

**DEAL LAKE COMMISSION
MINUTES – REGULAR MEETING
October 17, 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 7:20 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	x	
Asbury Park	x	
Deal		x
Interlaken (Alt. C. Roarty)	x	
Loch Arbour		x
Neptune		x
Ocean	x	

OTHERS PRESENT:

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

**Resolution #19-054 – Resolution to Approve the Minutes of the Regular Meeting,
September 19, 2019**

UPON MOTION of Ocean, seconded by Allenhurst, carried that the following Resolution be adopted:

BE IT RESOLVED that the Minutes of the Regular Meeting of the Deal Lake Commission held on September 19, 2019 be and the same are hereby approved (Deal and Loch Arbour do not vote).

RECORDED VOTE:

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

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Resolution #19-055 – Resolution to Approve Treasurer’s Report and Authorize Payment of Bills

UPON MOTION of Ocean, seconded by Asbury Park, carried that the following Treasurer’s Report for October 17, 2019 be approved and the bills listed authorized for payment.

BALANCE ON HAND – PREVIOUS MONTH:

Manasquan Bank.....	\$ 56,261.95
NJ Cash Management Fund.....	41,656.86
TOTAL ON DEPOSIT.....	\$ 97,918.81

RECEIPTS

Interest – Manasquan Bank (September).....	76.20
Interest – Cash Management Fund (July through September, inclusive).....	234.58
Other – Flume Electrification reimbursement, Ocean.....	69,216.25
TOTAL RECEIPTS.....	69,527.04

DISBURSEMENTS

2019 Appropriations:

Lorraine Carafa, CFO (October).....	216.67
Jessie Joseph, Admin (October).....	408.33
Don Brockel, reimburse, storage fee (October).....	106.96
Leon S. Avakian, Inc. General Invoice #08362.....	480.00
Princeton Hydro, LLC, General Invoice #37471.....	1,488.60
JCP&L.....	22.00
Environmental Landscape Design, LLC, Invoice #29666.....	16,978.00
Davis Locksmith.....	266.00
Robert A. Hulsart and Company, 2018 Audit Fee.....	2,000.00

Grant Disbursements:

Leon S. Avakian:	
319H, Invoice #08360.....	5,040.00
Flume Electrification, #08361.....	3,832.50
Princeton Hydro, LLC: 319H, #37472-\$1,913.61; #37718-\$1,163.97.....	3,077.58

TOTAL DISBURSEMENTS.....33,928.37

BALANCES AFTER OCTOBER DISBURSEMENTS

Manasquan Bank.....	91,626.04
NJ Cash Management Fund.....	41,891.44
TOTAL ON DEPOSIT.....	\$133,517.48

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RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Ocean

Nays: None

Absent: Deal, Loch Arbour, Neptune

OLD BUSINESS:

1. Flume Electrification – Don Brockel, Commission Chairman, gave a brief update on the project. We are upgrading everything which will help us to have more positive control over the ocean coming into the lake at extremely high tides. We are also modernizing the flume gates. They will move up and down more easily and will be remotely controlled. He also explained the bonding for the project.

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

3. 319(H) Grant – Dr. Stephen Souza, Commission Environmental Consultant, reported that Jack Szczepanski of Princeton Hydro, has prepared a memo to the DEP regarding the progress of the project. He met with the Sunset Lake Commission and they approved the locations of the two floating wetland islands. The plant materials are being purchased and will be installed in the Spring. Part of the Grant requires three informational breakfast meetings to be held. Mr. Szczepanski is working on setting up the first meeting for the beginning of December. Each Commissioner should reach out to their Mayor, Administrator, Director of Public Works and Planning Board Chairman to advise them of the upcoming meeting.

Mr. Avakian, Commission Engineer, said he is working on the locations for the two MTD's.

4. Organic Material Removal from Fireman's Pond – Mr. Avakian reported that Ocean Township will be doing the dredging project next year along with Monmouth County.

5. Water Testing: Monmouth University and Monmouth County – Mr. Brockel announced that Monmouth University's Urban Coast Institute is hosting a Coastal Lakes Observing Network Workshop on November 1st at Monmouth University. There will be a recap of the data collected from Deal Lake. He hopes to have Dr. Adolf from Monmouth University come to the December meeting to discuss the results.

6. Ship & Sniff Program with Clean Ocean Action – Mr. Brockel said he is still working with the people from the Ship & Sniff program to zero in on the problem areas.

7. Loch Arbour Tree Planting Project – Mr. Brockel reported that the project has begun. The plantings are in and the trash cans and benches will be installed in the next few weeks. Once everything is completed he will schedule a walk around the project with Mr. Kassin.

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Jeannie Toher, Asbury Park Commissioner, briefed the Commission on Asbury Park's plans for the east end of the lake. Nothing will start until the Spring.

8. Recording of Deal Lake Commission Meetings – Ms. Toher said she received confirmation from APTV, Asbury Park Mayor Moor and the Asbury Park City Manager Michael Capabianco that Asbury Park will pay for the recording, editing and televising of the DLC meetings beginning with tonight's meeting and the presentation beforehand. Ms. Toher also wanted the e-mail that she received from APTV made part of the Minutes (Attachment A).

Resolution #19-056 – Resolution to Accept Asbury Park Televising the Deal Lake Commission Meetings

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

WHEREAS, a request was made to televise the Deal Lake Commission meetings; and

WHEREAS, Jeannie Toher, the Commissioner for Asbury Park, has advised the Deal Lake Commission that Asbury Park will pay for the recording, editing and televising of the Deal Lake Commission Meetings for the year 2020 at no cost to the Deal Lake Commission; and

NOW, THEREFORE, BE IT RESOLVED by the Deal Lake Commissioners that they hereby accept Asbury Park's offer to televise the meetings of the Deal Lake Commission at no cost to the Deal Lake Commission; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the City of Asbury Park.

RECORDED VOTE:

Ayes: Asbury Park, Ocean

Nays: None

Abstain: Allenhurst, Interlaken

Absent: Deal, Loch Arbour, Neptune

9. Nobility Crest – To be held and discussed at the December meeting.

10. Fall Clean-Up – Mr. Brockel reminded everyone that the clean-up is Saturday, October 26th at 9 AM.

11. Seaview Mall - Mr. Brockel said the Deal Lake Watershed Alliance arranged a meeting with the ACoE, Ocean Township, Senator Gopal, DLC and a representative from Seaview Mall to discuss some of the issues that are being caused by the on-going construction at the Mall and how it is affecting the lake.

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12. 2018 Audit Report – **UPON MOTION** of Ocean, seconded by Allenhurst, carried that the 2018 Audit Report be held until the meeting of December 5, 2019.

RECORDED VOTE:

Ayes: Allenhurst, Asbury Park, Interlaken, Ocean

Nays: None

Absent: Deal, Loch Arbour, Neptune

NEW BUSINESS

1. 2020 Deal Lake Commission Proposed Budget – The Commission Clerk distributed the 2020 Proposed Budget for the Commissioners to review and vote on at the December 5, 2019 meeting.

2. Asbury Park Boat Ramp – Ms. Toher reported on a meeting she had with officials from Asbury Park and the Asbury Park Dock Company. The Asbury Park Dock Company is willing to donate the dock. Asbury Park still has some concerns. She asked if the DLC is interested in still pursuing this issue.

It was decided to discuss this at a future meeting.

3. Watershed Ambassador – Mr. Brockel introduced Maggie Sager our latest NJ Watershed Ambassador. She gave a brief explanation of the program and said she is available to work with the DLC on volunteer projects and training workshops.

Mr. Brockel invited her to the Deal School on October 25th for their mini lake clean-up.

PUBLIC HEARING

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

Paul McEvily, Interlaken, wanted to thank all of the Deal Lake Commissioners for their passion, service and commitment to the lake. His major concern is for the improvement to the overall safety for the rowers, SUP boarders, kayakers, etc., on the lake. He would like to see some sort of “Rules of the Road” posted at all public access points to the lake, posted on the DLC website, DLWA website, Facebook, etc.

Marty Martino, Ocean Township, read from a prepared statement and wanted it entered into the Minutes along with the State of Deal Lake Report – 2007 – Preliminary – 2/21/2008 and the Resolutions passed by Asbury Park and Ocean Township supporting the televising of the Deal Lake Commission Meetings. Mr. Martino also wanted to compliment the DLC for the Flume Electrification Project.

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Jim Gleason, West Allenhurst, wanted to thank the DLC for all of the work that they do. Mr. Gleason also wanted to alert the DLC to the run-off that is occurring from the Golf Course into Harvey Brook.

Mr. Brockel said he will take a look at it.

There being no further comments and UPON MOTION of Allenhurst, seconded by Asbury Park, carried that the public hearing be closed. There being no further business and UPON MOTION of Ocean, seconded by Asbury Park, carried that the meeting be finally adjourned at 8:40 PM.

Jessie M. Joseph, RMC
Commission Clerk

"ATTACHMENT A"

-----Original Message-----

From: Nate McCallister

To: spiritj9

Sent: Mon, Oct 14, 2019 9:04 am

Subject: Where to watch APTV

Hi Jeannie,

APTV is available within Asbury Park on Optimum 77 and throughout most of Monmouth County on FIOS 30. People outside of the city can watch APTV on our website, www.asburyparktv.com, or by downloading our app on Apple TV or Roku devices. To find our app search "APTV."

Nate McCallister

Station Manager

APTV | Asbury Park TV

FIOS 30, Optimum 77, Roku & Apple TV

www.asburyparktv.com

M. MARTINO REMARKS AT DLC MEEETING - 10/17/19

IN 2007, THE DLC ISSUED A WHITE PAPER THAT SECTIONS OF DEAL LAKE WATER IS UNFIT FOR HUMAN CONTACT. SINCE THEN, I BECAME VERY ALARMED, VERY CONCERNED, AND A STRONG ADVOCATE FOR DEAL LAKE. I HAVE WRITTEN LETTERS TO THE COASTER AND DLC OF MY CONCERNS ABOUT THE LAKE.

GIVE COPY OF REPORT

MY MISSION HAS BEEN AND WILL CONTINUE TO BE CONVINCING THE DLC TO RECORD AND TELEWISE ALL YOUR SPECIAL PRESENTATIONS AND ALL PUBLIC MEETINGS

OVER THE LAST FEW MONTHS, I HAVE MET ALL OF THE MAYORS THAT APPOINTED EACH OF YOU TO THE DLC AND I ATTENDED 6 OF THE 7 COUNCIL MEETINGS AND MADE MY REQUEST PUBLIC DURING THE PUBLIC PORTION OF THEIR MEETING. I REMINDED ALL OF THEM THAT EACH OF YOU AS A DLC MEMBER IS APPOINTED BY THEM, THEIR RESPECTIVE MAYOR AND COUNCILS, AND THEY, NOT YOU, ARE ELECTED TO THEIR OFFICE BY THE PEOPLE AND SHOULD REPRESENT THE PEOPLE. AS SUCH, AS THEIR APPOINTEE, YOU SHOULD BE AWARE OF YOUR APPOINTING AUTHORITIES VIEWS ON THIS SUBJECT. TO DATE, BOTH ASBURY PARK AND OCEAN TOWNSHIP HAVE ISSUED RESOLUTIONS REQUESTING THIS BE DONE.

GIVE COPY OF RESOLUTIONS

WHY IS TELEVISIONING IMPORTANT?

MANY SENIORS DO NOT LIKE TO DRIVE AT NIGHT OR EVEN GO OUT AT NIGHT. ATTENDING DLC MEETINGS MAY BE DIFFICULT FOR THE HANDICAPPED, PHYSICALLY CHALLENGED, AGED RESIDENTS LIKE ME. SOME MAY HAVE ANOTHER COMMITMENT AND THUS UNABLE TO ATTEND. YOUR SPECIAL PRESENTATIONS LIKE TONIGHTS, LAKE CLEAN UP, ETC. ARE OF INTEREST TO ALL.

AS FAR AS COST, YOUR AP REP REPORTED THE COST TO BE APPROX. \$75 PER MEETING OR \$900/YR IF DONE AT THE INTERLAKEN COUNCIL CHAMBER. SINCE BOTH ASBURY PARK AND OCEAN ALREADY TELLEVISE THEIR COUNCIL MEETINGS, BOTH MAYORS HAVE OFFERRED THE DLC TO USE THEIR COUNCIL CHAMBERS. THE DLC HAS OVER \$100,000 IN THEIR TREASURY SO COST SHOULD NOT BE AN ISSUE.

IT IS MY MISSION THAT EACH OF YOU WILL ACKNOWLEDGE FOR THE ABOVE REASONS WHY IT IS IMPORTANT TO THOSE OF US LIVING ON DEAL LAKE AND TO ALL THE SURROUNDING COMMUNIITIES THAT ENJOY AND MAKE USE OF THE LAKE TO SUPPORT RECORDING AND TELEVISING ALL DLC MEETINGS AND PREENTATIONS.

PLEASE MAKE ALL ATTACHMENTS AND MY REMARKS A PART OF THE PUBLIC PORTION OF THE MEETING MINUTES. THANK YOU.

**MARTY MARTINO
1600 BRYAN AVE.
OCCEAN TOWNSHIP, NJ 07712
CELL # 732-750-9717**

SUMMARY OF CONCLUSIONS

The environmental state of Deal Lake is extremely poor. Pollutants exceed state mandated levels. In many sections of the lake the water is unfit for human contact.

Western sections of the lake are in desperate need of organic material removal and dredging. Many areas will be filled in within 10 years if proper maintenance is not funded and performed.

The Deal Lake Commission's budget is inadequate to meet basic maintenance needs of the lake. The Commission's budget needs to be increased at least two fold, preferably three. Local municipalities will be asked to provide additional funding even though this may be difficult due to budget cap restrictions. Monmouth County Freeholders will be requested to match the contributions given by each local town. Actually, county taxes generally match local government taxes so this makes sense for the county to support the Commission on an equal basis. And finally, the State of New Jersey must provide annual funding for Deal Lake similar to the funding given Lake Hopatcong. This would allow the Commission to establish annual maintenance projects and fund necessary studies.

Stormwater regulations now require municipalities to clean storm basins on a regular basis. No requirement has been made to require periodic cleaning of the areas of the lake where streams and large outfall pipes transport large amounts of silt and debris. Several areas of the lake, especially in western sections, need to be reclassified as regional stormwater basins and the DEP needs to create an easy permit process for cleaning.

The State of New Jersey and Monmouth County must assume the responsibility of providing disposal sites for organics (weeds and leaves) and dredge spoils removed from the lake.

The highway infrastructure needs several large basins to retain stormwater to help control flooding, stream scouring, and silt migration. Studies must be funded to determine the best locations and best methods to build several large regional stormwater retention basins.

Due to the lack of large stormwater retention basins in the watershed, the Commission and local municipalities are forced to regulate the lake level by opening and closing the flume gates during major rain events. Electrification of the flume gate mechanisms is a mandatory project.

The flume protective grate needs to be redesigned to minimize the formation of debris dams. A secure catwalk needs to be added so workers can safely remove debris from the grate. The current grate could allow a small logs and boards as well as debris and floatables. Should a debris jam ever occur within the flume itself, the most serious flooding to properties around Deal Lake could occur.

Human fecal coliform is finding its way into Deal Lake. Local and county health departments could team with university students to test outfalls and identify possible leaky sanitary sewers.

Sections of the lake bulkhead located in Asbury Park, Loch Arbour, and Interlaken are in need of repair or replacement. Vegetation growth on and in the bulkhead must be removed and an annual herbicide program be established.

RESOLUTION

WHEREAS, the Township of Ocean is a member of the Deal Lake Commission; and

WHEREAS, the Township 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 Township of Ocean have a vested interest in the operation of approximately 158 acres of lake and 12.5 miles of shoreline; and

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

WHEREAS, the Township Clerk is hereby requested to send a copy of this Resolution to the other members of the Commission, the Township's Representative to the Commission and the Commission's Executive Director, and the Township Manager of the Township of Ocean;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Ocean, County of Monmouth, State of New Jersey that the Deal Lake Commission record and televise their public meetings; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the entities named above.

Record of Vote	Deputy Mayor Long	Councilman Acerra	Councilman Napolitani	Councilwoman Schepiga	Mayor Siciliano
Motion To Approve			X		
Motion to Second				X	
Approved	X	X	X	X	X
Opposed					
Not Voting/Recuse					
Absent/Excused					

CERTIFICATION

I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on June 13, 2019.


Vincent Buttiglieri, RMC/MMC
Township Clerk



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

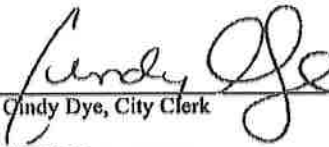
WHEREAS, the City Clerk is hereby requested to send a copy of this Resolution to the other members of the Commission, the City's liaison to Commission and the Commission's Executive Director.

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				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn				
		Yes/Aye	No/Nay	Abstain
	Absent			