

Borough of Interlaken
100 Grasmere Avenue
Interlaken, NJ 07712
(732) 531-7405
(732) 531-7099 fax

www.interlakenboro.com



Michael J. Nohilly, Mayor
Robert White, Council President
Mindy Horowitz, Councilwoman
John Butler, Councilman
Brendan Watson, Councilman
Margaret Maloney, Councilwoman
Arthur Fama, Councilman

Lori Reibrich, RMC, CMR
Borough Administrator/
Borough Clerk

"Committed To Our Community"

May 30, 2019

Dear ASK NJ Media Co:

The Borough of Interlaken received your Open Public Records Act (OPRA) request on May 20, 2019. As such, the seven (7) business day deadline to respond to your request is May 30, 2019. This response to your request is being provided to you on the 7th business day after the custodian's receipt of said request:

"Under the Americans with Disabilities Act of 1990 (42 U.S. C. 12131) a public entity shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under the Act. Please provide the name, office address, and telephone number of the employee that has been designated by your municipality under this requirement.

In addition, a public entity shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by the Act."

Though a proper OPRA request identifies a record with reasonable clarity and not a request for "information", please note that under 28 CFR Section 35.107, the provision of the ADA referenced in your requests pertains only to public entities with 50 or more employees. The Borough of Interlaken does not have 50 or more employees, so this does not apply.

With that said, in good faith, please see the attached American Disabilities Complaint Form utilized by the Borough of Interlaken which lists the ADA Compliance Officer. Also, I have provided the current ADA Policy found in the Borough of Interlaken Employee/Policy & Procedure Handbook rev. 08/2018

At this time, this OPRA request is considered complete and fulfilled. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Lori Reibrich, RMC/CMR
Borough Administrator/Municipal Clerk
Registrar of Vital Statistics

Please be advised that N.J.S.A. 47:1A-6 provides that a person who is denied access to a government record by the custodian of the record, at the option of the requester, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court which shall be heard in the vicinage where it is filed by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records; or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to N.J.S.A. 47:1A-7.

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AMERICAN DISABILITIES ACT COMPLAINT FORM

The Borough of Interlaken is committed to ensuring that no person is denied access to its services, programs, or activities on the basis of their disabilities, as provided by title II of the Americans with Disabilities Act of 1990 ('ADA'). ADA complaints must be filed within 180 days from the date of the alleged incident. The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form or would like to make a verbal complaint, please contact the Borough of Interlaken office (732) 531-7405.

Filing Date: _____

Date of Alleged Incident: _____

Complainant Name: _____

Person Preparing Complaint (if different): _____

Home Address: _____

Phone #: _____ Email: _____

The alleged act of discrimination involves which borough department, meeting, or agency: _____

Describe the alleged act of discrimination (additional paper may be attached): _____

I affirm that this account is true to the best of my knowledge, information and belief.

Complainant Signature

Printed Name of Complainant

Date Received

Received By

Submit form to:

Lori Reibrich, Borough Administrator/Clerk
ADA Compliance Officer
100 Grasmere Avenue
Interlaken NJ 07712

Americans with Disabilities Act Policy/New Jersey Pregnant Worker's Fairness Act:

In compliance with the Americans with Disabilities Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the Borough does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The Borough of Interlaken will endeavor to make every work environment handicap accessible and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the Borough to comply with all relevant and applicable provisions of the Americans with Disabilities Act and LAD. We will not discriminate against any qualified employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the Borough.

The Borough Administrator of the Borough of Interlaken shall engage in an interactive dialogue with disabled employees and prospective disabled/pregnant employees or their respective physician to identify reasonable accommodations. In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to the work area for the employee to express breasts milk for the child.

All decisions with regard to reasonable accommodation shall be made by the Borough Council of the Borough of Interlaken and/or the Borough Administrator of the Borough of Interlaken. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not require the Borough to offer permanent "light duty", relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Interlaken facilities. Any questions concerning proper assistance should be directed to the Borough Administrator.