

**Lake Musconetcong Regional Planning Board
Regular Meeting
July 20, 2022**

Chairman Riley opened the Regular Meeting at 7:00 p.m. with a reading of the Open Public Meetings Notice which was sent to the Daily Record and New Jersey Herald on January 20, 2022 and was sent to the Clerks of the four municipalities, the State and the two counties.

ROLL CALL:

Robert Hathaway – present	Steven Rattner - present
Joseph Keenan - present	Rudy Shlesinger - present
Rosemarie Maio - present	Lester Wright - present
Shawn Potillo - absent	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 Mr. Keenan the Minutes of the June 15, 2022 regular meeting were approved on majority voice vote. Mr. Wright abstained.

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

- 06-15-22 NJ Motor Vehicle Commission – Registration for 1988 Backhoe
- 06-16-22 Netcong Borough – check in the amount of \$2,400 re: goose addling program
- 06-21-22 Roxbury Township – check in the amount of \$10,815.08 re: 2022 budget contribution (\$10,065.08) and herbicide treatment (\$750.00)
- 06-21-22 Solitude Lake Management – Service Contract re: aquatic weed control (Curly Leaf and Sago Pondweed)
- 06-23-22 Byram Township – Purchase Order in the amount of \$1,765.14 re: 2022 budget contribution
- 06-23-22 Notice to Property Owners – Shana and Andrew Walther notice of variance application to install 6’ fence at Block 11208, Lot 2 (1 Main St., Stanhope)
- 06-29-22 Motor Vehicle Commission – Registration re: 2000 APH (Weed Harvester)
- 07-05-22 New Jersey Herald – Proof of Publication re: award of contract to Princeton Hydro
- 07-05-22 Theresa Dunay River Park monthly oil/water separator inspection log (June)
- 07-08-22 Byram Township – check in the amount of \$1,765.14 re: 2022 budget contribution

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

REPORTS OF COMMITTEES:

Canal Society – Chairman Riley reported Canal Day will be held on August 20th at the Wharton canal site.

Musconetcong Watershed Association – Mr. Rattner reported they are setting up a historical society type committee and looking for volunteers from each municipality that is involved with the river.

Site Plan Review/Stream Encroachment – There was nothing to report.

Lake Awareness – Ms. Maio had no report. Chairman Riley reported the fishing contest held on the same day as Stanhope Day (June 12) had a very low attendance with only 25 children. The trophies were given out and everyone walked away with a prize. There are prizes left over that will be used next year. Pictures of the participants are on the website. Verbal parental permission was given prior to posting the pictures. Chairman Riley said he believes the low turnout was due to the change in the date. Ms. Maio said Stanhope Day also had a very low turnout. Chairman Riley also stated, the set up the Board's table at Stanhope Day, but they were only there for about an hour due to the low attendance.

Lake Management – Chairman Riley reported it has been a hectic time this past month with lake management. They have had an extremely productive month. The harvester is in the water, repairs were made and it is operational. The hazard marker buoys have been placed throughout the lake. There are eight extra buoys that they will keep on the harvester so when the harvester hits something, they will drop the buoy at that location. Chairman Riley noted this past weekend he and Mr. Shlesinger placed all the yellow buoys that are marking the test sites. Chairman Riley stated he used the sludge judge and measured the depth of the sludge, the water column and temperature of the lake, which was 80 degrees at the surface. Chairman Riley noted this was done this past Sunday, which followed a rain storm and caused the turbidity in the lake to be all over the place. Chairman Riley stated they now have a base to start from. They will monitor on a monthly basis. Mr. Hathaway stated they will check two weeks after the initial application and then on 30-day intervals and will reset after the second application. Chairman Riley said the meter the Board purchased worked great; it records everything. Chairman Riley said he prepared a spreadsheet of the recording and if anyone on the Board wants to see the data he will send it to them. There are 2 control sites; one in the pond in front of Wayne Swistak's house and one in the area by the maintenance shed. Chairman Riley noted by the maintenance shed there is 3-feet of muck and no water flow. Chairman Riley also reported that for disposal, Ag Choice wanted between \$12.00 and \$13.00 per cubic yard which would cost over \$700 per load. He called Morris County MUA, which Lake Hopatcong has already asked that they take their weeds. Chairman Riley asked how much they would charge and he was told they charge \$5.00 per cubic yard, so he signed on with them. Mr. Hathaway stated the Board and Lake Hopatcong can dump at the MUA until they reach capacity. Chairman Riley said he also has a verbal agreement with Intrepid Hauling & Carting for \$275 per load plus a fuel surcharge of \$40.00. Chairman Riley noted they have already put almost 4 harvester loads in the dumpster and it is 95%-96% water. They let it sit a day and compress it and the dumpster is only about 1/3 full. Mr. Hathaway reported that since the last meeting, there was an emergency action item of an application in the center of the lake which was the bloom of bass weed and the curly pondweed. They were both outside of the sphere of activity of the chemical they are using to treat the milfoil, coontail and water chestnut, which they are using the chemical called 2 4 D. The lake has bloomed these in two very large masses and the estimated cost of Solitude at \$5,500 outweighed the cost of treating them with the harvester. Mr. Hathaway stated it was his advice to authorize the application. After the application there has been a lot of utility of the lake, which was not there prior to the application. Mr. Hathaway noted another issue was the issue of the probiotic treatment. Ms. Maio had offered the help of Stanhope through their QPA and going through State contract. Mr. Hathaway had believed the issue was solved as the Board has a QPA, but since the Board does not have a pesticide license, they could not purchase the material. They needed to be below \$17,500 in order to make the purchase without having to go out to bid. After speaking with Chairman Riley and Ms. Maio, Mr. Hathaway had the LMCA transact with the vendor directly and the Board purchased directly also, but separately from the LMCA. They will be treating the lake as they designed. The first application will be done before the end of this month and the second treatment will be six weeks after. The treatment areas will be Byram Bay, Arbolino Bay and Musconetcong Park (the entire cove). The test area buoys are in place. Mr. Hathaway noted there are some homeowners who

purchased the material through the LMCA. There will be a lot of the probiotic going into the lake and it is expected that it will make a large difference. Mr. Hathaway expressed his opinion that the water column will get deeper, noting at his property there is sand and the water column is much deeper. Mr. Hathaway informed the Board that he has not transacted on the hydraulic fluid previously discussed. They should have enough to get through this season so he is withholding from acting at this time as there is the possibility of funding. Chairman Riley stated the possible funding is the State Grant he applied for. A decision on the grant will be made mid-August. Ms. Maio questioned where the money is coming from, noting the lengthy process to receive federal money. Mr. Hathaway responded it is federal money, being given through the State of New Jersey Treasury. Chairman Riley said the equipment they put on the application will take about 6 to 8 months to build. Laura Franek, present in the public, stated it is federal money, but it is already in the State Treasury.

Operating Budget – There was nothing to report.

TREASURER’S REPORT: The Treasurer’s Report was emailed to the Board. On motion by Mr. Rattner, seconded by Ms. Maio 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. Keenan 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	\$ 550.00
Gannett New Jersey Newspapers (Daily Record) – annual mtg notice	\$ 65.42
Gannett New Jersey Newspapers (NJ Herald) – notice of contract award	
Re: Princeton Hydro	\$ 12.48
Selective Insurance – premium installment payment	\$ 939.00

Lake Management Account:

JCP&L – electric at shed	\$ 4.41
Princeton Hydro – Gant Writing Assistance	\$ 2,110.50
Solitude Lake Management – Tribune Application 10% Deposit	\$ 550.00
Solitude Lake Management – Lake Management Services (07/01-07/31)	\$ 1,284.00
Solitude Lake Management – Lake Management Services (07/01)	\$ 900.00
Solitude Lake Management – Tribune Application (6/30/22)	\$ 1,256.00
Cygnets Enterprises, Inc. - MD Pellets (50 lbs)	\$15,567.75

Debit-Credit Card:

Amish Mike – Shed	\$ 2,590.00
Kirk Allen Trucking – Crushed stone	\$ 361.36
Enrite – gas for conveyor	\$ 18.01
Netcong Hardware – parts	\$ 24.47

ROLL CALL:

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

OLD BUSINESS:

Roxbury Assessment – Mr. Hathaway noted the Treasurer’s Report on Assessments and stated they had contacted Roxbury through Mr. Potlillo and they indicated they would also pay for the probiotic treatment so the report should reflect \$873.47 as expected income. The Guyre’s had provided funding personally with a check for \$750. Mr. Hathaway said he informed by Guyre’s that he received notice from Mr. Potillo that Roxbury would be paying for the treatment and he offered the return of their check. The Guyre’s told him that the Board should keep the check. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by the following unanimous roll call vote, the Board accepted the donation of \$750.00 from Ray and Yonnie Guyre to be used towards the probiotic treatment in the Roxbury Township area of the lake.

ROLL CALL:

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

The Board thanked Ray and Yonnie Guyre and asked the Clerk to send a written thank you to them from the Board.

NEW BUSINESS:

Resolution Approving Emergency Award of Contract

**RESOLUTION APPROVING EMERGENCY
AWARD OF CONTRACT**

WHEREAS, the Lake Musconetcong Regional Planning Board (LMRPB) is an intergovernmental entity of the six governments with jurisdiction over Lake Musconetcong; and

WHEREAS, the LMRPB’s mission is to work with the general public, local, state and federal governments in restoring, preserving, protecting and enhancing the environmental conditions of Lake Musconetcong and its surrounding watershed to ensure high environmental quality, increased recreational potential, public awareness and economic vitality; and

WHEREAS, the LMRPB has created a lake management plan using herbicide to control vegetation in Lake Musconetcong for the year 2022 and has contracted with Solitude Lake Management for the application; and

WHEREAS, the Chairman and Vice Chairman of the LMRPB have been made aware of an unexpected increase in the infestation of curly leaf pondweed and sargo pondweed in Lake Musconetcong; and

WHEREAS, the considerable mass of increased vegetation requires immediate treatment;

WHEREAS, N.J.S.A. 40A:11-6 provides for the awarding of contracts without public advertising for bids and bidding above the bid threshold without the need to seek competitive quotations, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, an emergency contract was awarded to Solitude Lake Management for the supplemental application of herbicide to combat the unexpected increase of the infestation of curly leaf pondweed and sargo pondweed at a cost that will not exceed \$7,500;

NOW THEREFORE BE IT RESOLVED by the Lake Musconetcong Regional Planning Board that they hereby concur with the emergency award of a contract to Solitude Lake Management for the treatment of the unexpected increase of the infestation of curly leaf pondweed and sargo pondweed;

NOW THEREFORE BE IT FURTHER RESOLVED that the LMRPB concurs in the payment to Solitude Lake Management for the emergency application of herbicide in an amount not to exceed \$7,500.00.

On motion by Mr. Hathaway, seconded by Mr. Wright and carried by the following unanimous roll call vote, the aforesaid resolution was adopted:

ROLL CALL:

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

Mr. Hathaway suggested that moving forward with the probiotic treatment, the Board draw up an RFP for the probiotics for next year and the herbicide program and to solicit bidders so they can move forward sufficiently. It is his opinion they should request two proposals; one for probiotic material and one for the services of application of herbicide, probiotics and supplemental applications. Chairman Riley agreed with Mr. Hathaway, noting they must be cautious of the bidding threshold. The Board discussed the bid threshold, with and without a QPA and the cost for the applications and it was agreed that the Board attorney should be consulted. Chairman Riley suggested going through this season, take the measurements and see the affect of the probiotics and if they want to move forward with the probiotics, they should engage legal counsel’s advice on how to move forward. Mr. Hathaway stated they will need to discuss next year’s program this year, so they should consult their attorney this year. Mr. Hathaway suggested a conference call between himself, Chairman Riley, Cliff Lundin and Marvin Joss (the Board’s QPA). The Board agreed. Mr. Hathaway will coordinate the conference call.

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

Laura Franek, State Parks Superintendent, informed the Board that she requested that she be appointed to the Board.

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

ADJOURNMENT: On motion by Mr. Maio, seconded by Mr. Hathaway, and carried by unanimous voice vote, the meeting was adjourned at 7:44 P.M.

Respectfully submitted,

Ellen Horak, Clerk