

Lake Hopatcong Commission
Regular Meeting Minutes – August 19th, 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, Anne Seibert-Pravs, Joel Servoss, Fred Steinbaum, Todd Stevens, Robert Tessier, Ronald Smith

Absent: David Jarvis, Daniel McCarthy

Alternates Present: Eric Wilsusen

With ten members present, Chair Smith declares a quorum.

IV. Approval of Meeting Minutes

Chair Smith entertains a motion to approve the minutes. Commissioner Setinbaum makes a motion to approve the minutes and Commissioner Silsusen seconds the motion.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
Osowski	Abstain	Tessier	Yes
Pravs	Abstain	Wilsusen	Yes
Servoss	Yes	Smith	Yes

The motion passes 8-0-2 (2 abstentions)

V. Treasurer's Report

Commissioner Fisch states that the Commission has \$114,084.17 in the bank account. There are thirteen bills outstanding, which total \$18,645.98. Commissioner Steinbaum asks if the Commission has received the funding disbursement for FY2020. Chair Smith entertains a motion to approve the list of bills. Commissioner Pravs makes a motion to approve the list of bills, Commissioner Wilsusen seconds the motion.

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Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
Osowski	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

VI. Correspondence

Colleen Lyons provides an update on correspondence and indicates all correspondence was sent to the Commissioners prior to the meeting for review.

VII. Lake Hopatcong Foundation Updates

Jessica Murphy provides an update for the Lake Hopatcong Foundation. She states the Foundation organized two meetings between the four municipal mayors, the Commission and Princeton Hydro in response to the harmful algal bloom. The purpose of the meetings is to discuss potential short-term and long-term projects. She states that the Foundation arranged services for a lake video, which promoted the lake in support of non-swimming activities and the businesses around the lake. She states that the Foundation has scheduled a meeting with the Deal Lake, Greenwood Lake and Lake Hopatcong Commissions to discuss a unified approach to presenting HAB proposals to the NJDEP. Alternate Commissioner Wilsusen added that the mayors are working as a community to deal with water quality issues now and in the future. He states that the Foundation is an advocate for the lake and has taken the lead in bringing everyone to the table. Jessica Murphy states that the Smithsonian Waterways exhibit received 700 visitors. Marty Kane adds that there has been good teamwork between the municipalities and there is an opportunity to make things happen.

VIII. Princeton Hydro Presentation

Dr. Fred Lubnow provides an update on August water quality and cyanotoxin monitoring. He states that as of August 12th, samples collected by Princeton Hydro for cyanotoxin monitoring were negative or below the limit of detection for cyanotoxins and above the 20,000 cells/mL NJDEP threshold for cell count. He states that they are still waiting on results from their August water quality sampling event. Dr. Lubnow adds that quarry sampling memos will be forwarded to the Commission. He states that alkalinity, hardness, and specific conductivity measure the buffering capacity of a waterbody. The quarry stream had high concentrations of total suspended solids, but phosphorus was the same at the quarry stream and the reference stream. He states that the difference in phosphorus concentration

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between the two streams is that the quarry stream contained more organic, dissolved phosphorus and total suspended solids than the reference stream. He states that the reference stream was more balanced. Dr. Lubnow states that he attended the Mayor's meeting and discussed various sources of funding from local, state, and federal entities. They discussed various projects including small scale beach restoration projects for individual clubs around the lake and larger demonstration projects. He states that the NJDEP requested proposals for demonstration projects and Princeton Hydro submitted them two weeks ago. Commissioner Steinbaum asks what is the implication of organic vs inorganic phosphorus. Dr. Lubnow states that the organic phosphorus can favor blue green algae. He states that he does not know why there is more organic phosphorus in the quarry stream. Commissioner Steinbaum asks why there are fewer weeds this year. Dr. Lubnow states that after an extended drawdown usually there are less weeds. He states that the bloom on Lake Hopatcong started from the edge of the lake and moved in towards the center. He states the bloom was very watershed driven. Heavy rains and warm weather patterns allowed the blooms to form. He states that secchi disk measurements were lower this year than in past years. The water appears more opaque this year.

IX. Commissioner Comments

Commissioner Fisch comments on the importance of sewers around the lake. Commissioner Steinbaum states that he is frustrated. The Commission already has excellent science on the water quality of the lake. He states that the focus should be on what can be done right now to prevent the HAB from reoccurring in the future. He states that the Commission has minimal funding right now, and needs emergency funding, they are counting on the legislature for long-term funding and have been disappointed in the past. He states that it would be prudent to appeal to the Governor's office to get the Commission going on things that they have not been able to do because of lack of funding. Chairman Smith states that the Commission is working with the municipalities to get funding for the lake. Commissioner Crowley states that the Commission requires consistent funding. They cannot plan without having a budget and consistently having money. He states that the Commission needs DEP approval for pilot demonstration projects, and the proposals get rejected. He states that there must be year-round involvement from the public, local government and state government. Attention cannot fade during the winter months. Chair Smith states that the weed harvesting equipment is 17 years old and will need to be replaced eventually. Commissioner Stevens agrees with the other Commissioners, he states that we need action and funding. Commissioner Pravs states that she is happy about the collaboration of the four municipalities, but wants to see it extended to a standardized shoreline ordinance for the protection of the lake. She states that excessive impervious surface coverage needs to be addressed. She states that the Roxbury Council meeting addressed the past two drownings on the lake were on rental boats. She states that they are

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establishing a memorial instruction for the pontoon boats, which will ensure a better safety standard. Commissioner Tessier states that the HAB on the lake should be a wakeup call. He states that as climate continues to change you don't want to say that you should have done something. He states that the water quality of the lake is everyone's problem, homeowners, businesses, the state, each municipality, the counties and the DEP. He states that land use boards continue to allow variances for impervious coverage without environmental consideration. He states that the municipal environmental commissions should also be more involved. Commissioner Fisch states that there is a broad conversation now about the lake and its issues. He states that all proposals stop with the state and he hopes that this will open their eyes and ears because the Commission can only do so much with \$145,000. Commissioner Servoss comments on the article in the star ledger that indicates that temperatures in New Jersey, Rhode Island and Alaska are rising faster than other states due to climate change. Alternate Commissioner Wilsusen states that the Mayor's meetings are moving in the right direction, but they will require additional funding. He states that the public can also reach out to the Governor's office to ask for funding for the Commission. He states that he is an avid boater, and he sees more people coming back to the lake. He states that there are more people in Byram Cove. He states that he has been in contact with Mayor Stanzilis and other mayors around the lake to put together a safety course for rental boats on the lake.

X. Chairmans Report

Chair Smith states that the best way forward is to unite between the four municipalities, the Commission and the Foundation. He states that they are seeking funding at the local, state, and federal levels. He states that one possible idea is for the Commission to purchase a vac-truck and it could be used by the four municipalities through a shared service agreement. This will allow for a more immediate clean out of the catch basins around the lake. The group intends to get a budget to Trenton for action as soon as possible. Commissioner Tessier states that they should be looking at sewers. Dr. Lubnow states that the watershed implementation plan will address the benefits of sewers and this will put the Commission high on the list for potential funding. He states that Jefferson and Hopatcong are looking into sewer projects. Hopatcong has a shovel ready plan for 50 additional homes along Hudson Ave. Jefferson is looking to update their 2002 sewer plans. He states that one major factor for Jefferson will be whether lake Shawnee can be included, if not it will be difficult to proceed.

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

Tim Clancy, Jefferson states that on February 8, 2019 there was a discharge from the quarry. He states that the highest phosphorus in the lake was at Station 10, the

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closest station to the quarry stream. He solicits lakefront homeowners to contact him to start a lawsuit against the quarry.

Olive Freud, Lake Hopatcong asks what legal action has been taken against people using phosphorus on their lawns.

George Stafford, NJ Highlands Coalition states that unity between the stakeholder groups is vital. He states that there are problems with legislators who are not considering a stormwater utility. He states that sewerage the other 55% of the watershed is not going to come from state funding by itself, the Highlands Council or the Counties. He states that sooner or later it comes down to the people in the municipalities and those who take the value from the lake. He states that as the situation gets worse the municipalities will face tax appeals. He states that there is a meeting tomorrow in Sparta at the Lake Mohawk Country Club to discuss options for dealing with stormwater.

Meghan Oniell, Lake Hopatcong states that she closed on her house in the Jefferson Canals three days before the HAB advisory was put in place. She states that she has done a lot of research and is having trouble locating information. She states that she would like to help contribute to help or start a grassroots campaign. Ms. Lyons states that the Lake Hopatcong Foundation has a lot of information available on their website for homeowners looking to make a positive impact on water quality.

Bob Barry, Roxbury directs a comment to Commissioner Osowski and states that New Jersey isn't following the guidelines from the World Health Organization. The DEP advisory has killed business in the lake region and asks how the DEP derived 20,000 cells/mL as the threshold. Commissioner Osowski states that the NJDEP is reviewing the numbers.

John Kurzman states that the water level management update was the only thing that kept the water high. He states that the weed harvesters are running and coming up empty. The citizens for action page indicates that Crescent Cove and King's Cove need the harvesters. He states that between February and May he had asked for data on the quarry from DEP. He states that years ago he and Dave Jarvis held a special meeting with the DEP about the water level management plan.

XII. Updates

Weed Harvesting and Water Level

Alternate Commissioner Castellon provides an update on the weed harvesting program. She states that there are two permanent employees on staff, one was out on medical leave due to an injury. She states that there is a seasonal crew of 3 full-time harvester operators, two part-time seasonal harvester operators and two full-time seasonal dump truck drivers. She states that four large harvesters and one small harvester are on the water. She states that the dump trucks are stationed at Lees park and Ashley cove. One of the dump trucks is being serviced for electrical repairs. She states that the DEP will be submitting samples to the MUA and will

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be using Hampton Clarke labs to perform aqueous samples to comply with the MUA's request. Samples are scheduled to be taken on Monday 8/19 and sent to the lab. Results are expected in 5 days. Meanwhile they will dispose of weeds at SCUMA. The sampling fees are much more affordable at Hampton Clarke and have been quoted to be \$80/volatile samples, \$75/metal samples and one-time \$15 environmental recovery fee. They are taking four samples of each totaling \$635. She states that sealed bids are due this week for the park office roof repairs, which means that as soon as a contractor is hired the repairs will begin. She states that the telecommunications department will be notified to move the Commission's line to the new office. The weed harvesting crew is in phase 3 between August 5th and October 4th. The harvesters will cover north of Nolan's Point to Brady Bridge, Halsey Island, Raccoon Island and Byram Cove. Fridays the harvesters are focusing on cleaning up floating weed debris. Between mid-May and August 14, 2019 744 cubic yards of weeds have been harvested. She states that the DEP water monitoring obtained a second consecutive satisfactory sample from HAB sampling for the swim area at Hopatcong State Park, however other areas on the lake had unsatisfactory results and will continue to be monitored for HABs. Commissioner Steinbaum asks when she expects the office to be completed? Ms. Castellon states that she will get an estimate.

DEP Update

Commissioner Osowski reads an update on the quarry. He states that DEP completed nutrient monitoring of the quarry stream and provided results to the Commission on August 14th. He states that the DEP has found that Weldon Quarry is a nutrient source, but at relatively low levels. They found that two nearby reference streams had higher phosphorus concentrations than the quarry stream. Mayor Francis states that taxing people based on their impervious surface coverage is ridiculous. He states that Hopatcong has very restrictive stormwater regulations. The worst area of the lake is Crescent Cove and he states that he has proposed a short-term project to DEP and they have not approved it. He states that they are developing a shovel ready plan for Hudson Avenue that will be ready in the next two weeks.

CAC Meeting

Commissioner Osowski states that all of the DEP focus has been centered on the HAB and that he is scheduling the CAC and WLMP meetings.

LHC/NJDEP MOU

Commissioner Osowski states that the final costs for the weed harvesting program for FY19 are being finalized and may be under budget. The DEP will provide more information at the next meeting.

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Historic File Scanning

Colleen Lyons states that the file scanning is complete and the next step is to go through all of the digital files.

NJLCV Grant Completion and Final Report

Colleen Lyons states that the grant agreement with NJLCV was completed on August 1, 2019 and the final grant report was submitted in mid-July. Chair Smith asks about funding with the Highland’s Council. Ms. Lyons states that she and Commissioner Stevens met with representatives of the Highland’s Council and they explained that the funding mechanism that funded the WIP has been expended, however there is funding available for project planning through the municipalities around the lake.

Benecke Economics

Commissioner Steinbaum suggests that pursuit of the Benecke Economics proposals should be put on hold for the time being.

Ice Retardant Systems Committee

Colleen Lyons states that at the June meeting there was a request for a memo on the committee’s proposal to ban propeller driven systems. The memo will be presented to each municipality. In Commissioner McCarthy’s absence this will be postponed.

XIII. New Items

NALMS

Colleen Lyons presents the costs for attending the North American lake management society conference in November 2019. She requests approval to attend the meeting. Chair Smith entertains a motion to approve the request. Commissioner Steinbaum makes a motion to approve Ms. Lyons attendance at the NALMS meeting. Commissioner Tessier seconds the motion.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
Osowski	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

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Hopatcong Land Use Board

Colleen Lyons requests the presence of a Commissioner at the Hopatcong Land Use Board meeting on Tuesday so that she can attend a meeting on stormwater management. Commissioner Steinbaum volunteers to attend in her place.

XIV. Action Items (Resolutions)

RES 19-08 Revised Commission Bylaws

Chair Smith introduces the updated bylaws and committee structure. Colleen Lyons asks that if Commissioners have not already sent their preferred committee selection that they please do so prior to the next meeting. Commissioner Steinbaum makes a motion to approve the bylaws. Commissioner Pravs seconds the motion. Commissioner Crowley asks if this will allow the bylaws to be changed or if it is approving the new bylaws. Commissioner Steinbaum states that the motion and resolution are to approve the bylaws. Approval requires two passing votes at two consecutive meetings.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Abstain
Osowski	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Servoss	Yes	Smith	Yes

The motion passes 9-1-0 (1 abstention)

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

Bob Drexler comments that there are runoff issues around the lake. He asks what the impact of deicer use on roads around the lake. Dr. Lubnow states that road salt does not have a direct negative impact, but it does kill vegetation and causes increased erosion of soils. The Commission has brought this to the attention of Princeton Hydro and is interested in looking into alternatives.

Willa Scatchelbury asks Dr. Lubnow if cleaning the catch basins is enough or if filtration is also needed. Dr. Fred Lubnow states that settling particulate can remove 30-40% of phosphorus. He states that Princeton Hydro is also looking at projects to remove phosphorus. He states that they will need to be strategic and look at what areas of the lake will benefit most from filtration and which materials are more effective. Demonstration project proposals include aeration, oxidizers, floating wetland islands and ultrasonic units. Ms. Scatchelbury asks if zooplankton will eat the algae. Dr. Lubnow states that they will eat algae, but not blue green algae

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because they are larger and filamentous. They are also cyanotoxin. Ms. Scatchelbury presents photos on the conditions in Crescent Cove and states that DEP testing should be done along the shoreline and not in the middle of the cove. Pete Rathjens asks when the advisory will be lifted for eating fish. Commissioner Osowski states that he will have to find out.

Patty Townsend, Hopatcong states that Crescent Cove weed harvesting has done a good job, but it needs to be revisited. Alternate Commissioner Castellon states that Crescent Cove was addressed at the beginning of the season, but they have to address other areas of the lake before they can return to Crescent Cove.

Dennis Moran asks if Dr. Lubnow can explain the low dissolved oxygen levels in the lower part of the lake. Dr. Lubnow states that Lake Hopatcong mixes twice per season. The deep waters of the lake are sealed off from sunlight and there is no dissolved oxygen. He states that over the summer months there is a depletion of dissolved oxygen and based on this Princeton Hydro has estimated availability of phosphorus. He states that there is a chemical reaction between iron and phosphorus when there is no oxygen the bond is broken and phosphorus can float up. Blue green algae can float up and down to access sunlight and phosphorus. He states that the internal load was estimated at 7% but they need to update the number based on collected data with core samples. The model tells us 80% of the load comes from the watershed that is why the focus is on stormwater and nutrient loading. Ms. Townsend asks why the turbidity of the lake is so bad this year. Dr. Lubnow states that total suspended solids are high from flashy storms and algae growth. He states that he hopes that it will dissipate as we move to fall and as the lake turns over. He states that the lake will turn to green or brown as the blue green algae are replaced by diatoms. He states that a very cold winter can reduce weeds. Commissioner Steinbaum asks if the DEP has been sharing its data. Dr. Lubnow states that Princeton Hydro takes measurements once per month five times per year as part of their water quality data. He states that they have collected data for 20 years. He states that the water quality data for Lake Hopatcong is one of the longest continuous datasets in the northeast.

Tim Clancy states that the DEP does not need to raise the threshold for the HAB. He states that septics are an issue, 80% of septics in Jefferson are failing. He states that the sewer project needs \$500,000 to be shovel ready. He states that they need to take an opportunity with the HAB to come up with money. Dr. Lubnow states that a septic management plan can reduce phosphorus between 10-30%, however sewers reduce phosphorus by much more.

XVI. Executive Session

Chair Smith entertains a motion to enter executive session where the Commission will discuss responses to the request for proposals for an attorney of record. Commissioner Steinbaum makes a motion to enter executive session, Commissioner Fisch seconds the motion.

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Chair Smith entertains a motion to return to the open public meeting. Commissioner Fisch makes a motion to enter executive session, Commissioner Wilsusen seconds the motion.

XVII. Close of Meeting

Chairman Smith entertains a motion to adjourn. Alternate Commissioner Wilsusen makes a motion to adjourn the meeting. Commissioner Steinbaum seconds the motion. The meeting is adjourned.

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