

**Lake Musconetcong Regional Planning Board  
Regular Meeting  
February 21, 2018**

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 18, 2018 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 – absent     |
| Joseph Keenan – present   | Lester Wright - absent   |
| Rosemarie Maio – present  | Earl Riley - present     |

**MODIFICATIONS TO THE AGENDA:** Chairman Riley noted Ms. Maio must leave the meeting shortly so he is therefore amending the agenda to conduct all business prior to her departure. The agenda was revised to move all business items requiring a vote as follows:

**OLD BUSINESS:**

2018 Budget – Chairman Riley reported the total budget necessary in order to accomplish all that is needed regarding lake management is \$58,680, which is a significant increase over the past years. The Board is also requesting that the New Jersey State Parks Service contribute \$16,000, which amount has been taken out of the total budget number before being broken down to the normal operating budget and lake management budget based on shoreline. The \$16,000 requested from the State is out of the calculation of what they are asking the municipalities and counties to contribute. Chairman Riley reported he and Mr. Hathaway met with Assemblyman Bucco, a representative from both Senator Bucco and Senator Oroho as well as numerous officials from the DEP. State Parks has verbally committed that the money promised last year in the amount of \$6,700 for weed transportation is in place and they will disburse it this year. Mark Texel also indicated he has additional funds he is willing to spend on this Board. Chairman Riley stated, if the Board receives the \$16,000 from the State, they will be in good shape; however, if they do not receive those funds, they will need to cut back on herbicide treatment to the amount of \$0. The largest increase in the budget is due to the increased insurance based on the new equipment recently acquired by the Board. The Board reviewed the budget as presented by Chairman Riley. Ms. Maio asked if the herbicide treatment is included. Mr. Hathaway responded since the Board controls it, the money from the towns should be listed as both an income and then an additional expense. Mr. Hathaway proposed a change in the Budget, adding Netcong Borough is willing, and would like to contribute \$800 towards their contribution to the herbicide funding. Stanhope Borough will contribute \$750 and Roxbury will be asked to contribute \$360 which totals \$1,910 and income. The “parks weed application” expense will in the amount of \$1,910 since it will be transferred to the LMCA for treatment of the parks. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by the following unanimous roll call vote, the Board approved the 2018 Budget in the amount of \$58,680 (which excludes the \$16,000 requested from the State):

**ROLL CALL:**

|                    |                      |
|--------------------|----------------------|
| Mr. Hathaway – yes | Ms. Maio - yes       |
| Mr. Keenan – yes   | Mr. Rattner – yes    |
|                    | Chairman Riley – yes |

**REPORTS OF COMMITTEES:**

**Lake Management** – Mr. Hathaway reported, with respect to the park funding, he and Chairman Riley have been working with Joe Nametko and Pat Marsico from the LMCA to clarify the LMCA handling of the shoreline and the LMRPB handling the open waters. The LMCA agreed to handle the shoreline for the amount the Board collects from the municipalities. The LMCA’s expense is greater than that amount to implement their program. Mr. Hathaway expressed his opinion that this arrangement is a good way to create a clarity for the public so the public will know the LMCA does address public land. This would require the Board to commit the \$1,910 previously discussed to go to the LMCA for treatment of the park frontage. Mr. Hathaway stated he is confident the LMCA’s program will be at least as good, if not better, than the Board’s treatment of the park frontages. Chairman Riley stated having a single lake management plan and having both parties participate in the plan this is what the DEP wants. This will show a combined effort to manage the lake under one plan. Mr. Hathaway added another reason is that it is important for the LMCA’s fundraising efforts to have them handling public lands. It will enable them to collect in a much larger part of the community than they now can. On motion by Mr. Hathaway, seconded by Mr. Keenan and carried by the following unanimous roll call vote, the Board authorized transferring \$1,910 received from the municipalities for herbicide treatment, to the LMCA for herbicide treatment of the towns’ parks.

**ROLL CALL:**

- |                    |                      |
|--------------------|----------------------|
| Mr. Hathaway – yes | Ms. Maio - yes       |
| Mr. Keenan – yes   | Mr. Rattner – yes    |
|                    | Chairman Riley – yes |

Mr. Hathaway reported the next items for discussion under lake management is the topic of egg addling. He has been working, as a Netcong Councilman, with the USDA on goose control. Netcong is currently paying the USDA to addle goose eggs in nests within Netcong Borough. Netcong also pays an animal control fee which is for Netcong, but could cover other towns around the lake. In conversations with the USDA it became clear to him that the fee Netcong is currently paying is the fee for the whole lake’s goose control. The reason the USDA is not affecting control on the entire water body is that there is no nest program implementation within Roxbury or Stanhope. Mr. Hathaway estimated Netcong pays about \$2,500 to the USDA. Netcong Borough has offered to give the Board the amount previously paid to the USDA in the hope that the Board would administer the nest program for the other towns. This would allow for goose control across the entire waterbody. Stanhope Borough provided approval and Roxbury’s Council will take action on the matter at a meeting later this month. Mr. Hathaway stated he needs to let the USDA know by the end of this week if the Board will take on administering the program. Mr. Hathaway said he is certain volunteers can manage this program. Mr. Hathaway noted the significant goose problem in the parks. Chairman Riley summarized that Netcong will transfer approximately \$2,500 to the Board to administer the egg addling program throughout the entire lake. The money will be spent on the purchase of certain tools, i.e. poker stick, for the egg addling. The egg addling will be done by volunteer manpower. Chairman Riley asked for clarification on if the money will go into the Board’s operating account and not only to be used for the egg addling program. Ms. Maio asked if it includes disturbing the nests on the island, noting that is where the problem is. Mr. Hathaway responded the USDA says the island is in Netcong, so it has always been included in the program. Mr. Hathaway stated it is his understanding that if the Board administers the program with the use of volunteers, Netcong will give the Board the funds to use as they see fit. Chairman Riley asked if the program includes swan eggs. Mr. Hathaway responded it was strongly recommended by the USDA that they also do swan nests. Mr. Hathaway noted there is record keeping and on-line reporting involved as well as about three to five

outings on the lake. Mr. Hathaway offered to administer the program and coordinate the volunteers. Chairman Riley noted Stanhope Borough has already sent their approval and, if Roxbury also agrees, they will move forward on the program. Chairman Riley said this program is a benefit to all the towns and he is confident Roxbury will vote in favor of the program at their meeting next week. Chairman Riley will reach out to Byram Township and inquire about their participation with the program. On motion by Mr. Hathaway, seconded by Ms. Maio and carried by the following unanimous roll call vote, the Board agreed to take the responsibility of the egg addling program for Netcong, Stanhope, Roxbury and Byram, provided they receive approval, and to accept the donation of approximately \$2,500 from Netcong Borough for taking on that responsibility.

**ROLL CALL:**

|                    |                      |
|--------------------|----------------------|
| Mr. Hathaway – yes | Ms. Maio - yes       |
| Mr. Keenan – yes   | Mr. Rattner – yes    |
|                    | Chairman Riley – yes |

**BILLS:** Mr. Keenan questioned the bill from Solitude Lake Management, adding, if the Board pays that bill this month, they will only have \$600 in the bank account. Chairman Riley suggested the Board notify Solitude Lake Management and inform them payment of this month’s bill cannot be paid at this time. Mr. Hathaway noted this is budget time for the municipalities and once the budgets are adopted, the Board will receive the yearly contributions. The Board cannot pay the bill this month; however, if the Board receives sufficient income the bill can be paid. Chairman Riley stated he and Mr. Hathaway will contact Solitude Lake Management and inform them of the Board’s financial situation.

On motion by Mr. Hathaway, seconded by Ms. Maio and carried by the following unanimous roll call vote, the following bills are to be paid if and when funds are available, and if the Board receives sufficient income prior to the next meeting, the Treasurer is authorized to write a check to pay the Solitude Lake Management’s bill:

**Operating Account:**

|   |           |
|---|-----------|
| Ellen Horak - Clerk’s Monthly Compensation                            | \$ 500.00 |
| Postmaster – 100 stamps @\$\$.47                                      | \$ 47.00  |
| Daily Record – legal notice (annual meeting notice)                   | \$ 67.68  |
| NJ Herald – legal notice (annual meeting notice & award of contracts) | \$ 43.20  |

**Lake Management Account:**

|   |            |
|---|------------|
| JCP&L – electric at shed                            | \$ 3.32    |
| West Chester Machinery & Supply                     | \$ 17.68   |
| Solitude Lake Management – Lake Management Services | \$2,500.00 |

**ROLL CALL:**

|                    |                      |
|--------------------|----------------------|
| Mr. Hathaway – yes | Ms. Maio - yes       |
| Mr. Keenan – yes   | Mr. Rattner – yes    |
|                    | Chairman Riley – yes |

Mr. Keenan advised the Board he does not have a sufficient amount of checks to write for all the bills on the Bills List. Checks are on order and once he receives them he will write the remainder of the checks and send them to the Clerk.

**NEW BUSINESS:**

2017 Annual Report – Chairman Riley noted the Board received a copy of the 2017 Annual Report. On motion by Mr. Hathaway, seconded by Ms. Maio and carried by unanimous voice vote, the Board approved the 2017 Annual Report, as submitted, and authorized the Clerk to forward a copy of the Annual Report to the municipalities and counties.

**TREASURER’S REPORT:** Mr. Keenan reported the Treasurer’s Report was emailed to the Board. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

**ACTION ON MINUTES:** On motion by Ms. Maio, seconded by Mr. Keenan, the Minutes of the January 17, 2018 Meeting were approved on majority voice vote.

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

- 01-23-18 Daily Record – Affidavit of Publication re: annual meeting notice
- 01-29-18 Sussex County – Appointment of George Graham as representative to the Board
- 01-31-18 Selective Insurance Company – check in amount of \$529.00 representing credit on account
- 02-05-18 van den Heuvel & Fountain – Volunteer Accident Policy
- 02-05-18 Selective Insurance Company – Commercial Insurance Policy
- 02-08-18 Notice to Property Owners – Minor Subdivision/Lot Line Adjustment re: Blk 36.01 Lots 5 & 8, 7 Post Road, Netcong
- 02-15-18 Pat Rector – 4<sup>th</sup> Quarterly Report re Implementation of Reduction of Total Phosphorus in Lake Musconetcong WM16-047
- 02-16-18 Borough of Stanhope – Authorization for Egg Addling Program
- 02-20-18 Jetur Riggs, LMCA – email re: Lake Musconetcong Town Park Treatments

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

(Ms. Maio left the meeting.)

**PRESENTATION:**

Chairman Riley invited Nancy Lawler of the Musconetcong Watershed Association to come forward to give a presentation on the River Sensor Program. Ms. Lawler gave a brief outline of the Musconetcong Watershed Association and their mission. They are a non-profit organization. Their mission is to protect and enhance the Musconetcong Watershed and their focus is on education and awareness. She is in charge of the water quality river monitoring programs and she is the person responsible for the installation of the on-line sensors throughout the river. Two sensors were placed in the Musconetcong River; one by the steel bridge and the other in Byram Township by Riverdale Park. Ms. Lawler provided a power point presentation showing the location of the Musconetcong River in the Musconetcong River Watershed. The lake and river are managed as follows: Lake Hopatcong – level managed for recreation; Lake Musconetcong – level managed for recreation; Musconetcong Sewerage Authority – permitted to discharge to the river; NJ Fish & Wildlife – 42 miles of river managed for trout maintenance. Ms. Lawler spoke about the trout stocking in the Upper Watershed. The Lake Hopatcong Water Level Management Plan – 12 CFS minimum passing flow at the dam. During the non-drawdown months, the water level in the lake shall be managed to maintain a water surface elevation of 9 feet, but not to exceed 9.5 feet, but shall at all times meet the minimum passing flow of 12 cubic feet per second. When water spilling over

the dam is sufficient to meet the 12 CFS passing flow, all gates shall be closed unless the water surface elevation is above 9.25 feet and rising. Under extreme drought conditions, the NJDEP may consider a further reduction to 8.2 CFS. At the MSA – they have a 6.8 CFS minimum passing flow, permit reduced to lower levels. Historically this had been reduced to 6.2CFS, however, during the 2002 drought this flow level was evaluated and found to provide inadequate dilution to protect aquatic life from toxic concentrations of ammonia due to the loading from a downstream publicly owned wastewater treatment plant and a new low flow criterion of 6.8 CFS was recommended. With respect to NJ Surface Water Quality Standard - temperature criteria for stocked trout: temperatures shall not exceed a daily maximum of 25 degrees Celsius or rolling seven-day average of the daily maximum of 23 degrees Celsius, unless due to natural conditions. Ms. Lawler noted there is insufficient data to answer “does the lake level management affect the river?” The water quality varies from Lake Hopatcong. The outflows of dams are not synchronized and, there is the a question of is the 6.8 CFS passing flow at the MSA being maintained? There is no continuous temperature data. There is no gage at Lake Musconetcong so there is the question of “what is the flow?” Continuous data is needed. Ms. Lawler spoke about the Watershed Institute Grant in 2017. The MWA was to pilot low-cost citizen science technology. Stroud Water Research Center built sensors and volunteers were trained to maintain the equipment. An intern was hired to document procedures and the MWA planned signage and communications. Volunteers and support staff installed new sensor stations on May 10, 2017 with the data logger in a weatherproof box, about the size of a deck of cards. The sensors measured water quality indicates: temperature; depth-helps calculate discharge (flow); specific conductance-pollutant indicator; and turbidity-how “muddy” the river is. The study focused on temperature and flow. Ms. Lawler displayed a map showing the location of the sensors. Ms. Lawler displayed a graph showing flow data: sensor upstream of MSA versus Lake Hopatcong USGS gage. The Lake Hopatcong gage does not predict flow. Chairman Riley noted the change shown on September 30<sup>th</sup>, and asked if it was because they lowered the lake, to which Ms. Lawler responded in the affirmative. Ms. Lawler also displayed a graph showing flow data: sensor downstream of MSA versus Lake Hopatcong USGS gage. Ms. Lawler displayed a graph showing the sensor upstream of the MSA: shallow water with high temperatures the week of July 7-24, 2017 showing relationship between flow and temperature and downstream of the MSA: shallow water with average temperature for the week of July 13-23, 2017. Shallow water does not appear to predict temperature. The graphs show depth in feet and temperature in Celsius. The question is did sensors provide useful data? With respect to flow in 2017: level management plan works for permitted flow; Lake Hopatcong USGS gage does not always predict flow downstream of Lake Musconetcong. With respect to temperature: shallow water may affect temperature upstream of MSA; shallow water may not affect temperatures downstream of MSA. Ms. Lawler noted; however, that 2017 had non-drought conditions. Ms. Lawler also noted that the lost cost sensors had some technical issues. A USGS gage (with temperature) at Lake Musconetcong would be best to help protect downstream recreational fishing and provide information for downstream public safety. There is a link on the MWA website to the study data ([www.musconetcong.org](http://www.musconetcong.org)). Chairman Riley commented that the looking at the sensor data for shallow water with high temperature, at this point it cannot accommodate trout. Ms. Lawler agreed, adding there is not much of an affect downstream of the MSA. Chairman Riley asked if, in the future, there will be an opportunity to provide DO readings as well as the readings they are currently doing. Ms. Lawler responded the temperature is a very good guide for DO levels. Chairman Riley thanked Ms. Lawler for her presentation. A copy of Ms. Lawler’s power point presentation has been placed on file.

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

Jetur Riggs, LMCA member, asked for an update on the dam project. Mr. Hathaway responded the people involved in the project are not communicating with the Board so the Board has no update. He has

heard that the scope of the work has been expanded. As of March 1<sup>st</sup> it will require an extension of their permit, but the Board has no knowledge of that. The question is if the lake is going to remain drawn down. Chairman Riley stated he was informed that, because of the recent warm weather, there is the desire to begin refilling Lake Hopatcong. When that happens, the flow will drop here and it will be rather slow to get our lake refilled. Mr. Hathaway said he asked to have the Board informed before there is a refill of Lake Hopatcong in order to make sure there is no sufficient ice on the lake before the refill. Mr. Riggs also noted the Board's discussion about if they do not receive money from the State and he questioned if the two-year contract they have for the herbicide treatment will be cancelled. Chairman Riley responded, if the Board does not have the money they cannot provide herbicide treatment in the lake.

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

**REPORTS OF COMMITTEES (Continued):**

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

**Musconetcong Watershed Association** – Mr. Rattner reported the Watershed Association is looking at putting together a Wild & Scenic Film Festival. They are looking for partners to help fund the event. The only venue in the region that could support this type of event is Centenary College. They are hoping to have them donate use of their auditorium because they have the equipment that would be needed. The Watershed Association is asking anyone who has a contact at Centenary College to please let them know.

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

**Lake Awareness** – There was no report.

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

**ADJOURNMENT:** On motion by Mr. Hathaway, seconded by Mr. Rattner, and carried by unanimous voice vote, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Ellen Horak, Clerk