

Lake Hopatcong Commission
Regular Meeting Minutes – July 13, 2020
Remote Virtual Meeting

I. Opening of Meeting/Open Public Meeting Statement

- a. In accordance with the Open Meeting Law (N.J.S.A. 10:4-9.1), The Lake Hopatcong Commission has caused notice of this meeting to be published by having the date, time, and place thereof via electronic notification to the following:

The Lake Hopatcong Commission website (lakehopatcongcommission.org)

II. Salute to the Flag and Moment of Silence

III. Roll Call

Present: Mark Crowley, Bradley Hoferkamp, Daniel McCarthy, Joshua Osowski, Anne Seibert-Pravs, Fred Steinbaum, Todd Stevens, Ronald Smith, Eric Wilsusen

Absent: Mark Fisch, Bill Hirshfeld, Neil Senatore, Robert Tessier

Alternates Present: Melissa Castellon, Tom Foley, Ryan Gilfillan, Tom Sellaro, Richard Zoschak

With nine members present, Chair Smith declares a quorum.

IV. Executive Session

Chair Smith indicates that an executive session was held prior to the meeting to discuss legal matters.

V. Approval of Meeting Minutes

Chair Smith entertains a motion to approve the minutes. Commissioner Steinbaum makes a motion to approve the minutes, Alternate Commissioner Zoschak seconds the motion.

Roll Call:

Hoferkamp	Abstain	Stevens	Yes
McCarthy	Yes	Wilsusen	Yes
Osowski	Yes	Zoschak	Yes
Pravs	Yes	Smith	Yes
Steinbaum	Yes		

The motion passes 8-0-1 (one abstention).

VI. Treasurer’s Report

Colleen Lyons provides the Treasurer’s report in Commissioner Fisch’s absence. She states that the bill list totals \$19,329.32. She states that the Commission received four additional bills since the bill list was provided, these include

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Princeton Hydro’s General Consulting, Water Quality, and Watershed Implementation Plan invoices and an invoice from the Commission’s planner Ken Nelson. She states that there is \$186,332.21 in the Commission’s bank account. Chair Smith entertains a motion to approve the list of bills. Alternate Commissioner Zoschak makes a motion to approve the bill list. Commissioner McCarthy seconds the motion. Commissioner Steinbaum asks if any of the invoices will be covered by the WIP Grant. Colleen Lyons states that two of the bills will be covered by the WIP. She states that Princeton Hydro is holding HAB Grant invoices until the Commission receives advanced payment.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Hoferkamp	Yes	Stevens	Yes
McCarthy	Yes	Wilsusen	Yes
Osowski	Yes	Smith	Yes
Pravs	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 and are all up to date. Mrs. Lyons states that since the last meeting the Commission received many aquatic weed growth complaints from around the lake. Mrs. Lyons states that the Commission received an agreement from HIGLIN to perform a demonstration of their diver assisted suction harvesting and sonar technology. The Commission also received the Lake Hopatcong Current Conditions Assessment from Weldon Quarry, and a response from SCMUA on the Commission’s request for a fee reduction for weed disposal. She states that the Commission received a letter from the Sussex County Freeholders regarding Bradley Hoferkamp’s appointment to the Lake Hopatcong Commission. Commissioner McCarthy welcomes Brad Hoferkamp.

VIII. Lake Hopatcong Foundation Updates

Marty Kane provides an update from the Lake Hopatcong Foundation. He offers condolences on behalf of the Foundation for the loss of weed harvesting operator, Curtis Mulch. He states that the HABs projects have been outstanding. The Foundation Gala will be held virtually next week. Chair Smith thanks Marty Kane and the Foundation for all their advocacy efforts on behalf of the Commission.

IX. Chairman’s Report

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Chair Smith welcomes Bradley Hoferkamp to the Commission. He states that he Commissioner Osowski, and Colleen Lyons were part of a conversation with NJDEP to discuss the weed harvesting accident. He states that DEP indicated that the harvester is at the Franklin Building and the barge will also be transported to Franklin for the duration of the investigation. He states that the investigation will take at least six months to complete. He states that DEP has shut down the weed harvesting program for the year until the investigation is complete. Chair Smith states that DEP indicated that the Commission should receive funding regardless of whether there is an MOU or not, and once the money is received the Commission could contract weed harvesting services. The Commission cannot use their harvesters for the program. He states that several Commissioner's attended the memorial service for Curtis Mulch and he hopes that the investigation will provide information on what happened. Commissioner Pravs asks if the Commission is involved in the investigation. Chair Smith states that the boats and employees are under DEP, so the Commission is removed from the investigation. There is a general conversation of the weed harvesting program.

X. Commissioner Comments

Commissioner Steinbaum comments that on Sunday he took a tour of the lake and spoke with some of the marinas. He states that the marinas are doing well, selling boats and slips. He states that there is a lot of boats on the lake and in Byram Cove. He comments on the pollution in the lake due to lack of bathrooms on boats in Byram Cove. He states that he believes it is time for the Budget Committee to review lake user fees. He believes this may be the most stable source of funding. Commissioner Steinbaum states that he would like to convene a meeting of the committee over the next few weeks. Commissioner McCarthy states that the issue has been discussed many times over the years and does not believe the funds collected would stay at Lake Hopatcong. He states that enough taxes are collected on the lake that some of the funds should be transferred back to the lake. Commissioner Steinbaum states that the Commission has an alternative route through Benecke Economics where funds could be used for Lake Hopatcong. Commissioner McCarthy states that he would like to hold an executive session to discuss the weed harvesting accident. There is a general discussion of the accident. Alternate Commissioner Foley asks Dr. Fred Lubnow about the geese on the lake, which he feels are worse this year. Dr. Lubnow states that geese are a major source of non-point source pollution. There is a general discussion of goose impacts on the lake and goose control options.

Princeton Hydro Presentation

Dr. Fred Lubnow of Princeton Hydro provides an update on their activities. He states that Aquatic Analysts is still conducting weed harvesting operations, and suggests that the Commission could reach out to him. He states that this time of

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year many of the contractors could already be booked, so it may be difficult to find a contractor with availability to harvest in Lake Hopatcong. Dr. Lubnow states that this Wednesday they will be on the lake for cyanobacteria monitoring and next week will be out for water quality monitoring. Dr. Lubnow states that they have been working on HAB grant projects and monitoring. He provides an overview of the projects they have been working on. He states that Princeton Hydro has also provided a memo to the Commission on the water quality results collected in Crescent Cove after the harvester accident. Commissioner Steinbaum asks about the HABs levels in the lake. Dr. Lubnow states that HAB levels are lower on most of the lakes they monitor this year than in 2019. He will have more information after cyanobacteria monitoring is conducted this week. There is a general discussion of cyanobacteria activity on the lake.

XI. Updates

State Park Updates

Alternate Commissioner Castellon states that the water is over the dam. She states that the weed harvesting operations are suspended pending an investigation into the accident. Commissioner Osowski states that DEP employees have been advised that they cannot talk about the accident until the investigation has concluded.

NJDEP/LHC MOU

Colleen Lyons states that after conversations with representatives of DEP, the parties will hold off on development of a new MOU and will focus on the Commission receiving statutory funds.

CAC Meeting

Commissioner Osowski states that they are looking to schedule the next CAC meeting virtually in August.

Grant Updates

Colleen Lyons states that Dr. Lubnow had covered most of the HAB grant projects in his update. She states that the Rutgers Rain Garden Program is in its design phase for interested residents who had attended the workshop. She states that ten gardens have already been designed.

Ice Retardant Committee

Commissioner McCarthy requests a meeting of the ice retardant system committee before the August meeting.

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Land Use

Colleen Lyons states that she will schedule a meeting of the Land Use Committee to discuss budgetary constraints and how work can be shared between the two planning professionals.

Audit Update

Ms. Lyons states that the Commission received the draft audit from Samuel Klein and Company. The Commission needs to review and provide comment on the audit before it can be finalized.

XII. New Items

HIGLIN Agreement

Chair Smith introduces the HIGLIN Agreement. Colleen Lyons gives an overview of the project and there is a general discussion about the project. Commissioner Crowley makes a motion to approve the agreement subject to the inclusion of a hold harmless clause. Commissioner Wilsusen seconds the motion.

Roll Call:

Crowley	Yes	Steinbaum	Yes
Hoferkamp	Yes	Stevens	Yes
McCarthy	Yes	Wilsusen	Yes
Osowski	Yes	Smith	Yes
Pravs	Yes		

The motion passes unanimously.

Upcoming Meetings Online vs. In Person

Chair Smith asks the Commissioners whether they would like to meet for in person meetings if the Hopatcong High School cafeteria can be reserved. Commissioner Crowley states that he does not see the benefit of in person meetings under COVID restrictions. The Chairman agrees to continue online meetings.

Weed Harvesting

Commissioner McCarthy requests an executive session be held to discuss the weed harvesting accident. Chair Smith suggests an executive session be scheduled to discuss the legal aspects of the harvesting accident and how they may impact the Commission. He asks that Murphy Durkin the Commission's counsel be invited.

XIII. Public Comments

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

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XIV. Action Items (Resolutions)

There are no action items.

XV. Close of Meeting

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

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