

**BOROUGH OF INTERLAKEN
MINUTES
JUNE 22, 2016
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:39 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence for Mr. Herbert Horowitz, Councilwoman Horowitz' father, who passed away. Sunshine Statement was read by Borough Clerk Administrator Reibrich. "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 members: Franks, Gunn, Handerhan, and Butler.

Also Present: Borough Attorney Richard Shaklee, Borough CFO/Tax Collector Stephen O. Gallagher and Borough Clerk/Administrator Lori Reibrich

Absent: Council President White and Councilwoman Horowitz

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

Mayor Nohilly opened the floor for public comment.

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

2. APPROVAL OF MINUTES: May 18, 2016- WORKSHOP & REGULAR

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

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

3. APPROVAL OF MINUTES: MAY 18, 2016- EXECUTIVE SESSION

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

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

4. ORDINANCE 2016-2: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$185,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$175,750 BOND 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

**BOROUGH OF INTERLAKEN
COUNTY OF MONMOUTH**

Bond Ordinance No. 2016-2

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS
AND APPROPRIATING \$185,000 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 \$185,000, 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.*. 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) various road improvements and striping with a total appropriation and estimated cost of \$135,000, estimated maximum amount of bonds or notes therefor of \$128,250, and an average period of usefulness of 10 years; and

ii) street sign and lighting improvements, with a total appropriation and estimated cost of \$50,000, estimated maximum amount of bonds or notes therefore of \$47,500, and an average period of usefulness of 5 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 \$185,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$185,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$9,250 down payment.

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 8.64 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 \$35,000 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 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.

With no Council comments, Councilman Franks made a motion to introduce the bond ordinance, seconded by Councilman Handerhan and unanimously carried.

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

Mayor Nohilly set the public hearing for July 20, 2016.

5. **RESOLUTION 2016-62: ACCEPTING THE 2015 AUDIT**

ACCEPTING THE 2015 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit:

R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Interlaken, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

With no Council comments, Councilman Butler made a motion to accept audit, seconded by Councilman Gunn and unanimously carried.

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

6. RESOLUTION 2016-63: AUTHORIZING THE EXECUTION OF A TEN-YEAR SHARED SERVICE AGREEMENT WITH THE BOROUGH OF ALLENHURST FOR REFUSE REMOVAL

AUTHORIZING THE EXECUTION OF A TEN-YEAR SHARED SERVICE AGREEMENT WITH THE BOROUGH OF ALLENHURST FOR REFUSE REMOVAL

WHEREAS, the Borough of Interlaken and the Borough of Allenhurst have negotiated the renewal of a ten-year shared services agreement for Refuse Removal with the Borough of Allenhurst providing the services to Interlaken; and

WHEREAS, this Agreement will commence on January 1, 2017 at 12:01 a.m. and continue through December 31, 2026 at 12 midnight; and

NOW, THEREFORE, be it resolved as follows:

1. The Borough of Interlaken agrees to renew the attached shared service agreement with the Borough of Allenhurst for refuse removal for a ten-year term commencing on January 1, 2017.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute said agreement.

BE IT FURTHER RESOLVED that a certified copy of this resolution be delivered to:

- 1) Lori Osborn, Clerk/Administrator, Borough of Allenhurst
- 2) Stephen O. Gallagher, CFO, Borough of Interlaken

With no Council comments, Councilman Franks made a motion to authorize execution, seconded by Councilman Handerhan and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
Motion to Approve				X			
Motion to			X				

Second							
Approved			X	X	X		X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X				X	

7. **RESOLUTION 2016-64: AUTHORIZING LEON S. AVAKIAN INC TO PERFORM ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION AS WELL AS TO ADMINISTER BIDS FOR THE IMPROVEMENTS TO STAFFA STREET FOR THE BOROUGH OF INTERLAKEN IN AN AMOUNT NOT TO EXCEED \$35,000**

AUTHORIZING LEON S. AVAKIAN INC TO PERFORM ENGINEERING DESIGN AND CONSTRUCTION ADMINISTRATION AS WELL AS TO ADMINISTER BIDS FOR THE FOR THE BOROUGH OF INTERLAKEN IN AN AMOUNT NOT TO EXCEED \$35,000

BE IT RESOLVED that authorization by the Governing Body of the Borough of Interlaken is hereby granted for Leon S. Avakian, Inc. to perform engineering design and construction administration as well as to administer bids for the Improvements to Staffa Street for the Borough of Interlaken in an amount not to exceed \$35,000.00.

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded as follows:

1. Lori Reibrich, Municipal Clerk
2. Stephen Gallagher, Chief Financial Officer
3. Peter Avakian, Leon S. Avakian Inc.

With no Council comments, Councilman Handerhan made a motion to authorize improvements, seconded by Councilman Franks and unanimously carried.

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

8. **RESOLUTION 2016-65: AUTHORIZING APPOINTMENT OF PLUMBING SUB CODE OFFICIAL**

AUTHORIZING APPOINTMENT OF PLUMBING SUB CODE OFFICIAL

WHEREAS, Robert Hartsgrove, Plumbing Inspector, for the Borough of Interlaken, has tendered his resignation effective June 3, 2016; and

WHEREAS, the Borough Administrator, Mayor and Chairman of Finance and Administration have met 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 James Ammataro to the part-time position of Plumbing Sub-Code Official at an annual salary of \$2,500.00 effective July 15, 2016;

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

1. Lori Reibrich, Borough Administrator/Clerk
2. Stephen O. Gallagher, CFO

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

	Mayor Nohilly	Council President	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler

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

9. **RESOLUTION 2016-66: BILL LIST**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
05/17/16-06/20/2016	\$163,165.94

Resolution 2016-66:

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 June 22, 2016 is in the amount of; One Hundred Sixty Three Thousand One Hundred Sixty Five Dollars and Ninety Four 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 a motion to authorize payment, seconded by Councilman Handerhan and unanimously carried.

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

10. **REPORTS/CORRESPONDENCE**

- ADMINISTRATION/FINANCE - No report.
- PUBLIC SAFETY – Councilman Franks asked if Police Chief Neuman’s monthly report included information regarding speeding tickets.

Borough Clerk/Administrator Reibrich stated that Chief Neuman provided the information in an email that was distributed to Council members. Monthly reports will include speeding ticket statistics starting next month.

- STREETS & ROADS – Councilman Butler stated that there have been two meetings with Jim Markey from JCP&L regarding street light installation and billing. There was supposed to be a

meeting about reimbursement of the recently discovered overbilling, but the meeting was cancelled due to a scheduling issue.

Councilman Butler stated that the project is moving along. Borough Engineer/Planner Avakian provided good advice about what questions to ask about the project, including removal procedure and installation costs.

Council had a brief discussion regarding the reimbursement.

Borough Attorney Shaklee stated that the statute of limitations is six years, depending on the contract. There is some incentive to resolve the situation quickly. Borough Attorney Shaklee stated that a suit should be filed after 30 days, if the matter is not resolved.

Mayor Nohilly agreed but, stated that JCP&L should be given the opportunity to offer a solution first.

- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – No report.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR – Borough Clerk/Administrator Reibrich stated that there was a pre-construction meeting for the Borough Hall renovation project. The contractor, Borough Engineer/Planner Avakian, the project architect were all in attendance. The contractor has submitted their contract and permit application. Borough Clerk/Administrator Reibrich stated that the project is set to begin the middle of July. The project will take about 10 weeks. Borough Clerk/Administrator Reibrich stated that a letter will be included with the tax bill to ask residents to limit visits to Borough Hall.

Borough Clerk/Administrator Reibrich stated that the Borough has received billing for the new ambulance with the motorized cot. The funds are in place for payment.

Borough Clerk/Administrator Reibrich advised Council that the Deal Police Awards meeting and dinner would be held on June 28, 2016. Awards will be given out during the Deal Council meeting and the dinner will follow at the Deal firehouse. Everyone is invited.

11. COMMENTS FROM THE PUBLIC

Mayor Nohilly opened the floor for public comment.

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

12. ADJOURNMENT- With no Council comments, Councilman Handerhan made a motion to adjourn, seconded by Councilman Franks and unanimously carried.

	Mayor Nohilly	Council President White	Councilman Handerhan	Councilman Franks	Councilman Gunn	Councilwoman Horowitz	Councilman Butler
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