

**BOROUGH OF INTERLAKEN
MINUTES
OCTOBER 21, 2015
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 8:12 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence. Sunshine Statement was read by Borough Clerk 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: Franks, Gunn, Handerhan, Horowitz

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

Absent: Council President White

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

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

2. APPROVAL OF MINUTES: SEPTEMBER 30, 2015- WORKSHOP & REGULAR MEETING

With no Council comments, Councilwoman Horowitz made a motion to approve minutes, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

3. RESOLUTION 2015-89: COUNCIL ASSIGNMENTS

APPROVAL OF COUNCIL ASSIGNMENTS

WHEREAS, the resignation of former Councilman Keith Miller caused Council Committee vacancies; and

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the following council assignments for the remainder of the 2015 year:

COMMITTEE	LIAISON
ADMINISTRATION, FINANCE AND RECREATION	Councilman Robert White – Chair
	Councilman John Gunn
	Councilwoman Mindy Horowitz

COMMITTEE	LIAISON
PUBLIC SAFETY, COURT & CONSTRUCTION INSPECTION	Councilman Robert White – Chair
	Councilman William Handerhan
	Councilman Mervin Franks

COMMITTEE	LIAISON
STREETS, ROADS & SEWERS	Councilman William Handerhan – Chair

	Councilman Mervin Franks
	Councilman John Butler

DEPARTMENT	COUNCIL LIAISON
BOARD OF EDUCATION	Councilwoman Mindy Horowitz

DEPARTMENT	COUNCIL LIAISON
SHADE TREE COMMISSION	Councilman Robert White

DEPARTMENT	COUNCIL LIAISON
PLANNING BOARD	Councilman John Gunn

DEPARTMENT	LIAISON
DEAL POLICE LIAISON	Councilman Robert White

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

1. Lori Reibrich, Borough Administrator

Mayor Nohilly reviewed the new Committee roles. Council President White is chairing the Public Safety Committee and newly appointed Councilman John Butler is a member of the Streets and Roads Committee.

With no Council comments, Councilman Gunn made a motion to approve assignments, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

4. **RESOLUTION 2015-90: HALLOWEEN CURFEW**

ESTABLISHING HALLOWEEN CURFEW HOURS

WHEREAS, the Borough Council of the Borough of Interlaken is of the opinion that it is necessary for the protection of property and citizens of the Borough of Interlaken that regulations and restrictions be imposed during the Halloween period in order to prevent vandalism and to preserve law and order in the Borough of Interlaken during said period of time;

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

1. No person under the age of 18 years shall be permitted in any public place, public street or public property between the hours of 8:00 p.m. and 6:00 a.m. prevailing time, on each and every day during the period from October 29th through November 1st inclusive, unless such person during said hours is accompanied by his or her legal guardian or parent over the age of 18 years.
2. During said hours and days, no person shall wear any item for the purpose of covering any portion of his or her face, or partial mask in any public place, public street or public property in the Borough of Interlaken. However, all trick-or-treaters must be in costume.
3. That all persons, regardless of age, excepting those who are attending minor children who shall participate in the traditional Halloween activity of trick-or-treating within the Borough of Interlaken on October 31, 2015, shall be in costume and shall curtail all trick-or-treating activities by 8:00 p.m. on this date.
4. No resident or non-resident minor shall be entitled to be on the streets, thoroughfares and property in the Borough of Interlaken, other than the property and dwelling wherein said

minor resides or is a bona-fide guest of the owner or lessee thereof unless said minor is in the company of an adult over the age of 18, or traveling to or from a civic, church or school function, or employment.

5. Any person over the age of 18 years, who permits, consents or allows any person under the age of 18 years to violate the provisions of this Resolution or any part thereof, shall likewise be guilty of a violation of this Resolution.

Penalty: Violation of this Resolution shall be a fine not to exceed \$100.00 and will be determined by the Municipal Court.

Enforcement: This Resolution will be enforced by the Borough of Deal Police Department.

With no Council comments, Councilwoman Horowitz made a motion to approve, seconded by Councilman Butler 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

5. **RESOLUTION 2015-91: AUTHORIZING LEON S. AVAKIAN INC TO PERFORM PROFESSIONAL ENGINEERING RELATING TO 2016 NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION**

AUTHORIZING LEON S. AVAKIAN, INC TO PERFORM PROFESSIONAL ENGINEERING SERVICES NOT TO EXCEED \$2250.00 IN CONNECTION WITH THE PREPARATION AND SUBMISSION OF THE FY 2016 NJDOT MUNICIPAL AID APPLICATION THROUGH THE SYSTEM FOR ADMINISTERING GRANT APPLICATIONS (SAGE)

WHEREAS, the New Jersey Department of Transportation (NJDOT) provides for a Municipal Aid Program as a significant resource for municipalities in funding local transportation projects; and

WHEREAS, there exists a need for an engineer to perform professional engineering services in connection with the preparation and submission of the FY 2016 NJDOT Municipal Aid application through the System for Administering Grant Applications (SAGE); and

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

1. Leon S. Avakian, Inc. is hereby authorized to perform professional engineering services in connection with the preparation and submission of the FY 2016 NJDOT Municipal Aid application through SAGE not to exceed \$2,250.00.
2. This contract is awarded without competitive bidding as a professional service contract under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1) (1) since this contract is for services performed by a person authorized by law to practice a recognized profession and it was not possible to obtain competitive bidding.
3. A copy of this resolution shall be published in the official newspaper of the Borough of Interlaken within ten (10) days of its passage.

With no Council comments, Councilman Gunn made a motion to authorize grant application, seconded by Councilwoman Horowitz 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	X	X
Opposed							
Abstain/ Recuse							
Absent/ Excused							

6. **RESOLUTION 2015- 92: APPROVING 2016 NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION**

APPROVING 2016 NJ DEPARTMENT OF TRANSPORTATION GRANT APPLICATION

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2016; and

WHEREAS, the Borough of Interlaken is desirous of submitting an application under this program for the following purpose:

- Improvements to Staffa and Iona Streets

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Interlaken, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Improvements to Iona and Staf-00595 to the New Jersey Department of Transportation on behalf of the Borough of Interlaken; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Interlaken and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

With no Council comments, Councilman Butler made a motion to authorize application, 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

BOROUGH OF INTERLAKEN

BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
10/01/15-10/19/15	\$ 168,707.49

7. Resolution 2015-93:

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 October 21, 2015 is in the amount of One Hundred Sixty Eight Thousand, Seven Hundred Seven Dollars and Forty-Nine 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 Gunn made a motion to approve 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

8. REPORTS/CORRESPONDENCE

- ADMINISTRATION/FINANCE – No report.
- PUBLIC SAFETY – No report.
- STREETS & ROADS- No report.
- RECREATION ADVISORY COMMITTEE – The Council discussed the turn out of the 5K run and that though it was not as heavily attended as in the past, it was a great day. Councilman Handerhan said that next year the run may need some additional advertising to remind runners to attend. The large races are starting to cause the disappearance of small town races.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – Councilman Gunn explained the Planning Board’s requirement to review the Master Plan every 10 years. He discussed the past meeting and the discussion had with Borough Engineer Peter Avakian who attended and will help facilitate the Master Plan Report. Councilman Gunn reviewed the administrative items that the Board is removing or changing as far as verbiage. He explained some other areas the Board is reviewing such as what the Planning Board could do to regulate large lots from building out of character homes. Mayor Nohilly and Councilman Gunn discussed the current ordinances and setback rules.

Councilman Gunn said that the Planning Board is also looking into possibly setting up architectural guidelines to be in use during variances. Mayor Nohilly said that this was discussed in the past and it was determined that this was not something that could be easily regulated due to the fact that the homes in Interlaken are not all of the same design. Architectural design is important in the towns like Ocean Grove where there is one Victorian style home. The architectural design idea was discussed in the past and was decided not to be used.

Councilman Gunn said he would keep the Council up to date on the Master Plan review as it continues with the Planning Board.

Councilman Franks questioned where the role of the Construction Officials fell as far as Committees. It was determined to be under Public Safety. Councilman Franks questioned if the Code Enforcement Official is to travel through town and make observations or if he is supposed to act upon complaints to enforce. Mayor Nohilly said he didn't believe he was supposed to patrol the town looking for violations. Borough Administrator Reibrich stated that he has very limited hours with the Borough and most of it is spent reviewing applications, meeting with residents in office about individual project approvals and acting on complaints brought the office. Borough Attorney Shaklee stated that the job description of the Code Enforcement is in the Code Book. He explained that most towns have it written that the Code Enforcement Officials act on a complaint basis only.

- BOARD OF EDUCATION – No official report.
- BOROUGH ADMINISTRATOR – Administrator Reibrich reminded the Council of the upcoming Halloween and Veteran's Day events as well as the New Jersey League of Municipalities Conference that she will be attending the Week of November 16th.

9. **COMMENTS FROM THE PUBLIC**

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

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

With no further Council comments, Councilman Gunn made a motion to adjourn, seconded by Councilman Butler 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	X
Opposed							
Abstain/ Recuse							
Absent/ Excused		X					

Lori Reibrich, RMC
Borough Administrator/Clerk