

Lake Musconetcong Regional Planning Board
Regular Meeting
May 17, 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	Shawn Potillo - absent
Robert Hathaway – present	Steven Rattner - absent
William Hayden - absent	Rudy Shlesinger - present
Joseph Keenan- absent	Lester Wright - present
Rosemarie Maio – present	Earl Riley - present

MODIFICATIONS TO THE AGENDA: There were no modifications to the agenda other than a correction to a typo. The Purchase Order from Byram Township noted under Communications was for \$1,765.14, not 41,765.14 as shown on the agenda.

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

Jack Sylvester from St. Cesario Society spoke to the Board about the Society’s annual fireworks. Last January the Society began looking for a new location to shoot the fireworks from. They investigated shooting them from Willows Point on the lake, which is the path where the Board’s conveyor is located. Mr. Sylvester stated the Society reached out to State Parks and asked about getting an approval to use the site. The Society is also working to get a Use Permit from the State. Last Tuesday they were informed that the Regional Director said it was a good site and they can shoot the fireworks from there. Mr. Sylvester noted there is a dead willow tree on the property and the Society will take it down and re-gravel the path. Mr. Sylvester stated the Society is working with State Parks Services and they will get a Certificate of Insurance naming State Parks as an additional insured. They are also working with the Division of Fire and Safety. Mr. Hathaway noted the Board has equipment on the site and should the Board should also be listed as an additional insured. Mr. Sylvester agreed. Mr. Sylvester also stated the Division of Fire and Safety requested that there be no gas in the shed. Chairman Riley responded that they keep diesel fuel there and they will take it out prior to the event. Ms. Maio asked if they will be shooting the fireworks over the lake. Mr. Sylvester responded in the affirmative. Ms. Maio questioned any impact on the lake and fish. Mr. Sylvester responded there will be no negative impact. Chairman Riley asked if the Board would need to move the equipment from the site. Mr. Sylvester responded in the negative adding that since the equipment is all metal, being there will not be an issue. Ms. Maio asked how much public will be in the area. Mr. Sylvester responded there will be no public in the area. The Fire Department will have a truck at the site on standby and there will be no spectator access. On motion by Mr. Hathaway, seconded by Ms. Maio and carried by unanimous voice vote, the Board approved and supported St. Cesario Society shooting the fireworks from Willow Point with the condition that the Society receive all necessary approvals from State Parks and the State’s Division of Fire and Safety and that the Board be listed as an additional insured on the Certificate of Insurance. Ms. Maio expressed her opinion that some people in the general public will complain about what the fireworks are doing to the fish and she asked if something can be generated in advance stating there is no issue. Mr. Hathaway said every year Netcong’s Borough Council is lambasted for permitting this to happen and he would expect the same to be done to the Board this year.

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 Mr. Hathaway, seconded by Mr. Wright the Minutes of the April 19, 2023 meeting were approved on unanimous voice vote.

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

- 04-28-23 Byram Township – Purchase Order in the amount of \$1,765.14 re: 2023 budget contribution
- 04-03-23 Morris County – Signed Memorandum of Understanding and check in the amount of \$6,259.38 re: 2023 budget contribution
- 05-05-23 Theresa Dunay – River Park monthly oil/water separator inspection log (April)
- 05-08-23 Roxbury Township – Purchase Order in the amount of \$10,815.08 re: 2023 budget contribution (\$10,065.08) and herbicide treatment (\$750.00)
- 05-08-23 Solitude Lake Management – Service Report (Permit Renewal)

On motion by Mr. Hathaway, seconded by 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 – There was no report.

Lake Awareness – Ms. Maio reported the fishing contest flyers were distributed to the area schools. Ms. Maio also reported she was not successful in getting someone to provide food. Polo's is not able to do it due to their impending move. Chairman Riley noted that rarely have they had food at the fishing contest. Chairman Riley reported he ordered the trophies and t-shirts for the adults. Ms. Maio noted they do not have use of the DOT sign and they cannot get Stanhope's sign. Mr. Hathaway said he will get the Netcong sign. Chairman Riley stated Mr. Rogalo said he will try to be at the fishing contest. Chairman Riley noted that Mr. Rogalo is a key person at the fishing contest as he measures and identifies all of the fish. Chairman Riley reminded the Board that the fishing contest will be held Sunday, June 11 and volunteers are needed to assist him. Mr. Hathaway, Ms. Maio, Mr. Wright and Mr. Shlesinger volunteered to help and Ms. Frank will be able to help in the morning.

Lake Management – Mr. Hathaway reported the lake was surveyed for weed intensity and a map was developed, which he and Chairman Riley presided over with Glenn Sullivan. They decided on a chemical to be used and hopefully the application will happen next week. They will treat 150 acres, much of which is at the back end of the lake. This volume of Platoon will most likely take care of all the weeds in the lake. Stanhope Park, the boat launch and Lorenzo Park will be treated. They will not treat in front of any residences. The survey showed the largest population is milfoil. In addition to the milfoil, the chemical will address other weeds in the lake. Mr. Hathaway commented Solitude is presently in disarray. The three primary employees at Solitude who were responsible for treating and managing the lake have all left Solitude. Mr. Hathaway reached out to Glenn Sullivan, who he and Chairman Riley has had a strong relationship with for almost fifteen years, and Glenn offered to help the Board get this solved this year. Mr. Hathaway reported they secured the permit, provided a map and agreed on the chemical to be used. Mr. Hathaway spoke about Glenn Sullivan's relationships in New York State where use of the

MD Pellets is authorized and he may have a lake interested in purchasing the Board's. Mr. Hathaway noted the Board will sell them at a loss, after which it is likely that the State of New Jersey may permit the use of the MD Pellets. Chairman Riley said that presently they are not permitted to use the MD Pellets in the lake so if the Board can offload them, even at a loss, they should and if the NJDEP later allows use of them, the Board can then purchase more. Chairman Riley said he asked Glenn to talk to his lake people who may be interested and to make the Board an offer. Mr. Hathaway stated approval within NJDEP for use of the pellets is imminent; however, imminent can be 18 months away. Mr. Hathaway also reported he and Chairman Riley will be meeting a representative of Aquarius tomorrow morning to discuss the boat and boat order. Chairman Riley said he wants to take the representative to see the shore conveyor, the facility and all of the equipment the Board currently owns from Aquarius and ask his opinion on the value of the equipment. The Board will have to go out to bid on govdeals.com to sell the equipment. The representative indicated Aquarius would be interested in acquiring the equipment from the Board. Mr. Hathaway also reported he and Chairman Riley have been out adding eggs a couple of more times. There were two nests they missed. Mr. Hathaway said his son found one nest in a tree log. Mr. Hathaway spoke about an accident on the last about three weeks ago where two boats were capsized in the weed harvester cove. Mr. Shlesinger was part of the rescue. Mr. Shlesinger saw the capsized boat and went out in his canoe and rescued the couple and their dogs. During the rescue attempt, Mr. Shlesinger's canoe was capsized too. The police, ambulance and fire department were on the scene. Mr. Hathaway said Officer Popelka who was at the scene told him the lake is definitely getting deeper because they could not touch the bottom. Chairman Riley spoke of the need to get the buoys placed in the lake. Chairman Riley said he would like the Board's approval to pay Mr. Hathaway's son, Robert to go out with the Jon boat and put the buoys in the lake, adding that Robert knows where every rock is in the lake. Mr. Hathaway noted this is a two-person job so it would be Robert and one of his friends. Chairman Riley noted they will be covered under the Board's volunteer insurance policy. There are about 50 buoys to be put in the lake. Chairman Riley recommended paying \$50 per person to put the buoys in the lake. On motion by Mr. Shlesinger, seconded by Mr. Wright and carried by the following majority roll call vote, the Board approved paying Robert Hathaway and one of his friends \$50.00 each to place the buoys in the lake.

ROLL CALL:

Ms. Franek – yes	Mr. Shlesinger - yes
Mr. Hathaway – abstain	Mr. Wright - yes
Ms. Maio – yes	Chairman Riley – yes

Chairman Riley said he would like to have the buoys in the water prior to Memorial Day. Chairman Riley also said they need to get the harvester in the water, noting there is a tremendous amount of vegetation in the lake. Mr. Hathaway noted they have never collected weeds prior to the herbicide treatment. Mr. Hathaway said he will work with the Netcong DPW and will look to the first week in June to put it in the lake.

Operating Budget – There was no report.

CD Investment – In Mr. Keenan's absence, Chairman Riley reported the account with Fidelity has been set up and the deposit has been made. Also, he is the second signatory on the account.

TREASURER'S REPORT: In Mr. Keenan's absence, there was no Treasurer's Report.

BILLS: On motion by Mr. Hathaway, seconded by Ms. Maio and carried by the following unanimous roll call vote, the bills on the bills list were approved, with the condition that the bill for \$1,284.00 from Solitude Lake Management be billed against the credit the Board has with Solitude.

Operating Account:

Ellen Horak - Clerk's Monthly Compensation \$ 550.00

Lake Management Account:

JCP&L – electric at shed \$ 4.15

Solitude Lake Management – Annual Maintenance (5/1) \$1,284.00

Selective Insurance – premium installment (Commercial Liability) \$ 945.00

Domain Listings – Annual Website Domain Listing \$ 288.00

ROLL CALL:

Ms. Franek – yes

Mr. Shlesinger - yes

Mr. Hathaway – yes

Mr. Wright - yes

Ms. Maio – yes

Chairman Riley – yes

OLD BUSINESS:

\$572,000 Grant Agreement Resolution – Chairman Riley reported he believes he submitted all the final paperwork this past week. The Board would have had to go out to bid if they did not receive three quotes. Alpha Boats sent two different quotes and Aquarius sent one quote. The State of New Jersey accepted those three quotes so the Board does not need to go out to bid. The quote from Aquarius was the least expensive. According to the State, the Board is the contractor and Aquarius is the subcontractor and is approved at the final quote. The grant department required that Aquarius send a Certificate to do business in the State of New Jersey. The Certificate Aquarius sent has the name D&D Products, Inc. Chairman Riley received a call from the grant department questioning who D&D Products, Inc. is when the quote was from Aquarius. Apparently D&D Products, Inc. is the company and Aquarius is the trade name. Chairman Riley said he had to get a letter from D&D Products, Inc. stating that is the company and that Aquarius is the trade name they use nationwide. Chairman Riley received the letter and forwarded it to the State and the grant department said they understand and it is fine. Chairman Riley said when speaking to the person at the grant department he was asked what the Board is spending the money on. When he told her, she asked if he wants more than the \$150,000 upfront. Chairman Riley noted this is federal money. Ms. Maio commented on how long it takes to actually receive federal grant money and she cautioned the Board not to commit to anything until they receive the money. The Board members agreed they will not commit any money to Aquarius and until they receive a check, deposit it in the bank and it is cleared, they will not order the equipment. Chairman Riley noted with this grant, they will pay the Board 85% to 90% of the funds throughout the three years. The Board will receive the final check after and they may have to take some of their money to pay for the harvester and they will then get reimbursed. Chairman Riley said the supplier knows the Board will only get \$150,000 upfront. Once the Board shows the State's grant department we spent the \$150,000, they will send another check for \$150,000. Chairman Riley said he is satisfied with the arrangement. Aquarius will start building the equipment as soon as the Board receives the first payment.

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 7:52 P.M.

Respectfully submitted,

Ellen Horak, Clerk