

**DEAL LAKE COMMISSION
MINUTES – REGULAR MEETING
APRIL 17, 2008**

The Regular 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 Regular Meeting to the Commission’s official newspapers on January 22, 2008, 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: APPROVE MINUTES, MARCH 20, 2008 REGULAR MEETING

Mr. Everson noted that the Minutes of the March meeting should be amended to correct the transmission date of the Open Public Meetings Notice to the Commission’s newspapers from January 25, 2007 to January 22, 2008.

Offered by: Ocean

Seconded by: Allenhurst

BE IT RESOLVED, That the Minutes (as amended) of the Regular Meeting of the Deal Lake Commission held March 20, 2008 be and the same are hereby approved as presented.

RECORDED VOTE:

Ayes: Allenhurst; Neptune; Ocean

Nays: None

Absent: Asbury Park; Deal; Loch Arbour

Not Voting: Interlaken

RESOLUTION #2: APPROVE TREASURER’S REPORT AND PAYMENT OF BILLS

Offered by: Allenhurst

Seconded by: Interlaken

BALANCE ON HAND – PREVIOUS MEETING

Bank of America Checking Account\$ 5,113.80
 NJ Cash Management Fund38,706.82

TOTAL\$43,820.62

RECEIPTS

Interest from Bank of America (March) 2.62
 Interest from Cash Management Fund (March) 89.89

TOTAL RECEIPTS92.71

BILLS PRESENTED FOR PAYMENT – April 17, 2008

Village of Loch Arbour (April) \$ 563.33
 Lorraine Carafa (reimbursement-stamps)8.20
 JCP & L 11.83

TOTAL BILLS AND OTHER DISBURSEMENTS\$583.36

**MINUTES – REGULAR MEETING
APRIL 17, 2008**

Resolution #2: Treasurer’s Report (continued)

BALANCES AFTER APRIL DISBURSEMENTS

CHECKING.....4,533.06
NJ CASH MANAGEMENT..... 38,796.71

TOTAL BALANCE ON HAND..... \$43,329.77

RECORDED VOTE:

Ayes: Allenhurst, Interlaken, Neptune, Ocean

Nays: None

Absent: Asbury Park, Deal, Loch Arbour

OLD BUSINESS

1. Regional Stormwater Management Plan – Dr. Souza reported that the Commission was obliged to file another No Cost Time Extension request with the DEP as the DEP has not yet issued their comments from the Milestone 4 meeting. Dr. Souza further reported that due to personnel changes and staffing issues at the DEP, he felt that it was prudent to request the extension through October 31, 2008. He further noted that he is concerned that the Commission will be precluded from applying for 319 funding again this year due to the DEP’s lack of responsiveness. After discussion, the Commissioners directed the Clerk to consult with Dr. Souza and prepare a letter to Sen. Sean Kean requesting his assistance in expediting the DEP response. Mr. Everson noted that he has some additional comments that may be appropriate to add to the plan. There was some additional discussion on this matter, including adding some updated performance standards into the report.
2. Gatehouse/Trash Rack – there has been no response yet to the Commission’s March 12 letter to Sen. Kean.
3. Tree Removal Ordinance – Mr. Fromer indicated that he will have a draft Ordinance prepared for the May meeting.
4. Hollow Brook Elevation – Mr. Avakian provided the written report confirming that field measurements show that there is no significant difference between the elevation as reported in 1996 and the current elevation. He will provide a copy of the report to the concerned resident.
5. Weed Treatment
 - a. Retaining Wall – Dr. Souza advised that the areas above the water can be treated by certified DPW personnel using Round-up or Habitat. If the weeds are below the water line, a Category 5 applicator’s license is required and the authorized herbicide to use is Rodeo. The Engineer will check with Neptune and the Clerk will check with Asbury to see if certified personnel are on staff. No RFP will be issued at this time.
 - b. Lake – Dr. Souza will confirm with Kovar that he will be available to complete the weed harvesting in the area in late July or early August. Prior to bringing in the necessary equipment, the following alterations will have to be made to the ramp area off Bimble Boulevard:
 - i. small berm at the top has to be leveled off;
 - ii. brush must be removed and the area widened;
 - iii. an overhanging tree limb must be removed;
 - iv. gravel must be installed in the area near the water line.

Mr. Everson will discuss these preliminary requirements with the appropriate Ocean Township personnel.

**MINUTES – REGULAR MEETING
APRIL 17, 2008**

OLD BUSINESS

- c. Lakewide treatment permit – application will be submitted after the current application now pending has been approved by DEP.
- 6. Geese –
 - a. Tom Pivinski of Asbury Park has a group that will treat the eggs if the location of the nest is identified for them and they receive permission to enter private property. Contact information will be provided.
 - b. Mr. Parry reported that the Interlaken Geese Committee had added the eggs found in Interlaken and when they attempted to do the same in the Wickapecko section of Ocean, the police were called and ordered them to stop. Mr. Everson will discuss this issue with appropriate Ocean Township personnel.
- 7. Clean-ups: acknowledgements have been sent to the Friends of Deal Lake and the Asbury Park Fishing Club and Fishermen; Mr. Meyer reported that he will need someone to cover Wednesday, April 30 during the inmate clean-up. Mr. Everson reported that Mr. Kiss may be available. Mr. Meyer further reported that Shop-Rite will donate refreshments, but he has not heard from Wegman's yet.

NEW BUSINESS

- 1. **Resolution #3:** UPON MOTION of Ocean, seconded by Allenhurst, carried, that the following resolution be adopted:

WHEREAS, the State of New Jersey mandates the use of eco-drains, that is, drains with openings of less than two (2") inches that prevent contaminants such as cans, bottles and large debris from entering the lakes, rivers, streams and ponds of the State where road construction or redevelopment occurs; and,

WHEREAS, the use of eco-drains will keep many contaminants out of the public waterways, thereby improving the environment and quality of life for residents of and visitors to Monmouth County and the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED BY the participating communities of the Deal Lake Commission including the Borough of Allenhurst, the City of Asbury Park, the Borough of Deal, the Borough of Interlaken, the Village of Loch Arbour, the Township of Neptune and the Township of Ocean that the State of New Jersey require that all existing inlets with the State be fitted with eco-drains within five (5) years of the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be supplied to:

- 1. County of Monmouth Board of Chosen Freeholders
- 2. Monmouth County Planning Board
- 3. Senator Sean Kean
- 4. Assemblypersons Mary Pat Angelini and David Rible

RECORDED VOTE:

Ayes: Allenhurst, Interlaken, Neptune, Ocean

Nays: None Absent: Asbury Park, Deal, Loch Arbour

- 2. Dr. Souza reported that he is researching several grant opportunities that do not require matching funds, including Kodak American Greenways (possible creation of a greenway near Colonial Terrace Golf Course) and Fish America (creation or enhancement of fish habitat). By consensus, the Commission agreed that Dr. Souza should expand the search to include grants with a match required (either in-kind or cash). Mr. Parry suggested searching for a grant that would fund the mapping or definition of the

MINUTES – REGULAR MEETING
APRIL 17, 2008

NEW BUSINESS (continued)

stream corridors in the upland watershed area, as these areas are not currently adequately defined. Dr. Sousa will research.

3. Dr. Souza supplied a summary document of the proposed flood hazard area control act (N.J.A.C. 7:13) rules adopted in 2007. These rules will create a “riparian” zone within 50’ of the average water elevation landward. The regulated activities in this zone include:
 - The alteration of topography (excavation, grading or placement of fill);
 - The clearing, cutting or removal of vegetation in the riparian zone;
 - The creation of impervious surface;
 - The storage of unsecured material;
 - The construction, reconstruction or enlargement of a structure;
 - The conversion of a building into a private residence or public building.
4. Dr. Souza reported that the National Association of Lake Management is again sponsoring the poster contest and the submissions are due at the end of July.
5. Mr. Everson reported the following:
 - that he met with the Village of Loch Arbour Board of Trustees and felt that he addressed their concerns;
 - Mr. Everson reported that he will be meeting with Asbury Park in the next two weeks to discuss their concerns. Dr. Souza stated that he will be working on the information for presentation to the respective governing bodies;
 - Mr. Everson asked the Clerk to prepare a letter that was sent to the Monmouth County Tax Administrator requesting that the Commission be permitted to access the County’s GIS system to identify all properties adjacent to the lake. Mr. Clark agreed;
 - Mr. Everson suggested utilizing You-Tube to publicize the water displacement that occurs during storm events in the watershed. He requested that any volunteers available to video these events contact him.

There were no members of the public present. UPON MOTION of Neptune, seconded by Ocean, carried, that the meeting be finally adjourned at 8:35 PM.

LORRAINE CARAFA, R.M.C.
Commission Clerk