

## Minutes of the Lake Hopatcong Commission May 15, 2017

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A meeting of the Lake Hopatcong Commission was held on May 15, 2017 at the Roxbury Municipal Building, 1715 Route 46, Ledgewood, New Jersey. At approximately 7:00p.m., Acting Chair McCarthy called the Meeting to order. He stated the meeting was being held in accordance with "Open Public Meetings Act."

**Salute to the Flag:** Acting Chairman McCarthy and all those in attendance joined in a flag salute.

**Moment of Silence:** The Acting Chair asked for a moment of silence for our armed forces.

### **Roll Call:**

Present: Mark Crowley, Daniel McCarthy, Anne Seibert-Pravs, Joshua Osowski, Fred Steinbaum, Joel Servoss, Robert Tessier

Absent: Eric Wilsusen, Richard Zoschak, Ron Morris, David Jarvis, Mark Fisch

Alternates Present: Arthur Clarke

With seven members present, Acting Chair McCarthy declared a quorum.

### **Communications**

Commissioner Pravs states that any meeting minutes that were sent to her have been forwarded to the website owner John Driscoll. Commissioner Steinbaum and Commissioner Pravs are working to get the minutes posted to the website.

The Commission is attempting to gain control of their website.

### **Treasurer's Report/Payment of Bills**

Acting Chair McCarthy had previously distributed the latest statements. He stated that the Valley National Bank balance was \$515.83 and the 319(h) grant balance is \$781.59. Acting Chair McCarthy asks for comments. No comments. Commissioner Pravs moves to accept the Treasurer's Report, Commissioner Steinbaum seconds the motion.

### **ROLL CALL:**

Steinbaum	Yes	Servoss	Yes
Osowski	Yes	Pravs	Yes
Tessier	Yes	Crowley	Yes
McCarthy	No	Clarke	Yes

The motion carries 7-1-0.

**Commissioners' Comments**

Commissioner Pravs comments that she is very disappointed that the block party was cancelled due to the weather. No plans for a rain date.

**Acting Chairman's Report**

Acting Chair McCarthy does not have any updates on the budget. He states that he was asked by Dr. Lubnow of Princeton Hydro to submit a letter on behalf of the Commission addressed to the NJDEP Division of Water Monitoring and Standards Bureau of Environmental Analysis, Restoration and Standards. The letter discusses the grant that the LHF has through the LHC for the NJDEP 319(h) non-point-source pollution program to continue the effort to identify sources of pollution in the lake. The letter was sent in an effort to secure grant money that may be available through the NJDEP budget.

**Old Business**

**Water Level Review Update**

Commissioner Osowski reports that the outflow will be maintained at 12 cfs now that we are out of drought conditions. Commissioner Steinbaum refers to two letters he had sent to Melissa Castellon, Park Superintendent and asks Commissioner Osowski to comment on ice creep during winter months. Specifically, if the lake level rises can the level be maintained to prevent further damage to lake structures. Commissioner Osowski states that he will speak with Melissa and respond at the next meeting.

Commissioner Steinbaum states that in 2015 (updated this year) he made a three-part proposal about the lake water level. Part one proposes that the yearly drawdown be reduced from 22 inches to 16 inches to protect docks and that the drawdown be started later and be completed by December 16<sup>th</sup> saving an additional 6 inches of water. Part two proposes that the 60-inch five-year drawdown be continued, but done in a shorter time frame at 2 inches per day instead of the current 1.5 inches. The drawdown would be completed by October 15<sup>th</sup> rather than November 1<sup>st</sup> and the refill would begin on December 1<sup>st</sup> rather than December 15<sup>th</sup>. Part three proposes that the NJDEP must be more flexible in the plan when the lake level is below normal. The 12 cfs outflow should be lowered to 8 cfs when the lake level is below 8 feet. He asks for comments from the other commissioners. Commissioner Pravs states that she agrees with the proposal. She states that she is concerned with how connected the decision between the NJDEP and the CAC and whether they need to open the discussion beyond the Commission. A general discussion continues. Acting Chair McCarthy expresses his support of parts two and three and concerns about part one. He states that for the proposal to pass it would first be voted on by the Commission, and then pass to the CAC at their next meeting, and then it would go on to the NJDEP. Approval of the proposal for review by the CAC will be postponed until the next meeting.

**Old Business**

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### Weed Harvesting Update

Commissioner Osowski states that by this time last year the park had already started harvesting. They have not started this year because they have had difficulty ordering the parts for the harvesters. Once they get the parts it will take an additional two weeks to repair the harvesters. He states that the harvesters should be on the lake by mid-June. To compensate for the late start, they will be harvesting 9 hours per day instead of 8 hours per day Monday through Thursday, and run the program through the end of October instead of stopping in mid-October. He adds that the park has had difficulty finding people to fill the open positions. To draw more interest, they will be increasing the wage for these employees. He states that he has spoken with AgChoice regarding disposal of the weeds after harvesting. The park is looking for alternative disposal options. He will update the Commission on this during the next meeting.

### Memorandum of Understanding

Acting Chair McCarthy states that the Commission needs to vote on the monthly renewals with the NJDEP and Lake Musconetcong Regional Planning Board pending final action. Commissioner Steinbaum makes a motion, Commissioner Pravs seconds the motion. A vote is held.

### Role Call

Steinbaum	Yes	Servoss	Yes
Osowski	Abstain	Pravs	Yes
Tessier	Abstain	Crowley	Yes
McCarthy	Yes	Clarke	Yes

The motion carries 6-0-2 (two abstentions).

Acting Chair McCarthy and Commission Osowski discuss the proposal to renew the NJDEP MOU through a letter as opposed to getting a new MOU, which would require approval by the Attorney General's office. The letter states that the weed harvesting equipment should be used solely on Lake Hopatcong unless approved by the Commission. The agreement will terminate on December 31, 2017 at which time it can be renewed by the LHC and NJDEP for additional one year term(s). The LHC may terminate the agreement with 30 days' notice through a resolution to the NJDEP at which point the equipment will be returned to the Commission. A general discussion is held. Commissioner Osowski proposes that the letter be submitted as an Addendum to the original agreement.

### Public Comment

Earl Riley, Chairman of the Lake Musconetcong Regional Planning Board comments that the MOU between the LHC and NJDEP should be for longer than a one year term. He proposes a five-year term that could be canceled if needed.

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John Kurzman states that when responsibility for weed harvesting was given to NJDEP it provided an excuse to defund the Commission. He argues that this is a reason not to extend the MOU to a five-year term.

Commissioner Steinbaum makes a motion to approve the addendum. Commissioner Pravs seconds the motion.

### **Roll Call**

Steinbaum	Yes	Servoss	Yes
Osowski	Yes	Pravs	Yes
Tessier	Yes	Crowley	Yes
McCarthy	Yes	Clarke	Yes

The motion passes unanimously.

### **Fiscal Budget**

Commissioner Osowski states that there is nothing new to report.

### **NJDEP Draft Municipalities MOU**

Acting Chair McCarthy has nothing new to report. Commissioner Crowley states from the perspective of Roxbury the towns do not want to be responsible for funding the project. He states that there are already state mandates for checking outfalls etc. and the towns are meeting the mandates. Commissioner Pravs states that she spoke with the Mayor of Mount Arlington and they feel that the proposal will result in another tax on the citizens of the town. She states that the town is already maintaining the storm water systems.

### **319 Grant Audit**

Commissioner Osowski has nothing new to report. A general discussion is held.

### **Lake Hopatcong for All**

Acting Chair McCarthy discusses the voluntary code of conduct called “Lake Hopatcong for All” which discusses everyone’s goals and objectives for lake use. It addresses a code of conduct for Byram Cove and was published in the paper. Commissioner Steinbaum states that there is a Boat Regulation Committee that meets near the shore, and Lake Hopatcong does not have a representative. The BRC proposed new mandates for Lake Hopatcong. A general discussion regarding the BRC is held.

### **New Business**

No new business.

### **Public Comment**

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Cliff Beebe states that Lake Hopatcong should not be responsible for supplying the Musconetcong River with water. He suggests that Lake Musconetcong should provide the water for the river.

Earl Riley Lake Musconetcong Regional Planning Board states that a change in drawdown could impact downstream communities. Commissioner Steinbaum states that the State did a study and found that the drawdown would be safe. Earl, states that he does not believe that the weed harvesting equipment is ready to go. He adds that Lake Musconetcong wants the LHC harvester again this year, but due to disposal issues they will not be putting the Lake Musconetcong harvester in the water and will be using all of their funding for herbicides. If they find a place to dispose of weeds they will use both harvesters. He states that Lake Musconetcong received a \$360,000 federal grant to purchase a hydorrake, however they cannot put it in the lake if they don't find a location for disposal. Acting Chairman McCarthy suggests starting a subcommittee to try to petition for policy changes to the NJDEP's disposal policies.

John Kurzman comments on the BRC, weed disposal, open space funding, and the lake water level plan.

The meeting adjourned at 8:55 p.m. with a motion by Commissioner Steinbaum, seconded by Acting Chair McCarthy.