

Minutes of the Lake Hopatcong Commission May 21, 2012

A meeting of the Lake Hopatcong Commission was held on May 21, 2012 at the Roxbury Municipal Building, 1715 Route 46, Ledgewood, NJ. At 7:00 p.m., Chair Felter called the meeting to order. He stated 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 our armed forces.

Roll Call:

Present: Mark Fisch, Kerry Pflugh, Richard Zoschak, Michael Brunson (Hopatcong Alternate), Edward McCarthy (Morris County Alternate), Tom Foley (Mount Arlington Alternate- 7:05pm), Chair Felter

Absent: Elizabeth Gantert, David Jarvis, Daniel McCarthy, Anne Pravs, Joel Servoss

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

Communications

In response to Mr. Brunson's inquiry, Ms. Macalle-Holly advised that NJ DEP did issue a corrected letter to the Commission about the SFY10 319(h) grant contract amendment.

Treasurer's Report/Payment of Bills

In Ms. Gantert's absence, Ms. Macalle-Holly provided the report. She stated the Valley National Bank balance as of April 30, 2012 was \$30,875.07 and the Bill List of \$6,733.04 was included in the meeting package. Mr. Zoschak made a motion to move the Bill List and Mr. E. McCarthy seconded. The Chair asked that the record reflect Commission Foley's arrival. The Chair requested a roll call vote.

ROLL CALL:

Fisch	Yes	McCarthy, E	Yes
Pflugh	Yes	Foley	Yes
Zoschak	Yes	Felter	Yes
Brunson	Yes		

Motion unanimous.

Approval of Meeting Minutes

Mr. Zoschak made a motion to approve the April 16, 2012 minutes and Mr. Fisch seconded. Mr. Fisch stated he was listed as present and absent on the minutes. Mr. Zoschak made the motion as corrected. The Chair requested a roll call vote.

5-21-12 Meeting Minutes

ROLL CALL:

Fisch	Yes	McCarthy, E	Yes
Pflugh	Yes	Foley	Yes
Zoschak	Yes	Felter	Yes
Brunson	Abstained		

Motion carried 6-0-1 (one abstention).

Commissioners' Comments

Mr. Brunson thanked Ms. Macalle-Holly for putting the Commission display together. She stated it was the ten year anniversary of when the Commission received the weed harvesting equipment in May and the ribbon cutting ceremony was held in June of 2002 which was on display along with some memorabilia of the Commission's efforts over the past ten years. Mr. Foley stated he was glad to see the Water Level Management Plan was being following. The water level was going in the right direction and there has been good communications and cooperation. The Chair thanked everyone involved for that.

Ms. Pflugh stated that Steve Ellis could not attend tonight's meeting, but she had a report from him. She reported the harvesting team started today with one full-time and three part-time staff so far. They will be evaluating the equipment and will take it from there. They will also discuss how they will be communicating about the harvesting efforts with the Commission. Ms. Pflugh responded that she did not know what the condition of the equipment was and it will need to be determined. Ms. Macalle-Holly indicated that the equipment was not winterized because the plan had been to have the seasonal staff return during the off-season to try to do repairs, but because there were issues with bringing the people on board due to the salaries, the equipment was not winterized. Since the building renovations were not completed prior to the Foreman seasonal employment ending, none of the equipment was moved into the building. She stated in 2011 when the staff was hired in mid-May, three harvesters were ready by mid-July, but she wouldn't anticipate any harvesters being ready much earlier than that this year. In response to Mr. Zoschak's inquiry he was advised that Mr. Calderio was hired as a full-time employee and Barry Marke and Curtis Mulch also returned and they are trying to hire other former Commission employees to reduce training time.

Public Comment

Tim Clancy of the Knee Deep Club discussed the Water Scouts initiative for water chestnut. He provided an overview of the Club's previous Water Scouts activities. The Club is looking into a more long-term, self-sustaining effort. Due to conflicts with other lake events, the period will be extended from June 15 to July 15 to scout for water chestnut. Mr. Clancy stated all Water Scouts have been contacted and should contact him only if they are not able to search a given area or if water chestnut has been sighted. They will focus the four teams of Water Scouts on high risk areas in remote, less developed areas of the lake. He discussed the public awareness initiatives of the Water Scouts. He discussed how Lake Champlain has spent over \$10M over the last couple decades to address Water Chestnut. He emphasized that the Water Chestnut threat of

5-21-12 Meeting Minutes

Lake Hopatcong will never go away because other water bodies such as nearby Lake Musconetcong have had a devastating impact from Water Chestnut. He is declaring June as Water Chestnut Awareness Month; an article will be distributed to KDC members and others news publications about the Club's initiative.

Ms. Macalle-Holly asked Mr. Clancy to speak about the KDC's trout contest held this past weekend. He stated it was disturbing. The Club knows there are a lot of trout in the lake. There were 58 participants that knew they could not troll the shallow areas because of the weed growth, but all participants had difficulty trolling because of floating weeds. You could not drag a lure 50 feet without getting your line so entangled with weeds in the middle of the lake where there should be nothing. He said it will be a bad weed situation and the algal blooms are there already. Usually the trout caught are between 3-5 lbs, but this year the top fish was 2 lbs, 2 oz. with the others only 1 lb to 1-1/2 lbs because of the weeds that you would not typically see until August.

Fred Steinbaum, resident of Lake Hopatcong, stated he was here to talk about the weeds. In the middle of Woodport he saw weeds growing right up to the top of the water. He has never seen, at any time of the year, weeds at the surface like this. Woodport was not covered with ice this season and that may be the reason. He stated the harvesters really need to get going.

John Kurzman, resident of Lake Hopatcong, concurs that it is not just floaters and he cannot get away from his dock because it is a wall of weeds. He thinks where there are warm springs, there seems to be more weed growth. He asked about prioritization of harvesting. He commended the DEP for doing the right thing to recognize the downstream fish have more water during the rain and to lower the release. He discussed the USGS graphs which showed the lake letting out 50-60 cfs in January/February. The DEP did a good thing to close the gate when they did and should consider that in the future. He stated temporary fisherman and temporary boats that may be coming from other lakes without being properly sanitized could be bringing other invasive species into the lake. There should be signs that remind people before they come to the lake about invasives.

Cliff Beebe, Beebe Marina, discussed how at the last meeting there were people representing down below Lake Musconetcong. He stated their problems should not be taken to this board because the Commission is an advisory board for Lake Hopatcong and not for the Musconetcong River. The flow should come from Lake Musconetcong and they have their own advisory board. Lake Hopatcong should be kept full and did not have the weed problems in the 1930s and 1940s. There is no guarantee that the lake will recover and the weather patterns are truly changing. He inquired about the dam removals on the Musconetcong River and how this will control how people use their electricity.

5-21-12 Meeting Minutes

Chairman's Report

The Chair asked Jessica Kitchin to speak during the Chairman's Report because of the importance of her announcement.

Jessica Kitchin-Murphy stated she is involved in a new organization, The Lake Hopatcong Foundation. It has been established by her boss, Bela Szigethy, owner of the Lake Hopatcong News, Main Lake Market, the miniature golf course and Alice's. He has been considering creating a non-profit organization to collaborate with existing groups like the Commission, the Alliance, and Knee Deep Club and to be able to provide financial backing to various initiatives and begin their own initiatives. They are officially launching now and were established as a New Jersey corporation in March and the 501(c)(3) status has been filed with the IRS. Their office will be at the building located at the miniature golf course. She discussed media and local outreach efforts. Besides Mr. Szigethy's contributions, the Foundation will be looking to do a lot of fundraising. Some initiatives being considered are working with the Alliance to get their matching grant funds, working with the KDC Water Scouts efforts, and working with Commission to fund the water quality monitoring and possibly helping out with trail signage on the Brady property. She could be contacted through www.lakehopatcongfoundation.org with any suggestions or questions. The Chair and Commissioners thanked her, Mr. Szigethy and everyone involved.

Grants Update

Ms. Macalle-Holly stated other than the two resolutions to be discussed under New Business, the agreement with the Jefferson Daycare is being finalized to move forward with the alternate septic system and she hopes to go out to bid this month to award the contract at June. The EPA grant runs out in November.

For the Jefferson Cherry Road project funded through the SFY10 319 grant, a test was conducted to determine if the trash rack was an appropriate device to help reduce the load in the baffle box. In speaking with Ed Haack from Jefferson DPW it was determined that the trash rack was not a viable option and further evaluation will be done with Princeton Hydro for a project alternative. The DEP is not big on MTDs currently and is looking more for rain gardens and those types of projects. Two of the three projects funded through the SFY10 319 grant are underway.

Old Business

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

New Business

Resolution 12-04 Approving the selection of a contractor to install the treatment device at King Road, Roxbury Twp funded through a NJ DEP SFY10 319(h) Grant

Ms. Macalle-Holly reviewed the resolution which described the bidding process and Princeton Hydro opined that Adamsville Maintenance should be selected to install the

5-21-12 Meeting Minutes

treatment device. If the Commission approves the resolution, NJ DEP has to approve the firm as a sub-contractor which is required through grant agreement. It would allow the Chair to enter into the agreement with Adamsville for \$63,655.75 to install the stormwater management device at King Road in Roxbury Twp., Morris County. At Mr. Zoschak's suggestion, the Chair advised Ms. Macalle-Holly to check with Commission Counsel to change the language from responsive bid to responsible bid. Mr. Brunson moved the resolution with the provision that the suggested language change be approved by Counsel or keep as is. Mr. Foley seconded. The Chair requested a roll call vote.

ROLL CALL:

Fisch	Yes	McCarthy, E	Yes
Pflugh	Yes	Foley	Yes
Zoschak	Yes	Felter	Yes
Brunson	Yes		

Motion unanimous.

Resolution 12-05 Approving the selection of a contractor to install treatment devices at Yacht Club Twp funded through a NJ DEP SFY05 319(h) Grant

Ms. Macalle-Holly stated the two resolutions for the projects are funded through two different 319 grants. This one is two install two Filterra devices in Yacht Club Drive, Jefferson Twp. She stated she would take the same action on the resolution. Mr. Brunson made the motion with the same stipulation as earlier. Mr. Foley seconded. She stated the resolution calls for awarding the project to Adamsville Maintenance with a bid of \$61,043.00 and to authorize the Chair to enter into an agreement provided NJ DEP approves the firm as a sub-contractor.

The Chair requested a roll call vote.

ROLL CALL:

Fisch	Yes	McCarthy, E	Yes
Pflugh	Yes	Foley	Yes
Zoschak	Yes	Felter	Yes
Brunson	Yes		

Motion unanimous.

Public Comment

John Kurzman stated the Musconetcong Watershed Association has published on their website as to why they are removing the dams downstream. He thinks the Commission should also be concerned about what leaves the lake and some downstream activities may cause pressure from people downstream to say they want more water from Lake Hopatcong in the future. Because during dry times the river will not flow if the river does not have water bogged down in certain spots. As dams are removed, the river will become more sensitive to needing water from upstream. Lake Musconetcong is a small size of Lake Hopatcong and we have seen the downstream water demands for stocking at the mouth of the dam. The Commission needs to look at whether that area is an FW-TM. He stated it was declared FW-TM mistakenly and that forces it to be maintained from our

5-21-12 Meeting Minutes

water. As more dams are removed downstream that can hold more water, you will have more cases where more water is needed from Lake Hopatcong. Ms. Pflugh stated she checked on this last year when Mr. Kurzman raised it. One has nothing to do with the other. She spoke with the Bureau Chief of the Dam Safety program and asked if the removal of the dams in anyway can affect the water level management of the lake and the answer is no. Mr. Kurzman stated that may have been the answer at the time because they were removing three dams that year, but they are removing more and more dams.

Cliff Beebe discussed the creek that flowed into Lake Musconetcong in the 1930s and 1940s and during those August droughts, those rivers dried up because they did not have the dams from the gristmills. The DEP is playing with nature and questioned why they need 7.5mgd from Lake Hopatcong. Under the law, residents must be paid for the water and the DEP is invading property rights. Someone from the DEP had the Musconetcong River made into a federal showpiece which is part of a plan to draw the water out of the lake. When the river had the dams the fish had a place to survive. He discussed the weeds he has never seen before by his dock. The lake should be left alone.

Tim Clancy contested the view about the dams. Actually leaving the dams in place reduces the flow in the river because when you back up the water, you get evaporating effects and thermal pollution that makes the downstream fishing much worse. So many gallons are going to leave and they are not going to rush out any faster because of the small, ineffective, obsolete dams. If you remove the dams the backed up water that is thermally heated because of the underlying silt, allows the river to get colder, fresher water, but no more water will run through there because the dams are removed. The dams cause environmental problems to the ecosystem downstream.

Ms. Macalle-Holly asked if the Commissioners could remain to take a photo around the ten year display.

Mr. Zoschak made the motion to adjourn and Mr. Foley seconded. The motion was unanimous.

Prepared by: Donna Macalle-Holly