

Minutes of the Lake Hopatcong Commission

June 18, 2007

A meeting of the Lake Hopatcong Commission was held on June 18, 2007 at the Jefferson Township Municipal Building, 1033 Weldon Road, Lake Hopatcong, New Jersey. At 7:30 p.m., Chair Ondish called the meeting to order and stated that the meeting was being held in accordance with "Open Public Meetings Act."

Salute to the Flag: Chair Ondish and all those in attendance joined in a salute to the flag.

Moment of Silence: Chair Ondish requested a moment of silence for all the troops and their families.

Roll Call:

Present: Colleen DeStefano, Elizabeth Gantert, Eric Grove, David Jarvis, Kenneth Klipstein, Daniel McCarthy, Richard O'Connor, Richard Zoschak and Arthur Ondish

Absent: Charles Richman

Alternates Present: Robert Gruber (Mt. Arlington), Robert Mitchko (Jefferson-7:35 p.m.), Patricia Rector (DEP), Joel Servoss (Hopatcong)

With nine members present at Roll Call, Chair Ondish declared a quorum.

Communications

There being no comment on the Communication, Chair Ondish moved to the Treasurer's Report.

Treasurer's Report/Payment of Bills

Mr. Grove stated the Reconciliation Summary for period ending May 31, 2007 in the Valley National Bank account had a register balance of \$327,298.38. A Revised Bill List for \$21,028.36 was distributed. Ms. Gantert made a motion to approve the Revised Bill List. Mr. McCarthy seconded the motion. [A copy of the Revised Bill List is available on file.]

ROLL CALL:

| | | | |
|-----------|-----|----------|-----|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O'Connor | Yes |
| Grove | Yes | Zoschak | Yes |
| Jarvis | Yes | Ondish | Yes |
| Klipstein | Yes | | |

Motion carried 9 to 0.

Minutes of Meeting of May 21 2007

Chair Ondish requested a motion to approve the minutes. Mr. Zoschak made the motion to move minutes and Mr. Grove seconded. The Chair asked for any changes to the minutes. Mr. Jarvis stated on page eleven to correct choices to choose. Ms. DeStefano stated that the discussion to refer an issue back to personnel committee should be included in minutes of executive session. Ms. Macalle-Holly stated the executive session minutes were just distributed. Ms. DeStefano stated that Counsel was from the Deputy Attorney General’s office and that should be corrected. She asked that the minutes should be reviewed to locate another typographical error. Chair Ondish requested a roll call vote to approve the minutes with the changes.

ROLL CALL:

| | | | |
|-----------|-----|----------|-----------|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O’Connor | Abstained |
| Grove | Yes | Zoschak | Yes |
| Jarvis | Yes | Ondish | Yes |
| Klipstein | Yes | | |

Motion carried 8-0-1 (one abstention).

Public Comment

At this time, Chair Ondish opened the meeting for public comment to address items on the agenda only.

Mr. McCarthy stated his son came before the Commission back in February to present a few dollars he had collected from friends for the Commission and stated that his son was back. Daniel McCarthy, IV stated he had a meeting with his principal and asked if he could setup some jars for people to donate money to the Commission which the principal approved. Daniel McCarthy stated he and his brother made and hung posters around the school. Daniel stated he had an envelope with a check and also received a \$5.00 donation today from his crossing guard. Daniel read his poster. Chair Ondish stated the check amount was for \$116 and he thanked the Hopatcong Board of Education and Daniel McCarthy. Daniel gave the poster and donation to Ms. Macalle-Holly. Mr. McCarthy and Chair Ondish discussed putting together an educational outreach program for the students.

There being no further public comment relative to the agenda, the Chair moved to the next agenda item.

Chairman’s Report

Chair Ondish stated that he contacted Adam Zellner, the DEP Deputy Commissioner that has been working on the Commission’s fee structure. He stated the Funding Committee was scheduled to meet with Mr. Zellner this Thursday (June 21) to discuss the fee structure. He stated that nothing relative to the fee structure is set in stone. He addressed

LHC 6/18/07 Meeting Minutes

Mayor Hodson's letter in the communications package. He stated Mr. McCarthy went to a Hopatcong Council meeting and reported what was discussed in the LHC Funding Committee meeting. Chair Ondish stated that at the end of the Funding Committee meeting, he indicated he would contact Mr. Zellner about what the DEP was proposing for the fee structure. Chair Ondish stated he contacted Mr. Zellner and Mr. Zellner agreed it was a mistake. The mistake was the way DEP was proposing the fee structure and the fee structure is in negotiation at this time. The Chair stated the user fee program would not be done as fast as initially thought.

Old Business

Field Staff Report

Ms. Macalle-Holly stated the Foreman is not available for Commission meeting. She reported that the field staff began harvesting the Tuesday after Memorial Day and two teams are harvesting. Ms. Macalle-Holly stated the field staff has removed 654 cubic yards (295 tons) this year. She stated a couple seasonal employees returned from last year. She stated that at the May meeting, the weeds were off to a slow start, but just two weeks later, the weeds were growing everywhere. She stated one team has completed harvesting the Woodport section and is currently in Henderson Cove and then will harvest between Raccoon Island and Prospect Point. The other harvesting team has harvested around Bertrand Island down through the State Park and into the tip of the Landing channel. She stated that the Commission works with the companies that apply the herbicides to try to harvest as many areas that are treated prior to the treatment.

Chair Ondish stated that the weeds are bad and people will have to understand that we will do the best we can, but the harvesters cannot be everywhere all the time. He stated that the Commission began discussing in January how bad the weeds would be. He stated that there is no special treatment for anyone. He reviewed the harvesting process and how the transport barge is being used. The Chair stated he believes the only way to take care of the issue is to dredge the lake, but that cannot happen until the inflows into the lake are addressed.

Ms. Gantert inquired about the status of Camp Jefferson. The Chair stated that there is a meeting at the camp tomorrow with Mayor Felter. Ms. Gantert stated she would like to attend. The facilities at the camp including the lake at the camp were discussed and the opportunity for educational outreach. Ms. Macalle-Holly stated Ms. DeStefano would also be attending.

FY08 Budget

Mr. Grove stated that this was the FY08 budget that was not adopted. Mr. Grove stated that based upon receiving the \$400K annual appropriation and the Watershed Restoration Grant which was formalized in the Memorandum of Agreement, the balance of FY07 and FY08 budget would be covered. He stated from a procedural perspective, the Commission needs to approve the budget. Mr. Zoschak stated that since the budget was

LHC 6/18/07 Meeting Minutes

presented at an earlier meeting, he would move the budget for adoption. Mr. Grove seconded. The Chair asked for any discussion on the budget. Mr. Zoschak inquired if there were any changes and was advised there were not. The Chair requested a roll call vote.

ROLL CALL:

| | | | |
|-----------|-----|----------|-----|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O'Connor | Yes |
| Grove | Yes | Zoschak | Yes |
| Jarvis | Yes | Ondish | Yes |
| Klipstein | Yes | | |

Motion carried 9 to 0.

Mr. McCarthy stated he had another item under Old Business relative to the draw down of the lake and the regulation of the lake level. He referred to an 1976 edition of the Lake Hopatcong Breeze which discusses the regulation controlling the dam and the drawdown. He wanted to add this to the collection of the material that the Commission Counsel and Mr. Klipstein have for their resource project. Ms. Macalle-Holly stated that thanks to Mr. Klipstein's efforts, the Lake Hopatcong Water Level Management plan is now available on the Commission's website. Mr. Klipstein stated that the ruling from the AG's office is in process. Counsel Weyl stated someone is actively working on it.

Princeton Hydro Report

Dr. Lubnow stated that for the 319 grant, the permit application has been submitted to Jefferson for their review. He stated Jefferson had some comments and Ms. Paist-Goldman, PH engineer responded to the comments. He stated PH is still waiting to get the bid specification from the State for the Hopatcong BMPs. At this point, PH is waiting to get information back from Jefferson or the State.

He stated for the US EPA grant, he was hoping to have the Quality Assurance Protection Plan (QAPP) completed this week, but it should be completed by early next week. The QAPP is important to get approval from EPA in order to do the pre-installation monitoring before the stormwater structures are installed which is a requirement of the grant to assess the structures efficiency of the pollutant removal load. He stated one of the PH engineers was doing some site visits around the lake for the EPA grant. She will be putting together a memo for each municipality of the information that will be required for each project. He stated as part of the in-kind match, each municipality will be participating by providing information such as survey, utility data, etc. for each BMP site. Ms. Macalle-Holly stated once the memos are received from PH, she and Ms. Rector will be meeting with the municipalities to review the material. She stated Counsel Chudzik is also working on preparing Memorandum of Agreements for each municipality based on what will be needed for their commitment for the TWG.

Dr. Lubnow stated monitoring data was collected in late May and Ms. Macalle-Holly posted it on the Commission website. He stated the June sampling is scheduled for

LHC 6/18/07 Meeting Minutes

tomorrow and in July Dr. Lubnow will join Ms. Macalle-Holly and some representatives from the Commission and DEP to do their annual monitoring event together.

He stated the weeds are up and that a lot of the lakes that PH works on in New Jersey, New York and Pennsylvania will have a bumper crop year. He stated that the second half of the winter was cold, but the first half was very warm which allowed many of the plants to grow.

Dr. Lubnow stated that Ms. Macalle-Holly asked PH to review a report prepared by environmental science students at Centenary College. He stated they did an excellent job and used Lake Hopatcong's weed situation as their problem/solution scenario. Dr. Lubnow provided an overview of his response to the report which was distributed to Commissioners. Ms. Macalle-Holly stated she would forward a copy of Dr. Lubnow's response to the students' professor.

Dr. Lubnow stated he submitted a paper to the North American Lake Management Society (NALMS) on the Commission's study on the phosphorous removal associated with the weed harvesting. He stated he is also submitting a paper for an EPA conference on Watersheds and Wetlands on the Wetlands Grant completed last year. He stated both papers were submitted for the conferences, but have not been selected yet.

In response to an inquiry from the Chair, Dr. Lubnow discussed the results of a previous Commission study to measure the amount of phosphorous removed from catch basin cleaning. He stated that the catch basins that have more soil, are retaining more phosphorous compared to storm drains that are collecting primarily sand or grit. He stated the weed harvesting last year accounted for removing about 6% of the amount of phosphorus that is targeted to be removed. He stated that this removal rate is equivalent to the removal rate for a BMP that costs \$50K to \$100K.

Sub-Committee Reports

Chair Ondish asked if there were any sub-committee reports. Mr. McCarthy reported that the Aquatic Habitat Committee met last week. Each member is working on parts of public presentation outlining items that a responsible boater should know and how not to bring contaminants to our lake. He stated the committee learned this week that the best solution to viruses in a live well is to towel it down and let it dry. Viruses are sensitive to heat. Ms. Gantert discussed different aspects of viruses, how everyone should work to keep their lake as disease-free as possible and how to keep the ecosystem in balance. Dr. Lubnow stated there is a lot of information available on invasive species control which includes everything from viruses, to plants to fish. He stated PH has a large library of that type of material they could supply. Mr. McCarthy stated they would have to refine their final product before bringing it to the full Commission and have it posted on the website. He stated the committee's work would be more educational. The Chair thanked the committee members for their work.

Mr. Grove stated that Personnel and Budget Committee met to consider adjustment for salaries of employees. He stated Ms. DeStefano had previously conducted research to

LHC 6/18/07 Meeting Minutes

develop competitive rates for the Commission's various job titles. He stated the salary schedule had a 25% range between the entry level and top level for each salary range. He stated in January the Commission implemented the first step in the procedure that will allow the Commission to address employees' salaries through a phased approach. He stated there is a recommendation in the schedule relative to July 1, 2007 which was based upon funding being available. He stated there are six employees on board which would receive a July 1 increase. The Chair stated that this should be discussed further in Executive Session. Mr. Grove stated the committee would give their recommendation at that time prior to moving forward.

The Chair stated there were a couple of Personnel Committee meetings since the last regular meeting. The Chair moved to New Business.

New Business

LHC Commissioners' ID Badges and Use Of Equipment

Chair Ondish asked the Commissioners where they wanted to go with this issue. Ms. DeStefano stated she would like to table this discussion. Mr. O'Connor seconded. The Chair stated these are two separate issues. Ms. DeStefano stated she wanted to table the use of equipment. Chair Ondish stated Mount Arlington has the equipment to make IDs for employees and for the Commissioners. He stated the Commissioners would have their term on the badge. Chair Ondish would talk to the Mount Arlington Administrator and Police Chief about this. There was general agreement to move forward with this. The Chair stated the use of equipment would be tabled. Counsel Weyl cautioned about using expiration dates on the badges for Commissioners because sometimes their terms are extended when there is not a new appointment. The Chair stated he would send Counsel and the Commissioners a sample of what would be on the ID.

Lake Hopatcong Users' Fees

Mr. Klipstein stated there was a lively discussion at the Funding Committee meeting. He stated he brought a draft of language to the committee meeting enabling fees to be charged focusing on boats of different length that was consistent with the boaters' registration length with certain exclusion. He stated the document was for discussion. He stated Mayor Hodson's letter captured most of the points that were discussed as it relates to this particular option. Mr. Klipstein stated committee members were asked to provide comments on the draft by the following Friday after the committee meeting. The draft also triggered a call from the Chair to Deputy Commissioner Zellner which has resulted in a meeting being set up with the committee to discuss other option. He stated the big driver from the DEP was that something needs to happen soon, timing-wise, in order to move forward with a users' fee on boats. He stated at this point the meeting on Thursday will determine if other options are available, but stressed there is still quite a lot of urgency here. He stated the DEP investigated other alternatives that have been suggested and the boating fee options stays on the table, but would not exclude others.

LHC 6/18/07 Meeting Minutes

He stated boating fees are the one most often used for other Commissions across the country, although it is not perfect.

Ms. DeStefano stated her town is very upset and she did not even get a meeting package for the meeting that took place to authorize the Chair to execute an agreement. She stated she was not in attendance and did not have the opportunity to brief her alternate because she did not have a packet. She stated her town had no knowledge of this agreement going forward and they feel they have been totally disenfranchised. She stated Jefferson is coming out with a resolution against the proposed legislation. She stated if the whole process had been transparent, perhaps Jefferson would not have been put in this position. She stated she had a problem with the process that took place at the Commission. There was discussion by other commissioners about the meeting with the Governor and the process for the MOA which was discussed and documented at Commission meeting. Ms. DeStefano stated she had no discussion whatsoever in her presence about the MOA. Chair Ondish addressed Ms. DeStefano's accusation that she did not receive an agenda packet. Ms. Macalle-Holly stated she mails all meeting package out at the same time and Ms. DeStefano's package is sent overnight express mail. Ms. DeStefano said regardless it does not change the fact that her town had no knowledge of the MOA.

Chair Ondish reiterated what happened with the MOA. He stated the discussion was had by this Commission that we needed to sign an MOA based on the information that was brought back that the Commission would have to implement user fees which came from the Governor directly. The Commission took a vote to authorize the Commission to sign the MOA. The Chair stated when he received the MOA, he reviewed it and it was along the same lines of what he reported back after the meeting with the Governor that Ms. Macalle-Holly also attended. He stated the Commission authorized the Chair to sign the MOA. He stated he reported at the Commission meeting what took place at the meeting with the Governor as well as spoke with the newspapers.

Mr. Klipstein stated he thought the MOA was very straightforward in saying that the Commission would work together with the Department to develop users' fees. He stated it was fully disclosed at the Commission meetings. Mr. Zoschak stated he had a call from Ms. Macalle-Holly asking to authorize the Chair to sign the MOA. Ms. Macalle-Holly stated that the authorization for the Chair to sign the MOA was done at a Commission meeting. Mr. Zoschak stated the Commissioners did not see a copy of the MOA and blindly went into it. The Chair stated what is in the MOA is exactly what he reported. Mr. Klipstein stated it is reflected in the minutes. Mr. Zoschak stated he would have been against signing the MOA if he would have read it. Mr. Zoschak stated the MOA does not allow for the Commission to hire more people if needed. Mr. Klipstein stated the intention of that language was that the Department is fully funding the Commission through FY08 and they want to hold the Commission to the budget that was submitted to the Governor last year which is the one the Commission just approved which had eight employees. Mr. Zoschak stated that the MOA states the Commission cannot request another appropriation to the DEP. Ms. DeStefano stated the MOA read, "Upon enactment of a said user fee program, the Commission shall no longer submit any annual appropriation." It does not indicate when we get the money. Ms. DeStefano stated she

LHC 6/18/07 Meeting Minutes

would not have wanted the Commission to go forward with the agreement, but she would have liked to have brought it back to her town to let them look at it. Ms. DeStefano discussed Jefferson's commitment to the Commission. She stated that the agreement does say it could be amended and at the meeting with Mr. Zellner, there are issues that need to be addressed in the MOA.

Ms. Gantert inquired about getting the necessary data such as the number of boat and houses. She stated she is not on the Funding Committee and is not privy to this information. The Chair stated the Commission is still in negotiation. The Chair stated he discussed with the Governor that the fees the Commission raises would support the Commission.

Mr. Zoschak asked if Mr. Zellner saw the revision to legislation. Mr. Klipstein stated a legislative person is getting all the comments provided. Mr. Zoschak asked that Mr. Zellner get all the comments. Ms. DeStefano suggested a workshop session with Mr. Zellner and to possibly obtain a letter of agreement.

Mr. McCarthy reviewed what occurred at the Funding Committee meeting on June 4th when the proposed legislation was introduced. He stated he was told that something would be enacted by the end of the month. He stated since he was concerned about something being rushed through by the end of the month, he felt he had a fiduciary responsibility to his town to alert them about what was happening. He stated that he explained to his town that this is a moving target and was unsure where it is going at this point. He distributed an outline to the Commissioners, indicating that as a member of the Funding Committee, he would like to see the committee do. He summarized the document. [A copy of the document is available on file.]

The Chair stated that during the Funding Committee meeting he said several times that this was not what was agreed to and he would contact Mr. Zellner because he was sure a mistake was made which is what he did. He stated when he spoke with Mr. Zellner, Mr. Zellner said this was not what was agreed to and there will be some changes.

After reviewing his document, Mr. McCarthy stated he would like to see the Commission establish a process that should be done in public and in the open.

Chair Ondish stated that if the Commission did not sign the MOA, it would not have received any money and the Commission had about \$2,000 remaining. The MOA needed to be signed to continue operating. The Chair stated he was initially opposed to user fees, but the Commission will not get anything from Trenton without giving. The Governor agreed that anything raised by the Commission would go directly to the Commission. He stated he would love to have the time to go through the process Mr. McCarthy proposed. He told Mr. Zellner that there was no way possible the process would be done by the end of June and if the MOA has to be changed to get funding for another year, then the Commission will discuss it with Mr. Zellner. Mr. McCarthy stated he wants to see the Commission control the process.

LHC 6/18/07 Meeting Minutes

Mr. McCarthy stated that during the Funding Committee meeting, the Chair said several times that what was being proposed was not what was previously agreed to.

There was considerable more discussion about the MOA, the timeline, how the Commission cannot submit for annual appropriation and how the MOA was implementing. Mr. Klipstein stated the Commission can still submit for special request or capital requests. He stated the intention of the MOA was to change the way that the Commission was funded in the initial legislation by statutorily making it possible to have a user fee base program. He stated right now the way the statute is written is the Commission can make an annual request for an appropriation. After the change in the law is enacted there will not be anymore annual request for appropriation which was the agreement.

Chair Ondish stated the Committee will be meeting with Mr. Zellner on Thursday and will have their questions answered at that point. Chair Ondish stated he would try to get Mr. Zellner to send a letter that the DEP is going to work with the Commission to make sure it has adequate funding and the Commission needs to change the user fee implementation schedule. Ms. DeStefano stated that that would be prudent and it sounds like that would be more pleasing to Jefferson if that could be part of the agreement. Mr. McCarthy stated he wants some kind of assurance that there is no longer a moving target and that the Commissioners will have the opportunity to report back to their governing bodies. Ms. DeStefano stated the Commission needs to be able to continue to submit special or other types of requests to the DEP so the Commission is not left on its own in July 2008.

Mr. Klipstein concluded his committee report. The Chair moved to public comment and asked that speakers limit their comments to two minutes.

Public Comment

Chair Ondish opened the meeting for the second round of public comment and asked to limit the public to two minutes.

Mayor Hodson, Borough of Hopatcong, stated before he left the Commission he voted no on the budget because he thought the analysis should have been done according to the law and what it would cost which did not happen. He addressed his letter about funding. The letter questioned what options there are, such as, if there is a shortfall, does the State step in. He stated what bothers him most about this is the abandonment by the State of New Jersey of the concept that the Lake Hopatcong region is an investment not an expenditure. He stated that Superintendent Maurella stated in 2005 had Hopatcong State Park had 206,000 visitors. He stated in the initial legislation there were certain rights not given to the Commission and now all of a sudden a funding mechanism is in there, so what is next. The Chair stated when meeting with the Governor he did discuss the revenue generated by the Lake region, but the Governor discussed how property values have benefited from the lake, and the people that use it should pay for it regardless how much everyone is already paying around the lake region.

LHC 6/18/07 Meeting Minutes

Mr. Beebe of Beebe Marine stated that are millions of dollars being padded out the budget, so there is money for the lake. He stated he does not want to pay to use his lake. He discussed how there is no end to the taxes. He stated the Commission should make the State pay for the Lake and if they do not, the Commission should take them to court. Mr. Beebe stated that we are in a drought and the Lake is going down. He distributed copies of document relative to why the lake discharges water. [Copies of the documents are available on file.] He stated the Sewerage Authority does not use the water in the Musconetcong River to process sewage. He stated the mineral plant downstream which is the reason why the 7MGD discharge was originally approved by a judge in 1921 was so they could use it for manufacturing. He stated the plant discontinued that in 1987. He stated that fountain and spillway should be closed. He had photographs showing that Lake Musconetcong is full. He stated the Lake should not have to give any of our water to Musconetcong. He stated it is up to the State to give the Commission to money.

John Kurzman, resident of Lake Hopatcong, stated he would save questions about funding for the committee or elsewhere. He stated he come to the Commission multiple times to discuss how valuable draw downs are for the freezing and flushing affect. He asked about the goal of what the Commission will be able to do after getting a legal opinion about the lake level. Mr. Klipstein stated there are passing flows that have been established. He stated we could debate if there are any withdrawals, but the sewage treatment plant is modeled so its discharge does not cause problems downstream. He stated the answer the Commission is looking for is during drought conditions, if a drought emergency needs to be declared to reduce the passing flow. Mr. Kurzman questioned if the Army Corp could be involved to help the lake. He also asked if the sewage treatment plant could be considered a user of the lake.

Steve VanNess, resident of Lake Hopatcong, showed some pictures of his docks taken at 6:00 today. He stated some places are worse than other and his area is a funnel for the main lake especially when harvesting is done in the main lake. He stated some places deserve special attention. He stated a boat cannot get out of the area. Chair Ondish stated Mr. Calderio does go around the lake to check problem areas. He stated he would speak with Mr. Calderio about the issue.

Gary Townsend, Hopatcong resident in River Styx Cove, stated that they are being choked in their area as well. He stated he has mixed feelings about user fees. He stated that in the Finger Lakes, they have volunteer inspectors that inspect boats every time they go into the Lake. He volunteered his services if needed. He stated that park fees are only \$5 per car load. He stated the State Police could take more of an effort to decrease litter by imposing large fines. He discussed concerns about loud, obscene music coming from boats anchor in Byram Bay and how it took the police an hour to respond. Chair Ondish discussed his efforts to get more coverage on the lake which has been discussed at previous meetings. Mr. Townsend thanked Mr. Fernandez for inviting him to the meeting.

LHC 6/18/07 Meeting Minutes

Mike Brunson, resident of Hopatcong, stated that when looking at Camp Jefferson perhaps they can provide Internet access to the commission at no charge. He cautioned to use a security overlay on ID cards. He inquired if the Commission employees were Civil Services and was advised that the employees are employed by the Commission. He stated there were 20 boats anchored together and up anchored into one boat. Mr. Brunson pleaded to ask this Commission to contact the Boating Regulation Commission to do something about this. He encouraged everyone to lodge complaints with the State Police because there will never be more coverage unless they get complaints. Chair Ondish again reiterated the situation with the police coverage on the lake which has been discussed at past meetings.

Selma Reichert discussed her disappointment at the lack of turnout at the Commission meeting. She asked if people should get on a bus to Trenton to make them aware of the situation.

Rob Gruber, Mt. Arlington Alternate, inquired about the article banning phosphorus fertilizer in the North Jersey region. Mr. Klipstein and Ms. DeStefano described the efforts underway to reduce the phosphorus loads in the region. Mr. Klipstein did clarify that the State is not banning the sale, but is banning the use. Mr. Gruber offered a recommendation that any member of the Commission that has official meetings with DEP or the Governor's office, that an agenda and minutes be prepared so there is no debate on what occurred.

Ray Fernandez, Owner of Bridge Marine, offered for anyone to contact him to try to help the lake. He stated he would be happy to hand out information on the fuel dock.

There being no further public comment, the Chair stated the Resolution to adjourn to Executive Session was to speak about personnel issues. There was unanimous agreement to adjourn to Executive Session.

The meeting returned to open session. The Chair asked for a motion to ratify the salary increases as proposed for 7/1/07 for the six employees. Mr. Zoschak made the motion and Mr. McCarthy seconded. The Chair requested a roll call vote.

ROLL CALL:

| | | | |
|-----------|-----|----------|-----|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O'Connor | Yes |
| Grove | Yes | Zoschak | Yes |
| Jarvis | Yes | Ondish | Yes |
| Klipstein | Yes | | |

Motion carried 9 to 0.

The Chair asked how long the seasonal employees work. Ms. Macalle-Holly stated it is usually from May through September. There were questions about the number of staff. Ms. Macalle-Holly stated the seasonal employees are Curt Mulch and Doug Howe and another employee just started today. She stated Dick Ullman is a fill-in and is covering for John Parks now, but he is doing it to help out and does not necessarily want to work

LHC 6/18/07 Meeting Minutes

40 hours a week. Ms. Macalle-Holly stated there are two full-time positions that are currently not filled and one full-time position that is vacant due to a leave of absence based on the staffing complement submitted for FY08.

Mr. Klipstein stated because a full-time position was offered to a seasonal employee, the Commission should take action on it. The Chair stated a motion would be needed to have the full-time vacant field staff position filled by a seasonal employee. Ms. Macalle-Holly stated that if Curt Mulch remains a seasonal employee, then they would need to hire a seasonal employee to replace Kristopher Young. Mr. Zoschak made the motion and Ms. DeStefano seconded. Mr. Klipstein asked what hourly rate would apply and was advised it would be \$14 for a new hire seasonal.

ROLL CALL:

| | | | |
|-----------|-----|----------|-----|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O'Connor | Yes |
| Grove | Yes | Zoschak | Yes |
| Jarvis | No | Ondish | No |
| Klipstein | Yes | | |

Motion carried 7 to 2.

Mr. Grove made a motion to increase the hourly rate for second year seasonal employees to \$14.30 an hour. Ms. DeStefano seconded. Ms. Macalle-Holly confirmed that going forward the new hire seasonal rate would be \$14/hour and second year returning seasonal employee's hourly rate would be \$14.30/hour.

ROLL CALL:

| | | | |
|-----------|-----|----------|-----|
| DeStefano | Yes | McCarthy | Yes |
| Gantert | Yes | O'Connor | Yes |
| Grove | Yes | Zoschak | Yes |
| Jarvis | Yes | Ondish | Yes |
| Klipstein | Yes | | |

Motion carried 9 to 0.

There was discussion about filling the Field Director position. Ms. DeStefano suggested the process could start by each member putting a description together and emailing it. Mr. Klipstein stated it goes to many of the items Mr. McCarthy laid out on how the Commission wants the whole operation to function.

There being no further business, Mr. Zoschak made a motion to adjourn at 11:35 p.m. and Mr. McCarthy seconded. The motion to adjourn was unanimous.

Submitted by: Donna Macalle-Holly