

**BOROUGH OF INTERLAKEN
MINUTES
DECEMBER 17, 2014
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 8:55 p.m., by Mayor Nohilly. It was followed by a salute to the flag and a moment of silence dedicated to Mr. John Burns, a veteran and father of past Councilwoman Primavera. 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 White, Council members: Cohen, Franks, Handerhan, Miller, Napoli

Also Present: Borough Attorney Richard Shaklee, Borough Administrator/Clerk Lori Reibrich

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

Mayor Nohilly opened the floor for public comment.

Jodi Heinz, 512 Bridlemere Avenue, stated that after hearing everyone's comments she feels that the Borough should wait until the new Council comes in before there is a vote regarding a feasibility study.

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

2. MAYOR'S PROCLAMATION: HONORING COUNCILMEN JONATHAN COHEN, THOMAS MORLEY & ROBERT NAPOLI

WHEREAS, Jonathan Cohen, Thomas Morley and Robert Napoli served as Councilman for the Borough of Interlaken; and

WHEREAS, these Councilmen understood the value of public service to the Borough of Interlaken; and

WHEREAS, due to the stewardship and dedication shown by Jonathan Cohen, Thomas Morley and Robert Napoli through their time on the Borough Council as members of the Administration and Finance Committee, Public Safety Committee, and Streets and Roads Committee, their decisions and hard work maintained the high governmental standards of Borough of Interlaken for the greater good of the community; and

WHEREAS, the efforts of Jonathan Cohen, Thomas Morley and Robert Napoli who served the Interlaken Borough Council well, are deserving of much regard and appreciation for their dedication and service.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Borough Council of the Borough of Interlaken hereby commends Jonathan Cohen, Thomas Morley and Robert Napoli whose commitment to the Borough Council and stellar service to the community will be appreciated for many years to come.

WHEREAS, these Councilmen understood the value of public service to the Borough of Interlaken; and

WHEREAS, due to the stewardship and dedication shown by Jonathan Cohen, Thomas Morley and Robert Napoli through their time on the Borough Council as members of the Administration and Finance Committee, Public Safety Committee, and Streets and Roads Committee, their decisions and hard work maintained the high governmental standards of Borough of Interlaken for the greater good of the community; and

WHEREAS, the efforts of Jonathan Cohen, Thomas Morley and Robert Napoli who served the Interlaken Borough Council well, are deserving of much regard and appreciation for their dedication and service.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Borough Council of the Borough of Interlaken hereby commends Jonathan Cohen, Thomas Morley and Robert Napoli whose commitment to the Borough Council and stellar service to the community will be appreciated for many years to come.

Mayor Nohilly presented plaques to the Council members.

Councilman Cohen thanked Council and the residents of Interlaken. Councilman Cohen asked if the Borough, with its proud history, wanted the next piece of it to be a merger with Loch Arbour.

3. APPROVAL OF MINUTES: NOVEMBER 12, 2014- REGULAR

Councilman Napoli MOTIONED to approve minutes, seconded by Council President White. With no Council comment the motion carried.

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

4. APPROVAL OF MINUTES: NOVEMBER 12, 2014- JOINT MEETING LOCH ARBOUR

Council President White MOTIONED to approve minutes, seconded by Councilman Napoli. With no Council comments the motion was carried.

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

5. RESOLUTION 2014-117: AUTHORIZING A REQUEST FOR PROPOSAL

AUTHORIZING BOROUGH CLERK TO RECEIVE REQUEST FOR PROPOSALS FOR CONSULTING SERVICES FOR FEASIBILITY STUDY

WHEREAS, on November 12th, 2014 the Governing Body of the Borough of Interlaken held an open joint meeting with the Village of Loch Arbour; and

WHEREAS, at the joint meeting Loch Arbour made a presentation regarding a potential municipal consolidation of the Village of Loch Arbour into the Borough of Interlaken; and

WHEREAS, the Borough Council of the Borough of Interlaken desires to perform a municipal consolidation feasibility study to evaluate potential benefits and risks to the Borough of Interlaken;

NOW THEREFORE BE IT RESOLVED that the Borough Administrator/Municipal Clerk is authorized to seek Request for Proposals (RFP) from a qualified consultant that have experience in municipal consolidation to perform said feasibility study;

Councilman Napoli stated that there was a companion resolution and would like for it to be part of the resolution.

Mayor Nohilly stated that Councilman Napoli had originally written a lengthy resolution and the Borough Clerk condensed it.

Councilman Napoli stated that the motion was not to go out for a feasibility study. It is a motion to seek proposals in the event a new Council was to have interest. They would have a successful source of applicants. There is no funding. There is no feasibility study. It is only an effort to seek consultants.

Mayor Nohilly stated that the vote would not be approving a proposal. The vote would be to approve a request for proposals.

Councilman Napoli addressed Councilwoman elect Horowitz's earlier questions stating she had excellent questions. Councilman Napoli stated that it would not be just a feasibility study, but also an analysis of the impact of a merger.

Councilman Napoli MOTIONED to approve the resolution, seconded by Councilman Handerhan.

Roll call was taken by Borough Clerk Reibrich.

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

Mayor Nohilly stated that he would wait until the new Council members were in place and would not break the tie. Mayor Nohilly felt it would not be a good way to start this process. More research is needed. Emotions need to be put aside. Facts needed to be gathered. A couple of weeks would not change anything. Mayor Nohilly stated that the matter will go before the new Council and fully anticipates the Borough will get to the study.

Councilman Napoli questioned Borough Attorney Shaklee regarding the Mayor's abstention.

Borough Attorney Shaklee stated that the resolution did not pass.

Mayor Nohilly felt that the Council should not start out with a tie.

Councilman Handerhan agreed. The new Council should vote on it and if they want to end it then that would be fine.

Mayor Nohilly stated that there is potential for both municipalities. More has to be covered regarding the benefits and risks.

6. RESOLUTION 2014-118: TRANSFER RESOLUTION

**BOROUGH OF INTERLAKEN
COUNTY OF MONMOUTH
TRANSFER RESOLUTION R2014-118**

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 2014 Budget Appropriations, viz:

Appropriation	Amount
Current Fund Appropriations	
SW Financial Administration	50.00
OE Workers Compensation Insurance	905.00
SW Recycling	150.00
OE Street Lighting	900.00

OE Sewerage – Excess Flows	18,658.00
Total Current Insufficiencies	\$20,663.00

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 2014 Budget Appropriations, viz:

Appropriation	Amount
Current Fund Appropriations	
OE Legal Services	4,758.00
OE Liability Insurance	905.00
OE Recycling	3,000.00
OE Maintenance of Parks	5,000.00
OE Electric	7,000.00
Total Current Fund Appropriations	\$20,663.00

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:

TO		FROM	
Account	Amount	Account	Amount
Current Fund Appropriations			
SW Financial Administration	50.00	OE Legal Services	4,758.00
OE Workers Compensation Insurance	905.00	OE Liability Insurance	905.00
SW Recycling	150.00	OE Recycling	3,000.00
OE Street Lighting	900.00	OE Maintenance of Parks	5,000.00
OE Sewerage – Excess Flows	18,658.00	OE Electric	7,000.00
Total	20,663.00		20,663.00

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

Council President White MOTIONED to approve transfer, seconded by Councilman Napoli. With no Council comments the motion was carried.

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

7. RESOLUTION 2014-119: AUTHORIZING FINAL CHANGE ORDER- GRASMERE PHASE III

RESOLUTION AUTHORIZING FINAL CHANGE ORDER & SUPPLEMENT AGREEMENT NO. 1

WHEREAS, the Borough previously entered into a contract with Diamond Construction for the Grasmere Phase III project; and

WHEREAS, the Borough Engineer submitted Final Engineer’s Certificate No. 3, Final Change Order and Supplemental Agreement NO.1 which decreases the overall contract by \$54,999.30 due to the final quantities for the work completed to date; and

WHEREAS, the following changes have been submitted and approved by Borough Engineer, Leon S. Avakian, Inc.:

Original Contract Amount:	\$235,440.00
Amount of Supplemental Agreement:	(\$54,999.30)
Total Adjusted Contract Amount Due:	\$180,440.70

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that Final Change Order and Supplemental Agreement No. 1 is hereby authorized; and

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk is hereby authorized to execute the necessary documents for Change Order and Supplemental Agreement No. 1.

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

1. Peter Avakian, Borough Engineer
2. Borough Administrator
3. Chief Financial Officer
4. John Kovacs, Diamond Construction

Councilman Miller MOTIONED to authorize change order, seconded by Councilman Franks. With no Council comments the motion was carried.

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

8. RESOLUTION 2014-120: BILL LIST

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

DATE SPAN	TOTAL
10/07/14-12/12/14	\$171,963.78

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 December 17, 2014 is in the amount of One Hundred Seventy-One Thousand, Nine Hundred Sixty Three Dollars and Seventy-Eight 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 Cohen MOTIONED to approve the bill list, seconded by Councilman Handerhan.

Councilman Cohen stated that he reviewed the bills and found them to be in order. Councilman Cohen noted a charge for several thousand dollar for the burning of leaves.

Councilman Napoli questioned the payment for sewer overages.

Mayor Nohilly stated that the bill was previously held at Councilman Napoli’s request, but at the end of the day there is a contractual obligation to pay.

Councilman Napoli stated that his vote is for the approval of the bill list with the exception of the \$48,000 sewer charges.

The motion was carried.

	Mayor Nohilly	Council President White	Councilman Miller	Councilman Napoli	Councilman Cohen	Councilman Handerhan	Councilman Franks
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 – No report.
- STREETS & ROADS – No report.
- RECREATION ADVISORY COMMITTEE– No report.
- SHADE TREE COMMISSION – No report.
- PLANNING BOARD – No report.
- BOARD OF EDUCATION – No report.
- BOROUGH ADMINISTRATOR – No report.

10. COMMENTS FROM THE PUBLIC

Richard Knight, 214 Buttermere Avenue, stated that he found it unusual that this Council would not approve the creation of a list of professionals or consultants.

Mayor Nohilly stated that Council does not want to start a process that is going to be such an impactful decision to Loch Arbour with a split vote.

11. COMMENTS FROM MEMBERS OF COUNCIL

Councilman Napoli thanked Borough Clerk Lori Reibrich noting that the two may have had their differences during his term, but it was all part of the democracy and he enjoyed working with her. Councilman Napoli also thanked Council for the exchange of ideas and time spent working together.

12. **ADJOURNMENT:** With no further discussion, Councilman Handerhan made a MOTION TO ADJOURN at 9:15pm, seconded by Councilman Cohen and unanimously carried.

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

 Lori Reibrich
 Borough Administrator/Clerk
 Date Approved: _____