

Lake Hopatcong Commission
Regular Meeting Minutes – December 7, 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 Fisch, Bradley Hoferkamp, Daniel McCarthy, Joshua Osowski, Fred Steinbaum, Todd Stevens, Robert Tessier, Ronald Smith

Absent: Mark Crowley, Anne Seibert-Pravs, Eric Wilsusen, Richard Zoschak

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

With ten members present, Chair Smith declares a quorum.

IV. Executive Session

Chair Smith states that an Executive Session will be held at the end of the meeting.

V. Approval of Meeting Minutes

Chair Smith entertains a motion to approve the minutes. Commissioner Tessier makes a motion to approve the minutes, Commissioner Fisch seconds the motion. Commissioner Steinbaum asks about a grant that was received by Jefferson Township for a sewer feasibility study.

Roll Call:

Fisch	Yes	Stevens	Yes
Gilfillan	Yes	Tessier	Yes
Hoferkamp	Yes	Zoschak	Yes
McCarthy	Yes	Smith	Yes
Osowski	Yes		
Steinbaum	Yes		

The motion passes 10-0-0.

VI. Treasurer's Report

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Commissioner Fisch presents the Treasurer’s Report. He states that There are eleven bills and half are reimbursable through the HAB’s grant. He states that there is about \$9,000 that the Commission is responsible for paying from their statutory funds. He states that as of this morning the balance in the Commission account is \$310,939.99. Commissioner Fisch makes a motion to approve the bills, Commissioner Zoschak seconds the motion. Commissioner Steinbaum asks about the cost of floating wetland islands as part of the HAB grant. There is a general discussion of HAB grant projects.

Roll Call:

Fisch	Yes	Stevens	Yes
Gilfillan	Yes	Tessier	Yes
Hoferkamp	Yes	Zoschak	Yes
McCarthy	Yes	Smith	Yes
Osowski	Yes		
Steinbaum	Yes		

The motion passes unanimously.

VII. Correspondence

Colleen Lyons states the Commission land use applications are available on the OneDrive account. She states that GreenVest forwarded their presentation on phosphorus reduction projects that will be discussed later in the meeting. She states that Princeton Hydro also submitted a proposal for stormwater ordinance support and guidance at the request of the land use subcommittee.

VIII. Chairman’s Report

Chairman Smith states that immediately following the last meeting the questions was raised about alternatives for weed harvesting for next summer. He states that he would like to put together a committee to look into alternatives. He appointed Commissioner Crowley as Chairman of the committee.

IX. LHC Commissioner’s Comments

Commissioner Zoschak asks about the investigation. Chair Smith states that the Commission has not received any information on the investigation and no response on whether the damaged harvester can be moved indoors for protection from the elements. Commissioner Osowski states that they have requested permission to move the damaged harvester indoors. They have been working with the Attorney General’s office and their goal is to move the harvester indoors and remove the oil and any water within the motor. Chair Smith adds that DEP has hired a part-time diesel mechanic to assist the program and he will begin work in January.

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Commissioner Tessier asks whether there are any updates on the Quarry investigation. Chair Smith states that there are some updates that will be discussed in executive session.

X. Lake Hopatcong Foundation Updates

Marty Kane provides an update from the Lake Hopatcong Foundation. He states that as part of their advocacy efforts the Foundation and Commission participated in the newly formed Public Lakes Alliance NJ meeting this morning. He states that hopefully that will lead to a state-wide group that will lobby on behalf of the State's lakes. The last mayor's meeting was on November 16th and there is an upcoming DEP meeting next week. He states that the Coalition for the Delaware Watershed named lakes as a priority for the upcoming year. The Foundation intends to put the Floating Classroom in the water this year. The Foundation is leading hikes and improving trails around the lake. He states that they are working with the Commission on grant opportunities and they have brought a floating wetland island project to the attention of DEP for Floating Island in Landing Channel.

XI. Princeton Hydro Updates

Dr. Fred Lubnow provides an update on Princeton Hydro's work around the lake. He states that he is working on a HAB grant report and it will be submitted to the state this year. He states that they will be presenting some of the results at a webinar for the Foundation next week. Dr. Lubnow provides an update on each project implemented under the HAB grant. There is a general discussion of the HABs grant. Dr. Lubnow states that he provided a dredging estimate for the quarry cove to the Commission and will be submitting their annual water quality reports. The 319 grant contract is currently being worked out between the LHC, Princeton Hydro and DEP. He states that the Mount Arlington Beach Restoration Plan is being funded through the Highland's Council and may be eligible to be used as a match for a NFWF grant in 2021. He provides an overview of the NFWF projects that the Commission and Foundation will apply for. He states that Princeton Hydro is putting together the contracts for next year's water quality monitoring, cyanotoxin monitoring and general consulting. He states that the budgets will be the same for cyanotoxin monitoring and general consulting, but he would like to include Landing Channel to the water quality monitoring as well as more cyanotoxin monitoring. He states that although there will be more samples added, the total price will decline because they will not need to resubmit their QAPP for 2021.

XII. GreenVest

Brian Cramer and Brett Berkley of GreenVest provides an update and presentation on funding alternatives and mechanisms for addressing stormwater issues around Lake Hopatcong. GreenVest's funding partner Hannon Armstrong representative is also present. There is a general discussion of GreenVest's funding proposal. The

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Commission requests additional information on the bonds offered and whether the interest rates can be lowered. GreenVest agrees to provide additional information to the Commission.

XIII. Updates

State Park Updates

Commissioner Osowski states that Michael Calderio continues to look at the machines to determine what parts are needed in anticipation of the new diesel mechanic starting in January. DEP still has not heard back from PEOSH on the outcome of the investigation. He states that once they receive their report the State's PEOSH will have to write new guidelines for how to operate the machines. He states that he is happy to see that the Commission is forming a committee to look into alternatives for next season because the investigation timeline is outside of DEP's control. Commissioner Osowski states that the DEP had awarded a contract for sewerage the State Park, but the contractor backed out. They will be signing a contract with a new contractor next week and will begin work as soon as possible. Chair Smith asks if the work will be completed in time for next season, Commissioner Osowski states that they won't know until work begins. Commissioner Steinbaum asks about repairs to the State Park office. Commissioner Osowski states that they had begun work on the building, but found out that they also have asbestos to be remediated. The work is scheduled to begin after the holiday.

NJDEP/LHC MOU

Commissioner Osowski states that the DEP is waiting on a letter to extend the existing MOU with revisions. He states that the CAC met to discuss questions to forward to DEP's scientists. He forwarded 15-20 questions to the CAC members for review and they will then be forwarded to DEP scientists. He states the next meeting will be held in February.

Grant Updates

Colleen Lyons states that Fred Lubnow covered the grant updates during his presentation.

Land Use Committee Update

Commissioner Tessier states that the Commission planner has reviewed the existing land use regulations around the lake. He states that the land use committee would like to develop a model ordinance that will improve water quality protections and has asked Princeton Hydro for a proposal to provide information on the importance of green infrastructure, examples of green infrastructure, and how making these improvements will benefit the lake. He states the proposal was included in the meeting packet. The committee wants to build a scientific basis for recommending ordinance changes. Commissioner Zoschak states that many boards around the lake

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allow increased impervious coverage. There is a general discussion of land use regulations around the lake.

Lake Level Proposals

Commissioner Steinbaum introduces his proposals for preserving water in the lake. The proposal reduces the annual drawdown from 22-inches to 18-inches beginning on November 21st instead of November 17st. He states that the proposal will also increase the speed of the 60-inch drawdown and allow for refill earlier in the season providing extra time for refill. There is a general discussion of the proposal, impacts of climate change on lake level and impacts of drawdowns on HABs. Commissioner McCarthy states that he supports the changes to the 60-inch drawdown, but he has reservations about the annual drawdown changes. There is a general discussion of drawdown procedure. Commissioner Hoferkamp suggests that a separate vote be held for each part of the proposal. Chair Smith entertains a motion to approve the five year drawdown proposal. Commissioner Steinbaum makes a motion. Commissioner Hoferkamp seconds the motion.

Roll Call:

Fisch	Yes	Stevens	Abstain
Gilfillan	Yes	Tessier	Yes
Hoferkamp	Yes	Zoschak	Yes
McCarthy	Yes	Smith	Yes
Osowski	Abstain		
Steinbaum	Yes		

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

Chair Smith entertains a motion to approve the annual drawdown proposal of 18 inches. Commissioner Steinbaum makes a motion. Commissioner Zoschak seconds the motion.

Roll Call:

Fisch	Abstain	Stevens	Abstain
Gilfillan	Abstain	Tessier	Yes
Hoferkamp	No	Zoschak	Yes
McCarthy	No	Smith	Yes
Osowski	Abstain		
Steinbaum	Yes		

The motion fails to pass 4-4-2 (four abstentions)

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XIV. New Items

Scottish American Insurance

Colleen Lyons states that she has contacted them several times, but has not received a response.

XV. Public Comments

Chair Smith opens the meeting to the public.

XVI. Action Items (Resolutions)

RES 20-16 319 Grant Agreements

Chair Smith introduces a resolution to enter into the 319-grant agreement with NJDEP. Commissioner Tessier makes a motion, Commissioner Zoschak seconds the motion. There is a general discussion of the grant agreement.

Roll Call:

Fisch	Yes	Stevens	Yes
Gilfillan	Yes	Tessier	Yes
Hoferkamp	Yes	Zoschak	Yes
McCarthy	Yes	Smith	Yes
Osowski	Yes		
Steinbaum	Yes		

The motion passes unanimously.

XVII. Executive Session

Chair Smith states that the Commission will enter executive session to discuss legal and personnel matters. He requests that the Commission move to executive session.

Chair Smith entertains a motion to re-enter the public session. Commissioner Tessier makes a motion. Commissioner Steinbaum seconds the motion. All those in favor signified by saying “aye” those opposed said “no”. The motion passed unanimously.

XVIII. Close of Meeting

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

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