

Minutes of the Lake Hopatcong Commission August 20, 2012

A meeting of the Lake Hopatcong Commission was held on August 20, 2012 at the Jefferson Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey. At 7:15 p.m., Acting Chair McCarthy called the meeting to order. He stated the meeting was being held in accordance with "Open Public Meetings Act."

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

Moment of Silence: The Acting Chair asked for a moment of silence for our armed forces.

Acting Chair McCarthy stated Chair Felter asked him to cover for him since he was unavailable.

Roll Call:

Present: Mark Fisch, Kerry Pflugh (7:20pm), Joel Servoss, Richard Zoschak, Tom Foley, (Mount Arlington Alternate), Acting Chair McCarthy

Absent: Elizabeth Gantert, David Jarvis, Anne Pravs, Russell Felter

Alternates Present: Richard Keir, Robert Mitchko

Speakers: Steve Ellis, NJ DEP Regional Superintendent for Park Service

With five members present at Roll Call, Acting Chair McCarthy declared the Commission did not have a quorum and could not take any official action until a sixth person was is in attendance. Ms. Macalle-Holly stated Ms. Pflugh was on her way.

Communications

The Acting Chair asked for questions about the Communications. Mr. Zoschak acknowledged the Roxbury Resolution supporting Commission funding.

Treasurer's Report/Payment of Bills

In Ms. Gantert's absence, Ms. Macalle-Holly provided the financial report. She stated the Valley National Bank balance as of July 31, 2012 was \$24,059.43. The Acting Chair stated we would hold off on the Bill List momentarily.

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Approval of Meeting Minutes

Acting Chair McCarthy stated the recorder was broken and minutes are not available. Mr. Zoschak stated he tried to fix it but had to order a part. The minutes were tabled to next month.

Commissioners' Comments

Mr. Zoschak inquired if the Acting Chair would cover what occurred at the meeting with the Legislator. Acting Chair McCarthy stated he would cover that later.

Public Comment

John Kurzman, resident of Lake Hopatcong, stated the weed harvesting job was fantastic, but it would be nice if it could be done earlier in the season. While driving near Lake Musconetcong he observed the Water Chestnut and what appears to be identical at Roland-May Eves Sanctuary at Lake Hopatcong.

Tim Clancy, resident of Lake Hopatcong, stated the Water Scouts are done and have not found Water Chestnut on Lake Hopatcong. He stated the Commission Administrator forwarded an email to Commissioners from him inquiring if Commissioners took any action and if they checked with their governing bodies to find emergency funding to cover the administrative costs. Mr. Zoschak stated Roxbury does not have any money and the budget has been passed a while ago. Mr. Clancy stated with the money the towns generate from lakefront property taxes they would be well advised to spend \$15,000 a year at Roxbury. If the lake quality declines towns will loss revenue. Mr. Clancy stated Morris County makes quite a bit of money on the lake and if they would contribute \$15,000 it would not break anyone's back. If the Commissioners will not make the effort to ask, then you do not care enough to think this is worth continuing. Acting Chair McCarthy stated he speaks with his Mayor on a regular basis.

Acting Chair McCarthy stated with no further public comment, he would return to the payment of bills since there is a quorum now. Ms. Macalle-Holly stated the Bill List for August 27 for \$132,404.33 and three of the larger amounts on the Bill List will be paid through grant funds when the Commission receives those funds. Mr. Zoschak made the motion and Mr. Fisch seconded.

ROLL CALL:

Fisch	Yes	Servoss	Yes
McCarthy	Yes	Zoschak	Yes
Pflugh	Yes	Foley	Yes

Motion unanimous.

Chairman's Report

Acting Chair McCarthy stated the Chairman Felter did not provide anything to discuss specifically, but he did address the meeting he attended last week in Roxbury Township. Also in attendance was Chair Felter, Mayor Petillo, Mr. Zoschak and the vast majority of

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local legislators. At that meeting, Chair Felter gave a long, detailed discussion of Commission's financial plight, needs, losing its administrator and being near the end. The elected officials understand. Acting Chair McCarthy gave an update on the Commission bill for funding indicating it has passed the Senate and there is a holdup for the Assembly which our local elected Assembly members will try to get straightened out. Mr. Zoschak pointed out that today the lake region has three senators and six assembly members representing it. He stated hopefully the Assembly will convince Assemblywoman Oliver to get it through the Assembly. Mr. McCarthy stated he was impressed by the meeting attendees' command of the Commission's issues.

Princeton Hydro Report

Dr. Lubnow stated the mid-year water quality monitoring report was provided to the Commission which he reviewed. Water quality in July was lower than in the past due to the mild winter and dry first part of the growing season which caused dramatic algal blooms especially in the canals. Station 3, River Styx/Crescent Cove, had an algal bloom in July. Algal concentrations, suspended solids and total phosphorus were slightly increasing in the northern end of the lake near Woodport due to warm climate and stormwater runoff. In response to Mr. Zoschak's inquiry about the increase in concentrations, Dr. Lubnow stated the area really did not have a winter which is important for two reasons. When you have a good winter, it kills off many of the organisms naturally and for aquatic plants, ice and snow pack helps to kill off the aquatic vegetation. If you have no ice at all it helps the plants keeps growing. Ms. Macalle-Holly stated the mid-year monitoring report is available on the Commission website.

Dr. Lubnow reported on the grants. For the SFY05 319 grant, the last project to install the Filterra Units was completed. Dr. Lubnow will be providing the final 319 grant report next week to closeout that grant.

For the SFY10 319 grant there are three projects. The rain garden at the State Park needs completion of a few items on the punch list for the contractor which will be completed after Labor Day. Princeton Hydro will be providing the maintenance plan for the rain garden. For the Ashley Cove floating wetland islands, these islands will be installed to pick up nutrients in a cost-effective way. This is an alternative project to the project originally planned for Cherry Road that had problems with utilities and topography. Dr. Lubnow stated NJ DEP did confirm that the floating wetland island project does not need any permits. Ms. Macalle-Holly stated Jefferson Twp did agree to this project once DEP indicated they were interesting in doing it as a demonstration type project. Ashley Cove is where the harvesters are docked and around opening day of trout season this cove was inundated with algal blooms. Jefferson Twp will be installing the floating wetland islands under consultation from Princeton Hydro. Dr. Lubnow discussed the Lakeline article which discusses how successful floating wetlands are in removing phosphorus.

Dr. Lubnow stated the King Road 319 project has some issues to move water lines located in the project site. Additional funds are needed in contingency to ensure the

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project can be completed. Ms. Macalle-Holly discussed Resolution 12-07 Amendment to LHC Resolution 12-04 Approving the Selection of a Contractor to Install the Treatment Device at King Road from NJ DEP SFY10 319(h) Grant. She stated Counsel reviewed the resolution to amend Resolution 12-04 to authorize the Chairman or his designee to execute change orders not to exceed twenty-five percent of the contract with Adamsville Maintenance. A change order was submitted by Adamsville to move two water lines on the project site that was not marked in the bid specification design plans. Most of the 15% previously authorized approval for change orders will be used for this work. .

For the EPA TWG, the last project to install the peat biofilter at the childcare has some issues relative to including an adjacent vegetative swale to prevent water from entering the leach field. This will maximize the efficiency of this project. Ms. Macalle-Holly stated the alternate septic project is underway and will take about two to three weeks. Dr. Lubnow reported that there was been a lot of work done relative to issues with this project to expand the project due to increase child at the daycare, rock issues and existing system and designing the vegetative swale area. Princeton Hydro is requesting additional funds for design of the depression and engineering oversight. He stated it would be about \$2K for swale design and \$7000 for engineering project oversight. The Commission has closed out its contract with Princeton Hydro for this project since all other grant tasks have been finished except for the task to complete and submit final report to EPA. This grant needs to be closed by mid-November. The Commission would have to authorize the Chair to enter into a small agreement with Princeton Hydro to do the oversight and design grant funded from the TWG.

Dr. Lubnow responded to an inquiry from Acting Chair McCarthy about additional grant funds stating that by the end of the year, the only current grant will be the SFY10 319(h) grant. He has not seen any other funding that is available on a federal or state level at this time. Ms. Macalle-Holly stated the grants are for project implementation and not necessarily for administrative costs. The DEP did reassign some funds from the SFY10 319 grant to keep the Administrator on during the past year through grant reimbursement which will keep the position staffed through the end of the year. Ms. Macalle-Holly stated she inquired if DEP could add additional funds to the grant for administrative, but was advised not at this time. Ms. Pflugh discussed the 319 program stating it is her understanding that no RFPs have been issued for new projects since there were plans that needed to be implemented. She stated in the next fiscal year she was advised that they may be issuing another round of RFP, but she is not sure what the focus will be, but it must address stormwater. She stated that Lake Hopatcong has both a TMDL and restoration plan and the State is obligated to implement the restoration plan. Acting Chair McCarthy discussed his observations in the Crescent Cove area during a significant storm stating the stormwater around the beach areas was contained due to the devices installed there, but the other end had stormwater and erosion cascading into the lake which is filling in the lake.

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Resolution 12-07 Amendment to LHC Resolution 12-04 Approving the Selection of a Contractor to Install the Treatment Device at King Road from NJ DEP SFY10 319(h) Grant

Mr. Zoschak moved the resolution and Mr. Servoss seconded. Mr. Servoss requested clarification to ensure that there will be sufficient funds available if the change order authorization of 25% of the contract would be adequate. Ms. Macalle-Holly stated it should be. The Chair requested a roll call.

ROLL CALL:

Fisch	Yes	Servoss	Yes
McCarthy	Yes	Zoschak	Yes
Pflugh	Yes	Foley	Yes

Motion unanimous.

Mr. Zoschak made the motion and Mr. Servoss seconded the motion to authorize the Chair to enter into a contract with Princeton Hydro through the EPA TWG as previously discussed.

ROLL CALL:

Fisch	Yes	Servoss	Yes
McCarthy	Yes	Zoschak	Yes
Pflugh	Yes	Foley	Yes

Motion unanimous.

Harvesting Update

Mr. Steve Ellis stated there were seven staff on board and operating four harvesters with two conveyor and two dumb trucks. Mr. Calderio will be issued a P-card so he can get parts directly to make repairs more efficiently. Weeds are now being disposed at Ag Choice as of August 8 which has added 45 minutes to staff transport time. He stated everything is running fairly well but there are fuel line breaks and gear boxes which are expensive to replace. He was given permission to replace some harvester canopies because it is a health/safety issue. There have been two starter failures and one conveyor failure; a starter costs about \$600. The Park Service is learning that these harvesters are very expensive. He discussed the areas that had weed removal and the current location of the harvesters. From 7/16-8/20 approximately 1300 cubic yards were removed. The total removal rate last year was 1100 cubic yards but last year there were only three harvesters instead of four being used this year. Both the Park and Commission are receiving calls about the harvesting. Mr. Ellis stated he spoke with Mr. Calderio today for planning for end of season and moving operation back up to Franklin. Mr. Calderio has the task of scheduling his employees through the winter and is limited to 900 hours per employee for a fiscal year. Mr. Ellis stated he would provide the total harvesting amount so Princeton Hydro can include in the end of year monitoring report.

Old Business

There was no old business.

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Mr. Foley discussed how a friend hit a rock by the State Park while waterskiing and ripped off their prop and has been skiing there for twenty years. There was discussion of an old dock there to the right shoreline when looking out from the park. Ms. Macalle-Holly offered to investigate to find out if the dock were in place.

New Business

Pollution Insurance Cancellation

The Commission voted unanimously to not renew the Pollution Insurance Policy which expired on August 31, 2012 since all harvesting equipment was previously transferred to NJ DEP.

Public Comment

Mr. Kurzman discussed the early species of weeds which were really dense and collapsed down before the harvesting began. Mr. Lubnow stated the early species is the curly leaf pondweed. Mr. Kurzman stated when these weeds collapse before they are harvested it serves as nutrients for other species so its good to harvest these and start harvesting earlier.

Mr. Clancy stated seems there doesn't seem to be any effort to find an interim alternate funding source, he inquired what it would be like in a few months when Ms. Macalle-Holly is gone because everything discussed tonight all goes through her. One person's salary between four towns and two counties based on the amount of taxes he pays is not a lot to ask for. The towns will loss more money in the long run. Mr. Zoschak stated it is not the Commission's decision; it is the town. Mr. Clancy stated the Commissioners have to be an advocate for that. Mr. Zoschak stated he is and he reports to his Council. He stated our elected officials are working on it and they have to get the bill passed through Assemblywoman Olivier. Acting Chair states they understand exactly what is going on and he has talked to his Mayor and Council and been to Trenton with his Mayor on several occasions. Mr. Clancy stated a local level solutions needs to be found while we wait to solve it on the State level. He asked if Mr. McCarthy's conversations were a matter of public record. Acting Chair McCarthy stated he did not have public conversations with his town, but he sees them all the time and speaks about money or stormwater management.

Fred Steinbaum, resident of Hopatcong, asked about the funding Bill which passed the Senate. The Acting Chair stated the Bill was for \$400K. He was advised it went through the Senate Environmental Committee and is waiting to get it posted in the Assembly Committee. Once it passes that it goes through the full Senate, but the legislative website states it has to go to the Senate Budget Appropriation committee. Mr. Zoschak stated if the Bill gets passed Assemblywoman Oliver which everyone is working to do, the Governor will sign the Bill. He stated Assemblywoman Oliver is the only one hold that is holding it up today. They return to session next week. Mr. Steinbaum asked about the September meeting and inquired if there was any chance the drawdown may be modified

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for this year. Ms. Pflugh stated that would be a discussion item with the Citizens Advisory Committee (CAC). He was advised by Ms. Pflugh that the meeting is not open to the public.

Mr. Servoss made the motion to adjourn and Mr. Zoschak seconded.

Prepared by: Donna Macalle-Holly