

Lake Hopatcong Commission
Regular Meeting Minutes – February 10, 2020
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, Anne Seibert-Pravs, Fred Steinbaum, Todd Stevens, Robert Tessier, Ronald Smith, Eric Wilsusen

Absent: Mark Crowley, Tom Foley, Joshua Osowski, Joel Servoss,

Alternates Present: Melissa Castellon, Ryan Gilfillan, Bill Hirshfeld, Tom Sellaro, Neil Senatore

With ten members present, Chair Smith declares a quorum.

IV. Executive Session

Chair Smith indicates that an executive session will not be held.

V. Approval of Meeting Minutes

Chair Smith entertains a motion to approve the minutes. Commissioner Wilsusen makes a motion to approve the minutes, Commissioner McCarthy seconds the motion.

Roll Call:

Castellon	Abstain	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Sellaro	Yes	Smith	Yes

The motion passes 9-1-0 (one abstentions).

VI. Treasurer's Report

Commissioner Fisch provides the Treasurer's report. He states that there are five bills totaling \$6,686.77. He states that the balance in the Commission bank account is \$161,756.90. Chair Smith entertains a motion to approve the list of bills. Commissioner McCarthy makes a motion to approve the list of bills, Commissioner Steinbaum seconds the motion.

Next Regular Meeting at 7:00 p.m.
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Roll Call:

Castellon	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Sellaro	Yes	Smith	Yes

The motion passes unanimously.

VII. Correspondence

Colleen Lyons provides a summary of the correspondence. She states that the Commission’s land use applications are posted on the OneDrive account. The Commission also received a response from Assistant Commissioner Ray Bukowski, which indicates that a CAC meeting is being scheduled by Regional Superintendent Osowski.

VIII. Lake Hopatcong Foundation Updates

Jessica Murphy and Marty Kane provide an update from the Lake Hopatcong Foundation. Ms. Murphy states that the Lakes group met with DEP in Trenton and discussed a tiered system for harmful algal bloom warnings. She states that the Foundation is facilitating a student leadership team for middle and high school students. The Block Party registration is open to the public and 55% of booths have already sold. Mr. Kane states that the Foundation continues its advocacy efforts. He states that the most recent grant submitted today had the support from the three democratic congressional representatives, the republican state representatives, as well as the municipal mayors for each of the grant applications which shows support on both sides of the aisle for the lake. Mr. Kane states that the Foundation and Commission are getting to the point where they wanted to be where the Commission is managing the lake water quality and the Foundation is a supporting role for education, trails and advocacy. Ms. Murphy thanks Princeton Hydro and Ms. Lyons for their work on the recent grant submittals.

IX. Princeton Hydro Presentation

Dr. Fred Lubnow of Princeton Hydro gives an overview of the recent grant submittals. He states that the Foundation applied for a federal HABs grant through EPA and the Commission has submitted two grant applications through NJDEP for HABs and nonpoint source pollution management. Dr. Lubnow states that the grant submitted today is for 319 funding and will focus on identifying the internal phosphorus load of the lake to determine whether it is cost effective to aerate or treat with alum. He states that the grant application also included proposals for four

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projects to reduce nonpoint source pollution, one in each municipality. He states that Princeton Hydro submitted a beach restoration plan to Mount Arlington. The funds for the project will be requested through the Highland's Council. He states that Princeton Hydro will also be providing a grant proposal to each municipality for submission to the Highland's Council for funds to conduct feasibility and engineering studies of projects in the watershed implementation plan. He explains that the state prefers shovel ready projects for 319 grants and completing the planning aspect of these projects will make the subsequent grant applications for 319 funds more desirable.

X. Chairman's Report

Chair Smith states that the Commission has submitted applications for two grants which total more than \$700,000 in funds and thanks the federal, state, and locally elected officials for their support. He states that the Commission also received an email from Superintendent Castellon requesting a recommendation from the Commission on whether the State Park should begin spring refill of the lake and he requests input from each of the Commissioners.

XI. Commissioner Comments

Commissioner Steinbaum states that he welcomes the request from the State for input on the lake's water level. He recommends that the park allow the lake to refill to 12 inches until March 1st to get past any risk of the lake freezing and then allow the lake to refill completely. Commissioner Pravs states that she agrees with Commissioner Steinbaum's assessment. Commissioner Stevens states there are he agrees with both sides of the argument. Commissioner Tessier states that it is great that DEP is asking for input and views it as an appropriate role for the Commission. Commissioner McCarthy states that the decision should be evaluated each year conditions may be different and states that it makes sense to fill the lake to eight feet until March 1st. He states that he attended the HABs summit on January 28th and would like to DEP to hold a meeting at Hopatcong High School to provide information to the community before the summer season. He states that he sent a letter to Kerry Kirk-Pflugh and the DEP is considering it. Commissioner Fisch states that he is happy DEP is considering the LHC opinion and agrees with Fred Steinbaum. Alternate Commissioner Sellaro states that the refill should be considered each year, but he agrees with Commissioner Steinbaum's proposal. Commissioner Wilsusen introduces the new Morris County Alternate Commissioner, Ryan Gilfillan. He states that he is in agreement with Commissioner Steinbaum's proposal and is glad DEP is seeking the Commission's input. Alternate Commissioner Castellon states that she would like a response from the Commission, and that there is no set date within the water level management plan to begin refill and because there is no ice on the lake she and her staff felt that they could try to bring the lake level up earlier than usual. Dr. Lubnow states that

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Commissioner Steinbaum's proposal is a good compromise. He states that the mid-Atlantic climate model predicts warmer and wetter conditions and lighter winters for our area. He states that March is a wildcard. He states that there are a lot of factors that influence HABs and wetter weather could flush a lot of nutrients from the watershed. He states that if the water level is low more sunlight may reach the lake bottom and with more water coming in and not going out there could be more nutrients. He states no ice in the winter can also mean more HABs because it gives plants and algae more of an opportunity to grow. Chair Smith asks Ms. Lyons to write a draft resolution to recommend that the park begin the refill process.

XII. Updates

Weed Harvesting and Water Level

Alternate Commissioner Castellon states that there are currently two permanent employees on duty. She states that the seasonal staff has been asked to sit out the winter months and will be brought in as needed. She states that they have a confirmation from seasonals that they will all be returning for summer operations and an additional seasonal staff person may return to assist with the second small harvester. Ms. Castellon states that all equipment and trucks are at the Franklin Building and are in the process of disassembling and assessing routine or major repairs. The small harvester that was out of service will be refurbished to operate for Summer 2020 along with the rest of the machines.

Weldon Quarry and Valiant Environmental Investigation Update

Ms. Lyons states that the Commission did not receive an update prior to the meeting. Commissioner Wilsusen states that he did talk to Kerry Kirk-Pflugh about a meeting between the municipalities, Commission and NJDEP to discuss quarry issues. Ms. Lyons will follow up with some dates.

LHC/NJDEP MOU

Ms. Lyons states that at the HABs Summit she spoke with Marlen Dooley from the Assistant Commissioner's office to ask whether the Commission was required to provide a budget to the NJDEP. Ms. Dooley responded this week via email that the Commission MOU does not require the Commission to provide a budget.

CAC Meeting

Commissioner Osowski states that they will be holding the CAC meeting at end of January or early February. He states that the meeting will be a kick off for revisions to the water level management plan.

Land Use Committee Update

Commissioner Tessier provides and update on the Land Use Committee. He states that the committee met with Ken Nelson the newly appointed Commission planner

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along with Eric Snyder. The group discussed how applications would be determined to need review by the planners and which could still be reviewed by Ms. Lyons. He states that Ken Nelson provided a budget based on how he felt his and Mr. Snyder's time would be spent. He states that the planners will review land use applications, attend meetings as necessary and review the existing municipal ordinances to identify opportunities for better water quality protections. Commissioner Wilsusen states that Jefferson combined their planning and zoning boards this year. Commissioner Steinbaum asks Dr. Lubnow about the impacts of docks on HABS. Dr. Lubnow states that docks are great habitat for geese and geese are a large source of phosphorus and are additional impervious surface cover and water is not being filtered before entering the lake. Anything that is on the dock washes directly into the lake. There is a general discussion of the impact of docks on lake health. Commissioner McCarthy requests that Ms. Lyons provide historic information on catch basins to Princeton Hydro.

Ice Retardant Systems Committee

Ms. Lyons states that the Ice Retardant System Committee is scheduled to speak at the next mayors meeting in the beginning of March. Commissioner Steinbaum provides information on other lakes he visited that do not allow ice retardant systems.

XIII. New Items

Audit Update

Ms. Lyons states that the audit will be scheduled for after February 20th based on the availability of the auditor.

XIV. Public Comments

Dick Pedati of the Knee Deep Club indicates that there is a catch basin in Landing that is in need of some work. Dr. Lubnow states that the catch basin at the end of Singac Road is included in the watershed implementation plan but will require a significant amount of work. There is a general discussion of the grants programs that the Commission and Foundation have submitted applications.

XV. Action Items (Resolutions)

RES 20-10 2020 Spring Refill of Lake Hopatcong

Chair Smith states that Ms. Lyons has prepared a draft resolution to begin refill of Lake Hopatcong. He reads the resolution and states, the Lake Hopatcong Commission recommends the refill of Lake Hopatcong to eight feet until March 1, 2020 at which point the Commission recommends continuing refill until the lake reaches full pool at nine feet. Commissioner Steinbaum makes a motion to approve the resolution, Commissioner Pravs seconds the motion.

Roll Call:

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Castellon	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Abstain
McCarthy	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Sellaro	Yes	Smith	Yes

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

RES-20-09 Environmental Studies of Lake Hopatcong

Chair Smith introduces a resolution to approve contracts for monitoring studies of Lake Hopatcong by the Commission’s consultant Princeton Hydro. Commissioner Steinbaum makes a motion to approve the resolution, Commissioner McCarthy seconds the motion.

Roll Call:

Castellon	Yes	Steinbaum	Yes
Fisch	Yes	Stevens	Yes
McCarthy	Yes	Tessier	Yes
Pravs	Yes	Wilsusen	Yes
Sellaro	Yes	Smith	Yes

The motion passes unanimously.

XVI. Close of Meeting

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

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