

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**April 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 (joined via phone @7:29pm)	Shawn Potillo - absent
Joseph Keenan - present	Steven Rattner - present
Rosemarie Maio - present	Rudy Shlesinger - present
Greg Poff – present	Lester Wright - present
	Earl Riley - present

**MODIFICATIONS TO THE AGENDA:** Additional bills listed.

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

Laura Franek, Superintendent of State Parks Service thanked Chairman Riley for inviting her to attend the meeting, adding hopefully she will be attending the monthly meetings. Ms. Franek told the Board she has 20 buoys in her car to give to the Board. Chairman Riley welcomed Ms. Franek and thanked her for the buoys. Chairman Riley said it is a pleasure to have Ms. Franek as the quasi-rep of State Parks Service and he will push to have her appointed to the Board. Chairman Riley noted he has been asking for a State representative since 2016 and he has also been asking for buoys for the lake since then. Chairman Riley thanked Ms. Franek for stepping up and noted the buoys will help them mark all the hazards in the lake.

Seeing no one further 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. Rattner the Minutes of the March 16, 2022 regular meeting were approved on unanimous voice vote.

**COMMUNICATIONS:** : The following communications have been placed on file:  
03-25-22 Mike Hubble – River Park monthly oil/water separator inspection log (March)  
04-11-22 Selective Insurance – Commercial Policy change (removal of AM 2000 from policy)  
04-14-22 Cliff Lundin – Emails re: revised site plan from FJZ to Netcong Planning Board

Chairman Riley stated the communication from Mike Hubble relates to inspections of oil/water separators at River Park in Roxbury. The Board was to receive monthly reports; however, they have not received the reports in over the past ten years. It is not clear why the Board was not receiving the reports, but Mr. Hubble assured him that the Board will now be receiving monthly reports.

Ms. Maio questioned the email from Cliff Lundin regarding revised site plan from FJZ. Chairman Riley read the email from Mr. Lundin: “I spoke the other day with the Netcong Land Use Board secretary. FJZ submitted a revised site plan. There were no accompanying written materials. The plans were too big to copy and email, so she suggested I come over to the Municipal Building to review. The amendments are essentially traffic drawings to show the circulation on the site. The hearing is scheduled to resume on April 25. The next three emails will have the photos of the various portions of the 3-page site plan.

On my way back, I swung past the site. There were 4 regular buses outside, 3 cars and 1 articulated bus. There was another articulated bus in the bays. I could not see the parking area in the rear. It is interesting to note that the outside articulated bus is parked in the fire lane, in the wrong direction and is unattended. So they are essentially already not complying with their own proposal.” Chairman Riley said the bottom line is their site plan does not allow fire trucks to go through the site without going over their borders. They are going to exceed the limit by 3-feet if fire trucks need to go by. Mr. Wright said just recently there were seven vehicles parked on the site and it does not matter how they park, they are not getting a fire truck onto the site. Chairman Riley noted the application has not been approved yet. The applicant will be back before the Netcong Planning Board on April 25<sup>th</sup>. Chairman Riley will instruct Cliff Lundin to attend the hearing and oppose everything they want to do. Chairman Riley noted the Board’s recommendation continues to be to oppose the uses of the facility as the applicant proposes to use it.

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

### **REPORTS OF COMMITTEES:**

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

**Musconetcong Watershed Association** – There was no report.

**Site Plan Review/Stream Encroachment** – Mr. Wright noted the FJZ matter was discussed under Correspondence.

**Lake Awareness** – Ms. Maio reported the flyer for the fishing contest has been redone using last year’s flyer. Ms. Maio will send electronic copies to the Board members, the Board Clerk and the local schools. Chairman Riley stated he was recently informed that unless they have State Parks’ sponsorship, the Board will need a Special Use Permit for the fishing contest. Chairman Riley noted in the past Helen Maurella, who was the State’s representative, helped coordinate the fishing contest and sponsorship from State Parks and since Helen left, the Board has not had State Parks sponsorship. Chairman Riley informed the Board that Ms. Franek has agreed to have State Parks sponsor the fishing contest so they will not need a Special Use Permit. Ms. Franek explained that if an event is held on State-owned property, a Special Use Permit is required. Ms. Maio will include the State Parks sponsorship on the flyer. Chairman Riley said he met with Ms. Franek and they came to an agreement to try to rebuild the relationship that had been in place for years between the Board and State Parks, but that stopped over the last five years.

**Lake Management** – (Chairman Riley attempted to call Mr. Hathaway; however, receiving no answer, Chairman Riley continued with the agenda, noting they will revisit Lake Management when they reach Mr. Hathaway).

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

**TREASURER’S REPORT:** The Treasurer’s Report was emailed to the Board. Mr. Keenan noted on the report under sources of income he did not carry over the money from Netcong received last month, but it will be included in next month’s report. Mr. Keenan also noted the expenses does not include the insurance company’s bill of \$899. The bill came in after the report was done, so it will be included in

next month's report. Chairman Riley stated the bill for Solitude Lake Management in the amount of \$2,249 is the last payment in their two-year agreement. On motion by Mr. Poff, seconded by Mr. Wright and carried by unanimous voice vote, the Treasurer's Report was accepted and placed on file.

**Lake Management** – Chairman Riley reported he and Mr. Hathaway went around the entire lake looking for goose and swan nests and do addling. They found possibly three goose nests and noted the location with the gps. There were no eggs yet. They found two or three swan nests. Chairman Riley stated there are not a lot of swans this year. They noted where the nests are and will check next week to see if there are eggs in the nests and if there are, they will addle them and after which, the Board will get the money from Netcong for the addling program. Chairman Riley reported he has three contracts with Solitude that he and Mr. Hathaway negotiated. One contract is for the “general lake management” and they will be looking at milfoil this year. Last year the lake was almost clear of weeds, but they expect the milfoil to be back this year. They cut the price in half because they will only be treating milfoil. The cost for the contract is \$26,964 which will be \$1,284 per month for 21 months from April 1, 2022 through December 31, 2023. The second contract is for the treatment of water chestnut. They still have water chestnut in Byram Bay which they estimated to be about 5-acres. The cost will be \$1,250 per occurrence up to 5 acres and they only expect one to two occurrences. Chairman Riley said they think 5 acres will be enough treatment and all of the treatment will be in Byram Bay. Chairman Riley noted they cannot get the harvester in that area so they must use herbicide. The contract requires 50% of \$1,250 will be due on signing of the contract and the balance when the treatment is done. The third contract is for the probiotic treatment. Chairman Riley said, according to the NJDEP, they need a permit. In discussions with Solitude, they ran into the same problem, being needing a permit through “Pesticides” for NJDEP and federally licensed pesticides. Chairman Riley noted the pellets are not licensed pesticides; however, according to Solitude and Princeton Hydro, a permit is required. Chairman Riley said, when filling out the application, there will be many blanks since they cannot answer some of the questions because they do not have the information requested. Ms. Maio voiced her opposition to submitting the application without having heard directly from NJDEP. She does not trust a commercial operation to tell the Board what someone else should be telling the Board, being the DEP. Chairman Riley noted there is no cost, it is only time to do the paperwork. Ms. Maio asked if the Board's attorney has reviewed the contracts. Chairman Riley responded the attorney has not reviewed the contracts, adding these are contracts the Board has been doing for years. Chairman Riley stated the contract for Solitude to apply the pellets is \$4,500, being \$900 per month. The Board will purchase the pellet and give them to Solitude and they will put them in the lake. Chairman Riley said the alternative would be for the Board to purchase the equipment and do it with volunteers. The Board agreed it is best to have Solitude put the pellets in the lake. (Mr. Hathaway joined the meeting via telephone.) Ms. Maio relayed to Mr. Hathaway her concern about applying for the permit based on what Solitude and Princeton Hydro told them when everything they have heard indicates that this type of application does not require a permit. Mr. Hathaway clarified that Solitude does not believe it requires a permit and they will not ask for one. They are only asking for a permit for use of 2-4-D. Solitude's thinking is similar to the Board's, being that it is currently not requiring a permit which is contrary to Princeton Hydro's position. Mr. Hathaway said Solitude received no formal information from NJDEP that it requires a permit. Chairman Riley said he was going to fill out the application; however, there would be a lot of blanks. Mr. Hathaway stated he believes, in their discussion with Solitude, they have the same opinion as the Board and they are not filing for a permit. Chairman Riley said, based on Mr. Hathaway's comments, he will not file for a permit for the pellet treatment. Chairman Riley stated he sent an email to Solitude requesting they attend a pre-application meeting with himself and Mr. Hathaway to look at the area prior to the first application. Chairman Riley asked for the Board's authorization to sign the three contracts with Solitude. On motion by Mr. Rattner,

seconded by Mr. Hathaway and carried by the following majority roll call vote, the Board authorized Chairman Riley to sign the 3 contracts with Solitude Lake Management.

**ROLL CALL:**

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

**BILLS:** On motion by Ms. Maio, seconded by Mr. Wright 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
Ellen Horak – Reimbursement of Expenses (Shawn Potillo Name Plate)	\$ 21.31
Selective Insurance – monthly insurance premium	\$ 899.00

**Lake Management Account:**

JCP&L – electric at shed	\$ 4.09
Solitude Lake Management- Lake Management Services (04/01)	\$2,249.00

**Debit/Credit Card:**

Gas for Jon Boat	\$ 11.58
Amazon - Buoy Markers for Probiotic Program	\$ 159.30
Amazon – parts	\$ 10.65

**ROLL CALL:**

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

**OLD BUSINESS:**

Probiotic Treatment – Chairman Riley said he purchased buoys and he would like to purchase a meter to measure the Ph, dissolved oxygen, salinity, total dissolved solids, temperature and turbidity. Rather than do all of the measurements separately, he would like to have them all done at the same time. Chairman Riley said his plan is to have 8 locations within the treatment area and 2 outlying and take measurements at 1-foot, 2-feet and 3-feet. He would like to do it every two weeks. He wants to be able to tract what the product is doing throughout the lake. He will also take measurements of the depth of the water column and depth of the muck in the treatment area. Chairman Riley stated the cost of the meter on the website is \$3,950, but he negotiated a price of \$3,515.50 plus \$35.00 shipping. On motion by Ms. Maio, seconded by Mr. Hathaway and carried by the following unanimous roll call vote, the Board approved the purchase of the Horiba U-52 meter at the cost of \$3,515.50 plus shipping cost of \$35.00.

**ROLL CALL:**

Mr. Hathaway - yes	Mr. Rattner - yes
Mr. Keenan - yes	Mr. Shlesinger - yes

Ms. Maio - yes  
Mr. Poff - yes

Mr. Wright – yes  
Chairman Riley – yes

Backhoe – Ms. Maio asked if they received any information on the rental of a backhoe. Chairman Riley responded he has not received any information, but he will follow up. Chairman Riley said, as of now, the backhoe they have in the position it is in, works fine. It still runs and can still be used. He would like a backhoe they can drive on the road and use to put the harvester in and out of the lake. Chairman Riley said he continues to look on Gov Deals and the cost is about \$3,000 and \$30,000. Ms. Maio recalled Mr. Hathaway saying at last month's meeting that the cost would be not less than \$25,000 and there was a suggestion about renting a backhoe. Mr. Hathaway stated the backhoe they currently have is suiting their present needs and until at such time as they are back to fully harvesting weeds, he does not believe they should spend that much money. The Board agreed. Chairman Riley commented that, if the probiotic treatment works like they hope, they may not need to weed harvest anymore.

**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.

**ADJOURNMENT:** On motion by Mr. Hathaway, seconded by Mr. Poff, and carried by unanimous voice vote, the meeting was adjourned at 7:45 P.M.

Respectfully submitted,

Ellen Horak, Clerk