

**DEAL LAKE COMMISSION
MINUTES – REORGANIZATION MEETING
JANUARY 18, 2007**

The Reorganization Meeting of the Deal Lake Commission was held in the Village of Loch Arbour Municipal Building, 550 Main Street, and was called to order at 7:10 PM by Chairman Len Rokaw. After the Flag salute, the Commission Clerk announced that the notice requirements of C.231, P.L. 1975, have been met by transmitting the notice of this Reorganization Meeting to the Commission’s official newspapers on January 7, 2007, posting the notice where required and filing a copy of the notice with the Commission Clerk.

ROLL CALL:

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

**RESOLUTION #1
A RESOLUTION TO APPOINT CLERK**

Offered By: Asbury Park

Seconded By: Allenhurst

BE IT RESOLVED, That Lorraine Carafa be and she is hereby appointed Clerk to the Deal Lake Commission for a one-year period beginning January 1, 2007, and ending December 31, 2007, and until her successor has been duly appointed, at the salary designated by Commission resolution.

RECORDED VOTE:

Allenhurst -aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #2
A RESOLUTION TO APPOINT CHAIRMAN**

UPON MOTION of Asbury Park, seconded by Interlaken, carried that John Everson of Ocean Township be nominated to serve as Chairman of the Deal Lake Commission. There being no further nominations, nominations were closed.

Offered By: Asbury Park

Seconded By: Interlaken

BE IT RESOLVED, By the Deal Lake Commission, That John Everson be and he is hereby appointed Chairman of the Deal Lake Commission for a one-year term expiring December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #3
A RESOLUTION TO APPOINT VICE-CHAIRMAN**

UPON MOTION of Ocean, seconded by Deal, carried that Len Rokaw of Asbury Park be nominated to serve as Vice-Chairman of the Deal Lake Commission. There being no further nominations, nominations were closed.

Offered By: Ocean

Seconded by: Deal

BE IT RESOLVED, By the Deal Lake Commission, That Len Rokaw of Asbury Park be and he is hereby appointed Vice-Chairman of the Deal Lake Commission for a one-year term expiring December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #4
A RESOLUTION TO APPOINT TREASURER**

UPON MOTION of Neptune, seconded by Asbury Park, carried that John Zazzarino of Loch Arbour be nominated to serve as Treasurer of the Deal Lake Commission. There being no further nominations, nominations were closed.

Offered By: Neptune

Seconded By: Asbury Park

BE IT RESOLVED, By the Deal Lake Commission, That John Zazzarino be and he is hereby appointed Treasurer of the Deal Lake Commission for a one-year term expiring December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #5
A RESOLUTION TO APPOINT DEPUTY TREASURER**

UPON MOTION of Loch Arbour, seconded by Ocean, carried that Jerry Meyer of Neptune be nominated to serve as Vice-Treasurer of the Deal Lake Commission. There being no further nominations, nominations were closed.

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Offered By: Loch Arbour

Seconded By: Ocean

BE IT RESOLVED, By the Deal Lake Commission, That Jerry Meyer of Neptune be and he is hereby appointed Deputy Treasurer of the Deal Lake Commission for a one-year term expiring December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #6
A RESOLUTION TO APPOINT SECRETARY**

UPON MOTION of Ocean, seconded by Deal, carried that Lynn Parry of Interlaken be nominated to serve as Secretary of the Deal Lake Commission. There being no further nominations, nominations were closed.

Offered By: Ocean

Seconded By: Loch Arbour

BE IT RESOLVED, By the Deal Lake Commission, That Lynn Parry of Interlaken be and he is hereby appointed Secretary of the Deal Lake Commission for a one-year term expiring December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

The Clerk administered the Oath of Office to the Commission's 2007 Officers.

**RESOLUTION #7
A RESOLUTION TO APPOINT ATTORNEY**

Offered By: Ocean

Seconded By: Deal

WHEREAS, There exists a need for an Attorney to serve and advise the Deal Lake Commission for the year 2007; and,

WHEREAS, Funds for this purpose shall be provided in the 2007 Budget of the Deal Lake Commission and the Treasurer has so certified; and,

WHEREAS, This appointment is made without competitive bidding because the appointment involves a member of a recognized profession, licensed and regulated by law, pursuant to N.J.S.A. 40A:11-5.

NOW, THEREFORE, BE IT RESOLVED, By the Deal Lake Commission that the Clerk and Chairman be and they are hereby authorized and directed to engage the services of Hunt Parry as Attorney for the Deal Lake Commission for the year 2007 at the rate of \$200.00 per meeting and \$75.00 per hour for other Commission business and litigation.

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BE IT FURTHER RESOLVED, That the Clerk be and she is authorized and directed to publish this resolution in accordance with N.J.S.A. 40A:11-1.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #8
A RESOLUTION TO APPOINT ENGINEER**

Offered By: Asbury Park

Seconded By: Deal

WHEREAS, There exists a need for an Engineer for the Deal Lake Commission for the year 2007; and,

WHEREAS, Funds for this purpose shall be provided for in the 2007 budget of the Deal Lake Commission and the Treasurer has so certified; and,

WHEREAS, This appointment is being made without competitive bidding because the appointment involves a member of a recognized profession, licensed and regulated by law, pursuant to N.J.S.A. 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED, By the Deal Lake Commission that the Clerk and Chairman be and they are hereby authorized and directed to engage the services of Leon S. Avakian, Inc., as Board Engineer for the year 2007 at the same hourly rate presently charged the Commission in accordance with a contract on file in the Clerk's office; and,

BE IT FURTHER RESOLVED, That the Clerk be and she is authorized and directed to publish this resolution in accordance with N.J.S.A. 40A:11-1.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #9
A RESOLUTION TO APPOINT AUDITOR**

Offered By: Interlaken

Seconded By: Deal

WHEREAS, There exists a need for an Auditor to serve and advise the Deal Lake Commission for the year 2007 and to conduct the 2006 Annual Audit; and,

WHEREAS, Funds for this purpose shall be provided in the 2007 Budget of the Deal Lake Commission and the Treasurer has so certified; and,

WHEREAS, This appointment is made without competitive bidding because the appointment involves a member of a recognized profession, licensed and regulated by law, pursuant to N.J.S.A. 40A:11-5.

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NOW, THEREFORE, BE IT RESOLVED, By the Deal Lake Commission that the Clerk and Chairman be and they are hereby authorized and directed to engage the services of Robert A. Hulsart and Company as Auditor for the Deal Lake Commission for the year 2007 at the rate of \$1,800.00.

BE IT FURTHER RESOLVED, That the Clerk be and she is authorized and directed to publish this resolution in accordance with N.J.S.A. 40A:11-1.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

RESOLUTION #10
A RESOLUTION TO APPOINT CONSULTANT

Offered By: Interlaken

Seconded By: Deal

WHEREAS, There exists a need for a Consultant for the Deal Lake Commission for the year 2007; and,

WHEREAS, Funds for this purpose shall be provided for in the 2007 budget of the Deal Lake Commission and the Treasurer has so certified; and,

WHEREAS, This appointment is being made without competitive bidding because the appointment involves a member of a recognized profession, licensed and regulated by law, pursuant to N.J.S.A. 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED, By the Deal Lake Commission that the Clerk and Chairman be and they are hereby authorized and directed to engage the services of Princeton Hydro, LLC, as Consultant for the year 2007, at the same hourly rate presently charged the Commission in accordance with a contract on file in the Clerk's office; and,

BE IT FURTHER RESOLVED, That the Clerk be and she is authorized and directed to publish this resolution in accordance with N.J.S.A. 40A:11-1.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

RESOLUTION #11
A RESOLUTION TO ESTABLISH OFFICIAL NEWSPAPERS

Offered By: Deal

Seconded By: Loch Arbour

BE IT RESOLVED, That the Coaster be designated as the official newspaper of the Deal Lake Commission and that the Asbury Park Press be designated as the secondary official newspaper of the Deal Lake Commission for the year 2007

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

RESOLUTION #12
A RESOLUTION TO ESTABLISH MEETING DATES

Offered By: Deal

Seconded By: Loch Arbour

BE IT RESOLVED, By the Deal Lake Commission, that the following 2007 schedule is hereby designated as the official Regular Calendar of the Deal Lake Commission. Meeting dates are as follows:

February 15	July 19
March 15	August 16
April 19	September 20
May 17	October 18
June 21	December 6

Reorganization meeting for 2008 - January 17, 2008

BE IT FURTHER RESOLVED, That meetings will take place at the Village of Loch Arbour Municipal Building, 550 Main Street at 7:00 PM; and,

BE IT FURTHER RESOLVED, That a copy of this resolution be published in the official newspaper of the Deal Lake Commission.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

RESOLUTION #13
A RESOLUTION TO ESTABLISH CASH MANAGEMENT PLAN

Offered By: Deal

Seconded By: Interlaken

WHEREAS, Pursuant to Chapter 8, Laws of 1982, the Deal Lake Commission is required to adopt a Cash Management Plan, including the Designation of a Depository or Depositories;

THEREFORE, BE IT RESOLVED, By the Deal Lake Commission, a joint meeting of the County of Monmouth, in the State of New Jersey, that Bank of America, Allenhurst, and Morgan Stanley Dean Witter Trust of Jersey City, or their successors be and are designated as official depository of Commission funds; and,

BE IT FURTHER RESOLVED, That the following accounts, together with the person or persons authorized to make withdrawals from said accounts are hereby authorized to be maintained :

ACCOUNT
General Account

ACCOUNT NO.
7130-101415

SIGNATURES
Chairman or Vice-Chairman
Treasurer or Deputy Treasurer
Clerk

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RESOLUTION #13 (continued)

NJ Cash Management Fund 171-000049891

Chairman or Vice-Chairman
Treasurer or Deputy Treasurer
Clerk

BE IT FURTHER RESOLVED, That the funds of the Commission shall be invested in interest bearing accounts. The Treasurer shall see that minimum funds shall be maintained in any non-interest bearing account in such amounts as the Treasurer shall deem necessary to provide the orderly transition of business by the Commission and to take advantage of any services provided to the Commission by the depository through maintenance of minimum balances in said accounts where the Treasurer deems it in the best interest of the Commission to do so. All other monies shall be invested in interest bearing accounts, in investments in which municipal funds may lawfully be invested or in the State of New Jersey Cash Management Fund in such accounts and at such times, from time to time, and the Treasurer shall deem in the best interest of the Commission; and,

BE IT FURTHER RESOLVED, That the Auditor shall receive a copy of this resolution.

BE IT RESOLVED, That Bank of America, Allenhurst, and Morgan Stanley Dean Witter Trust of Jersey City, or their successors, be and are hereby designated depositories for the Deal Lake Commission through December 31, 2007.

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

**RESOLUTION #14
A RESOLUTION TO APPROVE MINUTES**

Offered By: Interlaken

Seconded By: Ocean

BE IT RESOLVED, That the minutes of the Regular Meeting of the Deal Lake Commission held December 7, 2006 be and the same is hereby approved. (Deal and Asbury Park do not vote).

RECORDED VOTE:

Allenhurst-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye; Ocean-aye.

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**RESOLUTION #15
A RESOLUTION TO APPROVE TREASURER’S REPORT AND PAY BILLS**

Offered by: Ocean

Seconded by: Interlaken

BALANCE ON HAND – PREVIOUS MEETING

Bank of America Checking Account\$19,630.45
NJ Cash Management Fund44,112.66

TOTAL.....\$63,743.11

RECEIPTS

Interest from Bank of America.....53.22
Interest from Cash Management Fund (December).....194.99

TOTAL RECEIPTS248.21

BILLS PRESENTED FOR PAYMENT – January 18, 2007

Village of Loch Arbour (January).....\$ 541.67
Commerce National Insurance.....3,126.00
Postmaster – Allenhurst28.80

TOTAL BILLS AND OTHER DISBURSEMENTS\$3,696.47

BALANCES AFTER JANUARY DISBURSEMENTS

CHECKING\$15,933.98
NJ CASH MANAGEMENT44,307.65

TOTAL BALANCE ON HAND\$60,241.63

RECORDED VOTE:

Allenhurst-aye; Asbury Park-aye; Deal-aye; Interlaken-aye; Loch Arbour-aye; Neptune-aye;
Ocean-aye.

OLD BUSINESS

1. Regional Stormwater Management Plan – Mr. Everson supplied a short summary of the meeting with the DEP held last week. Dr. Souza, Mr. Everson and Mr. Meyer attended the meeting and clarified the status of projects included within the RSWMP. Mr. Everson indicated that the Commission incorrectly interpreted remarks from the DEP that if our projects were included in the RSWMP and they were not completed by an arbitrary date in the future, the Commission could be penalized. In addition, once a project was proposed in the RSWMP, the Commission would not be able to seek 319 funding to complete the project. Dr. Souza asked the DEP to clarify this. The DEP made it clear that there are no penalties and

OLD BUSINESS (continued)

listed projects would not be eliminated from future 319 funding. The DEP actually wants us to put all the projects we can into the plan and show what impact they will have on meeting the required goals of the plan. Furthermore, they clarified the importance of identifying the projects and proposals in a two tiered manner. Tier A proposals will literally become law, if DEP (and Legislature) accepts them. An example of a Tier A proposal is requiring developers on all new and major renovation development projects to build/upgrade Retention Basins with a 110% or 120% retention/recharge rate. Tier B proposals will be optional as funding can be found to complete them. In light of this information and because of the DEP delay on previous draft reviews, Dr. Souza submitted a request for a No Cost Extension through October 2007 which the DEP said they will approve. Mr. Meyer stated that in his opinion, the DEP representatives seemed more cooperative than they were previously. Mr. Everson stated that DEP representatives will be invited to a future meeting.

2. Gatehouse – Mr. Avakian advised that the additional steel bars had been installed and the trash rack was working well. He further stated that he is not sure if the one of the sluice gates is operating correctly. He suggested that he meet with a mechanical contractor at the site for an inspection, and he will request an estimate for the cost of rehabbing and electrifying the gates and an exterior upgrade. Mr. Everson suggested that Asbury Park might want to ask one of the major developers in the City to fund the costs of a total replacement. Mr. Zazzarino commented that there was a “lot” of trash near the rack. Mr. Avakian responded that ½ hour after a major clean-up, there could be “lots” of trash in the area because of the continuing floatable problem from upland areas. The suggestion was made to request an estimate from a contractor to remove the debris from the area, or to request assistance on a regular basis from one of the Commission’s participating municipalities.
3. Seaview Square (Petsmart site) – Mr. Avakian advised that silt sheet runoff had occurred during a recent rain event allowing silt to spill over the curb into a tributary of the Lake. He contacted the developer to request the installation of the silt fencing behind the curb for a distance of twenty feet on either side of the inlet. Mr. Avakian advised that the DEP ordered a consultant to test the water from the site, and he is requesting the test results for review. Mr. Parry indicated that he too saw the runoff and would be interested in receiving those test results. Mr. Parry indicated that unless the Commission is willing to sue property developers for the detrimental impact of their projects within the watershed, the Commission is at a disadvantage because the rules allow permitted developments to be exempt from stormwater management rules.
4. Colonial Terrace – Mr. Rokaw indicated that there was a large open construction site off Route 35 near the circle. Mr. Everson advised that Ocean was in the process of developing a new park at the site, and he had contacted the Ocean Twp. Public Works Director to install silt fencing around the berms that had been created. He will continue to monitor the location.

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OLD BUSINESS

5. Geese Peace – Ms. LoBuono has volunteered to coordinate a project with Geese Peace in this area, to include Sunset and Wesley Lakes. She will contact Linda Henderson for the dates of the training sessions for the egg-addling portion of the population stabilization attempt, and will supply the information to the other members of the Commission. Mr. Parry indicated that Interlaken has several volunteers who are working on a “Citizen’s Geese Control Committee” to try to develop a local program. The Interlaken Committee is not open to non-residents. Mr. Everson suggested that the Commission supply a story to the Coaster requesting volunteers for the Geese Peace Program.
6. Low-phosphorous fertilizer program – Mr. Zazzarino indicated that he has contacted several area garden centers, but additional vendors need to be contacted. This is a time-consuming effort, requiring personal contact.

NEW BUSINESS

1. Shark River Dredging (spoils to be dumped at Neptune Landfill) – Mr. Zazzarino asked Mr. Avakian if he was aware that Neptune will be dredging about 1 million cu. yds. of material from the marina site and dumping the spoils at the Neptune Landfill in the Deal Lake watershed. Mr. Avakian advised that he did not believe the quantity of material was that large, but he would check with Neptune. Mr. Zazzarino further suggested that if the dumping does take place, the Commission ask for assistance from Neptune to monitor the area.
2. Volunteers from Monmouth University – Mr. Everson advised that Monmouth University student Liz Glynn contacted him about organizing a clean-up project. Mr. Everson advised that he suggested that she might participate in the Geese Peace project or a spring clean-up. Messrs. Zazzarino and Parry suggested other projects, including identifying beneficial/harmful species in the watershed or contacting vendors to participate in the low-phosphorous fertilizer program.
3. Dr. Souza notified the Commission that the North American Lake Management Society and the EPA are sponsoring a \$1,500 grant program for teachers in grades 6-12 for lake and watershed oriented projects throughout North America. For additional information, contact Amy Smagula at 603.271.2248 or asmagula@des.state.nh.us by April 30, 2007. Mr. Everson indicated that he would forward the information to the Wanamassa School.
4. Inmate Clean-up/Other – Mr. Meyer advised that he has arranged for the inmates to be in the area the week of April 30. He has some areas in mind to clean-up. He further advised that there is a watershed management seminar tomorrow in Bordentown if anyone is interested, and on Monday at 4:00 PM the Monmouth County Coastal Watershed Management Committee is meeting in Freehold at the Hall of Records. Mr. Avakian indicated that this committee is concerned with evaluating development plans in the coastal Monmouth area.

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NEW BUSINESS

5. Proposed Subdivision – Mr. Everson advised that a 15 home subdivision is planned for the Deal Road area; he will monitor the situation as it develops.

PUBLIC HEARING

UPON MOTION of Asbury Park, seconded by Ocean, carried, that the meeting be opened to the public.

Lois Kiely, Wanamassa section, asked if the Commission would consider installing signs at Firemen's Pond advising "no dumping", in English and Spanish. She indicated that she has spoken to offending landscapers and reported the matter to the police to no avail. She further advised that she spoke with Mr. Kochel, who stated it is the Commission's responsibility to monitor. Mr. Everson advised that the Commission has no enforcement authority, and the property in question belongs to Ocean Township, therefore, it is Ocean's responsibility.

Diane Hara, Ballard Drive, asked about the categorization of projects to be included in the Regional Stormwater Management Plan. Mr. Parry described several projects, including DOT participation in the creation of a regional stormwater basin on the northwest side of the Asbury Circle, disconnect some of the storm drains and redirect the water to the basins. The discussion continued for several minutes. She asked if the extension requested concerns the RSWMP and whether drafts of the plan are available. Mr. Everson indicated that the plan would be posted on the website.

Brian Mullins, Bimble Blvd., asked if there is a plan to lower Hollow Brook for clean-up purposes. Mr. Avakian stated that during the fall clean-up, Hollow Brook was not lowered because a separate spillway exists on Wickapecko Drive. He further indicated that he would contact the County to discuss.

Mr. Mullins also stated that the lake is much lower than it was previously; he has contacted the County with his concerns. The County has not been cooperative, and asked if the Commission would request a survey of the lake to determine the extent of the lowered area. Mr. Avakian agreed to submit a letter to the County Engineer's attention. Diane Harrah agreed with the stated opinions that the lake is lower.

Sol Hara, Ballard Drive, asked why detention basins aren't required at Seaview Square. He was advised that because the approvals pre-date the stormwater regulations, environmental remediation was not required.

Lois Kiely suggested that the Commission approach other schools with the information about the NALM grant. She further asked if there are plans to dredge Firemen's Pond; Mr. Everson responded not now.

Mr. Mullin asked when the RSWMP is to be submitted; Mr. Everson responded that the Commission is requesting an October due date.

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Liz Glynn, Monmouth University student, offered to organize a clean-up of the lake if specific areas could be identified to her. Mr. Parry suggested egg-addling and Mr. Zazzarino suggested participating in the low-phosphorous fertilizer program. They stated that they would speak with Ms. Glynn after the meeting.

Steve Ludlow, W. Allenhurst, stated that he lives across from the Lake on South Edgemere; he suggested seeking volunteers from the National Honor Society and the Eagle Scouts. He then stated that bank stabilization is required in that area. It was suggested that he contact Ocean Township as the bank is the property of the Township.

There being no further comments, and UPON MOTION of Mr. Zazzarino, seconded by Mr. Parry, carried, that the public hearing be closed. There being no further business, and UPON MOTION of Mr. Zazzarino, seconded by Mr. Parry, carried, that the meeting be finally adjourned at 9:00 PM.

LORRAINE CARAFA, R.M.C.
Commission Clerk