

**BOROUGH OF INTERLAKEN
WORKSHOP MINUTES
SEPTEMBER 19, 2018
7:00 P.M. BOROUGH HALL**

The workshop meeting of the Borough of Interlaken was called to order at 7:00 p.m., by Mayor Nohilly. Sunshine Statement was read by Borough Clerk 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 White, Council members: Butler, Franks and Menditto,

Absent: Councilwoman Horowitz and Councilman Watson

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

1. **1. SWIMMING POOL ORDINANCES** – *Review of current swimming pool ordinance; Borough Engineer Peter Avakian present*

Mayor Nohilly stated that current ordinances have been reviewed and changes are being considered in light of current issues that have arisen.

Board Engineer/Planner Avakian stated that over time some of our ordinances are lacking and it takes an event or a resident doing something that makes us take a hard look at that ordinance and understand its implications. Sometimes an ordinance lacks control and does not govern the way the Borough intended. Over time, ordinances can become obsolete or need to be expanded.

Board Engineer/Planner Avakian stated that there were several points of the swimming pool ordinance that should be reviewed. Some points to include would be Bulk Standards which included setbacks and Design Standards that look at filtration and /or water discharge.

Board Engineer/Planner Avakian stated that there is a concern regarding grading and drainage and the Borough has no controls in place. An ordinance controlling the elevation of a pool on the property may control drainage. A 12 inch maximum is proposed. Advance submission of drainage plans may help control the effects on neighboring properties. This section of the ordinance would be intended to control the way the side slope runs off the property to prohibit drainage from going on to the neighbor’s property and will look into how the ordinance would pertain to pool add-ons or water features.

Board Engineer/Planner Avakian also suggested the ordinance have sections that address public health and safety which would also include the construction of the pool.

Board Engineer/Planner Avakian, the Board and Borough Clerk/Administrator Reibrich discussed additional items to be discussed regarding an ordinance change including pool placement/setbacks, and placement/setbacks of pool equipment. Pool water runoff options were also discussed briefly.

Board Engineer/Planner Avakian stated that the proposed changes would work with Construction and Zoning and reference code compliance of the Borough and the State of New Jersey Health Code.

Board Engineer/Planner Avakian stated that other local Borough’s ordinances maintain that all pools shall be subject to inspection at any time by Police, Board of Health, Public sub-code officials, Zoning Officer and the Construction Official. Additionally there are Department of Environmental Protection regulations that govern the groundwater discharge. Wording should be added to inform and control.

The Board had a discussion regarding allowable pool size.

Board Engineer/Planner Avakian recommended that a permit be required for pool installation and that a survey with grading plan be submitted with application along with an escrow fee to cover review costs.

The Board discussed the need for ground water boring samples requirement and pool drainage. There was also discussion regarding fence requirements and permitted construction hours as it pertains to the noise ordinance.

Board Engineer/Planner Avakian will bring an ordinance draft with a sample plot plan back to the Board, for further review.

Borough Clerk/Administrator Reibrich noted that the topic will be discussed at an upcoming Workshop Meeting.

2. **NEW BUSINESS:** No new business at this time.
3. **PUBLIC COMMENT:** Mayor Nohilly opened the floor.

Janet Casini-Pepe, 731 Raymere Avenue, stated that she thinks that pool equipment placement should be included in the ordinance and that it has to be in the rear yard. Borough Administrator Reibrich said that rear yard placement is what will be proposed in the final draft of the ordinance.

Borough Clerk/Administrator Reibrich stated that many times there is a catalyst for workshop items.

Jennifer Wentz, 614 Windermere Avenue, asks what recourse there was for someone that was told they were not permitted to build something and they go ahead anyway. There is also issue where a homeowner's project caused water issue for a neighboring property. She does not want to get into a situation where it costs the neighboring homeowner money to remediate the situation. Ms. Wentz's does not believe there are any checks and balances of the construction that goes on.

Mayor Nohilly stated that the Borough is going through the process to remediate certain issues that have come up within the Borough. The Borough is going through the process and has to follow them. That may not be expedient, but each step is being covered carefully, in case the matter ends up in a courtroom. Just because the Zoning Officer is only in the office one day a week does not mean he is not monitoring the situation. It is rare that this type of situation occurs, but it is a step by step process that must be followed to the letter of the law.

Ms. Wentz stated that she spoke to the police about noisy swimming pool use and was told to make it known that residents should call the police when the problem is occurring. The police do not give out the name of the person making the complaint.

Mayor Nohilly agreed. Call the police, if you see someone violating a Borough Ordinance. They do not give out the name of the caller and they have a record of the incident to track those with repeat violations.

With no further public comment, Mayor Nohilly closed the floor.

4. **ADJOURNMENT:** With no further comments from the Governing Body, Councilman Franks made a motion to adjourn, seconded by Councilwoman Horowitz and unanimously carried.

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

Lori Reibrich, RMC
Borough Clerk/Administrator