

**BOROUGH OF INTERLAKEN
MINUTES
MAY 1, 2013
7:30 P.M. AT BOROUGH HALL**

The meeting of the Borough of Interlaken was called to order at 7:34 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 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 Folta, Morley, Napoli, Parry, White

Also Present: Borough Administrator Reibrich, Borough Attorney Richard Shaklee Esq., and CFO Stephen Gallagher

1. PUBLIC COMMENTS: FOR AGENDA SPECIFIC ITEMS ONLY – EXCLUSIVE OF ORDINANCES Mayor Nohilly opened the floor for public comment. With no public comment, he closed the floor.

2. APPROVAL OF THE MINUTES: APRIL 17, 2013-WORKSHOP & REGULAR

There were no council comments.

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

3. 2013 MUNICIPAL BUDGET AMENDMENTS- PUBLIC HEARING

“THE 2013 MUNICIPAL BUDGET WAS INTRODUCED ON MARCH 20, 2013, THE PUBLIC HEARING WAS HELD ON APRIL 4, 2013. THE BUDGET AMENDMENTS WERE ADVERTISED ON APRIL 25, 2013, AS REQUIRED BY LAW, STATING THAT A PUBLIC HEARING ON THE BUDGET AMENDMENTS WOULD BE HELD ON MAY 1, 2013. PRINTED COPIES OF THE BUDGET AMENDMENTS HAVE BEEN MADE AVAILABLE TO THE PUBLIC.”

Borough CFO, Stephen O. Gallagher, presented a resolution prepared by Borough CFO Gallagher and Borough Auditor, Robert Hulsart addressing amendments requested by the State. CFO Gallagher noted that the resolution adjusts general revenues from \$2,217,319.95 to \$2,229,935.00 and reduces the capital improvement fund from \$60,000.00 to \$50,000.00.

Council President Miller made MOTION TO OPEN PUBLIC HEARING FOR 2013 BUDGET AMENDMENTS ONLY, seconded by Councilman Napoli.

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

No public comment was made.

Councilman Napoli made MOTION TO CLOSE PUBLIC HEARING, seconded by Councilman Parry.

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

4. RESOLUTION 2013-73: ADOPTION OF THE 2013 BUDGET AMENDMENTS

**BOROUGH OF INTERLAKEN
COUNTY OF MONMOUTH**

RESOLUTION TO AMEND THE CALENDAR YEAR 2013 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2013 was introduced on 20th day of March 2013 and tabled by the Borough Council prior to approval on the 17th day of April 2013, and

WHEREAS, the public hearing on said budget has been held as advertised on the 17th day of April 2013, and

WHEREAS, it is desired to amend said budget, now

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth, that the following amendments to the introduced budget of 2013 be made.

Recorded Vote

(Miller	((
Ayes (Parry	Nays (Abstain
(White	((
(Morley	(Absent
Napoli		(
Folta		

	<u>From</u>	<u>To</u>
General Revenues		
1. Surplus Anticipated	\$ 0.00	\$ 8,115.35
3. Miscellaneous Revenue Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services		
Reserve for Debris Removal	0.00	4,500.00
Total Miscellaneous Revenues	374,693.10	379,193.80
5. Subtotal General Revenues	387,347.70	399,963.05
7. Total General Revenues	\$ 2,217,319.65	\$2,229,935.00
8. General Appropriations		
(E) Deferred Charges and Statutory Expenditures Municipal Within "CAPS"		
(1) Deferred Charges:		
Operating Deficit	0.00	22,615.35
Total Deferred Charges and Statutory Expenditures Municipal Within "CAPS"	84,023.00	106,638.35.00
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	993,643.00	1,016,258.35
8. (a) Operations Excluded from "CAPS"		

(c) Capital Improvements Excluded from "CAPS"		
Capital Improvement Fund	60,000.00	50,000.00
Total Capital Improvements – Excluded from "CAPS"	60,000.00	50,000.00
(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"		
	1,163,793.67	1,153,793.67
(O) Total General Appropriations Excluded from "CAPS"		
	1,163,793.67	1,153,793.67
(L) Subtotal General Appropriations	2,157,436.67	2,170,052.02
9. TOTAL GENERAL APPROPRIATIONS	\$ 2,217,319.65	2,229,935.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED that this complete amendment, in accordance with provisions of N.J.S.A. 40A:4-9, be published in the Coaster in the issue of April 25, 2013, and that said publication contain notice of public hearing on said amendment to be held at the Borough Hall on May 1, 2013 at 7:30 p.m.

NOW, THEREFORE, BE IT FUTHER RESOLVED that a copy of this Resolution be forwarded to the following;

1. Thomas Neff, Director of Local Government Services (2) copies
2. Stephen Gallagher, Chief Financial Officer
3. Lori Reibrich, Borough Administrator/Clerk
4. Robert Hulsart, Municipal Auditor

No comment from Council.

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

5. RESOLUTION 2013-74: ADOPTION OF THE 2013 MUNICIPAL BUDGET

No comment from Council.

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

6. ORDINANCE 2013-2: BOND ORDINANCE NO. 2013-2 PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$507,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$431,625 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF INTERLAKEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY

No comment from Council.

Mayor Nohilly set the Public Hearing for May 15, 2013.

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

7. **RESOLUTION 2013-75: APPROVING PARK USE APPLICATION FROM SEPHARDIC YOUTH BOYS CAMP**

RESOLUTION AUTHORIZING PARK USE AGREEMENT AND APPLICATION

WHEREAS, the Sephardic Youth Boys Camp (S.Y.B.C.) has submitted an application to utilize the Borough of Interlaken Ballfield located at 715 Bridlemere Avenue, from June 2 through August 21, 2013, Monday through Friday, from 11:00 am to 12:30 pm; and

WHEREAS, pursuant to the Borough of Interlaken Code, Chapter XIV, Chapter 1.5, all residents, associations, entities and other persons desirous of using and/or enjoying the park areas, recreational areas and Borough facilities for the purpose of conducting, maintaining and/or operating an organized activity, shall obtain express prior written consent of the Borough Council.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Interlaken, County of Monmouth that it does hereby authorize the Borough Administrator to execute the Park Use Agreement on behalf of the Borough of Interlaken, granting permission to the S.Y.B.C. to utilize the ballfield on dates and times listed on the application submitted.

BE IT FURTHER RESOLVED, that the applicant must provide the Borough Administrator with a certificate of insurance naming the Borough of Interlaken as additional insured prior to execution of the Park Use Agreement.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to:

1. Lori Reibrich, Borough Administrator
2. Chief Stephen Carasia, Deal Police
3. Isaac Escava, S.Y.B.C.

No comment from Council.

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

8. **RESOLUTION 2013-76: AUTHORIZING AWARD OF CONTRACT TO DOCTOR ELECTRIC FOR GENERATOR MAINTENANCE**

RESOLUTION AUTHORIZING AWARD OF CONTRACT

WHEREAS, the Borough of Interlaken should maintain and ensure optimal performance of the Borough Kohler Generator and

WHEREAS, the Borough solicited quotes from four (4) Authorized Kohler Generator Service Contractors.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Interlaken, County of Monmouth, State of New Jersey that it is hereby authorizes the Borough Administrator/Clerk to execute a contract with Doctor Electric NJ, LLC for quarterly maintenance service of the Borough Generator at Borough Hall in the amount of \$900.00 per year.

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

1. Doctor Electric NJ LLC
2. Lori Reibrich, Borough Administrator
3. Stephen Gallagher, Chief Financial Officer

Councilman Napoli questioned warranty of the generator. Borough Administrator, Reibrich stated that this contract was for periodic maintenance to generator. Councilman Napoli questioned the Kohler certification of the contractor. Borough Administrator Reibrich confirmed that they were authorized.

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

9. RESOLUTION 2013-77: RESOLUTION AUTHORIZING PAYMENT CERTIFICATE #1 GRASMERE AVENUE PHASE III

**RESOLUTION AUTHORIZING PAYMENT CERTIFICATE #1
GRASMERE AVENUE PHASE III**

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

WHEREAS, the Borough Engineer has recommended approval of Payment Certificate No. 1 to Diamond Construction, authorizing payment of \$64,092.00 for work completed to date;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council that Payment Certificate No. 1 to Diamond Construction authorizing the payment of \$64,092.00 for work completed to date is hereby approved.

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

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

Borough Administrator, Lori Reibrich requested that a motion be made to ADD this item to the agenda. Council President Keith Miller made a MOTION TO ADD this resolution to the agenda, seconded by Councilman Napoli and unanimously carried.

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

With no comments, Councilman Napoli made a motion APPROVE payment certificate, seconded by Councilman White and unanimously carried.

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

10. **RESOLUTION 2013-78: AUTHORIZING PAYMENT OF BILLS**

BILL LIST REPORT FOR BOROUGH COUNCIL APPROVAL

DATE SPAN	TOTAL
04/29/13	100,194.55

Resolution 2013-78:

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 May 1, 2013, is in the amount of One Hundred Thousand, One Hundred Ninety-Four Dollars and Fifty-Five cents;

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.

There were no Council comments.

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

11. REPORTS/CORRESPONDENCE

- **ADMINISTRATION/FINANCE** – No Report
- **PUBLIC SAFETY** – Councilman Napoli stated that he spoke to Business Administrator Reibrich regarding the street lights that were damaged by Super Storm Sandy and requested an update. Borough Administrator Reibrich reported that she was in contact with the Borough's representative at JCP&L, Jim Markey. Business Administrator Reibrich also stated that she was in contact with Police Chief Carasia to request a report listing street light issues that she can forward to Mr. Markey at JCP&L.

Council President Miller stated that Chief Carasia reports street light outages to JCP&L weekly. JCP&L's response has been that they are still repairing damages from Sandy.

Borough Administrator Reibrich explained that she has been working with JCP&L Representative, Jim Markey and was able to get two lights repaired on Grasmere Avenue. Business Administrator Reibrich said that she would continue to work with Mr. Markey to complete repairs.

Council President Miller announced that the Deal PBA awards were Wednesday, May 8th, 2013 at 7 p.m. at Deal Borough Hall.

- **STREETS & ROADS** – Council President Miller read a report from Borough Engineer Peter Avakian regarding the status of the road repair project on Grasmere Avenue giving detailed information regarding deadlines of the project to be completed by Diamond Construction by May 6, 2013. The report stated that the County was scheduled to pave Grasmere Avenue during the week of May 13th, but verification of that date had not been made at the time of the report. The report also stated that sidewalk assessments would be determined upon completion of work.
- **RECREATION ADVISORY COMMITTEE** – Councilman Folta stated that the Borough Garage Sale was a success and he thanked the Borough Staff for their assistance.
- **SHADE TREE COMMISSION** – Councilman Napoli questioned that status of the Felled Tree Ordinance. Mayor Nohilly stated that the ordinance was referred to the Shade Tree Commission for review.

Councilman Napoli stated that he was under the impression that Borough Attorney, Richard Shaklee, was going to amend the draft of the ordinance for review by the Council. Borough Attorney Shaklee stated that he did do the amendments. Mayor Nohilly stated that he forwarded the ordinance to the Shade Tree Commission and is awaiting their comments.

Mayor Nohilly made note that there was no Shade Tree Commission meeting in May.

Council President Miller announced that the Shade Tree Commission Arbor Day ceremony was rescheduled to Sunday, May 19, 2013 at 2 p.m. in the arboretum.

- **PLANNING BOARD** – Councilman Folta stated the next meeting will be held May 20, 2013.
- **BOARD OF EDUCATION** – Council President Miller stated that the Board of Education Meeting was on April 22, 2013. Council President Miller said there was nothing new to report except that there will be a pre-trial conference with the involved Board of Education attorneys on May 15, 2013.

Councilman Napoli questioned what issues are before the court. Council President Miller stated that the court will be deciding whether Interlaken Borough can totally rescind from Asbury Park and whether Interlaken Borough can establish a second

sending district in addition to Asbury Park. Council President Miller noted that Asbury Park is getting a new School Superintendent and a new Board of Education Lawyer.

- **BOROUGH ADMINISTRATOR-** Borough Administrator Reibrich stated that the DPW started mulching in the park and arboretum. DPW has rented a bed cutter and they will do a complete mulch project. A complete mulch project is done every two years.

Borough Administrator Reibrich also reported that she will be on vacation from May 20 to May 25, 2013.

12. COMMENTS FROM THE PUBLIC: Mayor Nohilly opened the floor for public comment.

Councilman White addressed the Council regarding a statement made by Councilman Morley in a recent email. The email was in response to an email from Borough Attorney Shaklee reporting his research of a request by Council President Miller regarding sanctions in the Planning Board fence issue previously reviewed by Council.

Councilman White stated that Councilman Morley's email questioned Attorney Shaklee's opinion and stated that the matter should be forwarded to a third party. Councilman White also stated that he encouraged Councilman Morley and Councilman Napoli to file a complaint with the Board of Ethics of the Monmouth County Association of Realtors and the New Jersey Association of Realtors.

Councilman White also commented on statements in Councilman Morley's email that he feels shows Councilman Morley's bias against the LBGT community. He reminded Councilman Morley that he should represent all of the residents equally.

In response, Councilman Morley read an email he sent to Mayor Nohilly after an executive session meeting held in December. In this email, Councilman Morley explains how he feels Mayor Nohilly has a bully mentality and the reason the allegations are being levied against him is because he is challenging his actions.

With no further Council comment, Mayor Nohilly, once again, opened the floor for public comment.

Mr. Ollie Holmes of 710 Raymere Avenue, asked who recommended Realty Appraisal Company to the Borough to complete the revaluation of the town. Councilman White explained that they were chosen as part of a bid process. Mr. Holmes made comment regarding the determination of appraisal on his property. Borough CFO Gallagher answered questions regarding the effects of the appraisal on taxes.

Tonia McCudden, 205 Grasmere Avenue made a request that she receive a waiver for the added assessment for her sidewalk. Council President Miller stated that he would look into the matter.

Kitty Cleary, 209 Grasmere Avenue also stated that she feels she should receive a waiver for assessment, because her sidewalk was in good condition.

Vicky LaBella, 216 Grasmere Avenue questioned the trees that were removed in town. Mayor Nohilly stated that the trees were taken down by Monmouth County Shade Tree Commission. Mayor Nohilly stated that the Monmouth County Shade Tree Commission will be replacing the trees as soon as possible. Vicki LaBella made comment that the trees that the Borough Shade Tree Commission has replaced in the past are blooming spectacularly.

Vicki LaBella acknowledged the discord displayed by the Council and questioned the committee format of the Council. Councilman White stated that meetings needed to be in public.

Merv Franks, 310 Bendermere Avenue, questioned that status of the tree ordinance regarding permits. Borough Attorney Shaklee stated that he reviewed it and returned it to Council with notes. Mayor Nohilly stated that it would be on the agenda within the next two meetings. Councilman Napoli questioned whether it would be on a workshop meeting. Mayor Nohilly stated that it should be on a workshop meeting.

Mrs. Kolodjeski, 201 Buttermere Avenue, questioned whether there was an ordinance dictating when garbage should be put out. Mayor Nohilly stated that there was an ordinance. Mrs. Kolodjeski stated that there was a property on her block that consistently put garbage out on the wrong day. Mayor Nohilly stated that he believed there were renters at that property and that Norm Cottrell, DPW Foreman would be asked to contact them to advise proper disposal information.

Mr. Kolodjeski, 201 Buttermere Avenue, questioned who was responsible to oversee that the residents were following the ordinance. Mayor Nohilly explained that the Borough process is for DPW to issue notice to those that do not comply. Mayor Nohilly stated that Borough Administrator Reibrich would follow up to make sure the notices were being issued.

Council President Miller felt that there were several residents that put their bulk pick up items out on the wrong day this month due to the fact that the bulk should go out on the 4th Monday of the month and not the last Monday of the month.

13. **ADJOURNMENT:** With no further discussion, Council President Miller made a MOTION TO ADJOURN at 8:15p.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 Folta
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: _____