

Minutes of the Lake Hopatcong Commission **April 18, 2011**

A meeting of the Lake Hopatcong Commission was held on April 18, 2011 at the Hopatcong Senior Center, 32 Lakeside Blvd., Hopatcong, New Jersey. At 7:08 p.m., Chair Felter called the meeting to order and stated that the meeting was being held in accordance with "Open Public Meetings Act."

Salute to the Flag: Chair Felter and all those in attendance joined in a salute to the flag.

Moment of Silence: Chair Felter asked for a moment of silence for men and women serving in our troops.

Roll Call:

Present: Betty Lou DeCroce, Daniel McCarthy, Joel Servoss, Richard Zoschak, Ann Seibert-Pravs (Mount Arlington Alternate), Robert Mitchko (Jefferson Alternate - 7:10), Chairman Felter

Absent: Tom Foley, Elizabeth Gantert, David Jarvis, Kerry Pflugh

Alternates: Michael Brunson

With six members present at Roll Call, Chair Felter declared a quorum.

Communications

The Chair recognized Ms. Macalle-Holly who had some announcements. She stated April 22 is Earth Day and would like to encourage everyone to get involved with some activities. She discussed community cleanup events at Jefferson, Hopatcong and Mount Arlington. She stated fliers are available for a rain barrel workshop which the Garden Club of Jefferson is hosting on May 12 at Camp Jefferson. She also had handouts available on vessel cleaning and maintenance to ready boats which included alternatives to toxic products. She reported that she spoke to the State Police today about police coverage on Lake Hopatcong. They will be patrolling Lake Hopatcong this summer and will continue to man the sub-station at Lake Hopatcong.

Treasurer's Report/Payment of Bills

In Ms. Gantert's absence, Ms. Macalle-Holly stated the Valley National Bank checking account balance as of March 30, 2011 was \$92,412.33. The Bill List of \$6,847.45 was submitted for approval. Mr. Zoschak made a motion to move the Report and Bill List. Ms. DeCroce seconded. Mr. Zoschak asked about the number of checks to Paychex TPS. Ms. Macalle-Holly stated it was for the tax payment and it is a timing issue. When the bank reconciliation was completed, another pay period had past.

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ROLL CALL:

DeCroce	Yes	Mitchko	Yes
McCarthy	Yes	Pravs	Yes
Servoss	Yes	Felter	Yes
Zoschak	Yes		

Motion unanimous.

The Chair indicated the record should show that Mr. Mitchko has joined the meeting.

Approval of March 21, 2011 Meeting Minutes

Ms. DeCroce made a motion to approve the March 21, 2011 Meeting Minutes and Mr. Zoschak seconded. There being no comments, the Chair requested a roll call vote.

ROLL CALL:

DeCroce	Yes	Mitchko	Yes
McCarthy	Yes	Pravs	Yes
Servoss	Yes	Felter	Yes
Zoschak	Yes		

Motion unanimous.

Commissioners' Comments

The Chair inquired if any Commissioners had comments. Mr. Zoschak stated that Roxbury Township received correspondence from the State that the phosphorus fertilizer may be going through statewide. He believes this Commission had a lot to do with starting that off by getting it publicized up here. Mr. McCarthy indicated he saw a lake-friendly fertilizer sign referencing Budd Lake. It looks like they borrowed our slogan. He also inquired about getting the State seat on the Commission filled. The Chair indicated he sent a couple names down. There being no further comment, the Chair moved to the next agenda item.

Public Comment

Chair Felter opened the meeting to public comment with a two minute time limit per speaker.

Mr. Beebe, Beebe Marine, commented on the lake level management plan. He reviewed the letter from the Commission which was on the website. He is not happy with what he saw because it should not be. He previously supplied the Commission with information stating the lake belongs to private people and it has never been resolved. He discussed the Morris Canal and Banking Company agreement with Stanton Ironworks to supply the water for the Musconetcong River. The Musconetcong dam was built so they could fulfill the water requirements down that river. He stated the River starts in Netcong after it comes out of Lake Musconetcong.

Steve Gebeloff, resident of River Styx, urged the Commission to consider a formal resolution citing concerns about the draft water level management plan. The Commission's letter about its concerns was dismissed without any discussion at the last Citizen's Advisory Committee (CAC) meeting. He discussed how the grist mills and paper mills do not need any water from our lake. The mills were sold in 1923 and that is where the 12 cfs minimum outflow was never followed. He discussed further changes to

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the plan of taking water from the lake to support any reasonable use. With 12 cfs being strictly enforced the lake will lose one foot of water in five weeks of hot, dry weather. He questioned the trout maintenance conditions after five weeks of hot, dry weather. He stated he knows the Commission may not want to confront Trenton until the funding issue is settled, but funding has always been an issue. A reasonable person can assume Trenton is using funding to control the Commission. He stated it looks like Trenton wants the Commission to fail.

Ron Sorensen, Lake Hopatcong Marine, asked for an update on funding for weed harvesting. The Chair stated he would address in his report. The Lake Hopatcong Alliance (LHA) is holding a boating festival at the County Park from August 18-21. It will basically be a benefit for Lake Hopatcong for weed harvesting. All proceeds will be going towards a weed harvesting effort. He asked the Commissioners to check with their respective township to provide help with municipal support such as police, garbage to offset the cost. They received approval from the County Park and they are in the process of hiring a professional event coordinator to bring in sponsors. He provided more details of the events. There was further discussion on the type of support they could use from the towns. In response to the Chair inquiry, Mr. Sorensen indicated that he spoke with the Mayor of Mount Arlington and the Mayor had no issues with it and there were no permits needed. The LHA will be providing more formal requests once they know the exact services they need. He asked procedurally how to do it. Mr. Zoschak stated he could make the official outreach and have their township manager contact him for details. He stated as a boating festival they will be putting in a lot of temporary floating docks there so people can access from both the lake and land. Mr. Brunson asked if the State Police had been notified because of putting docks in. Mr. Sorensen responded floating docks do not need any permits on Lake Hopatcong. Mr. McCarthy inquired if the end result was if his group would be making a donation to the Commission. Mr. Sorensen stated the plan is to put a certain amount aside to grow it for next year, but any money above that will be going towards weed harvesting. In response to Mr. McCarthy's next inquiry that the money will be donated to the Commission to use for weed harvesting, Mr. Sorensen responded affirmatively.

Chairman's Report

He stated there is some money left in the Commission's account and there have been ongoing discussions with the DEP Commissioner and others in Trenton. He suggested approval for an amount not to exceed \$20K to bring back three employees to start working on harvesters and getting them ready with the hope that the Commission does get funding. If funding does come, then the harvesters are ready. A lot of money was spent last year buying parts out of the grant. He would come back at the May meeting with more information about funding for the year. In response to Mr. Zoschak's inquiry if it would be part-time, the Chair indicated it would be full time seasonal. It has to be worked on when they can be brought back because they can only work a certain amount of hours within the State fiscal year. Mr. McCarthy stated the Commission is taking money that are presently allocated for legitimate purposes and advancing those for weed harvesting with the hope that money will be restored. It is not that the Commission has \$20K lying around and it's a gamble. The Chair stated the Commission can ask the

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towns for in-kind services and Jefferson will help transport again. Mr. McCarthy reminded everyone of the pictures of the equipment he took last year and the equipment needs to be worked on. The Chair requested a motion. Mr. Zoschak made a motion to hire at least three seasonal, full time employees in an amount not to exceed \$20K for weed harvesting. The Chair stated it would be the understanding to come back at he May meeting with further plans. The Chair requested a roll call.

ROLL CALL:

DeCroce	Yes	Mitchko	Yes
McCarthy	Yes	Pravs	Yes
Servoss	Yes	Felter	Yes
Zoschak	Yes		

Motion unanimous.

The Chair reported that New Jersey Monthly Magazine readers selected the Best of Jersey. He read from the article stating that Lake Hopatcong was voted best freshwater fishery.

Grants Update

Ms. Macalle-Holly stated she received word from Commission Counsel that she reviewed and approved the contract to Salmon Bros for the SFY05 319 grant. The goal is to complete the project in May at the Crescent Cove beach club.

She stated the EPA TWG, has one project remaining which is the Peat Biofilter at the Jefferson Childcare. Because the facility had to take on more children, it required expanding the septic and it was held up while the daycare figured out what to do. The daycare is willing to go forward with the project; however, the daycare will have to cover the cost of expanding the system. The Commission will have to enter into an agreement with the daycare to cover their share of approximately \$51K and the Commission's share will be \$144K which includes a 20% contingency as estimated by Princeton Hydro. Because of the estimated cost of the project, the Commission will be unable to move forward with additional projects planned for Jefferson. The plans have to be approved by Jefferson Township and the DEP. She reported she is trying to get the \$2.5K DEP fee for a permit for the peat biofilter waived which would be the Commission's cost and not the daycare's cost.

She stated for the SFY10 319 grant, the Commission received approval from the State Park to move forward with the rain garden and are waiting for final approval from the Parks and Forestry Director. She reported the projects for Morris County in Roxbury and in Jefferson are both moving forward. She stated she just received reimbursement for three months of her salary and benefits from the grant.

Old Business

There was no old business to discuss.

Sub-Committee

There were no sub-committee reports.

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New Business

Overview of 2011 New Jersey Fertilizer Law

Ms. Macalle-Holly stated Ms. Pflugh extended her apologies that she was unable to attend due to illness. She did ask that some information be shared. Ms. Macalle-Holly reports that the New Jersey 2011 Fertilizer Law is one of the most restrictive in the nation. It aims is to clean up the State's waterways and have a public education campaign. It came out of one of Governor Christie's initiatives to help protect Barnegat Bay which launched the Healthy Lawns, Healthy Gardens. The DEP will be re-launching its website on this soon. She discussed how the municipalities all have ordinance governing the use of phosphorus fertilizer. The law addressed nitrogen which is bad for the ocean and phosphorus. The law has a time period when homeowners can apply fertilizer from March 1 through November 15. For lawn care professionals fertilizer can be apply from March 1 through December 1. Fertilizer cannot be applied within 25 feet of a waterway or wetland unless there is a specialized spreader. When rain is forecast, fertilizer can not be applied to prevent it from washing into waterways. Mr. Zoschak asked about policing of it. Ms. Macalle-Holly stated there are no fines, but the big part of it is public education. There will be fine for lawn care professional and will also have to go through a lawn certification process through Rutgers which will be in affect at a later date. She stated there are copies of the fertilizer lawn and to contact DEP Press Office. This is the time people are using fertilizer and we want to let them know there is a new law.

New Business

Mr. Beebe stated the Commission is suppose to keep an eye out for what is good for Lake Hopatcong and taking water out of the lake is not good for the lake. He stated by State statute the high water mark for the lake is 10.32 inches above the spillway, but the Marine Police say it is at 9.5. He discussed the fish stocking in the Musconetcong Creek. He referred to a 1903 report of the Commissioners there was only 30 years that water could be taken from the Lake. He discussed a condominium taking 50,000 gallons daily out of the lake.

Ron Sorensen inquired what kind of chance was there for funding. The Chair responded talks are positive. There is also a third senator and six assemblymen representing the lake because of the re-districting. He stated he had discussion with the organization of the boating races and was told the State Park put a lot of unreasonable finances to a point where he could not run it. Mr. Sorensen stated it was a shame the State Park burdens the group to such an extent. Chair Felter stated he spoke with someone else involved in the races and was told the same thing. He had someone contact the DEP Commissioner's office about it because the Commissioner want to ensure there is economic viability from the parks. There was further discussion on bringing the races back to Lake Hopatcong.

The Chair requested a motion to adjourn. At 7:50, Mr. Zoschak made the motion and Mr. McCarthy seconded.

Prepared by: Donna Macalle-Holly