

**BOROUGH OF INTERLAKEN
MINUTES
AUGUST 6, 2014
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:38 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. The following statement was read by Borough 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 is posted on the Borough bulletin board and is on file in the Borough Clerk's office."

Present: Mayor Nohilly, Council members Cohen, Handerhan, Napoli

Also Present: Borough Administrator Lori Reibrich, Borough Attorney Richard Shaklee, Deal Lake Commission Chairman Don Brockel, Deal Lake Commission Representative Don Nissim

Resignation: Thomas Morley resigned Council seat July 25, 2014

Absent: Council President White, Councilman Miller

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

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

2. APPROVAL OF MINUTES: JULY 16, 2014- REGULAR & WORKSHOP

Councilman Cohen MOTIONED to approve the minutes, seconded by Councilman Handerhan. Councilman Napoli abstained, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X	
Motion to Second						X
Approved					X	X
Opposed						
Abstain/Recuse				X		
Absent/Excused		X	X			

3. APPROVAL OF MINUTES: JULY 16, 2014- EXECUTIVE SESSION

Councilman Handerhan MOTIONED to approve the minutes, seconded by Councilman Cohen. Councilman Napoli abstained, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve						X
Motion to Second					X	
Approved					X	X
Opposed						
Abstain/Recuse				X		
Absent/Excused		X	X			

4. ORDINANCE 2014-2: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXII OF THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF INTERLAKEN TO ADD SECTION 22-2 TREE PRESERVATION AND REMOVAL

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

SECTION I

1. Section 22-2, “Tree Preservation and Removal Ordinance” of the Borough of Interlaken is hereby added to the Revised General Ordinances.

SECTION II

2. Section 22-2, shall read as follows:

22-2 Tree Preservation and Removal

22-2.1 Purpose

The purpose of this chapter is to prevent indiscriminate, uncontrolled, and excessive destruction, removal, and clear cutting of trees upon lots and tracts of land within the Borough of Interlaken in order to maintain the aesthetic character of the Borough of Interlaken, prevent erosion, and control actions that will substantially change drainage patterns, and restrict actions that will cause a hazard to persons or property.

22-2.2 Definitions

Clear Cutting -the removal of all standing trees on a site or portion of a site.

Emergency - any unforeseen circumstance or occurrence, the existence of which constitutes a clear and immediate danger or hazard to person or property.

Public Right-of-way - any street or road shown upon a map or plan filed in the Monmouth County Clerk's office or on the Official Map of the Borough of Interlaken.

Removal - the actual removal of trees, or direct or indirect actions resulting in the effective removal of trees through damage or poison, or similar actions directly or indirectly resulting in the death of trees subject to the provisions of this ordinance. Moving a tree to a different location on the same property does not constitute removal. Removal shall not include pruning for maintenance purposes.

Significant Specimen Trees - any tree with a diameter at breast height (DBH) exceeding 60% of that of the largest similar tree listed in either the 'Monmouth County's Largest Trees', prepared and annually updated by the Monmouth County Shade Tree Commission or 'New Jersey's Big Trees', prepared and updated bi-annually by the Division of Parks & Forestry of the New Jersey Department of Environmental Protection.

Site - any lot, tract, parcel or parcels of land within the Borough.

Tree - any living deciduous or evergreen tree with a single trunk at a height of one foot above the root crown, with a normally anticipated mature height of thirty feet or greater. (Including, but not limited to: Norway; Silver and Sugar Maple; Sweetgum; London Plane; American Sycamore; White and Red Pin Oak; American Elm; Yellow and White Poplar; Copper Beech; Cedar; Spruce; Pine; and Fir.)

Tree Removal Permit - a certificate issued by the Borough to remove trees as defined in this section.

Undisturbed Area - an area in which trees, shrubs, and understory will not be disturbed by filling, cutting or by any other means

22-2.3 Tree Removal Prohibited

No person shall remove, or cause to be removed, five (5) or more existing trees with a diameter of nine inches or greater caliper at breast height, upon any lands within the Borough of Interlaken except as follows:

1. Trees that are to be removed as the direct result of a Development Application that has been approved by the Borough of Interlaken Planning Board;

2. Any trees cut or removed in accordance with a "management plan" developed by the New Jersey Department of Environmental protection, Bureau of Forestry, filed with the Construction Official of the Borough;
3. Trees directed to be removed by municipal, county, state or federal authority;
4. Trees that are to be removed as the result of the issuance of a Tree Removal Permit.

No person shall remove any tree growing on or over a public right of way or public land without the express written consent of a competent municipal authority (Code Enforcement Officer, Borough Engineer, etc.) or Commission.

22-2.4 Tree Removal Permit

A Tree Removal Permit shall be required for the removal of four (4) or more trees of 9” or greater caliper at breast height, as follows:

1. Trees that are dead, severely damaged by natural causes or accident to the point that the natural habit of the tree can not be restored as determined by a N.J. Certified Tree Expert or competent public authority (Borough Engineer); trees that are severely diseased and require removal as certified by a N.J. Certified Tree Expert; or trees that pose an imminent public safety hazard as determined by a N.J. Certified Tree Expert or a competent public authority (police, Borough Engineer, etc.).
2. Trees required to be removed subject to a construction permit as issued by the construction official for construction of new residences, additions to residences, or the construction of swimming pools or other accessory buildings or structures that are not the subject of Planning Board application approvals. Such trees shall clearly be shown on the construction plans and identified by size and the removal of same shall, in the opinion of the construction official or his designee, clearly be necessary for the construction of the subject building or structure.
3. Individual residential lots with a dwelling located on the lot that remove five (5) or more trees per 12 month period. Trees removed as a result of 1 or 2 above shall not be counted towards these five (5) trees. If trees are pruned or damaged due to activities within the dripline of the tree, e.g., the piling of soil or placement of large equipment, those trees will be counted toward this total.

22-2.5 Tree Removal Permit Requirements:

Application Form: An application form can be obtained from the Code Enforcement Officer or Borough Clerk and shall include the following information:

1. Name and address (street and lot and block) of the owner of the premises and status of legal entity (individual, partnership, corporation).
2. Description of the premises where removal is to take place, including lot and block numbers, and street address as assigned if different than the address of the owner.
3. Purpose of tree removal.
4. In addition to the application form, a survey showing the approximate location and size of all trees with a diameter at breast height of nine inches or greater caliper that exist on the lot, and identifying those trees to be removed. At the discretion of the Code Enforcement Officer or his/her designee, other appropriate documents may be substituted if a survey is not available.

5. If a tree is removed under the requirements of Section 22-2.4.2, a mitigation plan must be submitted which will provide for the replacement of all removed trees by planting a tree of 3" to 3 1/2" caliper or a fee to the Borough of Interlaken in the amount of \$150.00 per tree removed.
6. For any trees removed under the requirements of Section 22-2.4.3, a replacement plan must be submitted showing the planting of trees for any tree removal in excess of the four which would be allowed to be removed without a permit. For example, if ten trees are approved for removal, a replacement plan for six trees must be submitted and approved. The replacement trees must be a minimum caliper of 3" to 3 1/2" or a fee to the Borough of Interlaken in the amount of \$150.00 for each tree may be made. These plans must be submitted and approved by the Code Enforcement Officer or his/her designee prior to the issuance of any permits.

22-2.6 Fees

Upon the filing of an application with the Code Enforcement Officer for a tree removal permit under the terms of this section, the applicant shall pay an application fee of \$10.00 for up to 4 trees removed.

22-2.7 Permit Approval

1. Time limits for action.
 - a. The Code Enforcement Officer or his/her designee shall act on an application for tree removal permit within thirty (30) days of the receipt of a complete application. Failure to act within thirty days shall be deemed to be an approval of the application and thereafter, a tree removal permit shall be issued.
2. Duration of Permits.
 - a. If granted for a lot or parcel of land for which no building permit is required -3 months from the date of issuance.
 - b. If granted for a lot or parcel of land for which a building permit is required but for which no variance, subdivision, or site plan approval is required or has been approved by the Planning Board, until expiration of building permit granted with such tree removal permit.

22-2.8 Completion

The holder of a tree removal permit shall notify the Code Enforcement Officer when the tree removal has been completed.

22-2.9 Significant Specimen Trees

It is presumed that Significant Specimen Trees should only be removed in the most compelling and extraordinary circumstances. Removal will be permitted only after approval by a Hearing Panel, as described in Section 22-2.10 of this ordinance. The loss of lot yield, building area, or profitability of developmental layout shall be deemed neither compelling nor extraordinary.

22-2.10 Appeals

Whenever any application for a tree removal permit shall be denied by the Code Enforcement Officer or his/her designee, the applicant may appeal the denial to the Borough Administrator by filing a written notice of appeal with the Borough Clerk within ten days after receiving notice of the denial. Upon receipt

of the notice of appeal, the Borough Administrator shall appoint a hearing panel consisting of three members: The Borough Engineer, an employee of the Department of Public Works, and any other designee of the Borough Administrator. This panel shall proceed to hear the appeal upon notice to the applicant within thirty (30) days of the filing of such notice of appeal. This panel shall have the discretion, after interviewing both the applicant and the Code Enforcement Officer or his/her designee, to reverse, affirm, or modify the aforesaid decision.

22-2.11 Protection of Existing Trees

In connection with any construction, subsequent to tree clearing but prior to the start of other construction, snow fencing or other protective barrier acceptable to the Construction Official and/or Borough Engineer, shall be placed around trees that are not to be removed. The protective barriers shall be placed at the dripline or canopy line of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits, or construction materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to the removal of the barriers shall be accomplished with light machinery or hand labor.

22-2.12 Emergency Action

In the event of an emergency, any person otherwise subject to this section, having responsibility, jurisdiction and/or authority to cure, remedy or mitigate dangerous, hazardous, inconvenient, unhealthy or obnoxious conditions resulting from the emergency, may, without first applying for and obtaining a permit under this section, take any lawful action which is otherwise a regulated activity. However, such person or the agent or designee of such person, shall apply for a Tree Removal Permit not later than the end of the second succeeding business day after any regulated activity takes place and may not proceed with non-emergency work including restoration, until a permit is obtained.

22-2.13 Notice to Proceed for Removal of Four (4) or Less Trees

For removal of four (4) or less trees of 9" or greater caliper in any twelve (12) month period on an individual residential lot, no application or permit is required, however, for every tree removed, any person removing same must first notify the Code Enforcement Officer of the removal and pay a fee of \$10.00 for up to four (4) trees, upon which a Notice to Proceed will be issued by the Code Enforcement Officer. The purpose of this requirement is so the Borough will have a record of tree removals.

22-2.14 Penalties

When regulated trees are removed without a tree removal permit, the affected areas shall be replanted as required by the Code Enforcement Officer or his/her designee. Any such replanting shall be in accordance with the requirements of Site Plan Ordinance. Any person found guilty of violating any of the provisions of this section shall be subject to a fine not exceeding \$200.00 per removed tree. Each tree removed or destroyed in violation of this section shall be considered a separate violation.

SECTION III

3. All other ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION IV

4. If any section, paragraph, subparagraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

SECTION V

5. This Ordinance shall take effect upon its final passage and publication as provided by law.

Councilman Napoli asked questions regarding the changes to the draft of the ordinance that were discussed at the last meeting.

Mayor Nohilly stated that Councilman Morley reviewed the changes line by line and it was the consensus to go with all of the recommended changes.

Mayor Nohilly stated that the Felled Tree Ordinance will be brought to the table at the same time.

With no additional comment. Councilman Handerhan MOTIONED to introduce the ordinance, seconded by Councilman Cohen, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve						
Motion to Second						
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

5. ORDINANCE 2014-4: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER IX OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF INTERLAKEN TO ADD SECTION 11-3 “REMOVAL OF DEAD, DISEASED OR DAMAGED TREES OR TREE LIMBS THAT PRESENT HAZARDS TO LIFE OR PROPERTY

WHEREAS, in furtherance of its powers to enact Ordinances it deems necessary and proper for the good government, order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, pursuant to N.J.S.A. 40:48-2, and its powers to enact Ordinances necessary and expedient for the preservation of the public health, safety, and general welfare regarding the removal of dead and dying trees, stumps and roots , pursuant to N.J.S.A. 40:48-2.13, the Borough Council deems it necessary, proper and expedient to enact this Ordinance; and,

WHEREAS, it is in the interest of public safety to ensure that dead, diseased or damaged trees or tree limbs be removed where they present hazards to persons or properties;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Interlaken as follows:

1. Section 1. A new section of the Revised General Ordinances of the Borough of Interlaken be added to be designated as Section 11-3 and entitled “Removal of Dead, Diseased or Damaged Trees or Tree Limbs that Present Hazards to Life or Property”.

2. Section 2. Section 11-3.1 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Definitions

a. “Potential Hazard” shall mean “Any tree or tree limb that is, by reason of its position, condition, angle or other perceptible factors, in reasonably discernable danger of falling upon adjacent lots , overhead utility lines, public streets or other public rights of way, homes or other structures, due to disease, damage or death.” If in doubt as to whether a tree is diseased, the Code Enforcement Officer shall consult the certified tree expert of the Borough.

b. “Imminent Hazard” shall mean “a ‘Potential Hazard’ as previously defined which, based on discernable, observable factors, may imminently fall upon adjacent lots, overhead utility lines, public streets or other public rights of way, homes or other structures, due to disease, damage or

death.” If in doubt as to whether a tree is diseased, the Code Enforcement Officer shall consult the certified tree expert of the Borough.

c. “Felled Tree” shall mean “Any tree, or part thereof, including, but not limited to a tree trunk, branch or limb that has fallen and is laying on an adjacent lot, public street or other public right of way, sidewalk or public park.”

3. Section 3. Section 11-3.2 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Removal of Potential and Imminent Hazards

a. Upon a finding of the Code Enforcement Officer of a potential hazard, he or she will issue a notice to the owner, occupant or controller of the property on which the base of the tree is situated to remove said potential hazard within 30 days. Upon the property owner’s, occupant’s or controller’s failure to comply, the Code Enforcement Officer may issue a summons to appear in Municipal Court, as hereinafter provided, and/or said removal may be undertaken by the Borough with the cost thereof to be charged against the dwelling or land, and become a lien upon such dwelling or land, as hereinafter provided. The Code Enforcement Officer is authorized to grant extensions of time for compliance in the exercise of reasonable discretion.

b. Upon the finding of the Code Enforcement Officer of an imminent hazard, he or she will issue an immediate notice to abate such a violation to the owner, occupant or controller of the property on which the base of the tree is situated. If such removal does not occur within ten (10) days of the notice, as hereinafter provided, the Code Enforcement Officer may issue a summons to appear in Municipal Court, and/or said removal may be undertaken by the Borough with the cost thereof to be charged against the dwelling or land, and become a lien upon such dwelling or land, as hereinafter provided. In situations where the Code Enforcement Officer reasonably determines that ten (10) days may not be allowed for removal because of the nature of the hazard, he or she may determine a shorter period of time. The Code Enforcement Officer is authorized to grant extensions of time for compliance in the exercise of reasonable discretion.

4. Section 4. Section 11-3.3 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Felled Trees

The Code Enforcement Officer shall issue a notice to any property owner, occupant or controller of property from which a Felled Tree has fallen onto an adjacent lot, public street or other public right of way, sidewalk or public park, to remove any such Felled Tree, including any trunk, branch or limb thereof, within ten (10) days of such notice. If such removal does not occur within ten (10) days of the notice, as hereinafter provided, the Code Enforcement Officer may issue a summons to appear in

Municipal Court, and/or said removal may be undertaken by the Borough, with the cost thereof to be charged against the dwelling or land, and with said cost to become a lien upon such dwelling or land, as hereinafter provided. The Code Enforcement Officer is authorized to grant extensions of time for compliance in the exercise of reasonable discretion.

5. Section 5. Section 11-3.4 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Interpretation Consistent with Chapter XXII, Protection of Trees

Nothing stated in this Section shall be construed in such a way as to be inconsistent with the provisions Chapter XXII of the Revised General Ordinances of the Borough of Interlaken, "Protection of Trees". Nothing in this Section shall be construed to be an abrogation of the responsibilities, duties and powers of the Shade Tree Commission. It is the intent of this section that the Code Enforcement Officer should refrain from taking any action in enforcement of this section, which encroaches upon the exclusive jurisdiction and authority of the Shade Tree Commission.

6. Section 6. Section 11-3.5 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Penalties for Violations

Any person convicted of a violation of this Section shall have imposed upon him or her a penalty consistent with the provisions of Section 1-5 of the Revised General Ordinances of the Borough of Interlaken. Each violation of the provisions of this section and each day of the violation shall be deemed to be a separate and distinct violation.

7. Section 7. Section 11-3.5 if hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Assessment of Costs for Removal by the Borough

In any case where the property owner, occupant or controller has failed to act in accordance with the dictates of this section, the Borough is authorized to enter the property and destroy and remove the trees, trunk, branches, limbs or stumps. Where such action has occurred, the Code Enforcement Officer shall certify the cost thereof to the governing body, which shall examine the certificate, and if found correct, shall cause the cost as shown thereon to be charged against the dwelling or lands. The amount so charged shall forthwith become a lien upon such dwelling or lands and shall be added to and become a part of the taxes next to be assessed and levied upon such dwelling or lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

8. Section 8. Section 11-3.7 is hereby added to the Revised General Ordinances of the Borough of Interlaken and shall state as follows:

Felled Trees Falling Into Deal Lake or Its Watershed

Upon a finding of the Code Enforcement Officer that a felled tree, including, but not limited to, the entire tree or a tree trunk, branch or limb, has fallen upon or in Deal Lake, its watershed or onto the banks adjacent to the lake, he or she will issue a notice to the owner, occupant or controller of the property on which the base of the tree is or was located to remove said tree, or component part, within 30 days. Upon the property owner’s, occupant’s or controller’s failure to comply, the Code Enforcement Officer may issue a summons to appear in Municipal Court and/or said removal may be undertaken by the Borough with the cost thereof to be charged against the dwelling or land, and become a lien upon such dwelling or land. The Code Enforcement Officer is authorized to grant extensions of time for compliance in the exercise of reasonable discretion.

In addition, the provisions of Sections 11-3.5 and 11-3.6 will apply for any violations of this section.

9. Section 9. The provisions of this Ordinance are declared to be severable. Any invalidation of any provision of this Ordinance by a court of law shall not be deemed to affect the validity of the remaining provisions.

10. Section 10. Except as provided herein, any Ordinance(s) inconsistent with this Ordinance are repealed.

11. Section 11. This Ordinance shall take effect upon adoption and publication as provided by law.

Councilman Napoli questioned whether the Felled Tree Ordinance would be a separate ordinance or part of the Tree Preservation Ordinance.

Borough Attorney Shaklee stated that this amendment builds on the tree preservation ordinance.

With no additional comment. Councilman Napoli MOTIONED to introduce the ordinance, seconded by Councilman Handerhan.

Borough Administrator Reibrich read roll call and the introduction of the ordinance was carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve				X		
Motion to Second						X
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

6. RESOLUTION 2014-71: DEAL LAKE COMMISSION CHARTER AGREEMENT RENEWAL

WHEREAS, The Borough of Interlaken, Monmouth County, borders on Deal Lake; and,

WHEREAS, Since 1974, all of the municipalities bordering Deal Lake have entered into a Agreement, renewed from time to time, to create the joint meeting known as the Deal Lake Commission in recognition of the fact that one cooperative body with a continuous existence to manage the welfare of the lake is beneficial to all municipalities bordering on the lake; and,

WHEREAS, The Borough Council of the Borough of Interlaken previously adopted a Resolution authorizing entry into the contractual relationship with other municipalities bordering Deal Lake to create the Deal Lake Commission through December 31, 2014; and,

WHEREAS, The current governing body of the Borough of Interlaken believes it is in the best interests of the Borough of continue its membership and participation in the Deal Lake Commission.

NOW, THEREFORE, BE IT RESOLVED, By the Borough Council of the Borough of Interlaken, Monmouth County, as follows:

1. The Borough of Interlaken, Monmouth County, shall continue to be a member of the Deal Lake Commission for a period of ten (10) years, through December 31, 2024.
2. The Mayor and Clerk are hereby authorized to execute the Agreement with the Deal Lake Commission.
3. A copy of the Agreement shall be on file in the Clerk’s office and available for public inspection during regular business hours.
4. A certified copy of this Resolution, along with the executed Agreement, shall be supplied to the Deal Lake Commission.

Councilman Cohen MOTIONED to approve the resolution, seconded by Councilman Napoli, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X	
Motion to Second				X		
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

7. RESOLUTION 2014-97: AUTHORIZING A STREET OPENING MORATORIUM WAIVER FOR GRASMERE AVENUE

WHEREAS, a letter of request has been received from Mr. and Mrs. Dugan for the granting of a street opening permit in front of 409 Grasmere Avenue for an oil to gas conversion for reasons as expressed in attached letter; and

WHEREAS, Bendermere Avenue, was resurfaced in May of 2013 and is subject to a five-year moratorium; and

WHEREAS, under the provision of Chapter XVIII of the Revised General Ordinance of the Borough of Interlaken, the Borough Council can authorize the granting of a road opening permit within the five years from the point in time when a street is resurfaced providing certain penalties are paid.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Interlaken that the Borough Administrator is hereby authorized to grant a road opening permit to New Jersey Natural Gas for Grasmere Avenue providing the penalty assessment is paid pursuant to section 18-1.5 of the Revised General Ordinances of the Borough of Interlaken and that all other requirements of said ordinance are complied with prior to the issuance of the permit; and

BE IT FURTHER RESOLVED that there shall be an infrared treatment performed on the final patched surface to minimize the impact of the structural integrity of the roadway and to provide a level driving surface.

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

1. Peter Avakian, P.E., Borough Engineer
2. Mr. & Mrs. Dugan, 409 Grasmere Avenue
3. Lori Reibrich, Borough Administrator/Clerk

Councilman Handerhan verified with Borough Administrator Reibrich that there has been communication with the homeowner regarding fees and necessary permits.

Borough Administrator Reibrich stated that permits would not be issued until fees were paid.

Councilman Napoli asked for clarification of this resolution.

Mayor Nohilly stated that this is a request for a moratorium for a street opening that has been granted to others in the past. The homeowner is aware they will cover the costs.

With no additional comment. Councilman Cohen MOTIONED to approve the resolution, seconded by Councilman Handerhan, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X	
Motion to Second						X
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

8. **RESOLUTION 2014-98: BILL LIST**

BOROUGH OF INTERLAKEN BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
07/09/14-08/04/14	\$478,574.18

Resolution 2014-98:

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 August 6, 2014 is in the amount of Four Hundred Seventy-Eight Thousand, Five Hundred Seventy-Four Dollars and Eighteen 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.

Councilman Napoli questioned one bill regarding the cost for a side cutter.

Mayor Nohilly stated that the cost was for rental equipment used on the ballpark.

Councilman Napoli questioned the expense for electric work on the gates.

Borough Administrator Reibrich stated that repairs were made to the gates after getting quotes. Marchetti Electric installed LED lighting.

Councilman Cohen stated the lights looked wonderful, now that they are working properly.

Mayor Nohilly noted that the lanterns were not replaced. Repairs were internal.

Administrator Reibrich stated that the lights on the front of Borough Hall were also in need of some repair and the electrical outlets in front to the Borough were moved to improve mowing accessibility.

With no additional comment. Councilman Cohen MOTIONED to approve the bill list, seconded by Councilman Handerhan, carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X	
Motion to Second						X
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

9. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – No report.
- PUBLIC SAFETY – No report.
- STREETS & ROADS – No report.
- RECREATION ADVISORY COMMITTEE – No report. Picnic was previously discussed at meeting.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – Councilman Miller stated that the Planning Board meeting was cancelled.
- BOARD OF EDUCATION – Councilman Miller stated that everyone was aware that the School Board decision was officially closed by the State.
- BOROUGH ADMINISTRATOR – Borough Administrator Reibrich stated that Senator Beck’s office and the Department of Transportation would like to get input from Interlaken regarding their transportation initiatives. Borough Administrator Reibrich feels it would be a good time to get together with the Borough Engineer and present something to her.

Mayor Nohilly feels the Borough should put more work into it before presenting it to Senator Beck.

Borough Administrator Reibrich stated that it was not clear how specific the information should be or when the deadline is for getting back to the senator, but would follow up.

Mayor Nohilly stated that the Borough should take advantage of someone who is willing to go to bat for the Borough and should take advantage of her help.

Deal Lake Chairman Brockel commented from the audience that Senator Beck may be able to assist in getting funding for storm sceptors to help Deal Lake.

Mayor Nohilly asked questions regarding storm sceptors.

Mr. Brockel stated that storm sceptors are large vats that take undesired floatables out of the storm water and prevents it from going into the lake. It also removes some silt and sand from de-icing during the winter.

Mr. Brockel encouraged Council to ask the senator's office regarding funding for storm sceptors.

Councilman Napoli stated that he researched this area. The Borough has a continuous system that runs underground.

Mr. Brockel stated that the Commission would be asking the State for funding and the towns should ask as well.

Councilman Napoli asked if the funding would be CDBG funds.

Mr. Brockel stated that there is a new program and he will forward any information received regarding the program.

Mr. Brockel stated that the lights on the east side of the West Allenhurst Bridge are not working.

Borough Administrator Reibrich stated that she will be in touch with the County regarding repair.

Mr. Brockel stated that passing a tree ordinance was a challenge, but he was glad to hear the Borough was addressing trees in the lake. The Commission is taking out a large tree by the railroad bridge.

Mayor Nohilly was grateful that the Commission was taking care of the tree.

10. COMMENTS FROM THE PUBLIC

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

11. COMMENTS FROM MEMBERS OF COUNCIL

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

12. ADJOURNMENT

Councilman Cohen MOTIONED to adjourn, seconded by Councilman Napoli and unanimously carried. No Council comment.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan
Motion to Approve					X	
Motion to Second				X		
Approved				X	X	X
Opposed						
Abstain/Recuse						
Absent/Excused		X	X			

Lori Reibrich
Borough Administrator/Clerk
Date Approved: _____