

Lake Musconetcong Regional Planning Board
Regular Meeting
February 15, 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
Joseph Keenan - absent	Lester Wright - absent
Rosemarie Maio - present	Earl Riley - present

MODIFICATIONS TO THE AGENDA: Additional bills listed.

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

Melissa Castellon, State Park Superintendent, stated she has been looking into getting hazard buoys for the Board and she is hoping to have an answer shortly. Chairman Riley expressed the need to have Melissa officially appointed as the State's representative on the Board. He was verbally told of her appointment by Josh Osowski; however, the Board has not received an official written notice. Ms. Castellon stated the appointment is made by the Commissioner. Chairman Riley asked Ms. Castellon to follow up on her appointment, adding the Board needs the appointment to happen.

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

ACTION ON MINUTES: On motion by Mr. Rattner, seconded by Mr. Hathaway, the Minutes of the January 18, 20187 reorganization meeting were approved on majority voice vote.

COMMUNICATIONS: The following communications have been placed on file:

- 01-23-17 Notice to Property Owners – redevelopment of site into gas filling station with convenience store and use variance re: Block 4104 Lot 1 (15 Route 46), Mount Olive
- 01-23-17 New Jersey Herald – Affidavit of Publication re: award of contract to Alpha Boats Unlimited
- 01-26-17 Daily Record – Affidavit of Publication re: annual meeting notice
- 02-01-17 Morris County Board of Chosen Freeholders – response to 2017 budget request
- 02-06-17 van den Heuvel & Fountain – Volunteer Accident Insurance Policy
- 02-08-17 Clifford Lundin, Esq. – copies of Tax Forms 1096 and 1099 filed with the Internal Revenue Service
- 02-10-17 Notice to Property Owners – Application for Flood Hazard Area Individual Permit submitted by Morris County re: Waterloo Bridge over the Musconetcong River
- 02-10-17 Amy Rhead, Roxbury Township – Reappointment of Lester Wright as Township's representative on Board

Mr. Hathaway questioned the letter received from Morris County Board of Chosen Freeholders. Chairman Riley responded they asked for a breakdown of the budget.

Ms. Maio noted the letter from Roxbury regarding the re-appointment of Lester Wright and she questioned the status of Francis D'Auria's seat on the Board. Chairman Riley responded he has been in contact with Chris Raths, Roxbury's Manager, and he is aware of the situation. He has approached the Council about a replacement.

On motion by Mr. Hathaway, seconded by Ms. Maio 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 he will be attending a seminar on March 3 to talk about river monitoring devices. They are looking at putting a device in the river between the outlet of Lake Musconetcong and the MSA to see what the flow is and what the measurements are. The device will provide a lot of information. The device is being paid for completely through a grant. It will give information on the date and comparisons from the outflow of Lake Hopatcong into Lake Musconetcong and down the river. They are looking to put the device in a location at Drain Road in Byram which is about a quarter mile from the MSA. Chairman Riley stated he will also be in charge of monitoring this site.

Site Plan Review/Stream Encroachment – Mr. Rogalo had no report other than to mention the Waterloo Bridge project. Chairman Riley stated the project will impact the river monitoring equipment and he asked when the project will begin. Ms. Maio stated the project will begin this year; however, she does not know the date. Chairman Riley stated he would like to know the exact dates work will be done.

Lake Awareness – There was no report.

Lake Management – Mr. Hathaway reported the only purchase made this month was the purchase of gravel. Mr. Hathaway stated he researched dumpsters since the Board will need two dumpsters this season. The Board can get refurbished dumpsters for \$3,000 each. There may be cheaper dumpsters; however, the work they would need would not make if cost effective. Mr. Hathaway recommended considering \$6,000 in the budget for the purchase of dumpsters. Mr. Hathaway also reported there is some interest on the State level to solve the weed disposal issue. Chairman Riley said Mr. Rogalo has been in contact with Rich Boornazian, Assistant Commissioner to the DEP and who oversees all State Parks. Ms. Maio expressed concern that Board business is being discussed outside of Board meetings. She stated she has a great concern and cautioned that business should not be conducted outside the realm of this room. Mr. Hathaway assured the Board that no business has been conducted. The State expressed a sentiment that they are looking to remedy the Board's disposal issue. The Board sent a letter to the legislators and various other officials, which letter was distributed to the Board prior to mailing. Mr. Rogalo, through their relationship on other matters, spoke to Mr. Boornazian who brought up the matter. Mr. Rogalo stated he extended an invitation to Mr. Boornazian to meet with the Board. Mr. Hathaway stated emails were directed to the Chairman and Mr. Rogalo; however, no action has been taken.

Operating Budget – There was no report.

TREASURER'S REPORT: Chairman Riley noted the Treasurer's Report was emailed to the Board. The report shows very little money remaining in the budget. Ms. Maio expressed her opinion that if the

Board does not have sufficient funds, they should not be spending money and they should be cautious about unbudgeted items. Ms. Maio also stated there will be no money received from the towns or counties until their budgets are adopted. There will be no money received until May at the earliest. Ms. Maio motioned that the Board spends nothing from now until funds are received. Mr. Hathaway seconded the motion. Chairman Riley stated there are sufficient funds to operate for three more months, adding there are monthly operational bills for the Clerk’s compensation and the electric bill. Ms. Maio amended her motion to withhold spending on anything other than the monthly Clerk’s compensation and JCP&L bill. Mr. Hathaway seconded the amended motion. On the following unanimous roll call vote, the Board agreed to withhold spending any money other than the two monthly bills from the Clerk and JCP&L until funds are received.

ROLL CALL:

Mr. Hathaway – yes	Mr. Rattner - yes
Ms. Maio – yes	Mr. Rogalo - yes
	Chairman Riley - yes

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

BILLS: 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:

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$500.00
New Jersey Herald – legal notice: award of contract (Alpha Boat)	\$ 20.10
Daily Record – legal notice re: annual meeting notice	\$ 70.20
New Jersey Herald – legal notice re: annual meeting notice	\$ 26.40
New Jersey Herald – legal notice re: annual award of contract	\$ 13.20

Lake Management Account:

JCP&L – electric at shed	\$ 3.25
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Debit/Credit Card

Weldon Quarry	\$195.07
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ROLL CALL:

Mr. Hathaway – yes	Mr. Rattner - yes
Ms. Maio – yes	Mr. Rogalo - yes
	Chairman Riley - yes

OLD BUSINESS:

319 Grant: Ms. Maio asked the status of the grant. Chairman Riley responded all required paperwork has been sent and they are waiting for a response and the check.

NEW BUSINESS:

Annual Report: Chairman Riley noted the Annual Report was emailed to the Board. Chairman Riley stated the report is up-to-date on all volunteer hours and finances. Mr. Hathaway made the following revisions to the report: page 2 Standing Committees – Musconetcong Watershed Association – “Willow

Street in Netcong” should be changed to “Willow Street in Port Morris;” paragraph 2 third line under Lake Management – the word “which” should be changed to “this;” on page 4 first paragraph 3rd sentence and 5th sentence the word “sludge” should be changed to “loose organic matter on the lake bottom”; page 4 second paragraph – the word “Tribune” should be changed to “Sonar” and in the fourth sentence of the second paragraph “The Board again did not harvest the shoreline, they gave qualified operators the opportunity to operate the harvester on the weekends to have the shoreline” should be revised to read “The Board again did not harvest the private shorelines, they gave qualified operators the opportunity to operate the harvester on the weekends to have the shoreline.”

On motion by Mr. Hathaway, seconded by Ms. Maio and carried by unanimous voice vote, the Board approved the Annual Report, as amended.

Weed Disposal: Chairman Riley stated State Parks Service will be paying for weed disposal and he clarified the number of emails regarding the matter. Mr. Rogalo sent an email to Rich Boornazian, cc'ing a number of other people on the topic. The Board sent a letter to the Governor, the Commissioner of the DEP, Assistant Commissioner of the DEP, the legislators, municipalities and counties on the weed disposal issue. Mr. Boornazian sent an email to Mr. Rogalo in response to his email in which he stated he was surprised the LMRPB had commented on the State's lack of support since the DEP just gave the Board over \$300,00. Mr. Rogalo forwarded that email to Chairman Riley and Chairman Riley responded to Mr. Boornazian stating the \$300,000 was not from NJ DEP; it was from the federal government, but distributed through the DEP. Mr. Boornazian's response was that the State Parks Service would be happy to fund our weed disposal costs and that Chairman Riley should work with Melissa Castellon to make that happen. Chairman Riley stated last year the Board spent \$6,500 on weed disposal and this year disposal costs will increase to about \$10,000 because of the hydro rake. Melissa Castellon, present in the public, said the procedure will be the Board receives the bill and then forwards it to her and she will pay it. Ms. Castellon stated the discussion on paying disposal costs was based on the almost \$7,000 that was spent last year. She will let Mr. Boornazian that the cost will be more this year. Ms. Castellon assured the Board that they do not have to worry about the cost of weed disposal. Chairman Riley asked for confirmation that whatever the Board sends to Ag Choice, or whoever they choose for disposal of the weeds, all the Board will need to do is forward the bill to Ms. Castellon and she will pay it on the Board's behalf. Ms. Castellon responded in the affirmative. Ms. Castellon again stated the discussions on weed disposal for the Board was based on \$7,000. Ms. Maio noted the State has agreed to pay up to \$7,000. Chairman Riley read the email received from Mr. Boornazian: “John, I have not ignored this request as I wanted to look into these matters more internally. I actually do not see a reason to meet, although if you still want to we can. On the first issue, I must say that I was a little taken aback after we just funded a \$350k weed harvester for the group, however that said, we can more some funding around within the DEP and along with other weeds from Lake H, we will pay for the disposal of weeds from Lake M. Please contact the park superintendent for the process of getting this accomplished. On the second item, you have before you an annual permit request that has not been signed. Our staff has worked with you to come up with the terms. Again honestly, I thought this issue was behind us. Also, water rights of the residences who do not have lake access sounds like a local issue to me, so I won't/can't respond to that.” Chairman Riley noted there is no dollar amount mentioned. After a brief discussion, the Board agreed they cannot make the assumption that the State will fund the entire disposal costs since there will be a substantial increase this year. Ms. Castellon will relay the Board's comments, concerns and information she learned this evening and will give an answer to the Board. She will also ask if there is a cap on the amount they will pay for the weed disposal. Chairman Riley stated John Trontis responded to the various emails and he read his response to the Board: “Please remember that Josh and I are still holding the field

we visited for your use if the LMRPB wants to launch the weed and leaf composting operation we discussed. We will brushhog the field periodically to keep it clear until you're ready." Mr. Hathaway summarized the meeting referenced, stating it was not a weed discussion. It was advised that if we wanted to be a disposal site we would have to go through guidelines and we would operate the composting site. Chairman Riley read his email response to John Trontis: "Thank you John, we have not forgotten. However, we, like the SPS, do not have the funding or expertise to set up and operate a DEP approved composting facility as we were led to believe we would be required to utilize the field we looked at. We have had some of the material analyzed that was decomposing at the RC field from two to three years ago, and were informed that it was high in nutrients and desirable to organic farmers. The material reached this stage through natural decomposition and no composting. Until we can field a location that will accept the aquatic weeds as we have in the past we will have the continue to pay for disposal. I believe it would be worth both of our time and energy to rethink the necessity to composting when nature can do an effective job for both Hopatcong and Musconetcong." Chairman Riley stated he has not received a response from Mr. Trontis.

Small Harvester – MOU: Chairman Riley addressed the Memorandum of Understanding ("MOU") for the small harvester. He would like to revisit it because he does not know if it needs to involve the Lake Hopatcong Commission. Ms. Castellon said she raised that question and stated the Board should send a letter to the Lake Hopatcong Commission requesting an extended MOU. She was trying to remove the Lake Hopatcong Commission as the middle man but was told to have the Board write a letter to the Lake Hopatcong Commission. Ms. Castellon suggested writing a letter to the Lake Hopatcong Commission and state "at the suggestion of her supervisor (Josh Osowski), the Board is requesting the MOU be extended." Chairman Riley stated he will draft a letter to the Lake Hopatcong Commission. Chairman Riley noted the MOU originally was an annual agreement. As of last year, the Lake Hopatcong Commission did not want to renew it annually; they wanted to do a month-to-month agreement. Chairman Riley stated he never signed the agreement, noting there is no formal agreement in place for last year. Chairman Riley suggested they do a multi-year agreement with a clause that the agreement can be terminated at any point of time if the Lake Hopatcong Commission receives their funding back. Ms. Maio suggested a one-year agreement. Mr. Hathaway noted with a one-year agreement, they take back the equipment and maintain it. Chairman Riley stated Mr. Keenan is looking into insurance on the equipment and the possibility of only paying insurance on the equipment while in use by the Board, not during the 6 months it goes back to the State Park. Chairman Riley questioned why the Lake Hopatcong Commission is still involved since the State holds title to the equipment. According to Ms. Castellon the State owns the equipment, not the Lake Hopatcong Commission. Chairman Riley asked the Board's thoughts on the matter. Ms. Maio suggested contacting Kerry Pflugh, Director of the Office of Local Government Assistance first, adding she is not in favor of signing an agreement with the Lake Hopatcong Commission when they do not own the equipment. Mr. Hathaway suggested writing a letter to Ms. Castellon and/or Josh Osowski asking them to extend the agreement for the equipment. Chairman Riley asked the Clerk to send a letter to Melissa and cc Josh asking for an agreement for utilization of harvester #302 on Lake Musconetcong for the 2017 season.

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

Melissa Castellon, State Park Superintendent, informed the Board that she will not be able to provide trophies for the Board's fishing contest.

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

NEW BUSINESS: Ms. Maio stated she has one new business item and she advised the Board that there will not be a Stanhope Day this year. They are planning an expansion of the town-wide garage sale event. There will be no street festival this year. Ms. Maio noted the annual fishing contest was always held the morning the Stanhope Day which was held on Sunday and she suggested holding the fishing contest on Saturday this year. Chairman Riley suggested having a “Save the Lake Day” fishing contest. The kids loved the fishing contest and he believes they should continue holding the event. Mr. Hathaway keeping the day the same as in the past, being the second Sunday in June. After a brief discussion, it was agreed the Board will hold the “Save the Lake Day” fishing contest as a singular event and conduct the day as traditionally done on Stanhope Day. The fishing contest will be held from 8:00 a.m. to 12:00 noon. Chairman Riley will request the digital sign to notify the public of the event. Mr. Rogalo recommended a small sign be posted about additional parking on Allen Street by the boat ramp as well as behind the deli on Main Street and the municipal building parking lot. Ms. Maio suggested having food trucks at the event instead of serving hot dogs to the participants. The Board agreed. Ms. Maio stated the Rotary is looking for events to donate money and she will ask them to donate money to purchase the trophies.

ADJOURNMENT: On motion by Mr. Hathaway, seconded by Mr. Rogalo, and carried by unanimous voice vote, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Ellen Horak, Clerk