

**DEAL LAKE COMMISSION
MINUTES – REORGANIZATION MEETING
JANUARY 17, 2008**

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 John Everson. 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 25, 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: Ocean

Seconded By: Asbury Park

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, 2008, and ending December 31, 2008, and until her successor has been duly appointed, at the salary designated by Commission resolution.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

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

UPON MOTION of Asbury Park, seconded by Allenhurst, 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: Allenhurst

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 commencing January 1, 2008 and until his successor be duly appointed.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

**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 commencing January 1, 2008 and until his successor be duly appointed.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

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

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

Offered By: Ocean

Seconded By: Allenhurst

BE IT RESOLVED, By the Deal Lake Commission, That Lynn Parry be and he is hereby appointed Treasurer of the Deal Lake Commission for a one-year term commencing January 1, 2008 and until his successor be duly appointed.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

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

UPON MOTION of Ocean, seconded by Deal, 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.

Offered By: Ocean

Seconded By: Deal

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 commencing January 1, 2008 and until his successor be duly appointed.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

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

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

Offered By: Allenhurst

Seconded By: Ocean

BE IT RESOLVED, By the Deal Lake Commission, That James Rogers of Deal be and he is hereby appointed Secretary of the Deal Lake Commission for a one-year term commencing January 1, 2008 and until his successor be duly appointed.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

The Commission Attorney administered the Oath of Office to the Commission's 2008 Officers.

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

Offered By: Ocean

Seconded By: Allenhurst

WHEREAS, There exists a need for an Attorney to serve and advise the Deal Lake Commission for the year 2008; and,

WHEREAS, Funds for this purpose shall be provided in the 2008 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.

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:

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

Nays: None

Absent: Loch Arbour, Neptune

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

Offered By: Ocean

Seconded By: Deal

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RESOLUTION #8 (continued)

WHEREAS, There exists a need for an Engineer to serve the Deal Lake Commission for the year 2008; and,

WHEREAS, Funds for this purpose shall be provided for in the 2008 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 2008 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:

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

Nays: None

Absent: Loch Arbour, Neptune

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

Offered By: Deal

Seconded By: Ocean

WHEREAS, There exists a need for an Auditor to serve and advise the Deal Lake Commission for the year 2008 and to conduct the 2007 Annual Audit; and,

WHEREAS, Funds for this purpose shall be provided in the 2008 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 Robert A. Hulsart and Company as Auditor for the Deal Lake Commission for the year 2008 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:

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

Nays: None

Absent: Loch Arbour, Neptune

**RESOLUTION #10
A RESOLUTION TO APPOINT CONSULTANT**

Offered By: Deal

Seconded By: Ocean

RESOLUTION #10 (continued)

WHEREAS, There exists a need for a Consultant to serve and advise the Deal Lake Commission for the year 2008; and,

WHEREAS, Funds for this purpose shall be provided for in the 2008 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 2008, 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:

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

Nays: None

Absent: Loch Arbour, Neptune

**RESOLUTION #11
A RESOLUTION TO ESTABLISH OFFICIAL NEWSPAPERS**

Offered By: Ocean

Seconded By: Allenhurst

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 2008

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

**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 2008 schedule is hereby designated as the official Regular Calendar of the Deal Lake Commission. Meeting dates are as follows:

February 21	May 15	August 21	December 4
March 20	June 19	September 18	
April 17	July 17	October 16	

Reorganization meeting for 2009- January 15, 2009

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,

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RESOLUTION #12 (continued)

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

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

**RESOLUTION #13
A RESOLUTION TO ESTABLISH CASH MANAGEMENT PLAN**

Offered By: Deal

Seconded By: Allenhurst

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:

<u>ACCOUNT</u>	<u>ACCOUNT NO.</u>	<u>SIGNATURES</u>
General Account	7130-xxxxxx	Chairman or Vice-Chairman Treasurer or Deputy Treasurer Clerk
NJ Cash Management Fund	171-xxxxxxxx	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.

RECORDED VOTE:

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

Nays: None

Absent: Loch Arbour, Neptune

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

Offered By: Allenhurst

Seconded By: Ocean

BE IT RESOLVED, That the minutes of the Regular Meeting of the Deal Lake Commission held December 6, 2007 be and the same is hereby approved. (Deal does not vote).

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Ocean

Nays: None

Absent: Loch Arbour, Neptune

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

Offered by: Interlaken

Seconded by: Allenhurst

BALANCE ON HAND – PREVIOUS MEETING

Bank of America Checking Account \$14,700.50
NJ Cash Management Fund 38,153.69

TOTAL 52,854.19

RECEIPTS

Interest from Bank of America (November)..... 41.98
Interest from Cash Management Fund (November) 162.33

TOTAL RECEIPTS.....204.31

BILLS PRESENTED FOR PAYMENT – January 17, 2008

Village of Loch Arbour (January).....\$ 563.33
Commerce National Insurance.....3,121.00
DeLisa Demolition and Disposal (December clean-up)314.32
Princeton Hydro, LLC1,025.00

TOTAL BILLS AND OTHER DISBURSEMENTS.....\$5,023.65

BALANCES AFTER JANUARY DISBURSEMENTS

CHECKING9,718.83
NJ CASH MANAGEMENT38,316.02

TOTAL BALANCE ON HAND\$48,034.85

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Ocean

Nays: None

Absent: Loch Arbour, Neptune

OLD BUSINESS

1. **Resolution #16:** UPON MOTION of Ocean, seconded by Deal, carried, that the Commission hereby directs the Clerk, working with the Consultant, hereby authorizes a Request for Proposal be issued for chemical weed treatment in the western section of the main body of the lake.

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Ocean

Nays: None

Absent: Loch Arbour, Neptune

2. Regional Stormwater Management Plan – comments were received from the DEP on the Plan from the October 16 Technical Review Committee meeting. A 4th Milestone meeting must be held before the plan can be submitted for final review. The meeting is tentatively scheduled for February 15 at the DEP offices in Trenton. Commissioners are urged to attend if at all possible.

3. Gatehouse –

- The Clerk advised that she is still awaiting clarification from JCP & L on the billing errors discovered when the bill was received. There is no timeframe for this to occur.
- Electrification: Mr. Everson advised that he had received an estimate of \$32,000 to electrify the gates including the laptops and software required to operate the gates remotely. This does not include the necessary internet service that the Commission must supply.
- Mr. Everson also reported that he and the former Loch Arbour representative had approached Assemblyman Kean about receiving an allocation of up to \$250,000 from the State for the projects that the Commission hopes to accomplish this year. Assemblyman Kean suggested that a letter defining the most important needs for restoration be submitted to him. He also reported that he met with a representative of Madison Marquette to discuss a possible donation towards the rehabbing of the gatehouse. The suggestion was also made to approach the Freeholders for financial contributions. Mr. Fromer suggested that because of the many lakes in the County, a way must be found to differentiate Deal Lake from the other waterbodies also experiencing problems.

4. Trash rack - The Clerk reported that a blockage (primarily leaves and brush) was removed from the trash rack on December 12. There has been no recurrence of the problem since then. The members discussed the possible reconfiguration of the rack however, Mr. Avakian advised that the proposal under discussion would require the installation of pilings and also requires a DEP permit.

5. Kohl's at Middlebrook – Mr. Everson reported that the Commission has received updated plans from the Ocean Township Planning Board on the reconfiguration proposed there; he further advised that a January 28 hearing will be held on the plans. He asked that Mr. Avakian and Dr. Souza review the plans and provide comments for the Planning Board. He further reported that Kohl's had agreed to install a MTD, but there are three pipes directing runoff off the roof and that would require 3 MTD's at a minimum. The members discussed whether or not Kohl's would have to comply with the newer requirements of the stormwater management rules; it is Dr. Souza's opinion that they do.

6. Geese Police – Mr. Everson had requested a quote from Geese Police for the egg addling project that was undertaken last year by volunteers. Geese Police have received a contract from Ocean Township to provide services at the golf course, and Mr. Everson would like to try to capitalize on that agreement. Mr. Fromer agreed to discuss last year's project with Mrs. LoBuono who was instrumental in its success. Mr. Everson also suggested that this may be a good project for the re-constituted Friends of Deal Lake to sponsor.

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Mr. Meyer arrived at 7:50 PM.

NEW BUSINESS

1. Inmate Clean-up – Mr. Meyer advised that he has arranged for the inmates to be in the area the week of April 28. He has some areas in mind to clean-up, and would appreciate assistance from other Commissioners or members of the Friends of Deal Lake in providing for the inmates.

2. Mr. Parry suggested that an ordinance be developed making it the responsibility of the homeowner from whose property the tree had fallen to remove the fallen trees from the lake. Failure to do so will make the chemical weed treatment and weed harvesting less effective due to the obstructed shoreline. Dr. Souza will review his sources to determine if such an ordinance exists elsewhere.

There being no further business, and UPON MOTION of Interlaken, seconded by Ocean, carried, that the meeting be opened to the public for comments.

PUBLIC HEARING

Marty Martino, Bryan Avenue, stated that the Commission is not doing enough to resolve the weed problems (harvesting/chemical control) in the western section of the main body of the Lake. Mr. Everson spent a considerable amount of time explaining to Mr. Martino that the Commission is constrained by the availability of responsible vendors who respond to the Commission's published requests for proposals and DEP requirements.

Brian Mullins, Wanamassa, stated that he went to the recent Asbury Park City Council meeting asking that they allocate the required payment to the Commission from 2007. He further advised that he is organizing a clean-up of Deal Lake for March 1 at 9:00 AM and asked that the notice be placed on the Commission's website. He also asked that the State of the Lake report be distributed to the public. He further suggested that the municipalities in the watershed be required to test their storm drainage system in an effort to discover the source of the fecal coliform in the Lake. Mr. Avakian responded that all the communities had tested storm drains in 1994 and there were only two cross-connections found, one in Asbury Park. He again asked the Commission to send a letter to the County regarding the reduced water level in Hollow Brook. Mr. Avakian will work with Mr. Mullins on this letter.

Sol Hara, Ballard Drive, asked for guidance on the appropriate questions to ask the Ocean Township Planning Board if the Friends of Deal Lake attend the Kohl's hearing on January 28. Dr. Souza and Mr. Parry suggested requesting information about water controls on the site.

There being no further comments, and UPON MOTION of Mr. Everson, seconded by Mr. Parry, carried, that the public hearing be closed. There being no further business, and UPON MOTION of Mr. Parry, seconded by Mr. Fromer, carried, that the meeting be finally adjourned at 9:15 PM.

LORRAINE CARAFA, R.M.C.
Commission Clerk