

**Lake Hopatcong Commission**  
**Regular Meeting Agenda – October 23rd, 2017**

**Jefferson Board of Education Administrative Office, 31 State Hwy 181, Jefferson 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  
(lakehopatcong.org)

**II. Salute to the Flag and Moment of Silence**

**III. Roll Call**

Present: Mark Crowley, Daniel McCarthy, Fred Steinbaum, Robert Tessier, Anne Seibert-Pravs, Mark Fisch, Joel Servoss, David Jarvis, Joshua Osowski (7:40p)

Absent: Richard Zoschak, Ronald Smith

Alternates Present:

With eight members present, Acting Chairman McCarthy declared a quorum. Commissioner Osowski will arrive late.

**IV. Comments from the Audience** (*on agenda action items only, if applicable*)

John Kirsman comments that he cannot comment on what the recommendations are until he hears them during the meeting. Acting Chairman McCarthy responds that there will be time for comments before any resolutions or votes, and again before the close of the meeting.

**V. LHC Commissioners' Comments**

Commissioner Steinbaum inquires about the resolutions passed last meeting and whether a letter had been sent to the NJDEP. Colleen Conover responds that no letter has been sent, but that it will be done ASAP. Commissioner Fisch comments that when they met with the Senators recently there was a discussion of sending letters to candidates running for Governor prior to the election. Commissioner Tessier adds that this should be done after the election too. Ms. Conover states that she will send the letters. Commissioner Fisch comments that there are safety issues on the lake. He mentions two issues; inability to see kayakers on the lake at night (by law they are supposed to have a light) and inability to see buoys at night. Acting Chair McCarthy suggests that the Commission produce a pamphlet on the topic, and Commissioner Steinbaum mentions that the Lake Hopatcong Yacht Club kayak group goes out on the lake at night a few times a year. There is a general discussion on the topic and a recommendation that the Foundation and Commission work together to address the issue. Commissioner Tessier comments that he sees the Commission developing their mission and encourages everyone to keep up the good work. Commissioner Jarvis states that harvesters did a great job in his area (between Halsey and Raccoon Island) this season. Commissioner Pravs states that she feels a greater sense of community within the lake community each year. Acting Chair McCarthy states that if there is a drawdown this year he would like to see a lake-wide permit instead of permits for individual catch basins because it is a

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lake-wide need. Due to the amount of sedimentation from catch basins it is difficult to launch boats at some locations. Melissa Castellon responds that she will find out if the State Park could be the applicant, and each town could be a co-applicant on the application. She adds that it takes months for the applications. Acting Chair McCarthy commends Commissioner Tessier for his attendance and input. He asks Commissioner Tessier if there can be an alternate for him in the case that he cannot make a meeting. Commissioner Tessier responds that he will find representation in the event that he is absent. Commissioner Servoss asks about when the new Commissioner will be appointed. There is no information on appointments at this time.

**VI. Minutes of Meetings**

Commissioner Steinbaum states that there should be an edit to the September meeting minutes. Two members were absent; Commissioner Fisch and Commissioner Jarvis, however they were shown in the Roll Call for voting. He suggests that they be taken out. Ms. Conover responds that she will remove them from the votes. Commissioner Steinbaum makes a motion to approve the minutes. Commissioner Pravs seconds the motion. The motion passes unanimously.

**VII. Treasurer's Report**

Commissioner Fisch presents the Treasurer's Report. He states that the 319-grant account has \$49,836.89 as of August 31<sup>st</sup> and the general account has \$515.89 as of the end of September. Commissioner Tessier asks Ms. Conover whether the signed MOA between the NJDEP and Commission has been sent. Ms. Conover responds that it was sent and the Adrienne Kreipke, Director of Budget and Finance received the letter on October 19<sup>th</sup>.

**VIII. Correspondence**

No new correspondence.

**IX. Chairman's Report**

Acting Chair McCarthy states that Chairman Smith is absent this meeting, but will be back for next meeting. He has no additional comments.

**X. Old Business**

Water Level Review / Update

Acting Chair McCarthy states that the water level is currently at 8.64 feet and he asks Melissa Castellon (Park Superintendent) for any comments on water level. She states that they are following the plan, and she will send an email to the Foundation and Commission when they begin to lower the water level in the lake. She states that the lake will be lowered to 22 inches as per the pilot program and that any comments or reports of damage should be sent to her. Commissioner Steinbaum asks Melissa why the lake is draining at 12.3cfs rather than 12cfs. She responds that gauge was recalibrated and explains that the lake is not draining at a faster rate, but that the gauge was recalibrated and now measures the flow at 12.3cfs rather than 12cfs. The amount of water is the same, but the measurement is more accurate. Acting Chairman McCarthy states that he would like to have more information on the adjustments that were made, and asks Melissa if she could make

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a statement at the next meeting. Melissa states that she will try to get a calibration report from USGS, but adds that they have not deviated from the plan. Commissioner Steinbaum asks Melissa who decides when they start the drawdown. Melissa states that she gets permission from Fish and Wildlife and then refers to the plan. Commissioner Steinbaum states that the pilot program will lower water 22 inches rather than 26 inches allowing six extra days to draw the water down. He asks if NJDEP will account for that when they begin the drawdown, Melissa agrees that they will.

NJDEP Water Level Management Plan update proposal

Acting Chair McCarthy asks Melissa if there are any updates on the report on public comments from the 2016-2017 pilot program. Melissa responds that Fish and Wildlife is finalizing the report. She states that she will reach out to them to find out if the report has been completed.

Water Level Management Proposal – Commissioner Steinbaum

Commissioner Steinbaum reviews his proposals, which were passed during the September meeting. He states the Commission recommends the 60-inch/5-year drawdown be completed during the Fall of 2018, but that it be quicker at 2 inches per day, instead of 1.5 inches per day. This will allow for completion by October 15<sup>th</sup> instead of the NJDEP proposed date of November 1<sup>st</sup> (the drawdown should occur between September 22<sup>nd</sup> and October 15<sup>th</sup>). Refill would begin on December 1<sup>st</sup> instead of December 15<sup>th</sup> allowing dock work to be completed in better weather, and allowing two additional weeks for refill. The second recommendation is that the NJDEP be more flexible in the Lake Level Plan when the lake level is below normal. The 12 CFS outflow should be lowered to 8 CFS when the lake is below 8.5 feet. The third recommendation is that the 2016-2017 pilot program be continued.

Weed Harvesting Update

Melissa Castellon gives the weed harvesting update. She states that the harvesters are now off of the lake they will be cleaned within the next two weeks. Once they are cleaned they will be brought to the Franklin building. The small weed harvester was transferred from the Lake Musconetcong Regional Planning Board to the State Park on October 19<sup>th</sup> and will be going to the Franklin building. She states that the total cubic yardage for weed harvesting is 3,872 cu. yds from June 24<sup>th</sup> – October 16<sup>th</sup>. This is about 200 cu. yds. short of the 2016 total. She states that the machines will be assessed for maintenance and by January or February they will order parts and make repairs. They hope to be on the lake by the first week of May 2018. Commissioner Pravs inquires about the delay last year. Melissa replies that the delay was due to a vendor that the State Park was required to use. Their quote was above the treasury requirements and they had to go through a sealed bid process. This process was lengthy and exacerbated by some mistakes made by the vendor in ordering the parts. She states that they had three experienced harvesters this year, and three seasonal employees that should be coming back and two dump truck drivers. Commissioner Steinbaum asks about a discrepancy between our figures and Princeton Hydro's in the amount harvested prior to the State Park involvement. Melissa states that she looked through the boxes in the Lake Hopatcong

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Commission office and there are no tickets. There is a general discussion of the weed harvesting quantities from past years, differences in the program since the State Park has taken over and best practices for the future. Melissa states that her intention for next year is to have one small harvester and four large harvesters on the lake, she is not sure if the other small harvester will be used on Lake Hopatcong or Lake Musconetcong. The main challenge is finding and keeping staff for the entire season. Commissioner Steinbaum asks how much money the State Park will have for the harvesting program in 2018. She responds that she has to check her numbers and will report back with more information during the November meeting.

NJDEP MOU & Lake Musconetcong Regional Planning Board MOU

Acting Chair McCarthy states that the NJDEP wanted draft a new MOU between the LHC and the NJDEP. Commissioner Osowski states that there was a draft MOU sent out by the Commissioner, and he will follow-up to find out when it will be released.

Fiscal Budget – Arrival and Implementation

Commissioner Steinbaum reports on the Budget Committee meeting that was held prior to the LHC meeting. He states that the Committee reviewed the budget submitted for last year, and found that money allocated for certain items such as rent would not be needed. The Commission would like to reallocate these funds towards initiatives around Lake Hopatcong such as lake safety, and water quality. The budget is due November 1<sup>st</sup>, but last year it was submitted in December last year.

NJDEP Municipalities Draft MOU

Commissioner Crowley states that Roxbury signed the MOU with some modifications, and he believes that the other three municipalities have also signed.

**XI. New Business**

MOA between LHC and LHF

Acting Chair McCarthy introduces the topic and states that the MOA is between LHC and LHF for water quality monitoring of Lake Hopatcong. Colleen Conover states that the agreement has been signed and submitted to the LHF. The additional edits to the agreement that were requested during the September meeting, which included an “in, but not of” statement have been made but the new agreement has not been signed. Donna Macalle-Holly has indicated that the updates will require edits to the LHF contract with Princeton Hydro, and she will respond with additional information.

MOA between LHC and NJDEP

Acting Chair McCarthy introduces the topic and states that the MOA is related to supplemental funding for State FY2018. Colleen Conover states that the agreement was signed and submitted last week, and she has confirmation that the NJDEP received the MOA on October 19<sup>th</sup>.

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Mount Arlington Borough Hall Stored Boxes

Commissioner Pravs states that she went to the State Park and looked through the boxes and found some old reports that she believes are important. Acting Chairman McCarthy agrees and has spoken the Chairman Smith about organizing a committee to go through the boxes. Commissioner Pravs, Acting Chair McCarthy, Commissioner Steinbaum, John Kirsman and Cliff Lundin have volunteered to be a part of the committee. There is a general discussion of the records and how to organize them.

Contract with Colleen Conover LLC

Commissioner Steinbaum asks if the contract with Colleen Conover LLC has been finalized. There is a discussion, and Colleen Conover will update and sign the contract prior to the next meeting.

Citizen Action Committee

Commissioner Osowski states that Friday November 3rd 10am, has been set for the CAC Meeting and passes out a draft agenda. He reviews the agenda and states that there will be an update on the 2017 Pilot Program and discussion about its continuation in 2018, a review of the recent LHC proposals, and additional concerns of the CAC. Commissioner McCarthy revisits whether Melissa Castellon can serve as an alternate for Commissioner Osowski. Commissioner Osowski states that they have asked the NJDEP and are waiting for an answer.

Harmful Algal Blooms

Commissioner Osowski updates the Commission on harmful algal blooms and the need to develop a communications plan for next spring. He states that there are a variety of departments working on this throughout the State to figure out what the State response will be. He states that sometime in early 2018 he will have more information for the committee so that they can develop a plan for Lake Hopatcong. Acting Chair McCarthy states that the Commission would like to put together an educational brochure or pamphlet. Commissioner Osowski states that the State Park service is subscribing to “gov delivery”, which is a service where people can sign up for alerts for certain areas.

Hudson Avenue Wells

Acting Chair McCarthy references an article in The New Jersey Herald about 12 homes in Hopatcong on Hudson Avenue whose wells have gone dry. The town is considering extending existing water mains so that the homes can regain access to water. So far there is no explanation for why this has happened.

**XI. Public Comments** *(please refer to Section V “Public participation shall be governed by the following rules:”)*

John Kirsman comments on the wells there is data posted on the Lake Hopatcong Citizens for Action website and a suggestion for also running sewer lines alongside water lines since the homes are right on the lake. He comments that there should be a plan for what people can do to prevent harmful algal blooms, and not just what

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to do when they encounter them. He states that it may be a health and safety issue for people and animals on Lake Hopatcong vs releasing water downstream. He states that the Commission should not be focusing on 0.3cfs (12cfs vs 12.3cfs) because it only equates to one inch over three hundred days. He would rather see them focus on how the NJDEP proposal takes away drought recovery protections because it removes the 7 in of rain over ninety-day protection. He suggests that rather than waiting ninety days, they wait 30 days to see if they have less than 2.3 in (one third of 7 inches). He also comments on the increased policing on the lake, and would like to see someone sit down with the state police to discuss the differences between highway patrol and lake patrol.

Marty Kane provides updates from the Foundation. He states that he and Donna Macalle-Holly went with Major Francis on Friday to Candlewood Lake in Connecticut where they are using grass eating carp in a lake that is 35% larger than Lake Hopatcong. In 2015 they introduced the carp, and they have been successful in reducing weeds. The fish have been in 88-acre Lake for 19 years and it has been a successful program. The fish are \$5.75 a piece, live between 12-14 years, and are sterile. They have been keeping NJDEP informed. Acting Chair McCarthy adds that the Knee-Deep Club and Musconetcong should be included. Marty states that the Foundation received a grant for a floating classroom to be directed toward students from K-12 from the four surrounding townships. Eventually they would like to open it to the public one day a week. He states that in the past the CAC allowed the LHF to attend with non-voting status, and they are asking to be included again this year.

Cliff Beebee states that according to statute 13:12-5 the lake shall be kept at the high-water mark. He states that this is mandatory and the statute is being violated. The worst thing for a lake is to drop it. They are burying that law, and the community has a right to know.

**XII. Close of Meeting**

Commissioner Steinbaum makes a motion to adjourn the meeting, Commissioner McCarthy seconds the motion.

**Next Regular Meeting at 7:00 p.m.**  
**Monday, December 11, 2017**  
**Mt. Arlington Civic Center, Fern Road, Mt. Arlington**