

**REGULAR COUNCIL MINUTES  
AUGUST 21, 2024  
7:00 P.M. AT BOROUGH HALL**

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The workshop meeting of the Borough of Interlaken was called to order at 7:30 p.m., by Mayor Nohilly. The Sunshine Statement was read by Municipal Clerk, Lori Reibrich. “The notice of the requirements of the Open Public Meetings Act has been satisfied by forwarding notice to the Coaster and Asbury Park Press. A copy of the notice is posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President Butler, Council Members Delia, DeSarno and Blasucci

Absent: Councilwoman Horowitz and Councilman Franks

Also Present: Borough Administrator/Clerk Lori Reibrich Farruggia, Borough Engineer Peter Avakian and Borough Attorney Richard Shaklee

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

Mayor Nohilly opened the floor for public comment. He noted that there were no public present and closed the floor.

**2. APPROVAL OF THE MINUTES: WORKSHOP & REGULAR MEETING JULY 17, 2024**

Councilman DeSarno made a motion to approve the minutes, seconded by Councilman Delia and unanimously carried.

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

**3. ORDINANCE 2024-3: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPER XXIV (26) “LAND USE DEVELOPMENT”**

**BOROUGH OF INTERLAKEN**

**ORDINANCE NO. 2024-3**

**AN ORDINANCE OF THE BOROUGH OF INTERLAKEN  
AMENDING AND SUPPLEMENTING CHAPTER XXVI “LAND  
USE DEVELOPMENT”**

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

**SECTION ONE.** Chapter XXVI “Land Use and Development”, Article I, “General Provisions and Definitions”, Section 26-4 “Definitions”, is amended and supplemented as follows:

- A. The existing definition of “Garage” shall be removed in its entirety and is replaced with the following:

Shall mean a private building used as an accessory to the main private building which provides for the storage of motor vehicles in a single-family zone and in which no occupation, business, or services for profit are carried on. A garage must be accessible to motor vehicles via a paved driveway and be able to accommodate the storage of motor vehicles.

- B. The existing definition of “Lot, Corner” shall remain with the following added to it:

Corner lots shall have a front, rear and side yards. The front yard shall be the shorter of the two front lot lines, coexistent with the street line. The rear yard shall be the side opposite the front. The remaining sides shall be considered side yards.

- C. The existing definition of “Story” is amended and supplemented to read:

Shall mean that portion of a building included between the surface of any floor and the surface of the next floor above it or, if there is no

floor above it, then the space between the floor and the ceiling next above it. For the purpose of this chapter, the interior of the roof shall be considered a ceiling. A half story shall be defined as attic space above the first or second story, which shall have a pitched roof to begin within 12 inches of the ceiling joist line of the story below. Such attic space, if finished, shall have a minimum vertical wall of five feet in a finished area, not to exceed 50% of the second story living space in the case of a 2-1/2 story structure.

D. The existing definition of “Structure” is amended to read (deletions shown in ~~strikeout~~):

Shall mean any combination of materials forming a construction, assembly or erection, the use of which require location upon the ground or attachment to something having a location upon the ground, including among other things, buildings, trailers, tanks, towers, walls, ~~signs, radio towers,~~ swimming pools, platforms, decks, garages and sheds. The term “structure” shall not include below-ground utilities, fences, curbs, sidewalks or driveways.

**SECTION TWO.** Chapter XXVI “Land Use and Development”, Article III General Regulations and Provisions, is amended to add:

### 36-30 EXTERIOR MECHANICAL EQUIPMENT

All exterior mechanical equipment, including units for heat, ventilation, air-conditioning, pool pumps and accessories and generators, shall be located in the

rear and side yard area, and they shall comply with the rear yard and side yard setback provisions.

**SECTION THREE.** All other sections and subsections of the Borough Code will remain unaltered.

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

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

APPROVED:

\_\_\_\_\_  
**MICHAEL NOHILLY**  
Mayor

ATTEST:

\_\_\_\_\_  
**LORI REIBRICH FARUGGIA**  
Borough Clerk

<b>ORDINANCE READING</b>	<b>DATE</b>
<b>1<sup>ST</sup> READING BY TITLE:</b>	July 17, 2024
<b>2<sup>ND</sup> READING BY TITLE:</b>	August 21, 2024

Mayor Nohilly read the Advertising Statement into the record:

***ORDINANCE 2024-3 WAS POSTED IN BOROUGH HALL ON JULY 17, 2024 AND ADVERTISED IN FULL IN THE COASTER JUNE 25, 2024. PUBLIC HEARING WAS SET FOR AUGUST 21, 2024.***

I, Lori Reibrich Farruggia, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on August 21, 2024.

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Lori Reibrich Farruggia, RMC

Councilman Delia made a motion to public hearing, seconded by Councilman DeSarno and unanimously carried.

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

Mayor Nohilly noted that no members of the public were present for the hearing.

Councilman DeSarno made a motion to close the public hearing, seconded by Councilman Delia and unanimously carried.

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

Councilman DeSarno made a motion to adopt, seconded by Councilman Delia and unanimously carried via roll call vote.

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

4. **ORDINANCE 2024-4: AN ORDINANCE REPEALING AND REPLACING CHAPTER 26, SECTION 26-71 “STORMWATER MANAGEMENT” TO ESTABLISH STORMWATER CONTROL STANDARDS CONSISTENT WITH NJAC 7:18.**

**Ordinance #2024-4 Stormwater Control – Borough of Interlaken**

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 26, ARTICLE VII (26-71 et seq.) “STORMWATER MANAGEMENT” TO ESTABLISH STORMWATER CONTROL STANDARDS CONSISTENT WITH N.J.A.C. § 7:8.**

**Section 26-71 et seq. is hereby repealed and replaced by the following:**

**Section I. Scope and Purpose:**

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
  - i. Non-residential major developments and redevelopment projects; and
  - ii. Aspects of residential major developments and redevelopment projects that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Interlaken.
3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

**Section II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference.

**Section III. Design and Performance Standards for Stormwater Management Measures:**

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

**Section IV. Solids and Floatable Materials Control Standards:**

- A. Site design features identified under Section III above, or alternative designs in accordance with Section III above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris,

trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section IV.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
  - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in IV.A.1. above does not apply:
  - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
  - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
  - iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
    - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
    - v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

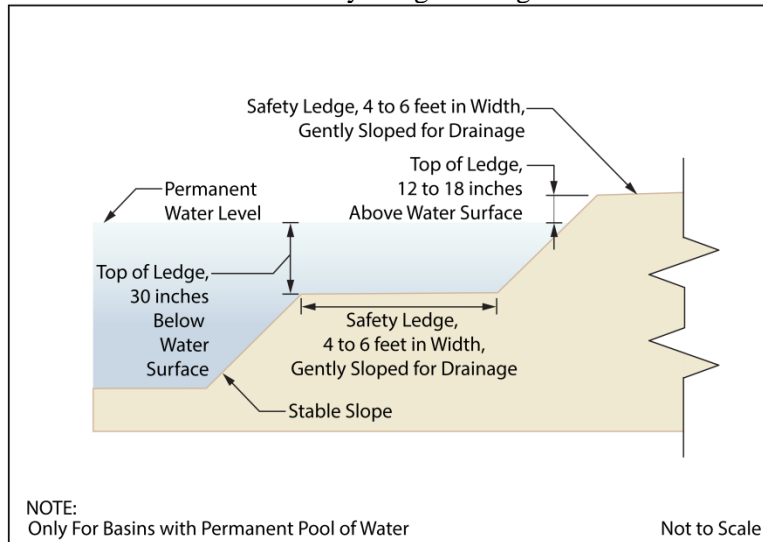


## Section V. Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

### B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



## Section VI. Requirements for a Site Development Stormwater Plan:

### A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section VI.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit eight (8) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section VI.C of this ordinance.

### B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

### C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section III is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details.

- i. of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section III of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section VII.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section VI.C.1 through VI.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

**Section VII. Maintenance and Repair:**

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section VII.B and VII.C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
  - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
  - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees

to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**Section VIII. Penalties:**

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties as specified in the Revised General Ordinances of the Borough of Interlaken, Chapter 1, General Provisions, Section 1-5, General Penalty.

**Section IX. Severability:**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**Section X. Effective Date:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

APPROVED:

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**MICHAEL NOHILLY**  
Mayor

ATTEST:

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**LORI REIBRICH FARUGGIA**  
Borough Clerk

ORDINANCE READING	DATE
1 <sup>ST</sup> READING BY TITLE:	August 21, 2024
2 <sup>ND</sup> READING BY TITLE:	September 18, 2024

I, Lori Reibrich Farruggia, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on August 21, 2024.

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Lori Reibrich Farruggia, RMC  
Borough Administrator/Clerk

Councilman DeSarno made a motion to introduce, seconded by Council President Butler and unanimously carried via roll call vote.

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

Mayor Nohilly set the public hearing for September 18, 2024.

**5. RESOLUTION 2024-57: APPROVING MONMOUTH COUNTY JOINT INSURANCE FUND AGREEMENT ENDORSING APPLICATION FOR THE DEAL LAKE COMMISSION FOR MEMBERSHIP IN THE JOINT INSURANCE FUNDS**

**RESOLUTION AUTHORIZING MONMOUTH COUNTY MUNICIPAL JOINT INSURANCE FUND AGREEMENT PERTAINING TO ENDORSEMENT OF APPLICATION FOR MEMBERSHIP IN JOINT INSURANCE FUNDS- DEAL LAKE COMMISSION SPONSORSHIP**

**WHEREAS,** The Borough of Interlaken is a member of the Monmouth County Municipal Joint Insurance Fund and Municipal Excess Liability Joint Insurance Fund; and

**WHEREAS,** The Deal Lake Commission desires to participate in the aforesaid joint insurance funds' and

**WHEREAS,** under the rules and regulations of the aforesaid excess joint insurance funds, the Municipality must endorse the application of a Commission which desires to participate in the joint insurance funds and must agree to assume responsibility for the sponsorship of such Commission; and

**WHEREAS,** the Municipality finds the participation of Deal Lake Commission in the joint insurance funds would be advantageous to the Borough as the Commission oversees the health, welfare and safety of the Deal Lake as well as its surrounding residents; and

**WHEREAS,** the Municipality is willing to sponsor the membership of the Deal Lake Commission and to assume responsibility to the joint insurance funds for the financial obligations of the Deal Lake Commission, subject to the certain terms and conditions which are set forth herein;

**NOW, THEREFORE,** be it agreed by and between the parties hereto as follows:

1. **Endorsement of Application Membership:** The Municipality hereby agrees to endorse the application of the Deal Lake Commission for membership in the Monmouth County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund of which the Municipality is a member. It is understood and agreed by the parties that in order to endorse the aforesaid application the Municipality must enter into an Agreement with the aforesaid joint insurance funds to assume responsibility for the financial obligations of the Deal Lake Commission as a member of the aforesaid funds.
2. **Deal Lake Commission to Hold Harmless:** The Deal Lake Commission agrees to indemnify and hold harmless the Municipality from any and all claims, actions, losses, expenses, premiums, fees, assessments, and any other financial obligations arising out of, or related to in any way, the Deal Lake Commission's membership in either the Monmouth County Municipal Joint Insurance Fund or the Municipal Excess Liability Joint Insurance Fund. The Deal Lake Commission shall reimburse the Municipality for the cost of defending any action or lawsuit brought against the Municipality which arises out of, or relates in any way, the membership of the Deal Lake Commission in the aforesaid joint insurance funds.
3. **Financial Responsibility:** The Deal Lake Commission understands and agrees that if it is accepted as a member of the Monmouth County Municipal Joint Insurance Fund it will incur all expenses for insurance premiums and other charges and assessments which may be levied by the aforesaid funds. The obligation to pay such premiums, charges and assessments is solely that of the Deal Lake Commission. The Deal Lake Commission understands and agrees that by its endorsement of the Deal Lake Commission's application for membership, the Municipality assumes no responsibility for the payment of such costs.
4. **Reimbursement through agreement funds:** Should either of the aforesaid joint insurance funds notify the Municipality of a failure by the Deal Lake Commission to pay any charge, premium or assessment, and should such moneys remain unpaid by thirty (30) days after the Municipality serves a written demand upon the Deal Lake Commission

to pay such monies to the joint insurance fund or funds, the Municipality may make a payment of the amount due to either of the aforementioned joint insurance funds. In the event of such a payment, the Municipality shall be entitled to retain a like amount of monies collected for the annual payments to the Deal Lake Commission under the Agreement.

5. **Disputed Claims:** The right of the municipality to retain monies to reimburse it for charges, fees or assessments paid on behalf of the Deal Lake Commission to either the aforesaid joint insurance funds shall not be subject to, or effected in any way by any dispute between the Deal Lake Commission and either of the aforesaid joint insurance funds with respect to the nature or amount of such monies alleged to be due to the joint insurance funds. The Municipality shall have the right to make payments to either the joint insurance fund should the Deal Lake Commission fail to do so, and to obtain reimbursement for such payments in the manner set forth in paragraph 4 herein, although the Municipality may, at its option, assist in the resolution of any such dispute between the Deal Lake Commission and either joint insurance fund.
  
6. **Entire Agreement:** This writing contains the entire agreement and understandings of the parties with respect to the matters set forth herein. No amendment, alteration or modification of this agreement shall have any effect unless it is set forth in writing and executed in the same fashion as the agreement.

I, Lori Reibrich Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on August 21, 2024

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Lori Reibrich Farruggia, RMC  
Borough Administrator/Clerk

Councilman Delia made a motion to approve, seconded by Council President Butler and unanimously carried.

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

6. **RESOLUTION 224-58: BILL LIST**

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

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DATE SPAN	TOTAL
10/03/23-07/15/24	\$ 405,052.31

**RESOLUTION 2024-56**

**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 July 17, 2024 is in the amount of Four Hundred Five Thousand, Fifty-Two Dollars and Thirty-One 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.

I , Lori Reibrich Farruggia, Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on July 17, 2024

---

Lori Reibrich Farruggia, RMC  
Borough Administrator/Clerk

Council President Butler made a motion to approve, seconded by Councilman DeSarno and unanimously carried.

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



## 7. REPORTS/CORRESPONDENCE:

- Administration and Finance- No Report
- Public Safety – No Report
- Shade Tree Commission- Mayor Nohilly reported that the STC were requesting to have markers/tree charms for memorial trees placed in the arboretum in honor of a loved one. The Mayor reminded the Council of the Borough stance on not having honorary tree plaques or memorial benches. He stated that residents have planted trees in honor of someone with a temporary sign that was removed. To respect Borough property and not have an over abundance of signs and dedications littered throughout the arboretum, Shade Tree was informed that the request for tree charms/markers was not approved. They are welcome to continue using a temporary marker system.

Mayor Nohilly explained that Shade Tree Commission was interested in creating a meditation garden on the lake side by the curve on Bridlemere Avenue. They were interested in creating a clearing and placing benches, decorative pieces and a garden. Mayor Nohilly explained that this would be out of the Shade Tree jurisdiction and the Governing Body would decide to have something like this installed on Borough property. Mayor Nohilly said that the Shade Tree Commission requested to come before the Council soon to discuss this idea. Mayor Nohilly stated that it was a Governing Body decision and would not be a Shade Tree budget line item if considered and approved.

- Planning Board – Borough Engineer Avakian reported that the Planning Board authorized an extension until February 2026 to the JCP&L utility pole application. JCP&L made the request based on another town entering litigation regarding the pole installation and such holding up the entirety of the multi-town project.
- Board of Education- Councilman DeSarno explained that the Interlaken Board of Education has been in discussion for per pupil rates with Shore Regional for the upcoming years. A few other school board members met to discuss the costs and pursue options. Board Administrator, Frank Gripp, stated that he believes a much more reasonable cost has been agreed upon. Councilman DeSarno said that he has a call set with Mr. Gripp for next week regarding the contracted per pupil cost for the upcoming years.
- Borough Administrator- BA Reibrich discussed resident requests for help about the tennis/pickleball courts honor system. She stated that she investigated an online registration system with the price quote being approximately \$3500 a year. The Council discussed the extent to which this is an issue and how

managing it without a recreation department is not practical. This oversight cannot be an office role. They discussed resident usage, the honor system and the overall use of the courts. Borough Attorney Shaklee stated that the courts cannot be resident only for reservations but perhaps the Borough could offer a time frame for residents only. The current tennis court ordinance may need to be amended to make any adjustments in how the courts are utilized if a change is made.

8. **COMMENTS FROM THE PUBLIC:**

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

9. **ADJOURNMENT:** With no further comments Councilman DeSarno made a motion to adjourn, seconded Councilman Blasucci and unanimously carried.

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

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Lori Reibrich Farruggia, RMC/CMR  
Municipal Clerk/Administrator