

Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

I. Opening of Meeting/Open Public Meeting Statement

- a. In accordance with the Open Meeting Law, The Lake Hopatcong Commission has caused notice of this meeting to be published by having the date, time, and place thereof delivered or mailed or electronically mailed to the following:

DAILY RECORD and posted on the Lake Hopatcong Commission website (lakehopatcongcommission.org)

II. Salute to the Flag and Moment of Silence

III. Roll Call

Present: Mark Crowley, Mark Fisch, Joshua Osowski, Daniel McCarthy, Anne Seibert-Pravs, Fred Steinbaum, Robert Tessier, Ronald Smith, Todd Stevens

Absent: David Jarvis, Joel Servoss

Alternates Present:

With nine members present, Chairman Smith declares a quorum.

IV. Executive Session

No executive session.

V. Approval of Meeting Minutes

Chairman Smith entertains a motion to approve the minutes. Commissioner Pravs makes a motion to approve the minutes and Commissioner Crowley seconds the motion.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Abstain	Tessier	Yes
Osowski	Yes	Smith	Yes
McCarthy	Abstain	Stevens	Abstain
Pravs	Yes		

The motion passes 6-0-3 (3 abstentions)

VI. Treasurer's Report

Commissioner Fisch gives the Treasurer's Report, he states that the total list of bills includes five bills totaling \$12,445.70. He reviews the list of bills. Commissioner Crowley makes a motion to approve the list of bills, Commissioner Fisch seconds the motion.

Roll Call:

Next Regular Meeting at 7:00 p.m.
Monday, June 10th, 2019
LHF Offices, 125 Landing Rd, Landing NJ

Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Tessier	Yes
McCarthy	Yes	Smith	Yes
Osowski	Yes	Stevens	Yes
Pravs	Yes		

The motion passes unanimously.

VII. Correspondence

Colleen Lyons states Neil Senatore is currently at the Jefferson land use board meeting where the application for an unapproved marina will be heard. She states that there is an application for Mount Arlington on May 22nd. She states that the applications and draft response letters will be on OneDrive on Wednesday. She states that the Commission received a proposal for file scanning of \$5,900 for 20 boxes. She states there are only 5-10 boxes that need to be scanned, an additional 20 boxes will be brought to Franklin for storage. There is a discussion of records retention. Colleen Lyons states that the notices’ of violation for Weldon Quarry were also sent to the Commissioners as correspondence.

VIII. Lake Hopatcong Foundation Updates

Marty Kane provides an update from the Lake Hopatcong Foundation. He welcomes the Commission to their new meeting location at the Lake Hopatcong Train Station/ LHF Offices. He states that attendance for the Block Party reached 4,500 people at the State Park, and he thanks the State Park. He states that the Foundation is working with the legislators on Senate Bill 3632 which sets up an independent Commission that will assess the State’s reluctance to introduce grass carp. He states that it would be a temporary committee to determine if New Jersey is on target with their grass carp policy through scientific evidence. Kane states that they spoke with Hudson Farm and they are interested in having grass carp in Bear Pond. Mr. Kane states that the dock numbering program is hovering around 38% coverage. The Foundation is trying to fill in the gaps and get above 40% this year. Commissioner Pravs states that the Hopatcong Environmental Commission provided handouts on herbicide chemicals at the Block Party, and they are all over social media. Chair Smith thanks the Foundation for welcoming the Commission and providing a permanent home for the Commission meetings.

IX. Princeton Hydro Updates

Dr. Fred Lubnow provides an update from Princeton Hydro. He provides results from the final report for the tributary. He states that the results show that the sediment is primarily fine sand and 40% finer grain sand. He states that the Washington Post interviewed him on the impact of climate change on lakes, and they are very

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LHF Offices, 125 Landing Rd, Landing NJ

Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

interested in Lake Hopatcong. He states that they are interested in long term data analysis from Princeton Hydro. There is a general discussion of ice records and grain size analysis of the tributary samples. Commissioner Tessier asks Dr. Lubnow what the method is for cleaning up a discharge like the one at Weldon Quarry. Dr. Lubnow states that they have to clean up the detention pond and minimize the pollution on-site. He states that if you clean just the stream then the sediment will continue to wash into the surface water. Commissioner Tessier asks about the WIP and if there will be an opportunity to discuss the recommended projects. Dr. Lubnow states that the draft Plan will be provided at the June meeting and finalized in July so that by end of July the plan is complete. Chair Smith asks when the Commission should apply for additional Highlands Council funding. Dr. Lubnow states that they can apply after the draft WIP is complete. Commissioner Tessier requests a list of potential projects prior to issuance of the draft.

X. Commissioner Comments

Commissioner Pravs states that the Block Party provides comradery for the entire lake community. She states that the lake needs standardization for land use across the four municipalities. Commissioner Crowley thanks Colleen Lyons for manning the Commission booth. Commissioner Fisch states that the Block Party was a great event and thanks Anne and Colleen for being at the booth. He states that he would like to see if lights can be placed on the buoys and has been working with Jessica Murphy to see if it can be done. He states that Ms. Murphy will be approaching the NJDEP to see if it can be done. Commissioner Tessier states that he has been working with Ms. Lyons on municipal land use applications. He states that there are a lot of impacts happening all around the lake and he states that it is important to have Commission representation at the land use meetings. He states that they looked at the Hopatcong ordinance for Weldon Quarry and they are required to have a site plan, biannual permit, and an environmental impact statement. These documents should be obtained by the Commission from the municipality. He states that this will provide a foundation for determining if the Quarry follows the municipal ordinance. Commissioner Tessier states that a planner can assist with providing draft regulations on impervious surface coverage and dock length to the municipalities. Ms. Lyons states that she has spoken with the Highlands Council about how municipal ordinances may be affected by plan conformance.

XI. Comments from the Audience *(on agenda items only, if applicable)*

Chair Smith opens the meeting to the public.
No comments.

XII. Chairman's Report

Chair Smith apologizes for missing the block party but it was a great event. He states that they have an RFP for legal services and asks for any comments from

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Monday, June 10th, 2019
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Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

the Commission on the RFP. There are no comments. He states that he would like to finalize the subcommittee list. He suggests that each Commissioner review the list of subcommittees and choose their top three committees. Commissioner McCarthy states that he was at the Hopatcong Land Use Board meeting last week. He states that they gave Ms. Lyons the time to speak, but they may not understand the purpose of the Commission's recommendations and how they protect Lake Hopatcong. He suggests that the subcommittee have an introductory meeting with each of the Land Use Boards to discuss the impacts of Board approvals on water quality in Lake Hopatcong.

XIII. Updates

Weed Harvesting and Water Level

In Alternate Commissioner Castellon's absence, Commissioner Osowski provides an update. He states that there are currently two permanent employees on staff and a full seasonal crew. He states there are three full-time seasonal dump truck drivers, four large harvesters and one small harvester will be on the water for the season. He states that equipment will be moved to the State Park by the end of this week. He estimates that they will be on the water by Wednesday May 22nd. Parts have been received and installed, some final repairs are being made in time for transferring the equipment at the end of the week. He states that relief valves are being ordered, but they can be replaced while equipment is on the water and it will not affect operations. He states that the valves will take approximately 30-45 days to arrive. He states that all new hires are already on payroll, personnel training has already been completed with staff, and safety training will be scheduled when equipment is at the state park. He states that weed harvesting will take place as in the past, in phases. He states that telecommunications department will be on site tomorrow to complete State Park Police phone line installations. A move-in date has not been received, but it is understood that as soon as phone lines are installed SPP will soon begin moving their files into the old LHC space. An email was sent to LHC/Ron and Colleen asking status of LHC files being cleared from the space. As of 11:15am today the water is over the dam, lake level is at 9 feet 4.92 inches.

DEP Update

Commissioner Osowski provides an update on Weldon Quarry. He spoke with water compliance, he states that Weldon sent a letter which indicates that they had a pipe break and they have repaired the pipe and are working with DEP. NJDEP did get a NOV, they found the detention basin was leaking and they received a second NOV, the strategy is to install booms to prevent material from going into the lake. They will work on cleaning up the materials at the headwaters and then move on to the stream. The timeframe has not been provided yet. DEP is cautiously optimistic that it is going in a good direction, the investigation is continuing. Air Compliance said in 2018 they were cited with a violation for machinery. Two types

Next Regular Meeting at 7:00 p.m.
Monday, June 10th, 2019
LHF Offices, 125 Landing Rd, Landing NJ

Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

of dusts directly from machinery and secondary nuisance dust in either case if you see the dust they have to be able to visually prove that the dust comes from the quarry property. 19 people in the past 3 years. They were not able to validate that this is where the dust has come from. Contact the WARN-DEP to report it when they can verify it they will act.

CAC Meeting

Commissioner Osowski states that he should have a meeting with his supervisors and then will set up the CAC Meeting hopefully in June. Commissioner McCarthy states that they may not need to revise the entire WLMP but possibly fine tune the current report. There is a general discussion of how the WLMP will be updated. Commissioner Pravs states that decisions for the lake should be made locally not by people in Trenton.

Historic File Scanning

Colleen Lyons states that a proposal was provided by Innovative Document Imaging for scanning of boxes. She currently has five boxes that need to be scanned, and is going to put an additional 20 boxes into storage at the Franklin building.

Committee Structure

Commissioner Steinbaum states that Chair Smith asked for a list of committees for the Commission. He states that the Commission needs more involvement from all of the Commissioners and Alternate Commissioners on the subcommittees, so he and Ms. Lyons updated the 2006 Bylaws for current needs of the Commission. He reviews each of the committee updates. Chair Smith suggests splitting budget and funding into budget and finance. Commissioner Tessier suggests that there should be a community planning committee in addition to the land use committee. This committee would review zoning ordinances around the lake. There is a general discussion of the committee structure. Chair Smith states that the Commissioners should be prepared to vote on the Committee Structure and Bylaws at the June meeting.

Land Use

Colleen Lyons states that there is a meeting in Jefferson tonight to discuss the un-approved marina on South Beach Road. She states that there is a meeting on May 22nd in Mount Arlington and she will be sending out the applications and recommendation letters on Wednesday for review by the committee.

Office Furniture Purchase

Next Regular Meeting at 7:00 p.m.
Monday, June 10th, 2019
LHF Offices, 125 Landing Rd, Landing NJ

Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ

Colleen Lyons states that she has not purchased any new office furniture yet. Marty Kane states that the Foundation may be able to provide office furniture from previous donations to the Foundation.

XIV. New Items

Commissioner Osowski states that they are getting close to the end of NJDEP/LHC MOU and should prepare next year’s MOU. Ms. Lyons asks Commissioner Osowski if the DEP can provide a summary of expenditures through May 2019 for the June meeting. Commissioner Osowski states that they will try to get something together.

XV. Action Items (Resolutions)

Chair Smith introduces the resolution to approve the RFP for Legal Services. Commissioner Steinbaum makes a motion to approve the RFP for Legal Services, Commissioner Crowley seconds the motion.

RES 19-07 RFP for Legal Services

Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Tessier	Abstain
McCarthy	Yes	Smith	Yes
Osowski	Abstain	Stevens	Abstain
Pravs	Yes		

The motion passes 6-0-3.

RES 19-08 Revised Commission Bylaws

A vote will be held until next month.

XVI. Public Comments *(please refer to Section V “Public participation shall be governed by the following rules:”)*

Chair Smith opens the meeting to the public.

Barbara Loring Hopatcong – Thanks the Commission for the changes that were made in the WLMP pilot program. She states that Weldon quarry is a large corporation and the fine that was charged of \$2500 was not enough. She feels that the fine should have been higher.

Tim Clancy states that he spoke to NJDEP and asked them to put a silt screen in, one week later it was fixed and is now functioning properly. He states that they

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LHF Offices, 125 Landing Rd, Landing NJ

***Lake Hopatcong Commission
Regular Meeting Minutes – May 13th, 2019
LHF Offices, 125 Landing Ln, Landing NJ***

asked for an additional silt curtain on the lake side and that the NJDEP share more timely information about what is going on. He states that he doesn't like that the DEP is not giving more information.

Lou Tarascio states that he is frustrated that NJDEP is not being more proactive and is not providing information in a timely manner.

Commissioner Steinbaum makes a motion to adjourn the meeting. Commissioner Fisch seconds the motion.

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