

Minutes of the Lake Hopatcong Commission

July 25, 2011

A meeting of the Lake Hopatcong Commission was held on July 25, 2011 at the Jefferson Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey. At 7:06 p.m., Chair Felter called the meeting to order. The Chair 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, Tom Foley, Elizabeth Gantert, Daniel McCarthy, Kerry Pflugh, Joel Servoss, Richard Zoschak, Robert Mitchko (Jefferson Alternate), Chairman Felter

Absent: David Jarvis

Alternates: Michael Brunson, Richard Keir

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

Communications

Mr. Zoschak asked about the Princeton Hydro letter on Crescent Cove inquiring as to why Hopatcong was not following the maintenance plan. Mr. McCarthy indicated he would follow up with the Mayor. Ms. Macalle-Holly stated the Mayor, the Borough Engineer and DPW were copied on the letter. Mr. McCarthy stated that these devices needed to be maintained but the towns are strapped. When the Commission had full staffing this was something that was done and vacuum truck was once in the budget.

Treasurer's Report/Payment of Bills

Ms. Gantert's stated the Valley National Bank checking account balance as of June 30, 2011 was \$77,025.23. The Revised Bill List of \$77,079.17 was submitted for approval. Mr. Mitchko made a motion to approve the Bill List. Mr. Servoss seconded. There being no comments, the Chair requested a roll call vote.

ROLL CALL:

DeCroce	Yes	Servoss	Yes
Foley	Yes	Zoschak	Yes
Gantert	Yes	Mitchko	Yes
McCarthy	Yes	Felter	Yes
Pflugh	Yes		

Motion unanimous.

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Approval of Meeting Minutes

Mr. Zoschak made a motion to approve the June 20, 2011 minutes and July 13 special meeting minutes and Mr. Servoss seconded. There being no comments, the Chair requested a roll call vote. Mr. Zoschak stated in one of the minutes, there was reference to whether Roxbury was involved in decisions at the State Park. Mr. Zoschak stated Roxbury is not involved and has no input into the State Park, but does respond to emergencies.

ROLL CALL FOR JUNE 20 MEETING:

DeCroce	Abstained	Servoss	Yes
Foley	Abstained	Zoschak	Yes
Gantert	Yes	Mitchko	Yes
McCarthy	Yes	Felter	Yes
Pflugh	Yes		

Motion carried 7-0-2 (two abstentions).

ROLL CALL FOR JULY 13 SPECIAL MEETING:

DeCroce	Yes	Servoss	Yes
Foley	Yes	Zoschak	Yes
Gantert	Yes	Mitchko	Yes
McCarthy	Yes	Felter	Yes
Pflugh	Abstained		

Motion carried 8-0-1 (one abstention).

Commissioners' Comments

Mr. Zoschak stated that Roxbury DPW on Main Street is available for this year for the harvesters' storage and maintenance. The Chair stated Mr. Calderio was going to try to look at the building and that Mr. Calderio had looked at the building off of Dell Avenue.

Public Comment

Chair Felter opened the meeting to public comment and stated there was a two minute limit per speaker.

Dennis DiFrisco, resident of Lake Hopatcong, provided information on alternate sources for manpower and funding. He suggested that the Commission form a partnership with Rutgers or Sussex Vocational.

Chairman's Report

The Chair stated he was going to give his report now which may answer some of the public's questions. He stated last Tuesday (July 19), Senator Oroho set up a meeting with DEP Commissioner Martin, State Treasurer, Dave Glass from DEP, a representative from the Governor's office and Assemblymen Webber and Bucco to discuss weed harvesting and funding. He stated it was obvious the administration were looking for ways to help the Commission. He reported that the Commission will be able to continue harvesting this year. As of August 1 the employees of the Commission will become employees with NJ DEP Division of Parks. There are still details to be worked out and the Commission will begin discussion with DEP to deal with maintenance. He thanked those that attended at the meeting and the Governor. He also thanked Tim Clancy and the Knee Deep Club for a fundraising contingency plan that was not needed. He thanked the Alliance for trying to have a festival to help with the Commission. The Commission

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needs to work with groups and towns around the lake to care for the lake. He thanked the Commissioners for letting them move ahead to get the harvesters ready as well as staff. The Chair reported that the Governor's office has committed to do an annual audit. He stated Ms. Macalle-Holly was working on other things and will be providing information to DCA. He stated he will work with Assistant Commissioner Cradic for her and her staff to understand the operation.

Ms. Macalle-Holly stated she had information from Mr. Calderio on harvesting. Harvesting began on July 11 with three machines and through today, 168 tons of aquatic vegetation has been removed. The Chair indicated that staff handles the schedule for harvesting.

Public Comment (continued)

Cliff Beebe, Beebe Marina, discussed the level of the lake. He discussed the letter from Ms. Pflugh to Commission. He read an answer to her letter. [A copy of Mr. Beebe's letter was not provided.] The letter stated that the ownership issues directed to Commissioner Martin were skirted around and does not follow the law which requires that Lake Hopatcong must be kept at the high water level (9.23" above the spillway) subject to the elements. His letter indicated the NJ DEP is not above the level of the law and the level of the lake may not be acted upon by any citizen's advisory group. He referenced the Commissioners Report of 1903. The Chair stated that the letter Mr. Beebe received was approved by the DEP Commissioner. That is the official stance. He stated Mr. Beebe has legal remedy to take care of it. He does not want to rehash this issue every meeting. The Chair stated the Commission is satisfied with the position of the State.

Fred Steinbaum stated he brought up at the last meeting about floating lake debris such as lumber from docks. He indicated he cannot find any evidence that action was taken. It is not an acute problem now, but is more problematic in spring and early summer when there are heavy rains. There is no way to dispose of the debris and he discussed arrangements that were made last year to provide dumpsters. Ms. Macalle-Holly stated that she did check with the Mayors and due to cost constraints they were unable to provide dumpsters and they did not feel that the need was warranted this year. The Chair indicated Jefferson residents can dispose of floating debris at the recycling center. Mr. Steinbaum stated there should be a plan in place for next year. The Chair stated it might be something they could look at for next year. Ms. Pflugh suggested that Mr. Steinbaum contact the Musconetcong Watershed Association and Sandy Huber of Clean Communities to inquire about their cleanups and come up with solutions. Mr. McCarthy discussed the lake-wide cleanup the Commission did during the five year draw downs and suggested the Commission consider doing this again.

John Kurzman, resident of Lake Hopatcong, stated it was actually Lake Musconetcong that was designed to let out 12 cfs to sustain the river and not Lake Hopatcong. He commended those involved to continue harvesting. He discussed how the Commission did not receive any funding, but Barnegat Bay received \$46M and Xanadu received \$200M. He stated that Barnegat Bay does not use boating licenses since its tidal water.

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The State said it did not need the money for saltwater fishing to pay \$15 for a license. The Commission is not being treated similarly. Ms. Pflugh stated the focus on Barnegat Bay is part of a campaign promise the Governor made to the citizens of New Jersey. She discussed a ten point plan that was implemented and the \$44M for Barnegat was from grants and loans from the State Revolving Fund and the Environmental Infrastructure Trust. Any municipality can apply for loans from these funds. Mr. Kurzman stated many of the loans were principal forgiveness loans. Ms. Pflugh stated there was \$10M this year for principal forgiveness but she is unsure how much will be available going forward.

The Chair stated Jefferson Township has received low interest funds from that. The Chair stated there was actually money in the original budget for the Commission, and when it went through review, it was cut out. The Chair stated if an appropriation was made to the Commission it would take a couple months to receive so the Commission would not have been able to harvest. The Commission is not a priority in the budget battle, but they were able to move things around in Parks to undertake this. The Chair stated that he believes next year the Commission will have more of an operation, but the days of six harvesters is not going to happen.

Grants Update

Ms. Macalle-Holly stated Dr. Lubnow is not in attendance tonight. She stated she sent email asking Dr. Lubnow if he could provide the mid-year monitoring report for next month, but she is waiting to hear back from here.

For the SFY10 319 grant, the State Park had some concerns and questions about the proposed rain garden. Ms. Macalle-Holly stated that the Park was looking for some assistance from volunteers to help with the rain garden's long-term maintenance. She stated Commissioner Zoschak identified a firm that, once installed, would be willing to maintain the rain garden. She stated she is waiting to hear from John Trontis to go forward with the project. For the project in Roxbury for Morris County, the County Engineer had some changes which Princeton Hydro is incorporating into the plans. The stormwater monitoring for the Jefferson and Roxbury sites have been completed, but stormwater monitoring for the State Park needs to be completed.

For the EPA TWG, Princeton Hydro sent the package to DEP, but PH had to provide additional information during the administrative checklist process. By the time the Commission receives the response from DEP, goes out to bid and finds a certified contractor to install the device it is unlikely the project will be in the ground by November so a extension from EPA will be needed.

For SFY05 319 grant, all the bills have been submitted and the contractor Salmon Bros is waiting to be paid from the State for installing the second Aqua-Filter in Crescent Cove.

For the NJ DOT I BOAT NJ grant, the Commission is still waiting for reimbursement from the June request and she did call to inquire about it. Another reimbursement will be submitted for what was on this month's Bill List.

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Old Business

There was no old business to discuss.

Sub-Committee

The Chair stated he wants to put together a committee to deal with the State. Mr. McCarthy, Mr. Zoschak, Mr. Servoss and Ms. Pflugh will serve along with the Chair.

New Business

There was no new business to discuss.

Public Comment

Cliff Beebe discussed the water level and how the water is being released at 12 cfs (7.5MGD) and it will be disastrous for the lake's boating, fishing and swimming. He showed a picture of Saxton Falls which is flowing away. He read from a picture taken of a plaque stating that the dam was erected in 1830 as a feeder for the 30.6 miles of the canal between this point and the Delaware River. An average of 30.17 cfs was taken for this purpose from Lake Hopatcong, Cranberry Lake and Bear Pond. He stated there is 2.9 MGD going over Saxton Falls and Lake Hopatcong is releasing 7.5MGD.

John Kurzman still thinks it is interesting that the same week that DEP found \$2M for Barnegat Bay that it was that week that they took the \$440K or \$600K out for the Commission. The Chair stated the DEP did not take money out of the budget; the legislature did. Mr. Kurzman thinks the State should recognize that boat registration fees, freshwater fishing license fees and non-tidal water license fees all be spent to maintain the water bodies. He stated it is insult to injury that behind closed doors, after the public had commented on the lake water level management plan, that the public never saw the information that ended up being in the plan so now Lake Hopatcong is responsible for Musconetcong letting out enough water.

Tim Clancy, Knee Deep Club, stated that the Club has been busy with its fundraising efforts that he did not give the final report on the Water Chestnut. The lake is all clear of water chestnut. He thanked those that were very generous with the fundraising that were willing to give money which included Lakes Ends Marina, Barnes Bros., Dow's Boat Rentals, Lakeview Marina, Flash, Katz Marina and significant private donations from Bah and Alice Zegily, Seth Katz and Howard and Fran Hughes.

The Chair stated the suggestions from Mr. Kurzman were all discussed with Senators Bucco and Oroho and Assemblymen Webber and Bucco. The State has recognized that there is a problem at the lake and the Commission's work is important. Mr. Zoschak thanked Mr. Clancy and the Club for their efforts.

The Chair requested a motion to adjourn. At 7:54 Mr. McCarthy made the motion and Mr. Servoss seconded.

Prepared by: Donna Macalle-Holly