

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**April 19, 2023**

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 19, 2023 and was sent to the Clerks of the four municipalities, the State and the two counties.

**ROLL CALL:**

Laura Franek – present  
Robert Hathaway – present  
William Hayden - absent  
Joseph Keenan- present  
Rosemarie Maio – present

Shawn Potillo - present  
Steven Rattner - present  
Rudy Shlesinger - present  
Lester Wright - present  
Earl Riley - present

**MODIFICATIONS TO THE AGENDA:** Additional communication 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 Ms. Maio the Minutes of the March 15, 2023 meeting were approved on majority voice vote. Mr. Rattner abstained.

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

- 03-20-23 Notice to Property Owners – Variance to install 6-foot fence at 35 Musconetcong Avenue, Stanhope
- 03-21-23 Solitude Lake Management – Services Contract re: 2023 renewal contract for annual maintenance plan
- 03-30-23 Stanhope Borough – Purchase Order in the amount of \$17,124.53 re: 2023 budget contribution (\$16,374.53) and lake treatment (\$750.00)
- 04-03-23 Cathryn Schaffer, NJDEP – notice of award of \$572,000.00 grant
- 04-05-23 Theresa Dunay – River Park monthly oil/water separator inspection log (March)
- 04-12-23 Stanhope Borough – check in the amount of \$17,124.53 re: 2023 budget contribution (\$16,374.53) and lake treatment (\$750.00)
- 04-17-23 Morris County – Memorandum of Understanding and Purchase Order in the amount of \$6,259.38 re: 2023 budget contribution.

Mr. Keenan noted the Notice to Property Owners for a 6-foot fence on Musconetcong Avenue and said that address is not on the lake, it is on Spring Lane. Mr. Keenan said he was concerned with a 6-foot fence at that site. Ms. Maio stated it is the corner house on Spring Lane. Ms. Maio noted none of the neighbors attended the hearing to voice any concerns. Chairman Riley noted since it does not affect the lake, the Board has no objection to the fence. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by unanimous voice vote, the communications were accepted.

**REPORTS OF COMMITTEES:**

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

**Musconetcong Watershed Association** – Mr. Rattner reported with the new budget, all water conservation groups will receive a large increase in their budget. There was a presentation given and they

are looking at sustainability and climate change. The water tables are dropping. Also, for sustainability, farmers are being urged not to till their property because it takes carbon and puts it into the air. Mr. Rattner also reported years ago the Ramapo Lenape tribe was put on a reservation that was a superfund site. The Chief of Ramapo Lenape Nation started asking questions on if the sewer plants on the river are doing anything to the river and he was told no. Mr. Rattner said the Chief Clan of the Ramapo Lenape Nation leased property in Newton called Munsee Three Sisters Medicinal Farm where, in addition to vegetables, they are growing cannabis. They are looking for volunteers to plant corn. Because of what the Chief has been doing for the environment, he received a \$50,000 grant and the site is not considered Native American Land.

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

**Lake Awareness** – Ms. Maio reported she created a flyer for the fishing contest which she distributed to the Board for review. Ms. Maio noted there was confusion between State Parks last year and someone went to Hopatcong State Park for the fishing contest. The flyer will state New Jersey Parks Services. Ms. Maio reported Polo's may put up a food tent as long as she does not have another party that day. Ms. Maio will confirm prior to finalizing the flyer if Polo's will be a sponsor. The New Jersey Sportsmen Federation will also be on the flyer as a sponsor. The Board approved the flyer. Ms. Maio will finalize the flyer and distribute it to the schools and will send copies to the Board. Chairman Riley stated since there is no Stanhope Day this year, they should plan on being at the fishing contest from 9:00 a.m. until 2:00 p.m. The kids contest will be from 9:00 am to 11:00 am, after which trophies will be awarded and the senior's fishing contest will begin at 12:00 noon. Chairman Riley will contact John Rogalo and inquire about the \$200 for the trophies they usually receive from the Sportsmen Federation. The Board discussed prizes for the seniors and agreed a t-shirt will be given to the winners of the following three categories: most fish, largest fish and oldest angler. Chairman Riley will arrange to get the t-shirts from U Name It.

**Lake Management** – Mr. Hathaway reported Fisheries was doing a census of fish in the lake with their main goal being to determine what is happening with the Musky population. He was told they did not catch any muskies nor any pickerel. Mr. Hathaway stated there are a lot of pickerel in the lake and he sees muskies so he knows they are in the lake. Mr. Hathaway reported he heard from Landon at Aquafix and they are expecting the permits for the MD pellets shortly. Mr. Hathaway informed the Board he received a message Solitude sent in relation to applying the pellets, which we will not follow through on until the Board receives clear direction. Mr. Hathaway noted Glenn Sullivan has left Solitude Lake Management and he and Chairman Riley heard that Bob Schindler will also be leaving Solitude Lake Management. Mr. Hathaway noted there was an airboat on the lake doing the survey necessary for the permits. They negotiated the contract with Solitude which ends this year. Mr. Hathaway stated it will be challenging to work with someone less qualified than Bob Schindler. Mr. Hathaway also stated they may have the ability to put down the pellets which would be great. He will hopefully have more information for discussion at the next meeting. Mr. Hathaway also reported there was a large fish kill in the canal, likely due to the water flow not being managed as it should have been. Mr. Franek confirmed the problem was there was not enough flow into the canal so there was not enough oxygen. Chairman Riley stated this was only in the canal, not in the lake. Chairman Riley said the water level in the lake is down. Mr. Hathaway said the lake has a 4-inch column going over the dam and a 2" to 4" is the normal water column that goes over the dam. There is nothing coming over the Hopatcong dam. Chairman Riley noted the towpath is visible and from that perspective, he thinks the lake is down. Mr. Hathaway reported on the addling program. He and Chairman Riley have been out and they found 4 goose nests, added 17 goose eggs and 24 to 26 swan eggs. Mr. Hathaway said he found the next they seem to miss every year.

There were about 7 eggs in that nest. Mr. Hathaway said they will go through two more times, but he does not think there are any more eggs to be found. There were a couple of swan nests that they could not get to. Mr. Hathaway noted there are a lot more geese this year and he thinks the USDA round-up will be significant. Chairman Riley informed the Board that Mr. Hathaway's son, Rob did all of the adding.

**Operating Budget** – There was nothing to report.

**CD Investment** – Mr. Keenan reported opening the account with Fidelity was more arduous than it would have been for a personal account. There was much back and forth phone calls and emails, but he completed the 15-page application and it has been approved by Fidelity's legal department. They are now waiting for clearance from Fulton Bank for the transfer of the \$150,000. Mr. Keenan said once the transfer has gone through he will make the arrangements to have Chairman Riley's signature on the account in addition to his signature.

**TREASURER'S REPORT:** The Treasurer's Report was emailed to the Board. The report does not include the check received from Stanhope Borough. Those funds will be shown on next month's report. On motion by Mr. Hathaway, 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. Keenan, seconded by Mr. Potillo and carried by the following unanimous roll call vote, the bills on the bills list were approved:

Operating Account:

Ellen Horak - Clerk's Monthly Compensation	\$ 550.00
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Lake Management Account:

JCP&L – electric at shed	\$ 4.09
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Solitude Lake Management – Annual Maintenance (4/1)	\$1,284.00
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Debit/Credit Card:

Chairman Riley stated the Board will not send a check for the bill from Solitude as the Board has a credit with them. The Clerk explained she is keeping track of each bill against the Board's credit and when she sends the bill back to Solitude, she attaches a balance sheet with the breakdown showing the remaining credit. The Board agreed they will exclude sending payment of Solitude's bill.

**ROLL CALL:**

Ms. Franek – yes

Mr. Hathaway – yes

Mr. Keenan - yes

Ms. Maio – yes

Mr. Potillo – yes

Mr. Rattner - yes

Mr. Shlesinger- yes

Mr. Wright - yes

Chairman Riley – yes

**OLD BUSINESS:**

*\$572,000 Grant Agreement Resolution:* Chairman Riley offered the following resolution which was read by title:

**GRANT AGREEMENT BETWEEN  
Lake Musconetcong Regional Planning Board  
AND**

**THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GRANT IDENTIFIER:** Lakes-2022-Lake Mus-00023

**GOVERNING BODY RESOLUTION**

The governing body of **Lake Musconetcong Regional Planning Board** desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately **\$572,000.00** to fund the following project:

**Watershed and Lake Management ActivitiesÆ - Harvesting to reduce Total Phosphorus**

Therefore, the governing body resolves that   \* [name of Authorized Official] or the successor of the office of  \* [title/office of Authorized Officer] is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the state for a grant in an amount not less than  \* and not more than  \* and (c) to execute: \*

- ☒ any amendments thereto.
- ☐ any amendments thereto which do not increase the Grantee's obligations.
- ☐ no amendments thereto.

\*The **Governing Body** authorizes and hereby agrees to match  % \* of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified

Up To ☒ Exactly ☐  % \* of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed  \*

\*Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services. This can be uploaded in the Miscellaneous Attachments section. In-kind contributions are considered volunteer work or the donation of equipment or property. If no match is required, then 0% should be entered in each of the boxes above.

On motion by Mr. Hathaway, seconded by Mr. Rattner and unanimously carried by the following roll call vote, the foregoing resolution was duly adopted.

Ms. Maio asked if the Board's attorney has reviewed the agreement and resolution. Chairman Riley responded in the affirmative adding, the attorney had no issues with it.

Chairman Riley stated the grant manager said if the Board had three quotes, we did not have to go out to bid. The attorney's concern was that because we are a public entity we should go out to bid. Chairman

Riley noted the Board received three quotes, one from Aquarius and two from Alpha Boat, being for two different machines. NJDEP decided they satisfied the requirements for the three quotes. Chairman Riley said the latest quote from Aquarius is higher than the first quote and it is still less than the two from Alpha Boat, so they will go with Aquarius. Ms. Maio noted the in-kind services of 11% and asked if they will utilize volunteers. Chairman Riley said that in addition to in-kind with volunteers, there is a cash match. In the Board's budget, they plan for \$5,000 per year for maintenance on the harvester so three years of \$5,000 per year is \$15,000 towards the required in-kind cash match. Chairman Riley noted Aquarius will be giving safety training on the new equipment and informed the Board that Aquarius will be donating the \$3,000 cost for such training, which will count towards the cash match. The rest will be volunteer hours. This is a 3-year program and the Board will be able to match the in-kind requirements because it is over a 3-year period. Chairman Riley reported the quote from Aquarius is \$453,806.00. Chairman Riley stated he and Mr. Hathaway had discussions with Aquarius and there are certain options they want. The machine will have a lifespan of 20 to 25 years. Chairman Riley noted the transportation cost is \$22,000 because it is being manufactured in Wisconsin and will be an oversize load requiring two trucks. They also need permits to transport it to New Jersey. The new machine is another Aquarius 820, like the one the Board has except it has updated diesel and is all hydraulic. The conveyor has no motor; the operator plugs in the hydraulic hoses to the conveyor and it runs to the machine. There is no gasoline. The machine is updated with the latest technology. There is one control point using one joy stick. An option they included is where the operator control seat, using the joy stick, will turn 180 degrees so the operator can drive backward and not need to turn around. The first quote from Aquarius had standard belting and the new one is with heavy duty belting, which is needed. The new machine is completely stainless steel, except the operator's platform which is carbon steel and aluminum. Chairman Riley said remainder of the \$572,000 grant will be used for a backhoe. Mr. Hathaway noted the machine will be available for use in 2024 so they will be purchasing a backhoe in 2024. Mr. Shlesinger questioned the need for such an expensive backhoe. Ms. Maio also questioned such a need, noting there is a service the towns are willing to provide to the Board and she believes it is a waste of money to purchase a backhoe to take care of those services if they do not need to. Mr. Hathaway stated they need to have a 4-wheel drive backhoe with an extender for the use of the Board. There was much discussion about the cost of the backhoe and what the Board needs. Mr. Rattner noted a previous discussion about leasing a backhoe. Mr. Hathaway said you can do seasonal leasing and that may be an option to look into. They can possibly lease a backhoe for four to five months. Chairman Riley stated he will submit the Resolution tonight, after which, his paperwork on the grant will be completed. The Board discussed monitoring their in-kind volunteer hours. Chairman Riley will prepare a spreadsheet to keep track of the Board members in-kind hours.

**ROLL CALL:**

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

Chairman Riley said he will complete the on-line application and submit it tonight. He asked for an advance payment of \$150,000 and as soon as that is spent and justified they will get another \$150,000.

**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 Ms. Franek, and carried by unanimous voice vote, the meeting was adjourned at 8:10 P.M.

Respectfully submitted,

Ellen Horak, Clerk