

**MINUTES – REGULAR MEETING
JUNE 15, 2006**

The Regular Meeting of the Deal Lake Commission was held in the Village of Loch Arbour Municipal Building 550 Main Street, and called to order at 7:05 PM by Chairman Len Rokaw. After the Flag salute, Lorraine Carafa, Commission Clerk, announced that the notice requirements of C.231, P.L.1975, have been met transmitting the notice of this Regular Meeting to the Commission’s two official newspapers on January 9, 2006, posting the notice where required and filing a copy with the Commission Clerk.

ROLL CALL:

	PRESENT	ABSENT
Allenhurst	X	
Deal		X
Interlaken	X	
Loch Arbour	X	
Neptune	X	
Ocean	X	
Asbury Park	X	

Resolution #1: Approve Minutes of the May 18, 2006 Regular Meeting

UPON MOTION of Interlaken, seconded by Allenhurst, carried, that the following resolution be adopted:

BE IT RESOLVED that the Minutes of the Regular Meeting held May 18, 2006 be and the same are hereby approved as presented.

Recorded Vote:

Ayes: Allenhurst, Interlaken, Neptune, Ocean, Asbury Park
Nays: None
Absent: Deal

Resolution #2: Approve Treasurer’s Report and Authorize Payment of Bills

UPON MOTION of Loch Arbour, seconded by Interlaken, carried, that the following Treasurer’s Report be and the same is hereby approved as presented and the payment of bills as listed be and the same is hereby authorized:

BALANCE ON HAND – PREVIOUS MEETING

CHECKING	\$14,887.15
NJ CASH MANAGEMENT	44,744.70
TOTAL BALANCE ON HAND	\$59,631.85

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TREASURER’S REPORT (continued)

RECEIPTS

2006 Annual Assessments19,500.00
Interest from Bank of America59.15
Interest from Cash Management Fund.....182.12

TOTAL RECEIPTS \$19,241.27

BILLS PRESENTED FOR PAYMENT – June 15, 2006

Village of Loch Arbour (June).....\$ 525.00
Asbury Park Press 116.44
Len Rokaw (May Clean-up) 3.48
Jerry Meyer (May Clean-up) 56.73
Hunt Parry, Esq.600.00
Princeton Hydro, LLC (RP04-082).....8,878.25
Princeton Hydro, LLC (April)965.00
Township of Neptune (Terrace Pond).....2,150.00

TOTAL BILLS..... \$13,294.90

BALANCES AFTER JUNE DISBURSEMENTS

CHECKING\$21,151.40
NJ CASH MANAGEMENT44,926.82

TOTAL BALANCE ON HAND – June 15, 2006\$66,078.22

REGIONAL STORMWATER MANAGEMENT GRANT SUMMARY:

Total Grant Award**\$135,000.00**
Additional Award (2/2006) – funds not yet received10,781.00
Less: Cumulative expenditures through April 30, 2006(128,544.81)

Unexpended grant balance.....\$ 17,236.19

Recorded Vote:

Ayes: Allenhurst, Interlaken, Neptune, Ocean, Asbury Park
Nays: None
Absent: Deal

OLD BUSINESS

1. Resolution #3 – Audit Report: Commission members must certify that they are familiar with, at a minimum, the sections entitled “Comments and Recommendations” included in the Report. There are no recommendations for improvements included in the Report. Revised

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OLD BUSINESS (continued)

Statement has been submitted with corrected information; auditor reported an error in his formula leading to the incorrect total as shown.

UPON MOTION of Ocean, seconded by Loch Arbour, carried, that the following resolution be adopted:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, The Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Commission Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each local unit shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, The members of the governing body have personally reviewed at 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 governing body no later than forty-five days after receipt of 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 the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, Failure to comply with the promulgations 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 no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

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OLD BUSINESS (continued)

NOW, THEREFORE, BE IT RESOLVED, That the Deal Lake Commission 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.

Recorded Vote:

Ayes: Allenhurst, Interlaken, Ocean, Asbury Park

Nays: None

Absent: Deal

Abstain: Neptune

Resolution #4: Weed harvesting – The Clerk reported that no quotes were received, and that the information on the possible vendors to send the request for proposal to was not received in time for action and this meeting. Dr. Souza will identify two possible vendors and the Clerk will send the requests. By consensus, the members agreed that if mechanical removal cannot be done, chemical treatment of the weeds will be authorized. Dr. Souza advised that a permit is already in place. The discussion continued on the need to submit a package of information to the County, asking for a County-wide purchase of a weed harvester for use in all Monmouth County lakes. Dr. Souza will prepare the same.

Resolution #5: UPON MOTION of Interlaken, seconded by Ocean, carried, that October 14 through October 22, 2006, inclusive, be designated for the Fall Lake Clean-up, with a lake-lowering permit application for maintenance purposes be submitted to the Department of Environmental Protection.

Recorded Vote:

Ayes: Allenhurst, Interlaken, Neptune, Ocean, Asbury Park

Nays: None

Absent: Deal

- **Regional Stormwater Management Plan/QAPP Update** – Dr. Souza reported that the Characterization and Assessment Report is almost complete, and Princeton Hydro has requested a technical meeting with DEP to review the results. A copy of the Characterization and Assessment Report should be available to the members before the required Regional Stormwater Management Plan Committee meeting is scheduled. Dr. Souza further reported that the members of the Commission and the public need to get their municipal governing bodies on board to support the goals of the RSWMP, and not view this as a threat to their autonomy. After further discussion and UPON MOTION of Loch Arbour, seconded by Interlaken, carried, that the July 20, 2006 Regular Meeting of the Commission be and the same is hereby rescheduled to August 3, 2006 at 7:00 PM, to be immediately followed by the Regional Stormwater Management Plan Committee meeting.

Recorded Vote:

Ayes: Allenhurst, Interlaken, Neptune, Ocean, Asbury Park

Nays: None

Absent: Deal

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OLD BUSINESS (continued)

- **Flume Reconstruction** – Peter Avakian reported that the project has been suspended for the herring run through June 30, but otherwise appears to be proceeding on schedule. The final phase of the project, the connection to the surge chamber, will take place after July 1. The Commission discussed with Mr. Avakian the need for a hydrologic study to confirm the capacity of the new flume structure and to identify, if necessary, an emergency spillway to be constructed if the study reveals reduced capacity.
- **Gatehouse** - Mr. Avakian met with Chris Tucker of the DEP and discussed the renovations to the gatehouse. The new trash rack, reattachment of the floor stands and electrification of the sluice gates are proposed. A letter has been sent to the DEP to confirm the verbal discussions and asking for the State to include these improvements in the existing project costs.
- **Seaview Square** – Dr. Souza indicated that these basins were not designed for retention or detention, and he would inspect the area before the next meeting.
- **Ocean Plaza** - no evidence of erosion; the sediment basins appear to be working well but appear to need to be cleaned out at this time. Mr. Avakian advised that he would contact the engineer for the management company to request same.
- **Terrace Pond** - Mr. Everson reported that there has been no response to the Commission's request for reimbursement as yet.
- **Lollipop Pond** – the members discussed the details of the respective permits that could be used to dredge the area, GP1, not applicable since it is for man-made structures only; stream encroachment, similar to Terrace Pond, through the Mosquito Commission, GP13, extensive, detailed, expensive process that requires testing of the material, engineering details, and an identified disposal site with an agreement in place – minimum of \$25,000 cost to obtain the permit. The Commission Clerk advised that there are no funds available for this project this year; by consensus, the members agreed to apply for the limited stream encroachment permit through the Mosquito Commission in early 2007 and identify this project as a priority in the RSWMP. Mr. Zazzarino and Mr. Meyer walked the area, and believed that most of the debris in the pond is leaf-related. Dr. Souza responded that there is a 1984 cross-section study of the pond that identified stream sediment as the largest component of the “muck”.
- **Fish Stocking** – Dr. Souza reported that the supplier has advised the stock is smaller than desired and requested a later date for completion of the project. The Clerk advised that the original stocking permit would expire on June 30; Dr. Souza advised that an extension has been received from DEP extending the permit through July 15.
- **“No Wake” signs** – Dr. Souza supplied the members with two samples; no decision was made as to the sign copy at this time.

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NEW BUSINESS

- **Adopt-a-Waterway Program** – Mr. Zazzarino reported that this program raises funds by allowing advertisers to place signs indicating their support of the waterway, with a portion of the funds collected going to the Commission. Unfortunately, the program is not available to small organizations, the sponsors are initiating this program with large city and state governments.
- **Interlaken, New Sub-Division** – Mr. Parry raised the issue of the proposed new sub-division in Interlaken near the ballfield that will encroach upon two tributaries to the lake, one a dry channel, the other a flowing, spring-fed stream. Mr. Avakian has advised that he is urging the Planning Board to use Princeton Hydro as a consultant to ensure compliance with new stormwater regulations. There was a further discussion about required setbacks or buffer zones, which could range from 25' if no wetlands are present to 150' if they are.

Mr. Avakian then stated that the Neptune Township Planning Board deserved compliments for imposing stormwater management compliance on all their new projects including the areas west of Route 18, south of Route 66 to Wayside Road that was originally zoned for light industrial development, now rezoned for 774 active adult homes. He further stated that the educational process is working.

PUBLIC HEARING

UPON MOTION of Ocean, seconded by Interlaken, that the meeting be opened for public comment.

Sol Harrah, 42 Ballard Drive, asked about the following:

1. website – last update was apparently in February; Mr. Everson advised the site was updated yesterday;
2. map of entire lake watershed area for inclusion on the website – Dr. Souza indicated that he could provide that to Mr. Everson;
3. disposal of grass clippings not removed by gardeners – the members suggested that Mr. Harrah contact Ocean's Public Works Department;
4. Lollipop Pond – is a "mosquito-breeding ground" and stated that the Monmouth County Mosquito Commission should be involved; the members clarified that the Commission will be submitting a permit for early 2007;
5. Weeds – if no mechanical removal, can chemicals be used; the members stated that is the plan

Diane Harrah, 42 Ballard Drive, asked about the low level of the lake; Mr. Avakian reported that due to recent events, every time rain is predicted he and the Clerk receive many telephone calls from other residents demanding that the Flume gates be opened. The Clerk suggested that Ms. Harrah send an e-mail to the Commission as a counterpoint to the communications we have been receiving.

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There being no further comments, and UPON MOTION of Ocean, seconded by Interlaken, carried, that the public hearing be closed. There being no further business, and UPON MOTION of Interlaken, seconded by Loch Arbour, that the meeting be finally adjourned at 9:30 PM.

LORRAINE CARAFA, R.M.C.
Commission Clerk