibrich wanted to recognize that repair costs were saved because they were able to complete this work. The cost of having to go out of house was saved.

Borough Clerk/Administrator Reibrich stated that the County was working on the landscape for the circle. The Borough contacted the County regarding taking over the care of the circle landscape once completed. The Borough proposed to take over maintenance, if a water source can be restored to the area.

Mayor Nohilly stated that if the County provides irrigation, the Borough will take over maintenance of the landscaping.

Borough Engineer Avakian stated that the County was having difficulty getting the contractor to complete the punch list. The bulk head install has not been completed yet. Borough Engineer Avakian stated that his office will look into the landscape maintenance issue.

9. **COMMENTS FROM THE PUBLIC** Mayor Nohilly opened the floor for public comment. With no public present, Mayor Nohilly closed the floor.

10. **ADJOURNMENT** With no further discussion Councilman Butler made a motion to adjourn, seconded by Councilman Franks and unanimously carried.

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

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

Lori Reibrich, RMC
Borough Administrator/Clerk