

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

Chairman Riley opened the Regular Meeting at 7:00PM 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, 2023 and was sent to the Clerks of the four municipalities, the two counties and the State.

**ROLL CALL:**

Laura Franek, State of NJ – present	Shawn Potillo, Roxbury – absent
Robert Hathaway, Netcong – absent	Steven Rattner, Morris County – present
William Hayden, Sussex County – present	Rudy Shlesinger, Stanhope – present
Joseph Keenan, Netcong – present	Lester Wright, Roxbury – present
Rosemarie Maio, Stanhope – present	Earl Riley, Byram – present
Vacant, Stanhope	Vacant State of NJ (1 vacancy)

**MODIFICATIONS TO THE AGENDA:** A check was received from Netcong Borough for Goose Addling \$2,400.00.

**OPEN TO THE PUBLIC:** Chairman Riley opened the meeting to the public. Seeing no one wishing to speak, Chairman Riley closed the public portion of the meeting.

**ACTION ON MINUTES:** On motion by Ms. Maio and seconded by Mr. Ratner, the Minutes of the June 21, 2023 regular meeting were approved by a majority voice vote. Ms. Franek and Mr. Hayden abstained.

**COMMUNICATIONS:** On motion by Mr. Rattner, seconded by Mr. Wright and unanimously carried by voice vote, the following communications were placed on file:

06-23-23 Solitude Lake Management – Lake Management Service Report

06-29-23 Netcong Borough – Purchase Order in the amount of \$2,400 Re: 2023 Goose Addling

07-05-23 Theresa Dunay – River Park monthly oil/water separator inspection log (June)

**REPORTS OF COMMITTEES:**

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

**Musconetcong Watershed Association** – Mr. Rattner stated there was nothing to report.

**Site Plan Review/Stream Encroachment** – Mr. Wright stated there was nothing to report.

**Lake Awareness** – Ms. Maio stated there was nothing to report.

**Lake Management** – In Mr. Hathaway's absence, Chairman Riley reported there is a significant amount of bass weed in Byram Bay which could not be harvested due to the conveyor not working. The engine has now been replaced at a cost of \$360. Chairman Riley stated he and volunteers removed the engine from the conveyor and took the engine to Grafe Small Engines who replaced the engine. Wayne Swistak and Chairman Riley reinstalled the engine on the conveyor and it is now ready for use. There is some water chestnut in Byram Bay but it is not

significant. There is a great deal of bass weed. Ray Guyer, Wayne Swistak, Ellen Cook, Rudy Shlesinger, Chairman Riley and two trainees will start harvesting in the next three days. Wayne Swistak found a possible HAB bloom in Netcong along the front of 6-7 houses. The DEP has been notified and will do test samples. Chairman Riley has also seen this by the dam. Chairman Riley stated the MWA has a stick test for HAB. When there is iridescent skim on the water and a stick test is done coating the stick, this could indicate an HAB. Chairman Riley performed the stick test and sent that to the MWA who are monitoring the lake. They sent the stick test to the NJDEP who will test the lake. If there is an HAB Chairman Riley does not know what the next step will entail.

Ms. Franek stated based on the cell count for toxins, they may have to post for people not to eat the fish. Boating and kayaking would still be permitted. Swimming would be questionable but there is no public beach. People would need to use caution. Ms. Maio asked where that information would be posted if the fish cannot be eaten. Ms. Franek stated a sign would be posted at the public boat ramp and she asked if there is a way to contact homeowners. Ms. Maio stated Netcong and Stanhope have the Nixle system for alerts. Roxbury may have a system in place. Ms. Franek stated HAB may not spread through the lake. It could just remain by those eight homes. Chairman Riley stated the wind blows from the west to the pond area and that is where it was seen. Ms. Franek stated the NJDEP has a website with signs. Chairman Riley is of the opinion he will receive notification if there is an issue. Ms. Franek stated she would be notified and she will let Chairman Riley know. Chairman Riley stated if there is an HAB, they will continue to harvest the weeds but the volunteers will be made aware of the situation. The weeds will be put directly into the harvester and then to the conveyor to the dumpster. They will not be touched. Ms. Franek stated Crescent Cove has an HAB on Lake Hopatcong.

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

**CD Investment Committee** – Mr. Keenan stated there are three CD's in the amount of \$50,000 each. The CD's are for 3 months, 6 months and 9 months. The three month CD is due August 10, 2023 and he asked if it should be renewed for 9 months. Mr. Shlesinger disagreed and stated he is of the opinion a longer term of 12-18 months should be chosen. Rates are going to be coming down. The Board will not need to utilize the \$150,000 in the short term and the season is almost over. Mr. Keenan stated the rate for the 9 month CD is 5.35%. Mr. Shlesinger stated he is of the opinion there should be four CD's for longer periods of time, over 12 months. Ms. Maio disagreed. Chairman Riley also disagreed. The funds cannot be held up for long periods of time. This is a public entity and the funding needs to be available if needed. Ms. Maio stated in addition if the Board gets the approval to use pellets then funding needs to be available for that purpose. Chairman Riley stated the Board's total income is less than \$50,000 a year from all the towns and the county. The last few years the Board has remained ahead with \$10,000 but there have been many years when there was only \$1,000 left. The only reason there are funds available now is due to the sale of the equipment.

Chairman Riley made a recommendation and motion to keep the CD's at 3, 6 and 9 months and to roll them over ongoing for 6 months. This was seconded by Mr. Keenan and he stated if the funds are needed then the money will be kept out of the CD. The Board approved to continue the CD's as currently set up. Chairman Riley stated if \$100,000 has to be put into the 21 year old harvester to keep the lake usable for the residents then that is what will be done. He stated it is the Board's responsibility to maintain the lake in a weed free condition.

**ROLL CALL:**

Laura Franek, State of NJ – yes  
 Robert Hathaway, Netcong – absent  
 William Hayden, Sussex County – yes  
 Joseph Keenan, Netcong – yes  
 Rosemarie Maio, Stanhope - yes  
 Vacant, Stanhope

Shawn Potillo, Roxbury – absent  
 Steven Rattner, Morris County – yes  
 Rudy Shlesinger, Stanhope – yes  
 Lester Wright, Roxbury – yes  
 Earl Riley, Byram – yes  
 Vacant State of NJ (1 vacancy)

**TREASURER'S REPORT**

On motion by Mr. Rattner, seconded by Ms. Maio and unanimously carried by the following roll call vote, the treasurer's report was accepted and placed on file.

**ROLL CALL:**

Laura Franek, State of NJ – yes  
 Robert Hathaway, Netcong – absent  
 William Hayden, Sussex County – yes  
 Joseph Keenan, Netcong – yes  
 Rosemarie Maio, Stanhope - yes  
 Vacant, Stanhope

Shawn Potillo, Roxbury – absent  
 Steven Rattner, Morris County – yes  
 Rudy Shlesinger, Stanhope – yes  
 Lester Wright, Roxbury – yes  
 Earl Riley, Byram – yes  
 Vacant State of NJ (1 vacancy)

**BILLS:** On motion by Mr. Wright, seconded by Ms. Franek and carried unanimously by the following roll call vote, the following bills are to be paid as amended.

**Operating Account:**

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

JCP&L – Electric at Shed	\$ 4.50
Solitude Lake Management – Water Chestnut Treatment (50% Deposit)	\$ 625.00
D&D Products Inc. (Aquarius Systems) – Rod End Bearing	\$ 40.00
Clifford R. Lundin – General Legal Services	\$ 306.20
Clifford R. Lundin – Legal Services Related to Grant	\$1,417.50
D&D Products, Inc. (Aquarius Systems) Oil Filter	\$ 66.00

**Debit/Credit Card:**

Grafe Small Engines – Honda Engine for Shore Conveyor	\$ 365.96
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**ROLL CALL:**

Laura Franek, State of NJ – yes  
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Mr. Keenan stated he only learned of the bill for D&D totaling \$66.00 today. So this item does not appear on his report.

## **UNFINISHED OLD BUSINESS:**

\$572,000 Grant – Chairman Riley stated he has been told that the final agreement for the \$572,000 grant will be available for signature by mid-July. No funding is available as yet but he has signed an agreement with Aquarius to be placed in the queue for having the harvester built with a deposit of \$150,000. A request has been made for an advance payment from the grant in the amount of \$150,000. A pre-construction meeting is scheduled for July 26<sup>th</sup> at 10:30. Mr. Swistak, Chairman Riley and Mr. Hathaway will go over the specifications and options which the Board wants and this will prepare the harvester for the production line. Ms. Maio asked if the company is aware the funding will not be available for several months. Chairman Riley stated the contract states that Aquarius is aware. They will not start building until they have a check in hand. The Board will not receive any funding from the State of NJ until Chairman Riley signs the agreement for the 2022 Clean Waters Act Grant. No one else in the State of NJ has received funding yet from the NJDEP for this grant. Ms. Maio stated she wanted it on the record that no money from any other source, including our own, will go to Aquarius until we receive the grant money. Chairman Riley stated a separate account needs to be set up for the grant funding, separate from the Board's regular account. Ms. Franek asked how long the production queue is. Chairman Riley stated it is in excess of 12 months. They will not build the harvester until we have the money. It takes between 12-18 months to fabricate the harvester. A conveyor can be pulled from somewhere. A backhoe is going to be needed as the one the Board has cannot be driven or moved. The backhoe is part of the grant. A recommendation was made previously to rent one but the grant states specifically buying one. Ms. Maio stated the Board is not using money from anywhere else to obtain a backhoe. If the grant money is not used it has to be returned to the State. Ms. Franek stated the grant is for a three year period. If the Board were to rent, after the three years there would not be funding available for the rent. Chairman Riley stated a backhoe should be able to be purchased for \$50,000 to \$60,000. The funds allocated for the backhoe total \$172,000. Mr. Keenan stated this is a 2022 grant good for three years. When does the timeframe start? Chairman Riley stated he and Mr. Keenan will have to file quarterly reports for finance and performance but when do the reports begin. Ms. Franek stated she is of the opinion the time starts when the contract is signed but she will inquire with the Lake Hopatcong Commission who have received grants in the past. Ms. Maio stated the timeframe begins when the money is received. Chairman Riley stated he has a letter of approval from NJDPE saying in-kind contributions can begin as of April 1<sup>st</sup> of this year. Ms. Maio stated this is federal money being administered by the state DEP. Chairman Riley stated he believes this is a State of NJ grant. Ms. Franek stated it may have started out as Federal funding but is now in NJ.

## **NEW BUSINESS:**

State Parks – Mr. Rattner congratulated Ms. Franek on a job well done as the Superintendent of the State Park. The weather has been bad lately with the amount of rain. The levels and the flow have been managed amazingly well. Planning was done prior to the rainfall and there were only two days where the lake was above the no wake zone which restricts activities. The outflow did not go over 300 cubic feet per second. Ms. Franek stated she will pass on Mr. Rattner's comments to the staff. Mr. Rattner again stated Ms. Franek did a phenomenal job along with the staff and he will be sharing this with the County of Morris and other groups.

**OPEN TO THE PUBLIC:** Chairman Riley opened the meeting to the public. Seeing no one wishing to speak, Chairman Riley closed the public portion of the meeting.

## **OLD BUSINESS:**

Canal – Ms. Maio stated there was a discussion about the canal last month. The property belongs to the Borough but the DEP may say they own the canal (water). The cost for an aerator needs to be obtained and the cost for maintaining it if moving forward. Who would maintain the aerator? Chairman Riley stated a determination will have to be made as to where to obtain electricity. He has sent a query to the Superintendent but has not received a reply as yet. Ms. Maio stated the bridge has gates with cleanouts maintained by the Borough. In order to move forward and ask for permissions, we need specific information. Chairman Riley stated he needs to obtain information from Josh at the State Park about the ownership and ongoing maintenance issues. Ms. Maio stated the Borough does plantings and maintains the area. Perhaps solar energy could be utilized for power. Chairman Riley stated is costs approximately \$100 per month to run the electric for the aerator and if Stanhope wants to install the aerator in the canal, the Board would just be granting approval and would have no other involvement. Mr. Keenan asked what the aerator would do. Ms. Maio stated the aerator would keep the fish alive by oxidizing the water. Chairman Riley stated he is waiting for a written response from Josh. Ms. Franek stated she will follow up as well.

**ADJOURNMENT:** On motion by Ms. Maio, seconded by Mr. Wright, and carried unanimously by voice vote, the meeting was adjourned at 7:49PM.

Respectfully submitted,

Linda Chirip