

**BOROUGH OF INTERLAKEN
MINUTES
SEPTEMBER 14, 2021
7:30 P.M. AT BOROUGH HALL**

The regular meeting of the Borough of Interlaken was called to order 7:30 p.m., by Mayor Nohilly. The Sunshine Statement was read by Borough Clerk/Administrator Lori Reibrich. It was followed by a salute to the flag and a moment of silence for Ruth Avakain. “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 was posted on the Borough bulletin board and is on file in the Borough Clerk’s office.”

Present: Mayor Nohilly, Council President Butler, Councilmembers Horowitz, Watson, Maloney, Delia and Franks

Absent: None

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

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

Mayor Nohilly opened the floor for public comment.

With no public present for comment, the floor was closed.

2. APPROVAL OF MINUTES: AUGUST 18, 2021 WORKSHOP & REGULAR

With no comments, Council President Butler made a motion to approve, seconded by Councilman Delia and unanimously carried.

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

3. **ORDINANCE 2021-5: AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI “LAND USE AND DEVELOPMENT” TO PROVIDE FOR A R-C SINGLE FAMILY RESIDENTIAL ZONE**

**BOROUGH OF INTERLAKEN
ORDINANCE NO. 2021-5**

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN AMENDING AND SUPPLEMENTING CHAPTER XXVI “LAND USE AND DEVELOPMENT” TO PROVIDE FOR A R-C SINGLE-FAMILY RESIDENTIAL ZONE.

WHEREAS, the Borough of Interlaken Land Use Ordinances currently provide for two (2) Single Family Residential Zones, designated as R-A and R-B; and

WHEREAS, the Borough wishes to provide for an additional Single-Family Residential Zone, which will allow for a conditional use of a House of Worship, in addition to Single Family dwellings, public parks and playgrounds, municipal buildings, facilities and services essential to the operation of and solely intended for the needs of the Borough of Interlaken and family day care homes.

NOW, THEREFORE, 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. Article II “Establishment of Zones” in Chapter 26 “Land Use and Development”, Section 26-9 is amended and supplemented as follows:

26-9 ZONES ESTABLISHED

For the purpose of this chapter, the Borough of Interlaken is divided into the following zones:

- | | |
|-----|---------------------------|
| R-A | Single Family Residential |
| R-B | Single Family Residential |

R-C Single Family Residential

SECTION TWO. Article II “Establishment of Zones” in Chapter 26 “Land Use and Development”, Section 26-10 is amended and supplemented as follows:

26-10 ZONING MAP

The Zoning Ordinance and the Zone Map of the Borough of Interlaken be and the same are hereby amended and supplemented with respect to the R-A, R-B and R-C Single Family Residential Zone and the Official Zone Map as prepared by the Borough Engineer. (The Zone Map may be found as an attachment to this chapter.)

SECTION THREE. Article IV “Zone Regulations” in Chapter 26 “Land Use and Development”, Section 26-35 is added to read as follows:

26-35 R-C SINGLE FAMILY RESIDENTIAL ZONE

a. In the R-C Single Family Residential Zone, no premises shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:

1. Single Family dwellings;
2. Public parks and playgrounds; and
3. Municipal buildings, facilities and services essential to the operation of and solely intended for the needs of the Borough of Interlaken provided same are subject to the general review and recommendation of the Planning Board.
4. Family day care home.

b. Permitted Accessory Uses

1. Private garage or carport for not more than three automobiles;
2. Private swimming pools;
3. Tool shed or similar storage building or domestic animal or pet housing not exceeding 120 square feet;
4. Outdoor barbecue structure;
5. Fences as regulated by Ordinance;
6. Home occupation;
7. Other customary accessory uses and structures which are clearly incidental to the principal structure and use, such as but not limited to flag poles, swing sets and ground mounted basketball nets.

c. Area, Yard and Building Requirements. As specified in the Schedule set forth for the R-A Single Family Residential Zone except in any case where the Schedule contradicts any material set forth in subsection d as to Conditional Uses below, the material in subsection d as to Conditional Uses shall control. The material in subsection d below on Conditional Uses will not apply to any other uses.

d. Conditional Uses

1. Houses of Worship Churches and similar places of worship, parish houses, convents, and libraries that are owned and operated by duly incorporated religious organizations designed or intended for worship shall be permitted in R-C zone within the Borough of Interlaken, subject to the following limitations and requirements:
 - a. The minimum lot size shall be one-half (1/2) acre for each building and accessory buildings. One (1) each parish house, convent, church school and church library may be constructed as part of a building used as a church or similar place of worship, or in an accessory building but, in no case will there be permitted more than one (1) principal building and one (1) accessory building on any one lot.
 - b. The minimum front yard depth shall be twenty-five (25) feet.
 - c. The minimum side yard shall be twenty-five (25) feet on either side.
 - d. The minimum rear yard depth shall be fifty (50) feet.
 - e. The minimum street frontage shall be two hundred (200) feet.
 - f. The maximum building height shall be two (2) stories, not to exceed fifty (50) feet to the highest point of any building, exclusive of chimneys, steeples and similar items.
 - g. Maximum Impervious Coverage shall be sixty (60%) percent;
 - h. Parking areas shall be located only in the side yards and rear yard and not in the buffer strips required by paragraph i. below. Off-street parking shall be provided at the ratio of one off-street parking space for each three seats in the church or 72 inches of pew length.

- i. Buffer strips ten (10) feet in width with planting, as indicated by the location and existing trees and undergrowth, shall be maintained all along the side lines and rear line. No trees shall be removed in the buffer strips unless approved by the Planning Board.
- j. There shall be a minimum of one (1) separate ingress and the one (1) separate egress from and to a public street, collector road, or arterial road.
- k. No building permit shall be issued unless a site plan has been approved by Resolution of the Planning Board.

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

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

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

ORDINANCE READING	DATE
1 ST READING BY TITLE:	September 14, 2021
2 ND READING BY TITLE:	

Councilman Franks made a motion to approve, seconded by Councilwoman Horowitz and unanimously carried.

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

Mayor Nohilly set the public hearing for October 20, 2021.

4. **RESOLUTIONS 2021-68: ACCEPTING THE 2020 MUNICIPAL AUDIT**

ACCEPTING THE 2020 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40:A5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transaction, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

As evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such Resolution of Certification shall be adopted by the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52-27BB-52 to wit:

R.S. 52:27BB-52 – “A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Interlaken, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

Councilman Watson made a motion to accept the audit, seconded by Councilwoman Horowitz and unanimously carried.

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

5. RESOLUTION 2021-68: AUTHORIZING FIRE DEPARTMENT MAJOR CAPITAL PURCHASE UNDER SHARED SERVICE AGREEMENT

AUTHORIZING THE BOROUGH OF ALLENHURST TO PURCHASE FIRE TRUCK UNDER SHARED SERVICE AGREEMENT

WHEREAS, the Borough of Interlaken has a joint shared service agreement with the Borough of Allenhurst and Village of Loch Arbour to provide fire protection and first aid emergency medical services to its residents; and

WHEREAS, Section 4.1.1. of said agreement stipulates that prior to purchase of “major” fire equipment/apparatus and/or many “major” capital expenditures, the Borough of Interlaken shall correspond their approval or disapproval of such purchase; and

WHEREAS, Kyle Ebbets, 1st Assistant Chief of the Allenhurst Fire Department appeared before the Mayor and Council to discuss the purchase of a new fire truck to adequately provide fire protection services and made a recommendation to purchase a fire truck that would take the place to two trucks; and

WHEREAS, the Mayor and Council authorized via resolution 2021-55 the Allenhurst Fire Department to pursue costs and funding mechanisms to purchase a new fire truck; and

WHEREAS, the cost of said purchase is \$648,040.00, which will be financed via by the Borough of Allenhurst with the following understanding that under Section 2.4 of joint service agreement stipulates that Interlaken shall pay forty-one (41%) percent of debt service cost (see attached Debt Service Analysis with yearly cost); and

WHEREAS, the cost of a 10 year preventative maintenance program for the new fire pumper truck will be a yearly invoice which Interlaken shall pay forty-one (41%) percent of the cost (see attached Maintenance Agreement Analysis with yearly cost).

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Interlaken that the purchase of a Spartan Fire Pumper Truck be authorized as per the Fire Protection and First Aid Emergency Medical Service Agreement by and between the Borough of Allenhurst, Borough of Interlaken and Village of Loch Arbour.

BE IT FURTHER RESOLVED that this approval is further subject to the necessary funding mechanism being implemented by the Borough of Allenhurst and the yearly payments of the Borough of Interlaken being provided in their annual budgets.

With no comments, Councilman Delia made a motion to approve, seconded by Councilman Watson and unanimously carried.

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

6. **RESOLUTION 2021-69: AUTHORIZING BID AWARD OF CONTRACT FOR “IMPROVEMENTS TO BRIDLEMERE AVENUE”**

**AUTHORIZING AWARD OF BID CONTRACT
 “IMPROVEMENTS TO BRIDLEMERE AVENUE”**

WHEREAS, bids for the project known as **“IMPROVEMENTS TO BRIDLEMERE AVENUE”** were duly advertised and publicly opened pursuant to law; and

WHEREAS, five (5) contractors took out a bid packet and five (5) complete bids were received ranging from low base bid of \$304,400.22 to high base bid of \$328,813.13; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the recommendation of the Borough Engineer, that said bid be awarded to Fiore Paving Company Inc. 4 Fiore Court, Oceanport, NJ 07757; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents in this regard; and

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

1. Fiore Paving Company Inc, Bid winner
2. Lori Reibrich, Borough Administrator/Clerk
3. Stephen Gallagher, Chief Financial Officer
4. Peter Avakian, Borough Engineer

Councilman Watson questioned if the Borough sidewalk would be included in this project as well as installing a new sidewalk by the park. Borough Administrator Reibrich, said that this project includes the Borough sidewalk from Westra towards Wickapecko. Mayor Nohilly said that adding a sidewalk in front of the park is something that will be considered during the time of the Open Space Grant Project.

With no further comments, Council President Butler made a motion to approve, seconded by Councilwoman Maloney and unanimously carried.

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

7. **RESOLUTION 2021-70: AUTHORIZING APPOINTMENT OF BUILDING SUBCODE OFFICIAL AND BUILDING INSPECTOR**

AUTHORIZING APPOINTMENT OF BUILDING SUBCODE OFFICIAL AND BUILDING INSPECTOR

WHEREAS, Ron Vigliotti, has returned from required retirement leave as part-time Building Sub Code Official and Building Inspector for the Borough of Interlaken, effective October 6, 2021; and

WHEREAS, Dean Ferraro was appointed to Building Subcode Official and Building Inspector shall remain Deputy Subcode Official under the current Salary Resolution, if needed; and

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby confirms the appointment of Mr. Ron Vigliotti to the part-time position of Building Sub Code Official and Building Inspector at an annual salary of \$ 6896.00 effective October 6, 2021.

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

1. Lori Reibrich, Borough Administrator/Clerk
2. Stephen O. Gallagher, CFO
3. Dean Ferraro, Building SubCode/Inspector

With no comments, Councilman Watson made a motion approve, seconded by Councilwoman Maloney and unanimously carried.

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

8. RESOLUTIONS 2021-71: BILL LIST

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

DATE SPAN	TOTAL
08/16/21-09/10/21	\$394,879.77

RESOLUTION 2021-71

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 September 14, 2021 is in the amount of Three Hundred Ninety Four Thousand, Eight Hundred Seventy Nine Dollars and Seventy-Seven 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.

	Mayor Nohilly	Council President Butler	Councilwoman Horowitz	Councilman Watson	Councilwoman Maloney	Councilman Delia	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
- **Planning Board:** Council President Butler reported that there was no meeting held since the last Council Meeting. Next Planning Board Meeting is October 18, 2021 and the Board will be reviewing Ordinance 2021-5 for consistency with the Master Plan.
- **Board of Education:** No report.
- **Borough Administrator:** Borough Clerk/Administrator Reibrich thanked the Borough Employees for a great job done last year during Covid lockdown. She stated that the audit showed that even during a year with a pandemic the auditors found “no recommendations” which she feels is an achievement being what everyone faced.

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

Before adjourning Councilwoman Horowitz questioned what direction we are taking with the sidewalk evaluations. Mayor Nohilly said it is a work in progress and we will continue to include it on agendas to keep the project discussion moving forward.

11. **ADJOURNMENT:** With no further comments, Councilwoman Maloney made a motion to adjourn, seconded by Councilman Watson and unanimously carried.

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

Lori Reibrich, RMC
Borough Administrator/Clerk