

Lake Musconetcong Regional Planning Board
Regular Meeting
June 21, 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 - absent
Robert Hathaway - present	John Rogalo - present
Joseph Keenan - present	Lester Wright - present
Rosemarie Maio - present	Earl Riley - present

MODIFICATIONS TO THE AGENDA: Additional communications, bills and business 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 Ms. Maio, seconded by Mr. Hathaway, the Minutes of the May 17, 2017 meeting were approved on majority voice vote. Mr. Rogalo and Mr. Keenan abstained.

COMMUNICATIONS: The following communications have been placed on file:

- 5-22-17 Pat Rector – 1st Quarterly Report for the Implementation of Reduction of Total Phosphorus in Lake Musconetcong including Attachment C financial report
- 6-01-17 Solitude Lake Management – permit application, approval and water use restrictions
- 6-06-17 Solitude Lake Management – lake treatment contracts
- 6-15-17 Notice to Property Owners – variance to enclose (walls & roof) for previously approved outdoor dining at Don Jose Mexican Restaurant, Netcong, NJ
- 6-19-17 Morris County – Memorandum of Understanding and Voucher for \$4,883.00 re: 2017 budget contribution

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

REPORTS OF COMMITTEES:

Canal Society – There was no report.

Musconetcong Watershed Association – There was nothing to report.

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

Lake Awareness – Ms. Maio reported there were 36 participants at the fishing contest and 153 fish were caught. Chairman Riley said there was a very good turn-out and, since there were prizes left over from last year, they did not spend as much money as in the past. Everyone who participated received something. Chairman Riley added there were invasive species of sunfish caught - “green sunfish.” Mr. Rogalo said this type of sunfish is sold for aquariums and when they get into the lake, they are very aggressive and will start eating the spawn and fry of the other fish in the lake. Mr. Rogalo stressed, if you have a green sunfish, do not put it in the lake. Chairman Riley thanked Mr. Rogalo, Mr. Hathaway and Mr. Rattner for helping at the fishing contest. A Stanhope Police Officer was also present at the fishing contest.

Lake Management – Mr. Hathaway reported the lake will be treated tomorrow as a follow up treatment. The results of the last treatment affected approximately 150 acres. We are hoping to receive a treatment that will affect another 100 acres. The report from Solitude shows diminishing efficiency the closer you get to the island and Byram Bay. There may be treatment in Arbolino Bay. Mr. Hathaway added there has not been an algae bloom in the lake and as of now, the dissolved oxygen level is above 10. We have a very healthy lake. Mr. Hathaway said he is not sure if tomorrow's treatment will be the last treatment. There may be one more additional treatment. Mr. Hathaway also reported they are still looking for a disposal site for the weeds. He was assured by the legislators that the disposal issue would be resolved; however, it has not been as of yet. Mr. Hathaway and Chairman Riley reached out to Roxbury Township about the possibility of disposing some of the hydro rake material at one of their sites. They will be meeting with township officials on July 7th to discuss the matter. Mr. Hathaway said, in the absence of a disposal site, they may need to consider a lottery of home frontages. Lakefront homeowners could be put on a list to have the weeds in the area in front of their property removed and the weeds would then be stored on their property. The Board would then do a "lottery pick" for which areas to do. This is an action the Board can take that is available to us. Chairman Riley reminded the Board that according to the grant agreement, they must take 20 loads with the hydro rake. He believes there are at least 20 homeowners who would want this done. Mr. Keenan cautioned if doing the lottery, the Board must make sure it is the homeowner's property because some of the property is the State's property. Mr. Hathaway stated the material has not been tested yet. The bathymetric survey done 7 years ago has data on the environmental impact on the lake. Chairman Riley said until they get the hydro rake, they can manually pull out weeds and have them tested, but it may not be the same as the hydro rake samples and there is the question of whether the samples differ throughout the lake. Mr. Hathaway said they will speak to Roxbury officials first and see how it works out and then approach the other towns. Chairman Riley said weeds from Lake Hopatcong were put on State Park's property and Roxbury agreed to remove that material. It was done for free because the farmers paid the cost. Something similar happened in Jefferson. Chairman Riley said people will take the material because it is full of nutrients.

Chairman Riley said he attended the Lake Hopatcong Commission meeting and asked where the weeds would be put because he was informed by Melissa Castellon that they would be put at the Tilcon site to dry out. Josh Osowski responded they can put the weeds at the Tilcon site until they dry out. Chairman Riley expressed his frustration, stating the Board had to redesign their entire lake management plan because Mr. Osowski would not let us put our weeds at the Tilcon site and now he is saying they can. When he asked Mr. Osowski where at Tilcon he responded he does not know the location yet. Chairman Riley noted the Board now has no money to run the harvester because they put all the money towards herbicide. Mr. Hathaway agreed with Chairman Riley's frustration and added that although funds are limited, if we have an efficient resolution to the disposal issue, they do have some flexibility in the 2-year contract with Solitude Lake Management.

The hydro rake is being built and should be delivered on or about July 15th. The small harvester was delivered and is on the lake assisting with the Water Scout operation which is presently removing water chestnut in Byram Bay. The Stanhope Fire Department and volunteers from the LMCA placed all the buoys in the lake. The Stanhope Fire Department offered to take on the entirety of the project moving forward. Mr. Hathaway gave them access to the shed and the jon boat and also gave them access in the event of an emergency. They want to begin discussion on clearing out the standpipes with the hydro rake. They asked that the hydro rake clear out the standpipes in all the lake towns. The Stanhope Fire Department also wants to be the guiding authority on the lake and they will discuss this with the other

town fire departments. Mr. Hathaway stated the buoys were purchased by the Board and the LMCA. All the buoys purchased are on the lake. There are still a few hazards that need to be marked.

Mr. Hathaway noted the Americorps' hand pull project seems to be floundering and he is not sure what the Board can or should do. Chairman Riley has gotten involved and has made contact with the Watershed Ambassador. We should anticipate that this year's hand pull will likely not be as those in the past. The event will be held on July 15th. The flyer for the event is on the Board's website. The towns did not receive a copy of the flyer. Chairman Riley will forward the flyer to the Clerk who will send it to Stanhope and Netcong and request they post it on their websites.

Operating Budget – There was no report.

TREASURER'S REPORT: Chairman Riley noted the Treasurer's Report was emailed to the Board. Mr. Keenan said the report emailed does not include the additional bills. With the additional bills, the total is now \$8,171.13. Chairman Riley asked Mr. Rogalo if the Sportsmen's Federation will be sending their donation. Mr. Rogalo responded in the affirmative, and said he has their check for \$200 and will give it to Mr. Keenan tomorrow.

On motion by Mr. Hathaway, seconded by Mr. Wright, 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
Selective Insurance Company – Liability Insurance Installment Payment	\$1,317.00

Lake Management Account:

JCP&L – electric at shed	\$ 3.37
Rich Perry – reimbursement re: steel material for dumpster	\$ 450.20
Rich Perry – reimbursement re: welding material	\$ 42.70

Debit/Credit Card

Ramsey's – fishing contest prizes	\$ 145.77
Express Fuel – fuel for jon boat	\$ 10.00

ROLL CALL:

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

OLD BUSINESS:

Cliff Lundin's Bill – Chairman Riley stated the Board previously pulled from the Bill's List the invoice from Cliff Lundin in the amount of \$1,058.25, pending receipt of funds. On motion by Ms. Maio, seconded by Mr. Hathaway and carried by the following unanimous roll call vote, the Board authorized payment of Cliff Lundin's bill in the amount of \$1,058.25.

ROLL CALL:

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

Grant Agreement – Chairman Riley provided an update on the grant. He has sent all of the required paperwork and requested advance payment so when the hydro rake is delivered, the Board can issue the check. Once the grant funds are received, the Board must open a separate account. He expects the check in the amount of approximately \$355,000 to be received within the next 3 weeks.

Duck Race – Mr. Hathaway advised the Board that they cannot have a 50/50 based on the Duck Race. The Clerk informed them that a Duck Race can only have merchandise prizes. They can still hold a 50/50 but the winner cannot be based on the winner of the Duck Race. After a brief discussion, it was decided they will still have the Duck Race with the Netcong and Stanhope Fire Departments and have a trophy for the winning fire department. The event will be called the “Firemen’s Challenge” and will be held on August 19th. The raffle ticket will be revised to remove all reference to Duck Race. The price of the ticket will remain at \$10.00 and the breakdown will remain the same between the three entities (the Board, Netcong Fire Department and Stanhope Fire Department). The drawing will be held at 4:00 p.m. and the winner will need not be present.

Weed Disposal – Chairman Riley stated Ag Choice is not taking any weeds or raking material from any aquatic entity. Chairman Riley told them the Board will have the material tested and would like to meet with the owners of Ag Choice and go over the results of the testing. Hopefully they will change their mind and take the material. Chairman Riley stated the Board would not be in this position if not for Josh Osowski and the other officials of the State. Chairman Riley will continue to work on this issue. Ms. Maio stated the results of the testing are important. She has a location in mind, but cannot approach Stanhope’s governing body until the testing is done. Chairman Riley stated testing is not cheap. State Parks received quotes and the least expensive was for the testing of four things every 2 weeks at a cost of \$500 per week.

NEW BUSINESS:

Resolution Appointing Qualified Purchasing Agent

**RESOLUTION APPOINTING
QUALIFIED PURCHASING AGENT**

WHEREAS, P.L. 2009, c. 166, codified as N.J.S.A. 40A:11-2 et seq., supplementing and amending Chapter 11 of Title 40A of the New Jersey Statutes allows local contracting units in New Jersey to create the position of Purchasing Agent; and

WHEREAS, the Lake Musconetcong Regional Planning Board (“LMRPB”) has the occasional need to make single purchases of services in excess of the \$17,500 threshold; and

WHEREAS, the appointment of a Qualified Purchasing Agent will enable the LMRPB to increase the threshold at which projects must be formal Bid from \$17,500 to \$40,000; and

WHEREAS, the LMRPB has a need to appoint a Qualified Purchasing Agent; and

WHEREAS, the Purchasing Agent shall possess a valid Qualified Purchasing Agent Certificate as issued by the NJ Division of Local Government Services, Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED by the LMRPB that the position of Qualified Purchasing Agent is hereby created for the LMRPB; and

BE IT FURTHER RESOLVED that the LMRPB hereby appoints Marvin Joss to the position of Qualified Purchasing Agent for the sum of \$1.00 annually.

Chairman Riley stated an email vote on the above resolution was conducted due to an emergent need for the appointment of a Qualified Purchasing Agent. The following is the results of the email vote: A motion was made by Ms. Maio to adopt the resolution, seconded by Mr. Hathaway and carried by the following unanimous email vote: Mr. Rattner – Aye; Mr. Wright – Aye; Mr. Graham – Aye; Mr. Keenan – Aye and Chairman Riley – Aye. Mr. Rogalo stated he did not respond to the email, but votes Aye on the resolution.

Stanhope Fire Department – Buoy Placement – Chairman Riley asked the Clerk to send a thank you letter to the Stanhope Fire Department for putting the buoys in the lake. They were given the Board's gps to use and they were extremely responsive and very efficient.

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

Pat Marsico, Netcong resident spoke about the Water Scout hand pull, adding at this point in the season, the hand pull is the optimum method to use. They are pulling the water chestnut from the stem, pulling the whole seed. They need to continue the hand pull before the Board harvests. They are presently in Byram Bay and if she finds things are coming up faster in Arbolino Bay or the on Stanhope's side, she will move the hand pull to that location. If they begin snapping the plants in half, they will stop and the Board can then harvest. As long as they are pulling whole seeds, they should continue. Chairman Riley agreed. Chairman Riley noted the July 15th Americorps hand pull and as they get closer to the date, he will ask Ms. Marsico's advice on where that hand pull should take place. Ms. Marsico also said she thinks the treatment results are spectacular and that the treatment is progressing quickly. Mr. Hathaway stated the evaluation he spoke about was taken today.

Yonnie Guyre, Landing resident, asked if the Board will charge residents a fee to have the hydro rake clear in front of their property. Chairman Riley responded there will be no fee charged to the residents; however, the homeowner will have to take the material. Chairman Riley said he and Mr. Rogalo have taken weeds from the Tilcon site that have been there for years. Chairman Riley took a 5 gallon bucket filled only with weeds and put 2 tomato plants in it. The tomato plants in his community garden are now about 12" high and the ones in the bucket filled with lake weeds are over 4' high.

Pat Marsico said the owner of Bait & Boat asked her to share with the Board her concern that fishing in the lake has dropped especially in the winter.

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 Ms. Maio and carried by unanimous voice vote, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Ellen Horak, Clerk