

Minutes of the Lake Hopatcong Commission

March 19, 2012

A meeting of the Lake Hopatcong Commission was held on March 19, 2012 at the Roxbury Municipal Building, 1715 Route 46, Ledgewood, NJ. At 7:00 p.m., Chair Felter called the meeting to order. It was 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 flag salute.

Moment of Silence: The Chair asked for a moment of silence for the men and women in our armed forces.

Roll Call:

Present: Elizabeth Gantert, David Jarvis, Daniel McCarthy, Kerry Pflugh (8:05pm), Anne Pravs, Joel Servoss, Richard Keir (Roxbury Alternate), Chairman Russell Felter

Absent: Mark Fisch, Richard Zoschak

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

Communications

There being no questions on communications, the Chair moved to next agenda item.

Treasurer's Report/Payment of Bills

Ms. Gantert's stated the Valley National Bank checking account balance as of February 29, 2012 was \$51,835.86. The Bill List of \$7,356.73 was submitted for approval. Mr. Servoss made the motion and Ms. Pravs seconded. The Chair requested a roll call vote.

ROLL CALL:

Gantert	Yes	Pravs	Yes
Jarvis	Yes	Servoss	Yes
McCarthy, D.	Yes	Keir	Yes
Pflugh	Yes	Felter	Yes

Motion unanimous.

Approval of Meeting Minutes

Mr. McCarthy made the motion to approve the February 21, 2012 minutes and Ms. Pravs seconded. The Chair requested a roll call vote.

ROLL CALL:

Gantert	Yes	Pravs	Yes
Jarvis	Yes	Servoss	Yes
McCarthy, D.	Yes	Keir	Yes
Pflugh	Yes	Felter	Yes

Motion unanimous.

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Commissioners' Comments

Ms. Pflugh stated she provided a signed copy of the MOU to the Chair.

Public Comment

Cliff Beebe inquired how the Commission's duties would be affected by the MOU. The Chair stated the Commission still is charged with lake quality issues and getting the grant work completed. Everything will continue to be done except weed harvesting. Mr. Beebe stated the lake is low and cannot endure 7.5mgd release which is a violation of the law. The Commission should have the State or Attorney General investigate it. The Chair stated Mr. Beebe is welcomed to take legal action. Neither the Commission or the State does not agree with Mr. Beebe's position.

Fred Steinbaum, resident of Hopatcong, thanked the Commission for its hard work in getting the harvesting through. He was concerned about the lake being two feet below where it should be. He recalled there being flexibility in the Plan for the State Park to address emergent, threatening conditions. He would ask the Commission to approach the State Park to see if the runoff can be altered until the lake fills. Ms. Pflugh stated it cannot. It is currently stocking season and all rivers and streams across the State are down significantly and water temperatures are higher than usual for this time of year. Adjustments cannot be made until after stocking and opening day of fishing season. She stated she already asked and the answer is no for right now. She stated a request has to be put in by this Commission and has to be evaluated by Fish and Wildlife to determine the health of the rivers and streams.

Ms. Pravs inquired about the gates being closed ahead of schedule. Ms. Pflugh stated the gates were closed ahead of schedule, but the outflow from the lake does not stop. The outflow at that point which keeps the lake lowered was brought back up to the normal 12 cfs discharge level which is the required passing flow.

Mr. Clancy stated everyone would like to see the lake at full pool by now, but typically we would still have ice on the lake at this time. He is bothered by the misinformation that the public receives. If the outflow was reduced from 12 cfs to 8 cfs over 30 days the lake would come up one inch. The benefit to the lake would be nominal. If the outflow at the dam is reduced, the lake is not going to magically refill, it will take rain. Ms. Pravs asked if the drawdown procedures will be re-visited after a season like this. Ms. Pflugh stated they are breaking new ground here and it will be monitored very carefully because it is not a good situation. However she cannot tell what will happen in the fall. Ms. Pflugh stated she would put the 26-inch drawdown level on the agenda again when the Citizens Advisory Committee meets. When the CAC met a year ago when the Water Level Management Plan was being updated that was a discussion item and the Committee at the time felt that drawdown amount should remain in place.

Chairman's Report

Chair Felter reported on the dredging being done by Jefferson Township around their outfalls in Lake Hopatcong which they have a DEP permit. There are 19 places that sediment will be removed from. He reviewed how many cubic yards of sediment had

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already been removed from some locations: New Jersey Avenue – 82, Vermont Street – 49, New Hampshire – 79, Benedict Drive – 163, Brady Road – 67, Alpine Drive Location 1 – 206, Alpine Drive Location 2 – 62, North Alpine Drive – 75 for a total of 783 cubic yards. The township has stopped dredging for the spring to work on road projects and will start again in the fall. The permit is good for five years and it will be an ongoing process. He stated the Township staff is doing a great job on the project. Ms. Macalle-Holly acknowledged the efforts of the Township stating it was not an easy task to get the permit and the Township incurred the cost for the dredging. Mr. McCarthy asked the Chair if there was a template other municipalities could benefit from and if there was a synopsis that he could bring back to his town. The Chair stated other towns could reach out to Jefferson's DPW.

Princeton Hydro Report

Dr. Lubnow stated last week he provided the year end report for the 2011 monitoring and at the last meeting he attended he reviewed the report summary. He stated phosphorus concentrations last year were relatively low compared to past years and he believes it was one of the lowest years over the last decade for phosphorus. There were some higher phosphorus concentration in River Styx and the northern end of the lake, but overall conditions were good. The carryover trout habitat was very good. Typically the carry over habitat is limited in July and August, but it was only limited by about six feet during July. Approximately 1200 CY of plant material was removed during harvesting which was one of the smallest amounts of biomass removed and the smallest amount of phosphorus which was due primarily because of funding limitations and getting the program up and running.

He referenced the report which indicated 2012 is the last year for funding for monitoring the lake which is significant because Lake Hopatcong has been monitored consistently since the early 1990s. It is one of the longest limnological databases in New Jersey if not the country. The monitoring data helps to track the quality of water, identify problem areas and track improvements relative to the completed stormwater management projects.

He reported on the Filterra devices being installed with remaining SFY05 319(h) grant funds. The design plans were provided to the Commission and Jefferson Township for their review.

He stated Ms. Macalle-Holly had requested that Princeton Hydro put together a letter on the alternative septic system. He reviewed the content of the letter which indicated that the expansion of the septic system due to increased enrollment which was paid for by the Daycare and that there will be no additional engineering costs from Princeton Hydro to the Daycare. The Daycare will cover the cost for the contractor to install the expansion of septic system. Dr. Lubnow stated Princeton Hydro oversight, administration of the grant and post-installation monitoring will not be charged to the Daycare. He stated everyone has been working on this project for a long time and it will be thrilling to get the project in the ground.

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He also reported on the State Park bio-filtration (rain garden) project. Ms. Macalle-Holly stated there is a resolution on the agenda for the State Park project to award the bid. Princeton Hydro stated that they did review the bid and there are sufficient funds in the grant for the project.

He stated Princeton Hydro usually begins monitoring in May, but with the weather, they may begin their monitoring a month earlier. Ms. Pflugh asked if Princeton Hydro can document the weather conditions as part of their monitoring. He stated last year was very unusual year because of the wet spring and around July and first half of August it was pretty dry and hot and then right into the hurricanes and storms. A lot of the lakes PH works on had 10" more of rain than usual. PH does take precipitation and weather into consideration when they review their data. Ms. Macalle-Holly stated PH briefly summarize weather patterns in the monitoring report.

Mr. McCarthy inquired about grant funding for monitoring. Dr. Lubnow stated most available grants are tied through restoration. He estimated the based cost for in-lake monitoring is \$15K and \$3K for monitoring associated with the stormwater management projects. Ms. Macalle-Holly stated in the figures the Chair asked her to provide for pending legislation, funds to conduct the monitoring and retain an environmental consultant were included if the Commission approves the funds for that use. Dr. Lubnow's participation at the Commissions meetings is now covered through the 319 grant. The Chair stated there are some groups that are interested in doing fundraising so perhaps the Commission should reach out to those groups. In response to Mr. McCarthy's inquiry about the funds that went to the Lake Hopatcong Alliance (LHA), the Chair stated a meeting will be set up with the Alliance to try to help them get their grant implemented.

Ms. Macalle-Holly stated the Musconetcong Watershed Association (MWA) is organizing a meeting with representatives from the Watershed with reps attending from the MWA, Lake Musconetcong Regional Planning Board, LHA, LHC and Lake Shawnee. She stated Mr. Fernandez from the LHA will be attending that meeting and may give an update on their DOT grant.

Ms. Macalle-Holly provided an updated on the rain garden. As part of the original SFY10 319 grant funds were allocated for rain barrel projects and rain garden outreach, but funds for those projects were re-assigned to the Administrator's salary/benefits. Since there is no longer any educational component for rain gardens which was part of the original grant, she contacted the Americorp Watershed Ambassador to put together an outreach program on rain gardens. Schools within the Upper Musconetcong watershed will be contacted to participate in a contest for 5-8 students on rain gardens and their benefits. The DEP 319(h) grant manager approved using some of the grant funds for prizes and awards for small recognition for the children and schools. The goal is to have the rain garden installed prior to Memorial Day, but no later than July 4th weekend.

Old Business

There being no Old Business, the Chair moved to the next agenda item.

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New Business

Approving the selection of a contractor to install a BMP Retrofit project at Hopatcong State park funded through a NJ DEP SFY10 319(h) grant

Chair Felter introduced the resolution and requested a motion. Mr. McCarthy made the motion and Ms. Pflugh seconded. Ms. Macalle-Holly summarized for the record that the resolution is to enter into an agreement to install the Rain Garden at Hopatcong State Park which went through the public bidding process. The lowest qualified bid was submitted by Ferraro Construction. The resolution authorizes the Chair to enter into the agreement with Ferraro Construction for \$80,046.50 and to authorize the Chair to approve any necessary change orders not to exceed 15% of the contract cost if authorized by Princeton Hydro.

ROLL CALL:

Gantert	Yes	Pravs	Yes
Jarvis		Servoss	Yes
McCarthy, D.	Yes	Keir	Yes
Pflugh	Yes	Felter	Yes

Motion unanimous with Mr. Jarvis recusing himself.

Public Comment

Mr. Beebe asked what the Commission just approved and Chair Felter provided a copy of the resolution to him. The Chair asked Dr. Lubnow to explain the resolution. Dr. Lubnow provided a description and the purpose of the 319(h) grant project to install a rain garden at the State Park which is actually a bio-filtration basin because of its large size. Ms. Macalle-Holly stated the other stormwater management project implemented so far were primarily manufactured treatment devices which are installed under the ground. This project is a rain garden which has plants to treat the stormwater and sediment. Part of the reasons the Commission is doing the public outreach for the rain garden, is because this is something the public can install in their own backyard which will filter out the nutrients as they are running down your lawn before entering the lake. In response to Mr. Beebe's inquiry if they are expensive, Dr. Lubnow explained that an individual homeowner rain garden which is substantially smaller than what is being installed at the Park is not that expensive. Mr. Beebe inquired if there would be grants available for marinas to install rain gardens, and was advised that federal funds need to be implemented on public land through roadway easements or parks for these types of grants. Ms. Pflugh stated rain gardens are an effective way to manage stormwater and removal of nutrients.

Steve Ellis, Regional Superintendent State Park Service, stated there are bio-filtration basins at Swartzwood State Park. In the past debris would wash into the lake and they removed storm drains and put in biofiltration throughout the parking lot and the rainwater with the debris settling in the biofiltration basin.

Mr. Clancy stated on April 1st the Knee Deep Club will be having its first trout stocking of the year. There will be 1,500 13 plus inch brown and rainbow trout and 100 trophy-sized trout between 2 and 5 lbs. Their funding was off because of the cancellation of two ice fishing contests and slow membership renewal. There will be an additional stocking

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in May. The public is invited to the stocking at Dow's Boat Rental around 9:30 and families and kids are welcomed.

Ms. Macalle-Holly stated that on April 1st she will be having her 10 year anniversary with the Commission. The Chair stated the Commission appreciates her working through some trying times.

Ms. Pravs stated when the lake was at 7.6 feet the DEP had the outflow reduced from 12 cfs to 8 cfs. Mr. McCarthy stated Ms. Pflugh addressed that indicating it could not be done at this time due to stocking season.

Mr. McCarthy made the motion to adjourn at 8:20 and Mr. Servoss seconded.

Prepared by: Donna Macalle-Holly