

Lake Hopatcong Commission
Regular Meeting Minutes – October 15th, 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 Fisch, Daniel McCarthy, Joel Servoss, Fred Steinbaum, Todd Stevens, Robert Tessier, Ronald Smith

Absent: Mark Crowley, David Jarvis, Joshua Osowski, Anne Seibert-Pravs

Alternates Present: Melissa Castellon, Tom Sellaro

With eight members present, Chair Smith declares a quorum.

IV. Executive Session

Chair Smith states that the Commission will hold an executive session to discuss legal matters. Commissioner Tessier makes a motion to enter executive session, Commissioner McCarthy seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Abstain	Tessier	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

Chair Smith entertains a motion to reenter the public portion of the meeting. Commissioner McCarthy makes a motion, Commissioner Servoss seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Abstain	Tessier	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

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Chair Smith states that the Commission advertised a request for proposals for an attorney of record. During the executive session they discussed the proposals that were submitted. Chair Smith entertains a motion to appoint an attorney of record for the Lake Hopatcong Commission. Commissioner Fisch makes a motion to appoint the law firm of Durkin and Durkin to represent the Lake Hopatcong Commission. Commissioner Tessier seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Abstain	Tessier	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

V. Approval of Meeting Minutes

Chair Smith entertains a motion to approve the minutes. Commissioner Steinbaum has one correction for the September 2019 minutes. He makes a motion to approve the minutes as corrected. Commissioner Fisch seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Abstain	Tessier	Yes
Servoss	Yes	Smith	Yes

The motion passes unanimously.

VI. Treasurer’s Report

Commissioner Fisch provides the treasurers report. He states that as of September 30th there was \$83,318.24 in the account. He states that the Commission has not received fund for fiscal year 2020 and we will not until an MOU is signed between the Commission and the DEP. Commissioner Steinbaum asks if the Commission received the refund that was not spent during fiscal year 2019. Commissioner Fisch states that they have not. He states that there are eleven bills totaling \$31,996.81. Commissioner Tessier makes a motion to approve the list of bills, Commissioner McCarthy seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Abstain	Tessier	Yes

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Servoss	Yes	Smith	Yes
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The motion passes unanimously.

VII. Correspondence

Colleen Lyons provides an update on recent land use applications for the municipalities around the lake. She indicates all correspondence was sent to the Commissioners prior to the meeting for review. She states that the Commission also received a thank you letter from Senator Sweeney’s office.

VIII. Lake Hopatcong Foundation Updates

Marty Kane provides an update for the Foundation. He states that the Foundation held the annual Lake Loop yesterday. He states that the Lake George Fund hosted a meeting last week and they are doing research and science on the lake. They are interested in doing research on other lakes and are figuring out whether they can bring it to Lake Hopatcong and how it could benefit the lake. He states that he will attend the Delaware Watershed Conference Resolutions. He states that the Foundation will also be at NALMS in November. He states that all of the municipalities are voting on or have already passed resolutions in support of the Commission to receive funding. Mr. Kane states that the Foundation is hopeful that the Commission will receive funding necessary to carry out their responsibilities.

IX. Princeton Hydro Presentation

Fred Lubnow of Princeton Hydro provides an update. He presents the draft watershed implementation plan which was funded through the NJ Highlands Council. Fred provides an overview of both Lake Musconetcong and Lake Hopatcong (total maximum daily loads) TMDLs. He provides an update on phosphorus concentrations over time in Lake Hopatcong. He states that Crescent Cove/River Styx has shown measurable decline in chlorophyll-a and increase in water clarity. Mid-Lake has remained the same. He states that the northern end of lake is getting more turbid. July mid-lake station surface water temperatures over time, show a statistically significant increase. Dr. Lubnow states that they identified 27 sites throughout the Lake Hopatcong watershed for projects. He states that the cost estimates included in the WIP did not include design, engineering permitting or monitoring. He recommends that they conduct engineering assessments to reduce costs and minimize delays and make projects as shovel ready as possible. Dr. Lubnow then reviews several proposed project locations and how they could be implemented.

X. Morris County Soil Conservation District

Louis Davis Chairman of the Morris County Soil Conservation District (MCSCD) provides information on how the MCSCD and Commission can work together. She states that the soil district is a quasi-judicial, self-funded agency and they oversee

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construction in Morris County. She states that she has been trying to think of ways MCSCD can work with Lake Hopatcong. Ms. Davis states she is also involved with Lake George and she has been looking at how they manage the lake and what similar techniques could be used on Lake Hopatcong. She states that five years ago IBM & Lake George began working together on Lake George with the goal of having the smartest and cleanest lake in the world. She states that there are approximately 50,000 monitors around the lake that are analyzed by the Watson computer. She states that they want to help Lake Hopatcong and also recognize that boats coming from Lake Hopatcong may bring invasive species to Lake George. She states that for that reason the Lake George Fund has offered to fund 50% of a boat washing station on Lake Hopatcong.

XI. Chairman's Report

Chair Smith reports on the visit with Senator Sweeney and members of his staff. He states that Senator Sweeney was impressed with the lake and he seemed willing to lend support to help find support. He states that the Governor will be visiting the lake sometime next month. Chair Smith states that Committee appointments will be made by the Chairman and Committee Chairs. He states that he is hopeful that the Commission will receive additional funding, but is unsure of the details.

XII. Commissioner Comments

Commissioner Tessier states that at the October 11th meeting he stated that DEP and Weldon Quarry are not addressing the basin and he is concerned about the impact to the cove and lake. There is a general discussion of the quarry investigation and what studies could show impacts to the cove. Commissioner Steinbaum reports that the algae in the lake is still bad and he states that it is still worst in the cove closest to the cove impacted by the quarry discharge. Commissioner McCarthy requests that Princeton Hydro can put together costs for replacing material in the existing BMPs. Dr. Lubnow states that they are putting together a proposal that will be submitted to the Highland's Council for funding. Commissioner McCarthy asks if the catch basin data put together in the early 2000's was located during the file scanning and if it can be forwarded to the municipalities. Ms. Lyons states that she will look for the files.

XIII. Updates

Weed Harvesting and Water Level

22" drawdown permit has been filed 8.32. Drawdown has not begun yet.

Alternate Commissioner Castellon provides an update on the weed harvesting program and water level. She states that the State Park has filed for a permit for the drawdown. She states that the drawdown for this year is a 22 inch drawdown. She

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states that the water level as of today is at 8.32 feet. She states that the weed harvesters are off of the lake, the equipment is at Hopatcong State Park and is being power washed at the park. She states that it will be transferred to the Franklin Building and the disassembly processes will begin. She states that the small harvester will be refurbished to be put on lake with the rest of machines in 2020. She states that a contractor for roof repair has been selected and should begin work in November. She recommends that once the remediation begins the Commission's files should be moved to the back room. She states that the total weeds harvested this year are 1,284 cubic yards. She states that they harvested approximately 4,000 cubic yards last year.

Alternate Commissioner Castellon reads the update on the Weldon Quarry Investigation report from Doug Speeney of Water Compliance and Enforcement for DEP.

CAC Meeting

Alternate Commissioner Castellon states that she and Commissioner Osowski have met with the Assistant Commissioner and they will be scheduling the CAC meeting soon. Commissioner Steinbaum states that the Commission has been trying to schedule a meeting for two years. He states that the plan is due to be revised by 2021 and it will require multiple CAC meetings and notification of changes to stakeholders. He states that the delay in scheduling the meeting needs immediate attention. Commissioner McCarthy states that he does not believe the whole plan needs to be rewritten, but that it just needs some adjustment. He clarifies that the DEP will be continuing the 22" pilot drawdown and this is not the standard drawdown. He states that the CAC should meet to discuss the pilot program drawdown.

LHC/NJDEP MOU

Alternate Commissioner Castellon states that a draft MOU was sent to the Commission for review. There is a general discussion of the draft MOU.

WLMP Update

Alternate Commissioner Castellon states that the CAC meeting needs to occur before the WLMP can be updated.

Ice Retardant Systems Committee

Commissioner McCarthy states that they will prepare a document to be presented to the Commission and then to the municipalities. He states that the plan is to get feedback from the Commission and then present the document to the municipalities.

XIV. New Items

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XV. Public Comments

John Kurzman, Lake Hopatcong comments that the 22” pilot proposal is separate from a proposal that removed provisions that protected the lake during a dry period. He asks what benefit did the sewers have in Mount Arlington. He states that if more sewers are added then more water will need to be sent downstream as well. He states that algae blooms are occurring now and need to consider the regulatory issues. He states that Greenwood Lake has stated that they are not going to listen and close because their beaches because of NJDEP blue green algae regulations. He states that he has data that shows which stormdrains are polluting the lake. Marty Kane states that the Foundation has met with Deal and Greenwood Lake with Princeton Hydro to develop a white paper. He states that the Greenwood Lake statement is not correct. Mr. Kurzman states that it was in the press. Mr. Kane states that hopefully the DEP will reconsider their regulations. Dr. Lubnow states that a department of health can close a beach for any reason, not just coliform or algae, but for any reason.

Earl Riley of the Lake Musconetcong Regional Planning Board states that he would like the Lake Hopatcong Commission, Foundation and Regional Planning Board can work together and share resources. He states that it cost \$300,000 for 1200 cubic yards of weeds. He states that Lake Musconetcong states that they harvested 900 cubic yards for \$10,000.

XVI. Action Items (Resolutions)

The appointment of legal representation was voted on earlier in the meeting.

XVII. Close of Meeting

Chairman Smith entertains a motion to adjourn. Commissioner Servoss makes a motion to adjourn the meeting. Commissioner Fisch seconds the motion. The meeting is adjourned.

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