

**Lake Musconetcong Regional Planning Board
Regular Meeting
September 21, 2016**

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 21, 2016 and was sent to the Clerks of the four municipalities, the State and the two counties.

ROLL CALL:

Daniel Bello -absent	Rosemarie Maio - absent
Frances D’Auria – absent	Steven Rattner – present
George Graham - present	John Rogalo – absent
Robert Hathaway - present	Lester Wright – present
Joseph Keenan - present	Earl Riley - present

MODIFICATIONS TO THE AGENDA: Additional 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 Graham, the Minutes of the August 17, 2016 meeting were approved on unanimous voice vote.

COMMUNICATIONS: The following communications have been placed on file:

09-07-16 Netcong Borough – Vendor Information for Netcong Day
09-08-16 van den Heuvel & Fountain – Professional Liability Policy

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

REPORTS OF COMMITTEES:

Canal Society – There was no report.

Musconetcong Watershed Association – Chairman Riley reported the MWA has concerns about the Lake Hopatcong Water Level Management Plan. Chairman Riley also reported that Beth Styler Barry is leaving the MWA. She has been the Executive Director for 12 years and she will be a difficult person to replace.

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

Lake Awareness – There was no report.

Lake Management – Mr. Hathaway reported there were issues with the conveyor that were resolved; however, they will need to do extensive work on the conveyor after the season. Solitude Management was on the lake gathering data at the test site areas. Mr. Hathaway stated he reported last month that the lake was getting deeper; faster in the treated area, but getting deeper throughout. Mr. Hathaway asked Solitude for an estimate to take core samples in all areas currently being monitored. Pat Rector designed a study to identify the agents that are creating the condition and the Musconetcong Sewerage Authority (“MSA”) may be agreeable to analyze the samples. The cost of taking the core samples will be about \$800. Mr. Hathaway recommended authorizing the \$800 to take the sampled,

noting doing so will help to find beneficial data that is needed to make a case for funding. Mr. Hathaway stated they are getting low on budgeted funds for lake management. He and Chairman Riley contacted the Morris County MUA about dumpsters for the sediment removal with the new equipment next season. The Morris County MUA offered to sell the Board 2 dumpsters for \$1,500 (\$750 each). They inspected the dumpsters and they are both in good condition. Mr. Hathaway added they need the dumpsters and the cost is reasonable. There are not have sufficient funds in the lake management budget; however, there are funds in the overall budget. Chairman Riley stated they do not need the dumpsters until the Board gets the hydro rake. Chairman Riley will contact Raimo of Stanhope and see if they will donate dumpsters that are in better or equal condition than the Morris County MUA’s. Mr. Graham will contact the Sussex County MUA about dumpsters. Chairman Riley reported there is a hole in the bottom of the dumpster. They used the backhoe to push the metal back in place, but they will need a plate molded over the hole. Mr. Hathaway will take care of the hole. Mr. Hathaway also reported he wrote a letter to State Parks Service with attention to Melissa Castellon, asking for a two foot draw down beginning November 1st through December 15th. That time frame has been acceptable in the past and he does not believe anything longer would be permitted. This will give the Board an opportunity for a lake clean-up. The shore line clean-up has not been done in 2 years. Mr. Hathaway is awaiting a response from State Parks Service. Chairman Riley stated he spoke with Lisa Barno, the Director of Fisheries at the DEP, who has control over whether they will permit the drawdown because of stressing the fish and she is aware that the Board is not asking for a longer drawdown.

Operating Budget – There was no report.

TREASURER’S REPORT: Chairman Riley noted the Treasurer’s Report was emailed to the Board. The report does not include the \$1,292 bill from Selective Insurance Company. On motion by Mr. Hathaway, seconded by Mr. Graham, and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

BILLS: On motion by Mr. Graham, seconded by Mr. Hathaway 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 – commercial liability installment payment	\$1,292.00

Lake Management Account:

JCP&L – electric at shed	\$ 3.15
West Chester Machinery –hydraulic hose	\$ 88.12
Netcong Hardware – parts	\$ 27.75
Ag Choice –aquatic vegetation disposal (8/16/16 & 8/18/16)	\$ 360.00
Ag Choice –aquatic vegetation disposal (8/25/16 - 9/02/16)	\$ 720.00

Debit/Credit Card

Eco Fuel	\$ 294.12
Enrite	\$ 11.41

ROLL CALL:

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|--------------------|----------------------|
| Mr. Graham – yes | Mr. Rattner- yes |
| Mr. Hathaway – yes | Mr. Wright - yes |
| Mr. Keenan – yes | Chairman Riley - yes |

OLD BUSINESS:

Chairman Riley provided an update on the status of the 319 grant. The grant has been approved and signed off in Trenton. Chairman Riley sent the final information needed and the Board should receive the contract within the week. After the contract is received, he will have Board Attorney Cliff Lundin review the contract. As soon as the contract is signed and returned to Trenton, the Board will need to go out to bid for the hydro rake. They will ask Cliff Lundin to assist with the bid process. On motion by Mr. Hathaway, seconded by Mr. Wright and carried by the following unanimous roll call vote, the Board authorized Chairman Riley to execute the grant agreement, if the agreement is acceptable after the Board Attorney's review.

ROLL CALL:

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

NEW BUSINESS:

Mr. Hathaway asked to be authorized to move forward with the core sampling, in the event the MSA agrees to participate and do the analysis in their lab. On motion by Mr. Keenan, seconded by Mr. Wright and carried by the following unanimous roll call vote the Board authorized Mr. Hathaway to have the core samples taken and analyzed at the MSA's lab at a cost not to exceed \$800.

Chairman Riley opened the motion for discussion. Mr. Hathaway stated they will take core samples from Musconetcong Park area and the two other locations they are doing control monitoring (pond in Netcong and Byram Bay). They will take core samples and find out if the probiotics have spread throughout the entire lake. The MSA has a lab and they offered assistance last year. Mr. Rattner will check to see if this the MSA's lab can do this type of testing. After a brief discussion it was agreed that if the MSA cannot do this type of testing, the matter will be discussed at next month's meeting.

ROLL CALL:

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

Chairman Riley spoke about the NJDEP's proposal to alter the Lake Hopatcong Water Management Plan on a pilot basis for this year. They are proposing to change the drawdown from 26" to 22". The intent is for a faster and full refill of the lake in the spring time. For the past two years, the lake has not reached "full pool" at the top of the dam. The Water Level Management Plan was put in place in 2011 and has not been revised since. In addition to limiting the drawdown to 22", they cannot go below a 12 cubic foot outflow unless there is a state declared drought emergency. The 12 cubic foot is to insure the health of the river. There is now a proposal to go down to an 8 cubic foot per second outflow from "ice out" which can occur any time between January through April 30th. The concerns voiced about the proposal is that the way it is written, the Dep will monitor the outflow and decide the outflow providing the Musconetcong River remains at medium level, which is undefined. The Superintendent of Parks (Melissa Castellon) has the authority to make a determination. In the past the superintendent has made the decision, but in the past two years, the superintendents have not made that decision on their own and have

gone to their superiors. Chairman Riley stated he and Mr. Hathaway have read the issues, notably the Musconetcong Watershed Association's ("MWA") comments and are in agreement with their position. They want some scientific measurements in place to monitor the flow of the river and the water level. There is no instrument in place to do the measurement. Mr. Hathaway stated the language in the document has been written in such a manner that they can make moves without scientific back-up. It is counter-intuitive to what is required by this Board. Chairman Riley stated the MWA made the following three points in their response to the proposed plan: 1) The proposed pilot program does not address how the flow behind the Musconetcong Sewerage Authority will be measured during periods of lowered flow; 2) We are concerned that the wording in the proposed change creates the potential for up to 90 days of reduced outflow without a clear description of how the Musconetcong River will be monitored this time. The NJDEP pilot program will allow a reduction in outflow from "ice out," which can occur as early as January, until April 30, "provided stream flows are at or above median levels" and providing that there are minimal impacts to downstream resource. The MWA requests that the DEP share their plan for monitoring during this period. How often will the NJDEP monitor to assure maintenance of Surface Water Quality Standards and in what way and how often habitat will be monitored; and 3) At the August 5th Citizens Advisory Committee meeting the NJDEP suggested that when determining if the Musconetcong "stream flows are at or above median levels" gages on other nearby streams may be used. The MWA requests that the methodology being used to choose a gage other than the Bloomsbury gage to determine if the Musconetcong River is at or above median levels. Chairman Riley would like to write a letter to the DEP in support of the MWA's statements and to request they install a monitoring device at the outflow or inflow of Lake Musconetcong. Mr. Rattner noted they are more concerned with the temperature of the water. On motion by Mr. Graham, seconded by Mr. Hathaway and carried by unanimous voice vote, the Board authorized Chairman Riley to write a letter to the DEP as suggested by Chairman Riley.

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

Jetur Riggs, LMCA member, asked if during the public comment on the pilot plan, if there was any discussion about Lake Musconetcong and the affect lowering the water may have on it. Mr. Riggs also asked if the Board has any concerns. Chairman Riley responded he regularly checks the outflow of Lake Hopatcong and does not see any impact on Lake Musconetcong. If lowered for two months, the temperature will rise in our lake and will reduce the outflow over the dam and we do not know if Hopatcong will open the gate so we do not know how it will impact Lake Musconetcong.

Dorothy Fredericks, 7 Spring Lane, Stanhope asked the Board to speak about the condition of the weeds in the lake. Mr. Hathaway responded the weeds are less than we had hoped it would be. The Board cannot afford to treat all areas. Some areas are in good condition and should not need to be treated next season. This year the Board treated 50 acres and next year the Board will treat another 50 acres. The Board has a 3-year plan to treat 50 acres per year. This year is the transition from the water chestnut management plan into the Eurasian milfoil management plan. At the point they have 100 acres under control, we will be able to harvest the rest of the lake, provided operators are available.

Geraldine Hickey, 8 Spring Lane, Stanhope asked if the weeds by Stanhope Park were treated with herbicide. Mr. Hathaway responded in the negative adding the area was harvested and treated with the probiotics.

Jetur Riggs expressed his opinion that the Musconetcong Park area is in poor condition. Chairman Riley stated he will harvest the area tomorrow. Mr. Riggs asked how much the Board is paying per acre by

using the harvester versus the cost of the chemical treatment. Chairman Riley responded the Board has not analyzed the per acre cost of harvesting.

Geraldine Hickey asked the length of training, noting she has been training since June. Chairman Riley stated he understands Ms. Hickey is comfortable operating the large harvester and was alone on the harvester once. They have concerns about rough weather and another concern is her operating the backhoe. They are training her and Dorothy Fredericks and although Dorothy is comfortable with operating the small harvester, she has not operated the backhoe. Mr. Hathaway stated Chairman Riley and Wayne Swistek inform him when someone is able to run the equipment individually and concerns have been raised about their operating the backhoe. The decision to continue to have them go out with more knowledgeable operators has nothing to do with their harvester operation, it is only the backhoe. You need to be proficient in the operation of both the harvester and the backhoe.

Dave Hickey, 8 Spring Lane recommended the Board re-look at their training process of volunteers. He would like to volunteer; however, cannot commit to the many hours needed to get certified in the operation of all the equipment. He could learn how to operate the backhoe and do ground support. Mr. Hickey suggested the Board breakdown the harvesting process into specific functions. It is difficult for volunteers to devote the 10 to 12 weeks needed to become certified. The process is too lengthy. Mr. Hathaway stated the equipment is very valuable and has been severely damaged in the past from a casual approach with the program. Mr. Hickey suggested they separate each task for certification.

Ann Galin, Port Morris, suggested separating the job of harvester operator and backhoe operator. Mr. Hathaway responded the Board does have volunteers to operate the backhoe.

Pat Marsico, LMCA member agrees with the Board's program. You can operate the backhoe and not the harvester but you cannot just operate the harvester and not the backhoe. The Board has a policy in place.

Dave Hickey, 8 Spring Lane asked if money from the 319 grant can be used for the cost of operating the hydro rake. Mr. Hathaway responded in the affirmative, adding they included some operation and training costs in the writing of the grant application. The grant will not cover disposal fees or manpower.

Pat Marsico, LMCA member stated the Board provided her with a map showing areas they would be treating this season and she questioned areas treated. Ms. Marsico expressed her opinion that the treatment was not successful, noting the poor condition on the Port Morris side of Byram Bay. Mr. Hathaway responded that area was not treated and was not shown as a treatment area on the map. Ms. Marsico asked to be provided with another copy of the map. Ms. Marsico suggested skipping treatment next year. Mr. Hathaway stated he is not considering an alternate plan.

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

GENERAL DISCUSSION:

Mr. Rattner distributed a copy of the agenda for the MSA's meeting at which they will discuss lab assistance for the Board. Mr. Rattner advised that he spoke to the Director about the test. Board members are welcome to attend the meeting tomorrow night, but it is not necessary. Mr. Rattner suggested the Board members speak to their towns so they can talk to their representative on the MSA. Mr. Rattner said the State considers Lake Musconetcong to be impaired. Mr. Rattner also said the Lake Hopatcong Water Level Management Citizens Action Committee hearing was lake people versus river people. Mr. Rattner

noted Rutgers has a great environmental lab and if the MSA is unable to assist with the testing, he suggested Pat Rector be contacted. Mr. Hathaway will contact Pat Rector.

ADJOURNMENT: On motion by Mr. Hathaway, seconded by Mr. Graham, and carried by unanimous voice vote, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Ellen Horak, Clerk