

**BOROUGH OF INTERLAKEN  
MINUTES  
DECEMBER 4, 2013  
7:30 P.M. AT BOROUGH HALL**

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The meeting of the Borough of Interlaken was called to order at 7:41 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 President Miller, Council members, Cohen, Morley, Napoli, Parry, White

Also Present: Borough Administrator Reibrich and Borough Attorney Richard Shaklee

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Council President Miller acknowledged the passing of long time resident, Ron Shafer and asked for a moment of silence. A moment of silence followed.

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

With no public present, no comments were made. Mayor Nohilly closed the floor.

**2. APPROVAL OF MINUTES: NOVEMBER 13, 2013- WORKSHOP & REGULAR**

Councilman White made a MOTION TO APPROVE MINUTES, seconded by Councilman Cohen. Council approved payment without comment.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve				X			
Motion to Second							X
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**3. APPROVAL OF MINUTES: NOVEMBER 13, 2013- EXECUTIVE SESSION**

Councilman White made a MOTION TO APPROVE MINUTES, seconded by Council President Miller. Council approved payment without comment.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve				X			
Motion to Second		X					
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**4. RESOLUTION 2013-118: AWARDING A CONTRACT TO REALTY APPRAISAL COMPANY FOR REAL PROPERTY DATA COLLECTIONS AND VERIFICATION SERVICES IN ACCORDANCE WITH THE ASSESSMENT DEMONSTRATION PROGRAM**

**WHEREAS**, the Borough of Interlaken has been ordered by the Monmouth County Board of Taxation to implement the data collections and verification services in accordance with the assessment demonstration program for all its property; and

**WHEREAS**, the Requests for Proposals were solicited and a single proposal was received by Realty Appraisal Company on December 2, 2013; and

**WHEREAS**, the Tax Assessor has reviewed said proposal and finds it in compliance with the specifications; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Interlaken that the appropriate Borough Officials be and the same are hereby authorized to execute an agreement between the Borough of Interlaken and Realty Appraisal Company in the amount of \$9,093.00 for the completion of revaluation services pursuant to the specifications of the real property data collection and verification services in accordance with the assessment demonstration program from January 1, 2014 through December 31, 2018; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be provided to the following:

1. Realty Appraisal Company
2. Alex Worth, Tax Assessor
3. Stephen O. Gallagher, CFO
4. Lori Reibrich, Borough Administrator

Councilman White made a MOTION TO AWARD CONTRACT, seconded by Councilman Cohen. Council approved payment without comment.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve				X			
Motion to Second							X
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse			X				
Absent/Excused							

**5. RESOLUTION 2013-119: TRANSFER RESOLUTION**

**COUNTY OF MONMOUTH  
TRANSFER RESOLUTION R2013-119**

**WHEREAS**, there appears to be insufficient funds in the following accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) to meet the demands thereon for the balance of the Current Year for 2013 Budget Appropriations, viz:

Appropriation	Amount
<b>Current Fund Appropriations</b>	
OE Borough Clerk	2,500.00
OE Liability Insurance	71.00
OE Medical, Dental & Disability	4,170.00
OE Vehicle Maintenance	3,000.00
OE Maintenance of Parks	4,000.00
<b>Total Current Insufficiencies</b>	<b>\$13,741.00</b>

**WHEREAS**, there appears to be a surplus in the following accounts (excepting the appropriation for Contingent Expenses, Down Payments or Capital Improvement Fund) over and above the demand deemed to be necessary for the balance of the Current Year for 2013 Budget Appropriations, viz:

Appropriation	Amount
<b>Current Fund Appropriations</b>	
OE Legal Services	10,000.00
OE Construction Code Official	200.00
OE Workers Compensation Insurance	71.00
OE Municipal Prosecutor	50.00
OE Shade Tree Commission	800.00
OE Street Lighting	400.00
OE Telephone	1,010.00
OE Ocean Twp. Sewerage Authority	1,200.00
OE Police Services – Borough of Deal	10.00
<b>Total Current Fund Appropriations</b>	<b>\$13,741.00</b>

**NOW, THEREFORE, BE IT RESOLVED**, (not less than two-thirds of the full membership thereof affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A:4-59, part of the surplus in the account heretofore mentioned by and the same hereby transferred to the accounts (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient, to meet the current demands, and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and is hereby authorized and directed to make the transfers:

FROM		TO	
Account	Amount	Account	Amount
<b>Current Fund Appropriations</b>			
OE Borough Clerk	2,500.00	OE Legal Services	10,000.00
OE Liability Insurance	71.00	OE Construction Code Official	200.00
OE Medi, Dental & Disability	4,170.00	OE Workers Comp Ins	71.00
OE Vehicle Maintenance	3,000.00	OE Municipal Prosecutor	50.00
OE Maintenance of Parks	4,000.00	OE Shade Tree Comm	800.00
		OE Street Lighting	400.00
		OE Telephone	1,010.00
		OE Ocean Twp. Sewerage	1,200.00
		OE Police–Borough of Deal	10.00
Total	<b>13,741.00</b>		<b>13,741.00</b>

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution are to be filed with the Director of the Division of Local Government Services and that a copy of the within resolution be forwarded to the following:

1. Chief Financial Officer
2. Borough Auditor

CFO Gallagher stated that the Borough is permitted to transfer funds in November and December. CFO Gallagher stated that the Borough will be transferring \$13,741.00 from accounts that have available funds. CFO Gallagher noted that there were overages in the line for legal expenses and that the initial allocation for the JIF line was different from what was billed.

Councilman Napoli questioned the process for reviewing line item overages.

Councilman Napoli questioned CFO Gallagher about transfers to cover the legal overages. CFO Gallagher explained that the line item is for all legal expenses including the expenses for the DPW Labor contract negotiations.

Councilman Cohen asked if BOE legal expenses were included in that line. CFO Gallagher explained that those expenses were in a separate budget.

Councilman Napoli questioned vehicle maintenance expenses. CFO Gallagher explained that the figures from the previous year's budget are used to prepare the current year budget. Each line item is reviewed. If there is a continued surplus, those line items would be reviewed in the future.

Councilman White stated that line items are reviewed yearly.

CFO Gallagher stated that the Borough needs to incorporate the ability to regenerate a surplus. Budget surplus is used to cover unexpected expenses. The Borough must do what they can to keep the budget stable and generate a small amount of surplus. There is only \$8,000.00 in surplus at this time.

Councilman Napoli questioned why the Shade Tree expenses were increased. CFO Gallagher stated that Shade Tree incurred extra expense this year due to tree clean up expenses from Superstorm Sandy and the tree clean up from that. Councilman Napoli questioned whether FEMA reimbursed for tree removal expenses. Mayor Nohilly stated that FEMA covered expenses for removing downed trees but did not cover work on removing stumps and other miscellaneous remediation.

Mayor Nohilly stated that DPW had more expense than they normally would due to Superstorm Sandy damage.

Councilman Napoli questioned the amounts for the phone expense overages. CFO Gallagher explained that there were fees for set up of Business Administrator Reibrich's phone when she came into the position and due to the fact that the line item is already at the bare minimum the line item was over expended.

Councilman Napoli questioned the expense from Ocean Township. CFO Gallagher explained that the actual bill was different from what was initially estimated.

Councilman White made a MOTION TO MAKE TRANSFER, seconded by Councilman Parry. Council approved payment without comment.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve				X		X	
Motion to Second			X				X
Approved		X		X	X	X	X
Opposed							
Abstain/Recuse			X				
Absent/Excused							

**6. RESOLUTION 2013-120: AUTHORIZING REFUND TAX OVERPAYMENT**

**RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT**

**WHEREAS**, Certain property owners who were declared Totally Exempt Veterans by the Tax Assessor for the tax year 2013 made 1<sup>st</sup> and 2<sup>nd</sup> Quarter taxes to the Tax Collector, and

**WHEREAS**, a resolution had been adopted which exempted the owners from property taxes due to being a totally disabled veteran by the Tax Assessor of the Borough of Interlaken and created a tax overpayment.

**WHEREAS**, the tax overpayment should be refunded to the property owner.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Tax Collector and the Chief Financial Officer to refund the said tax overpayment to the payers listed below.

Block	Lot	Qual	Owner/Payer Name	Amount	Reason
27	19		Mclain, James W. & Lois M.	3,083.76	Overpaid 2013 Taxes due to Totally Disabled Veteran Status
<b>Total Taxes Overpaid</b>				<b>\$3,084.76</b>	

**BE IT FURTHER RESOLVED** that a copy of the within resolution be forwarded to the following:

1. Stephen Gallagher, Chief Financial Officer/Tax Collector
2. Robert Hulsart, Borough Auditor

Councilman White made a MOTION TO APPROVE REFUND, seconded by Councilman Parry. Council approved appointment without comment.

	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
<b>Record of Vote</b>							
Motion to Approve				X			
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**7. RESOLUTION: 2013-121: AUTHORIZING THE CANCELING OF OLD OUTSTANDING CHECKS AND RECONCILING ITEMS**

**RESOLUTION AUTHORIZING THE BOROUGH OF INTERLAKEN TO CANCEL OLD OUTSTANDING CHECKS AND RECONCILING ITEMS.**

**WHEREAS,** Certain checks and reconciling items have been identified in the Current Fund Bank Account, Payroll Agency and General Capital Bank Accounts by the Chief Financial Officer as outstanding prior to 2013 and;

**WHEREAS,** It is a normal financial practice to review the bank accounts for old outstanding items for cancellation with the balances to be returned to the Current Fund Balance or the fund of origination, and;

**WHEREAS,** It is necessary to formally cancel said checks and other reconciling items so that the unnecessary balances may be returned to Surplus Balance in the Current Fund or to the fund of origination;

**NOW, THEREFORE, BE IT RESOLVED,** by the Borough Council of the Borough of Interlaken, County of Monmouth, State of New Jersey that the following old outstanding checks, miscellaneous reconciling items and surplus balances be canceled:

<b>Current Fund Account</b>	<b>Check #</b>	<b>Amount</b>
Old Check – 4/1/2009	12518	50.00
Old Check – 10/22/2009	12856	50.00
Old Check – 2/17/2010	13065	69.00
Old Check – 4/22/2010	13176	426.48
Old Check – 6/16/2010	13273	96.02
Old Check – 8/4/2010	13354	64.84
Old Check – 8/4/2010	13359	132.50
Old Check – 9/15/2010	13365	222.90
Old Check – 12/15/2010	13527	99.00
Old Check – 1/19/2011	13588	50.00
Old Check – 12/7/2011	14074	500.00
Old Check – 12/21/2011	14113	148.00
Old Check – 3/21/2012	14241	25.00
Old Check – 4/4/2012	14266	25.00
Old Check – 5/2/2012	14313	25.00
Old Check – 5/2/2012	14323	610.00
Old Check – 6/6/2012	14348	25.00
Old Check – 7/18/2012	14405	25.00

Old Check – 8/15/2012	14482	241.94
Old Check – 10/3/2012	14534	25.00
Old Check – 11/7/2012	14590	25.00
Old Check – 12/5/2012	14691	25.00
Old Check – 12/19/2012	14691	57.00
Reconciling Item – Current Fund		-17.75
Reconciling Item – Payroll Agency		383.04
Reconciling Item – General Capital		-20.00
Total of Balances to Cancel to Surplus in Current Fund		3,362.97

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall be provided by the Borough Clerk to each of the following:

1. Chief Financial Officer/Tax Collector
2. Borough Auditor

Councilman Parry made a MOTION AUTHORIZING THE CANCELING OF OLD OUTSTANDING CHECKS AND RECONCILING ITEMS, seconded by Council President Miller. Council approved without comment.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve			X				
Motion to Second		X					
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**8. RESOLUTION 2013-122: APPROVAL OF BILL LIST**

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

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DATE SPAN	TOTAL
10/23/13-12/02/13	\$64,818.11

**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 November 13, 2013, is in the amount of Sixty-Four Thousand, Eight Hundred Eighteen Dollars and Eleven 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 Parry stated that Finance and Administration reviewed and approved bills.  
 Councilman Parry made a MOTION TO APPROVE BILL LIST, seconded by Councilman Cohen.  
 Council approved bill list.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve			X				
Motion to Second							X
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**9. REPORTS/CORRESPONDENCE**

**ADMINISTRATION/FINANCE** – No report.

**PUBLIC SAFETY** – Councilman Napoli presented a copy of Ocean Township’s recently adopted tree ordinance. He asked that Council review this ordinance and how it may be adapted to Interlaken’s needs. Council decided to let the Borough Attorney and Shade Tree Committee review the ordinance and discuss it during a workshop meeting in January.

**STREETS & ROADS** – Council President Miller stated that there is no report but that Borough Engineer Avakian will attend a Council meeting to discuss future road plans and the 2014 plan for Buttermere Avenue.

**RECREATION ADVISORY COMMITTEE** – Council President Miller stated that Borough Administrator Reibrich had discussions with JIF and Borough Attorney Shaklee about insurance coverage needs for the dog event in the park. JIF said that a waiver may need to be signed by participants and other participating boroughs would be covered by their own JIF policies.

**SHADE TREE COMMISSION** – No report.

**PLANNING BOARD** – Borough Administrator Reibrich stated that there was no quorum at the last meeting so there will be two applications on the December 16<sup>th</sup> meeting.

**BOARD OF EDUCATION** – No report.

**BOROUGH ADMINISTRATOR** – No report.

**10. COMMENTS FROM THE PUBLIC** Mayor Nohilly opened the floor for public comment. With no public present, Mayor Nohilly closed the floor.

**11. COMMENTS FROM MEMBERS OF COUNCIL**

There were no comments from Council.

**12. RESOLUTION 2013-123: – AUTHORIZING EXECUTIVE SESSION**

**EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 and P.L. 2001, C. 404, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council of the Borough of Interlaken wishes to go into a closed Executive Session and is of the opinion that such circumstances presently exist which should not be discussed in public, and

WHEREAS the Open Public Meetings Act pursuant to N.J.S.A. 47:1A-1 and N.J.S.A. 10:4-12 permits the Borough Council to discuss this certain matter(s) in private, and in this case for the purpose of the Borough Council to discuss:

***DPW CONTRACT NEGOTIATIONS***

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Interlaken that it will go into an Executive Session for the purpose of the Borough Council to discuss the above mentioned subject; and

**BE IT FURTHER RESOLVED** that formal action MAY be taken upon return to open public session subsequent to the executive session. Public comment will be allowed after the executive session.

**BE IT FURTHER RESOLVED** that the results of such discussion may be revealed at such time as the matter(s) are resolved and/or a contract(s) is signed and/or the negotiations are concluded and/or the new personnel are hired and/or within 30 days of the date of this closed session discussion. Interested parties may contact the Borough Clerk/Administrator anytime during normal business hours for periodic updates as to the availability in this regard.

Council President Miller made a MOTION TO AUTHORIZING EXECUTIVE SESSION, seconded by Councilman Parry.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve		X					
Motion to Second			X				X
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**13. RETURN TO OPEN SESSION**

Councilman Napoli made a MOTION TO RETURN TO OPEN SESSION, seconded by Councilman Parry.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve						X	
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**14. RESOLUTION 2013-124: – AUTHORIZING EXECUTION OF THE LABOR AGREEMENT BETWEEN THE INTERLAKEN PUBLIC WORKS DEPARTMENT AND THE BOROUGH OF INTERLAKEN – JANUARY 1, 2013 THROUGH DECEMBER 31, 2016**

**AUTHORIZING EXECUTION OF THE LABOR AGREEMENT BETWEEN THE INTERLAKEN PUBLIC WORKS DEPARTMENT AND THE BOROUGH OF INTERLAKEN – JANUARY 1, 2013 THROUGH DECEMBER 31, 2016**

**WHEREAS** a settlement has been reached between the Public Works Committee for the Borough of Interlaken and CWA Local 1034 for the employees of the Interlaken Public Works Department, and

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Interlaken upon the recommendation of the Borough established negotiating team does hereby approve the settlement agreement, as amended and attached, between the employees of the Interlaken Public Works Department and the Borough of Interlaken for the period of January 1, 2013 through December 31, 2016, and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk of Interlaken are hereby authorized to execute the labor agreement.



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

1. Mr. Tom Fagan, CWA Local 1034
2. Interlaken Public Works Employees
3. Interlaken Chief Financial Officer

Councilman Napoli made a MOTION TO RETURN TO OPEN SESSION, seconded by Councilman Parry.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve						X	
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

**15. COMMENTS FROM THE PUBLIC** Mayor Nohilly opened the floor for public comment. With no public present, Mayor Nohilly closed the floor.

**16. ADJOURNMENT** - With no further discussion, Councilman White made a MOTION TO ADJOURN at 9:32 p.m., seconded by Councilman Parry and unanimously carried.

Record of Vote	Mayor Nohilly	Council President Miller	Councilman Parry	Councilman White	Councilman Morley	Councilman Napoli	Councilman Cohen
Motion to Approve				X			
Motion to Second			X				
Approved		X	X	X	X	X	X
Opposed							
Abstain/Recuse							
Absent/Excused							

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Lori Reibrich  
 Borough Administrator/Clerk  
 Date Approved: \_\_\_\_\_