

**DEAL LAKE COMMISSION
MINUTES – REGULAR MEETING
MAY 16, 2019**

The Regular Meeting of the Deal Lake Commission was held in the Borough of Interlaken Municipal Building, 100 Grassmere Avenue, and called to order at 7:00 PM by the Commission Chairman. After the salute to the Flag, the Commission Clerk announced that the notice requirements of Open Public Meetings Act (C.231, P.L. 1975), were met by transmitting the notice to the Commission’s official newspaper on February 7, 2019, posting where required and filing a copy of the notice with the Commission Clerk.

ROLL CALL

	PRESENT	ABSENT
Allenhurst (Alt. T. Mauro)	x	
Asbury Park	x	
Deal		x
Interlaken	x	
Loch Arbour	x	
Neptune		x
Ocean	x	

OTHERS PRESENT:

Hunt Parry, Esq., Commission Attorney
 Peter R. Avakian, P.E., Commission Engineer
 Jessie M. Joseph, Commission Clerk

**Resolution #19-030 – Resolution to Approve the Minutes of the Regular Meeting,
 April 18, 2019**

UPON MOTION of Interlaken, seconded by Asbury Park, carried that the following Resolution be adopted:

BE IT RESOLVED that the Minutes of the Regular Meeting of the Deal Lake Commission held on April 18, 2019 be and the same are hereby approved (Deal does not vote).

RECORDED VOTE:

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

**MINUTES – REGULAR MEETING
May 16, 2019**

Resolution #19-031 – Resolution to Approve Treasurer’s Report and Authorize Payment of Bills

UPON MOTION of Interlaken, seconded by Ocean, carried that the following Treasurer’s Report for May 16, 2019 be approved and the bills listed authorized for payment.

BALANCE ON HAND – PREVIOUS MONTH:

Manasquan Bank.....\$133,348.10
NJ Cash Management Fund.....41,409.16

TOTAL ON DEPOSIT.....\$174,757.26

RECEIPTS

Interest – Manasquan Bank (April).....203.76
Interest – Cash Management Fund (April).....82.33
Other in transit – 2019 Annual Assessments (Loch Arbour).....3,750.00

TOTAL RECEIPTS.....4,036.09

DISBURSEMENTS

2019 Appropriations:

Lorraine Carafa, CFO (May).....216.67
Jessie Joseph, Admin (May).....408.33
Don Brockel, reimburse, storage fee (May).....106.96
Leon S. Avakian, Inc. General Invoice #06776.....560.00
All Star Pro & Sports Store, Inc. (Invoice #2407).....152.64
JCP&L.....12.00
Princeton Hydro, LLC (Invoice #36127).....262.50
The New Coaster (Invoice #52335).....12.13

Grant Disbursements:

Gluck Walrath, LLP (Bond Counsel, Flume Electrification).....1,856.00
Leon S. Avakian:
 319H, Invoice #06777.....3,821.25
 Flume Electrification, #06778.....1,177.50
Princeton Hydro, LLC (319H).....1,905.21

TOTAL DISBURSEMENTS.....10,536.19

**MINUTES – REGULAR MEETING
May 16, 2019**

BALANCES AFTER MAY DISBURSEMENTS

Manasquan Bank.....126,765.67
NJ Cash Management Fund.....41,491.49

TOTAL ON DEPOSIT.....\$168,257.16

RECORDED VOTE:

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

OLD BUSINESS:

1. Flume Electrification – Peter Avakian, Commission Engineer, gave a brief overview of the project.

Resolution #19-032 – Authorizing Receipt of Bids for the Electrification of Deal Lake Sluice Gates

UPON MOTION Allenhurst, seconded by Asbury Park, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, the Deal Lake Commission is desirous of receiving sealed bids for the Electrification of the Deal Lake Sluice Gates; and

WHEREAS, the specifications for the aforesaid items will be on file in the Deal Lake Commission Engineer’s Office located at 788 Wayside Road, Neptune, New Jersey and will be available for inspection.

NOW, THEREFORE, BE IT RESOLVED by the Deal Lake Commission that it does hereby authorize the Deal Lake Commission Engineer to advertise for the Receipt of Sealed Bids for the Electrification of the Deal Lake Sluice Gates as per the specifications on file and will be received by the Deal Lake Commission Chairman or his designee, in the Borough of Interlaken Town Hall, 100 Grassmere Avenue, Interlaken, New Jersey on June 18, 2019 at 10:30 a.m.

RECORDED VOTE:

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

2. Interlaken to Loch Arbour Bridge – Mr. Brockel said there is no update.

MINUTES – REGULAR MEETING
May 16, 2019

3. 319(H) Grant – Mr. Avakian explained the three (3) major components of the project. We need to get the MTD and tree boxes sized once the sites are finalized.
4. Organic Material Removal from Fireman’s Pond – Mr. Avakian reported that the pellets had no impact on the lake. Ocean Township will be looking to dredge Fireman’s Pond.
5. Water Testing: Monmouth University and Monmouth County – Mr. Brockel said Monmouth University is getting ready to start lake sampling. The County and State have been doing water testing and the results should be published soon.
6. Ship & Sniff Program with Clean Ocean Action – No update.
7. Terrace Pond Depth Study – Mr. Brockel said he has not received any data.
8. Loch Arbour Tree Planting Project – Erin Dolan, Village of Loch Arbour Commissioner, reported that a meeting was held on May 15th with the landscaper, herself and Dave Howarth, from the Commission Engineer’s office. It was decided to wait for the plantings until after the summer as there is no way of watering the plantings. The benches and trash receptacles will be installed prior to the plantings.
9. Carp Remediation – The Commission Clerk said that the special permit has been applied for, the check has been cashed but we are still waiting for the permit.

Resolution #19-033 – Authorizing Receipt of Proposals for Deal Lake Carp Assessment and Removal

UPON MOTION of Interlaken, seconded by Allenhurst, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, the Deal Lake Commission intends to issue an RFP for Carp Assessment and Removal on Deal Lake; and

WHEREAS, the RFP is being developed by the Commission Chairman and the Commission’s Environmental Consultant.

NOW, THEREFORE, BE IT RESOLVED by the Deal Lake Commission that the Commission Clerk is hereby authorized to advertise said RFP as soon as it has been completed.

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Loch Arbour, Ocean

Nays: None

Absent: Deal, Neptune

MINUTES – REGULAR MEETING
May 16, 2019

10. 2109 Assessment Update – The Commission Clerk reported all of the 2019 Assessments have been received.

11. Website -

Resolution #19-036 – Resolution to Appoint a New Webmaster

UPON MOTION of Ocean, seconded by Asbury Park, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, Jason Taetsch was appointed webmaster for the Deal Lake Commission for the year 2019; and

WHEREAS, due to unforeseen circumstances Jason Taetsch needs to resign his appointment as webmaster effective June 30, 2019; and

WHEREAS, the Deal Lake Commission is in need of the services of a qualified webmaster to maintain our website; and

WHEREAS, Kenneth McGee is qualified to perform these services for the Commission.

NOW, THEREFORE, BE IT RESOLVED that Kenneth McGee be and he is hereby appointed as webmaster for the Deal Lake Commission for the remainder of the year 2019 at a rate of \$400.00, paid quarterly; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to Kenneth McGee for his information and the Chief Financial Officer for her action.

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Loch Arbour, Ocean

Nays: None

Absent: Deal, Neptune

12. Nobility Crest - Mr. Avakian said there is an on-site meeting set up for May 17th with the Developers of Nobility Crest and Ocean Township officials to discuss the discharge and sedimentation issues.

NEW BUSINESS

1. Jeannie Toher, Asbury Park Commissioner, gave a brief report on the cost to record, edit, export and post the DLC meetings. She spoke to Asbury Park and is waiting to hear back from Ocean Township. Preliminary costs appear to be about \$1,200.00 annually. Asbury Park has already adopted a Resolution at their May 9, 2019 meeting requesting

MINUTES – REGULAR MEETING
May 16, 2019

the recording and taping of the DLC meetings.

After a brief discussion, it was decided that each Commissioner would speak to their Mayor's and Councilmembers to get their feedback on the idea of recoding and videotaping the DLC meetings. They should each have a report for the next meeting.

2. Resolution #19-034 – Authorizing a Shared Services Agreement between the Township of Ocean and the Deal Lake Commission

UPON MOTION of Interlaken, seconded by Allenhurst, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, the Deal Lake Commission has decided to undertake a project to automate the operation of the sluice gates, consisting generally of the electrification thereof, at an estimated cost of \$550,000.00; and

WHEREAS, the Deal Lake Commission will bear all costs associated therewith, subject to reimbursement by the New Jersey Department of Environmental Protection following the completion of the project; and

WHEREAS, the Deal Lake Commission and the Township of Ocean have agreed to enter into an Agreement in accordance with the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. in recognition of the joint benefit to the Township of Ocean and the Deal Lake Commission for the successful completion of the Project, and in further recognition that the Deal Lake Commission lacks available funds with which to pay the costs of completing the Project; and

WHEREAS, the Township of Ocean will adopt a capital ordinance (Ordinance No. 2322) appropriating \$550,000.00 to enable the Township of Ocean to make advances contemplated by this Agreement with respect to the costs of this Project; and

WHEREAS, said Agreement stipulates that all expenses incurred by the Township of Ocean in connection with said Project will be reimbursed to the Township of Ocean by the Deal Lake Commission.

NOW, THEREFORE, BE IT RESOLVED by the Deal Lake Commission, that it hereby authorizes the Deal Lake Commission Chairman and the Deal Lake Commission Clerk to execute the Shared Services Agreement between the Deal Lake Commission and the Township of Ocean; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township of Ocean and the Deal Lake Commission Chief Financial Officer.

MINUTES – REGULAR MEETING
May 16, 2019

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Locha Arbour, Ocean

Nays: None

Absent: Deal, Neptune

3. Freehold Soil District – Mr. Brockel sent a letter to Freehold Soil District with a brief history of the lake. He was not happy with their response to the issues at the Colonial Terrace section of the lake.

4. Seaview Square Mall Update – Mr. Brockel said some new stores are going into the mall. Unfortunately the stormwater rules became effective in 2004. Thus Seaview Square Mall is grandfathered in as far as complying with the new rules.

5. Lake Lowering for the past week – Mr. Brockel reported that we had over 2 ¼” of rain and he did lower the lake ahead of the storm. It appears there were no problems.

6. Weed Harvesting – Mr. Brockel said we will be requesting proposals for weed harvesting at the Colonial Terrace section of the lake only. The Deal Lake Watershed Alliance will be sharing the cost with the DLC.

Resolution #19-035 – Authorizing Requests for Proposals for Weed Harvesting in the Colonial Terrace Arm of Deal Lake

UPON MOTION of Interlaken, seconded by Allenhurst, carried that the following Resolution be and the same is hereby adopted:

WHEREAS, there exists a need for weed harvesting in the Colonial Terrace arm of Deal Lake.

NOW, THEREFORE, BE IT RESOLVED by the Deal Lake Commission, that it hereby authorizes the Commission Clerk to advertise the Requests for Proposals for the 2019 Weed Harvesting in the Colonial Terrace Arm of Deal Lake.

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Loch Arbour, Ocean

Nays: None

Absent: Deal, Neptune

7. Storm Drains – Mr. Brockel said the municipalities are not cleaning the storm drains. He will draft up a letter to be sent to each member municipality.

MINUTES – REGULAR MEETING
May 16, 2019

PUBLIC HEARING

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

Marty Martino, Ocean, questioned what was put in the Minutes from the last meeting regarding the lowering of the lake. He proceeded to read from a prepared statement again asking the DLC to record and videotape their meetings. He provided a copy of the Resolution that the City of Asbury Park passed at their May 9, 2019 meeting requesting the recording of the meetings. Mr. Martino's statement and the City of Asbury Park's Resolution will be attached at the end of the Minutes and made a part hereof.

Jerry Mauer, Ocean, asked when the meetings stopped being recorded. He also wanted to voice his opinion on the recording and videotaping of the DLC meetings. He feels the DLC should look to aspire to a higher standard of transparency.

Mr. Mauer asked if the DLC provided comments to the Ocean Township Planning Board for their March 25, 2019 meeting on the 48,000 square foot building at Seaview Square Mall.

Mr. Brockel replied no.

Mr. Mauer asked if the tables could be rearranged so that all of the Commissioners and professionals faced the public. At times it is hard to hear what is being said.

The Commissioners agreed and the tables will be changed.

There was a brief discussion on the website, which is in the process of being revamped.

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 Allenhurst, seconded by Interlaken, carried that the meeting be finally adjourned at 8:20 PM.

Jessie M. Joseph, RMC
Commission Clerk

ATTACHMENTS

DLC MEETING - MAY 16, 2019

1. AT YOUR LAST PUBLIC MEETING IN APRIL, I MADE AN OFFICIAL TAXPAYER REQUEST IN WRITING & TO BE MADE PART OF YOUR APRIL MINUTES , TO HAVE THE DLC MEETINGS TELEVISED. ADDITIONALLY, THIS TAXPAYER REQUEST TO BE PUT ON TONIGHTS AGENDA AND A PUBLIC VOTE WITH EACH COMMISSIONER VOTING TO TELEVISE OR NOT.

SO, WHAT IS THE STATUS AND WHEN WILL THIS VOTE BE TAKEN?

2. TO EACH THE DLC COMMISSIONERS

EACH OF YOU ARE APPOINTED BY YOUR MAYOR & COUNCIL OF THE COMMUNITY YOU REPRESENT. AS SUCH, IT IS IMPORTANT THAT YOUR INDIVIDUAL MAYOR & COUNCIL VIEWS ON TELEVISING ARE COMMUNICATED TO YOU. THEY ARE YOUR APPOINTING AUTHORITY AND EACH ARE ELECTED BY THEIR COMMUNITY RESIDENTS & TAXPAYERS, SO HOW AND WHEN YOU VOTE ON TELEVISING IS VERY IMPORTANT TO THEM, TO THE RESIDENTS THAT ELECTED THEM, AND TO ALL OF US INTERESTED IN DEAL LAKE .

ASBURY PARK'S MAYOR & COUNCIL HAVE TAKEN THE LEAD IN CONVEYING THEIR VIEWS BY RESOLUTION AND OCEAN TOWNSHIP'S MAYOR INDICATED THEY TOO WOULD SUPPORT TELEVISING. I HAVE SENT A REQUEST TO EACH OF YOUR MAYOR'S REQUESTING THEIR VIEWS BE CONVEYED TO THEIR REPSPECTIVE DLC COMMISSIONER, TO THE COMMISSION & CHAIRMAN.

READ ASBURY PARKS' RESOLUTION

SO, WHEN WILL THIS VOTE BE TAKEN?



RESOLUTION NO. 2019-180

**City of Asbury Park
County of Monmouth
State of New Jersey**

**RESOLUTION REQUESTING DEAL LAKE COMMISSION RECORD PUBLIC
MEETINGS**

WHEREAS, the City of Asbury Park is a member of the Deal Lake Commission; and

WHEREAS, the City is one of the largest members by land mass and by the payments of dues; and

WHEREAS, the residents, businesses, property owners, government officials and other interested parties associated with the City of Asbury have a vested interest in the operations of approximately 158 acres of lake and 12.5 miles of shoreline; and

WHEREAS, the Mayor and Council of the City of Asbury Park hereby request that the Deal Lake Commission record and televise its meetings for public consumption; and

WHEREAS, the City Clerk is hereby requested to send a copy of this Resolution to the other members of the Commission, the City's liaison to Commission and the Commission's Executive Director.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey that the Deal Lake Commission record and televise their public meetings.

AND NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Asbury Park, in the County of Monmouth, State of New Jersey that the City Clerk shall provide a copy of this Resolution to the entities listed above.

I, CINDY A. DYE, City Clerk of the City of Asbury Park, Monmouth County, New Jersey, DO HEREBY CERTIFY the foregoing to be a true and exact copy of RESOLUTION NO. 2019-180 which was finally adopted by the City Council at a meeting held on the 8th day of May, 2019

CERTIFIED BY ME THIS 9th DAY OF May, 2019.



Cindy Dye, City Clerk

5/9/2019

CINDY A. DYE
CITY CLERK

✓ Vote Record - Resolution 2019-180		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Eileen Chapman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Yvonne Clayton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Jesse Kendle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Amy Quinn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	John Moor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>