

**Lake Musconetcong Regional Planning Board  
Regular Meeting  
September 20, 2017**

Chairman Riley opened the Regular Meeting at 7:00 p.m. with a salute to the flag and a reading of the Open Public Meetings Notice which was sent to the Daily Record and New Jersey Herald on January 19, 2017 and was sent to the Clerks of the four municipalities, the State and the two counties.

**ROLL CALL:**

George Graham -absent	Steven Rattner - present
Robert Hathaway - present	John Rogalo – present (arrived @ 7:05 pm)
Joseph Keenan – present	Lester Wright - present
Rosemarie Maio - absent	Earl Riley - present

**MODIFICATIONS TO THE AGENDA:** Additional communication and bills listed.

**OPEN TO THE PUBLIC:** Chairman Riley opened the meeting to the public. Seeing no one from the public wishing to speak, Chairman Riley closed the public portion of the meeting.

**ACTION ON MINUTES:** On motion by Mr. Hathaway, seconded by Mr. Rattner, the Minutes of the August 16, 2017 meeting were approved on unanimous voice vote.

**COMMUNICATIONS:** The following communications have been placed on file:

- 08-23-17 Cliff Lundin, Esq. – copy of letter to Jackson Lewis, PC re: Mr. Hollman’s claim to have worked for the Board (no such records)
- 08-28-17 Sussex County – check in the amount of \$5,091.75 re: 2017 budget contribution
- 09-07-17 Netcong Borough – Vendor information for Netcong Day
- 09-11-17 Notice to Property Owners – Site Plan application to develop 126-unit multi-family residential project re: 34 Bank St., Netcong, NJ
- 09-11-17 van den Heuvel & Fountain – Public Officials Liability Policy
- 09-20-17 Stanhope Hose Company No.1 - check in the amount of \$3,255 representing the Board’s share of the funds raised at the Firemen’s Challenge Fundraiser
- 09-20-17 Kelly Codd – check in the amount of \$150 re: donation to the Board

On motion by Mr. Hathaway, seconded by Mr. Wright and carried by unanimous voice vote, the communications were accepted.

**REPORTS OF COMMITTEES:**

**Canal Society** – There was no report.

**Musconetcong Watershed Association** – There was no report.

**Site Plan Review/Stream Encroachment** – There was no report.

**Lake Awareness** – In Ms. Maio’s absence, Mr. Hathaway reported the Firemen’s Challenge event was very successful. There were over 100 people in attendance and between \$2,500 to \$3,000 was raised towards the Board’s lake restoration efforts. Netcong Fire Department won the challenge. Mr. Hathaway noted this laid good ground work for another event which they hope to have in conjunction with Stanhope Day and the fishing contest. The future event will be discussed with Stanhope Borough and the 2 Fire Departments. Mr. Hathaway suggested the Board send a thank you letter to the Stanhope Fire Department for sponsoring the raffle. The Board agreed and asked the Clerk to send a thank you letter to the Stanhope

Fire Department. Mr. Hathaway added that Paul Codd was one of the original volunteers for the Board and he worked until the day he passed away. His daughter, Kelly, won the 2<sup>nd</sup> and 3<sup>rd</sup> prize from the raffle and she had only purchased 2 tickets. Kelly made a donation back to the Board.

**Lake Management** – Mr. Hathaway reported since they received the hydro rake, they have removed about 20 cubic yards of bottom material from the lake. They are presently at a standstill due to disposal issues with the State. The dumpster is full and the material on the bottom has solidified. Mr. Hathaway reported he and Chairman Riley attended a meeting with the Assistant Commissioner of the DEP and it was suggested at the meeting that all the issues would be resolved quickly and that was confirmed to Senator Bucco and Assemblyman Bucco; however, to date, the Board has received no notifications. Mr. Hathaway directed Netcong's Borough Administrator, Ralph Blakesly, to send a communication to the Commissioner because we have not received any notice. The Commissioner suggested a conference call between Ralph Blakesly and Commissioner Grey, which Mr. Blakesly declined and requested the call include additional people, i.e. Netcong's Mayor. That resulted in a letter to Mr. Blakesly which indicated that the disposal issue has been resolved, but it will require a Memorandum of Understanding with the State, which would be coming shortly. Mr. Hathaway spoke to Senator Bucco and he suggested the Board send a letter stating we will commence bringing material to the site on Monday and we will await the response. Assemblyman Bucco and Senator Bucco will follow up on this issue. Mr. Hathaway assured the Board that he is doing all he can on this issue. The Board will be able to dispose the material at the Tilcon site in the near future. Chairman Riley noted the meeting was held on August 31<sup>st</sup> and in addition to David Glass, who is the Assistant Commissioner of NJDEP, John Gray, who is the Chief of Staff, was also in attendance. Chairman Riley stated he and Mr. Hathaway were told they would have an answer by September 6<sup>th</sup> and it is now September 20<sup>th</sup> and they still do not have answers. Chairman Riley expressed his anger and frustration that the Board has not received anything, adding they need a solution immediately. Chairman Riley expressed his opinion that the Board should send a strongly worded letter to the Commissioner of the DEP and ask what he is going to do about our situation. We have a dumpster that is full and the material on the bottom will now have to be backhoed out because it sat so long in the dumpster. It will cost the Board money to have this done and it is completely unacceptable. Mr. Hathaway recommended waiting until Monday and then have the Board endorse Chairman Riley's sentiment and have it sent to the Assistant Commissioner. Mr. Hathaway expressed his opinion that this is a "stall tactic" and the State will stretch this out until the drawdown, when the machine will be removed from the lake. Chairman Riley noted there was also a commitment from the State of \$6,900 which can be applied towards transportation. During the meeting, there was also mention that NJDEP will use the facility used by Lake Hopatcong for Lake Musconetcong under the same terms. Chairman Riley noted minutes were taken at this meeting. Mr. Hathaway said that another positive thing that came from the meeting is they are going to take a holistic view of Lake Hopatcong Park and Lake Hopatcong and Lake Musconetcong will be involved in one "thinking process." There was also discussion about pesticide control and the need for the Board to be informed. Mr. Hathaway offered as an example, that Roxbury treated an area twice after which we treated the same area because we were not aware of Roxbury's treatment. Mr. Hathaway added this was unhealthy for the lake as well as costly. It was told that, moving forward, this Board will receive notification of all pesticide applications on the lake. Mr. Hathaway also reported the Borough of Stanhope has agreed to the terms previously discussed with respect to operation of the hydro rake. The hydro rake will begin in Musconetcong Park and Stanhope will supply backhoe services on an "as needed" basis. They will transport the conveyor while we are working in Stanhope. The Stanhope Council fully supported the Board's program.

Mr. Hathaway and Chairman Riley met with members of the LMCA to discuss the DEP meeting results and to discuss a theme for moving forward and their collaborate efforts where the LMCA would take over

the shorelines. This will help the LMCS and the Board. Both entities agreed to work together for a more holistic future. Both entities can also address the lake in a more efficient manner. The LMCA asked for a letter of support from the Board, which Mr. Hathaway would like the Board to authorize. The letter should include that the Board and LMCA are working collaboratively on lake efforts, that they do work on water chestnut throughout the year and they are a big part of the success of the lake and a big part of the future. Mr. Hathaway added it will hopefully eliminate the need for the LMCA to perform a plant survey annually prior to being issued their permit, which survey costs about \$2,500. The Board agreed the letter of support should be sent.

Mr. Hathaway also reported he has been working with Melissa Castellon on a lake drawdown permit. He has not received anything yet. The drawdown will be pre-ice and for shoreline clean-up and hopefully for as long as possible. The tentative date for the drawdown is October 15, 2017.

Chairman Riley stating he is attempting to train two operators on the new machine (Ray Guyre and Rich Dalessandro). He is only able to train them by lifting the material from the bottom of the lake and dropping it back down into the lake because the dumpster is presently full due to the fact that the disposal site issue has not been resolved. Chairman Riley reported George Clegg is now an authorized operator and he offered to take the material on his property. He owns a farm in Hardwick and offered to take the full container if we can truck it to his property. The problem is the material has been sitting in the dumpster and is now solidified. Mr. Hathaway suggested having the Stanhope DPW backhoe it out onto the ground because based on the weight, the dumpster is not movable. Chairman Riley commented that this is a learning process for the Board. Mr. Hathaway suggested the Board authorize the hiring of Mr. Rogalo to empty the dumpster and possibly transport it to Hardwick. Mr. Hathaway added that the MOU will include some type of raking on the Tilcon site and the Board will need to use Mr. Rogalo's services to address that, as he has done in the past. On motion by Mr. Wright, seconded by Mr. Keenan and carried by the following majority roll call, the Board authorized the hiring of Mr. Rogalo to empty the dumpster, transport the material and to perform any raking of the material needed at the Tilcon site.

**ROLL CALL:**

Mr. Hathaway – yes	Mr. Rogalo - abstain
Mr. Keenan – yes	Mr. Wright - yes
Mr. Rattner – yes	Chairman Riley – yes

**Operating Budget** – There was no report.

**TREASURER'S REPORT:** Chairman Riley noted the Treasurer's Report was emailed to the Board. Mr. Keenan reported all budget contributions for 2017 have been received. There is \$52,000 in the grant account and the Board owes a little over that amount. Mr. Keenan questioned if they should close the account for put money in the account to keep it open. Chairman Riley stated there is a difference of \$3,400, which was the transportation cost. When he signed the agreement for the hydro rake he did not realize the charge was FOB in Woodspport, New York. It cost \$3,400 to have the hydro rake transported to the lake. Chairman Riley suggested transferring \$5,000 from the operating account to the grant account. Alpha Boats Unlimited will then be paid in full, and the account will be left open because the Board will be receiving additional monies over the year that will need to be deposited in that account. Mr. Hathaway stated the money from the Firemen's Challenge should be kept as a separate line item entitled "Lake Restoration Fund" which will include the check from the raffle and the donation from Kelly Codd minus the expenses, i.e. porta jon and trophy. The Board agreed to the transfer of the \$5,000 as well as the additional line item. Chairman Riley said he would like to purchase a cover for the engine (motor) on the

conveyor. He received a quote of \$600 from Alpha Boat; however, he spoke to Rich Perry who indicated he would be able to do the cover for about \$100. The Board agreed the cover is needed. Chairman Riley will use his discretion on the purchase of the cover.

On motion by Mr. Hathaway, seconded by Mr. Rogalo, and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

**BILLS:** On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by the following unanimous roll call vote, the following bills are to be paid if and when funds are available:

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 500.00
Selective Insurance Co. – ins premium installment payment	\$ 627.00
Van den Heuval & Fountain – Public Officials Liability Ins. Premiums	\$ 842.00
Selective Insurance Co. – ins premium installment payment	\$2,239.00

Lake Management Account:

JCP&L – electric at shed	\$ 4.66
Solitude Lake Management – Lake Management Services	\$2,500.00

Debit/Credit Card

Johnny On The Spot – porta jon for Firemen’s Challenge event	\$ 390.00
Enrite – gas	\$ 14.07
Enrite – gas	\$ 10.01
Walmart/Sam’s Club	\$ 24.46

Grant Account

Barber Welding/Alpha Boats Unlimited – balance due for hydro rake	\$55,580.00
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ROLL CALL:

Mr. Hathaway – yes	Mr. Rogalo - yes
Mr. Keenan – yes	Mr. Wright - yes
Mr. Rattner – yes	Chairman Riley – yes

**OLD BUSINESS:**

Mr. Hathaway noted discussion at the last meeting about obtaining a warranty statement from Alpha Boats for the hydro rake and he asked if the warranty was received. Chairman Riley responded in the affirmative and gave the warranty statement to the Clerk to be placed on file.

**OPEN TO THE PUBLIC:** Chairman Riley opened the meeting to the public.

Melissa Castellon, State Parks Superintended, stated they will be receiving sealed bids for the swirl chamber on Friday and she will inform the Board on who will be awarded the contract. It was also communicated to her by John Trontis that there will be an annual maintenance of the swirl chamber. Melissa stated there does not seem to be consistent maintenance and she tried to relay to John that it should be “as needed.” Mr. Hathaway agreed and said there should be regular maintenance of the swirl chamber and not waiting until it gets so bad that it becomes difficult to clean out. Melissa will speak to John about having routing inspections of the swirl chamber. Melissa asked for clarification that what the Board is waiting for from the DEP is a response on authorization to dispose of the weeds at the Tilcon site. Chairman Riley responded the Board has nothing from anyone authorizing them to dispose of the weeds. Melissa questioned what happened to which Chairman Riley responded he does not know.

Chairman Riley stated Josh Osowski has not said a single word to him about disposal. Chairman Riley stated they need something in writing in addition to a key to allow them access to the site. Melissa will speak to John Trontis and Josh Osowski tomorrow about this issue. Chairman Riley added that they are both fully aware of the situation. Melissa apologized to the Board for not pursuing the matter. She was under the impression Josh Osowski was taking care of it. Melissa also confirmed that there will be funding going to the Board. Melissa also said she will forward a copy of the water lowering permit to the Board. Melissa noted she received a copy of the Board's letter to Mark Texel regarding the joint effort between the Board and the LMCA. She will also bring this up at tomorrow's discussion. Melissa asked if there is anything else the Board is waiting for from the State. Chairman Riley responded in the affirmative, noting there has not been a State representative on the Board since Dan Bello left over a year ago. Typically, the State's representative has been the State Parks Superintendent. Without someone from State Parks being represented, the State of New Jersey has no idea what the Board is doing until we go to the State Legislators. Chairman Riley added that since the change in State Parks Services in 2016, this Board has been ignored. The Board needs a State representative on this Board. There are 2 seats on this Board for a State representative; one being a member of the DEP and one being a member of the general public appointed by the Governor. Chairman Riley reiterated that Josh Osowski is aware of everything; he was at the August meeting, and nothing has happened. Melissa assured the Board that she will work on the issues mentioned.

Pat Marsico, Netcong resident and LMCA member, asked to speak on four items: (1) she clarified that going forward the LMCA will take over the oversight of treatment of all the parks. They cannot say all the shoreline because they will be doing only about 65%. Chairman Riley asked Ms. Marsico to provide the amount as well as the wording. After a brief discussion, it was agreed to use the language "funded shoreline." (2) At their meeting held last week (with Chairman Riley and Mr. Hathaway in attendance) it was mentioned about the 2 entities being the LMCA and the Board, but there was also mention of a third entity regarding the water chestnut. Ms. Marsico clarified it is all the LMCA. Chairman Riley said with respect to the lake management, he looks at the Water Scouts as a separate entity. Ms. Marsico stated everyone that is part of the Water Scouts is on the LMCA. It is all part of the LMCA and the Water Scouts are not a separate entity. (3) Ms. Marsico asked for confirmation that the drawdown will be as early as October 15<sup>th</sup>. Chairman Riley responded in the affirmative, adding they are not sure of the exact date. (4) Ms. Marsico asked if the Board had any thoughts about the wide blade grass weeds floating up on the lake. Mr. Hathaway responded they seemed to be terrestrial weeds i.e. weed whacking being done at the edge of the lake. There was discussion about asking the towns to send a notification to the residents about lake awareness and not putting grass clippings into the lake.

Seeing no one further from the public wishing to speak, Chairman Riley closed the public portion of the meeting.

**ADJOURNMENT:** On motion by Mr. Hathaway, seconded by Mr. Rogalo and carried by unanimous voice vote, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Ellen Horak, Clerk