

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**October 16, 2019**

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 17, 2019 and was sent to the Clerks of the four municipalities, the State and the two counties.

**ROLL CALL:**

Mark Crowley - present  
Robert Hathaway – present  
Joseph Keenan - present  
Rosemarie Maio – present

Greg Poff - present  
Steven Rattner - present  
John Rogalo – present  
Lester Wright - present  
Earl Riley - present

**MODIFICATIONS TO THE AGENDA:** There were no modification to the agenda.

**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. Rattner, seconded by Wright, the Minutes of the September 18, 2019 meeting were approved by majority voice vote. Mr. Hathaway, Mr. Crowley and Ms. Maio abstained.

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

09-19-19 Netcong Borough – check in the amount of \$8,904.95 re: 2019 budget contribution (\$8,104.95) and herbicide treatment (\$800.00)

09-20-19 Solitude Lake Management – Certificate of Liability Insurance

10-04-19 Byram Township – check in the amount of \$1,529.85 re: 2019 budget contribution

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

**REPORTS OF COMMITTEES:**

**Canal Society** – It was noted that former member George Graham was the chair of the Canal Society Committee. Chairman Riley will make an appointment to the Canal Society Committee at the Reorganization Meeting. Mr. Hathaway noted the sign for the Braille Trail has been taken down. Ms. Maio stated it is no longer a Braille Trail and Parks took the plaque down. Mr. Crowley mentioned the Canal Society in Morris County is looking at moving their headquarters to Berkshire Valley Road. They have received a number of grants and one is for the relocation.

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

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

**Lake Awareness** – Ms. Maio had no report but did mention that the Borough of Stanhope will be having their Clean-Up Day this Sunday and they will touch on Lakeview Park. The clean-up will not impact the lake.

**Lake Management** – Mr. Hathaway reported they will take the equipment out of the lake on Monday. He is not sure if they will remove the harvester, but they will definitely take out the

hydro rake. Mr. Hathaway also reported the Board will not be permitted a drawdown this year. The approval has been withheld by Fisheries whose intention is to hold the Board to a once every three-year drawdown. Mr. Hathaway informed the Board he has an issue on the bill to be paid tonight to Solitude Lake Management for \$3,000, which is their final payment. Mr. Hathaway recommended withholding payment because their delivery on the sludge project is unsatisfactory and he believes withholding payment at this time will send a strong message to Solitude Lake Management. They have affected all of the work, but the report is incomplete and should have been completed for this meeting. The report, as written is unsatisfactory and it cannot be presented to a lay person. Mr. Hathaway noted Chairman Riley has been working on the budget. The unsatisfactory condition of the lake is due to reasons out of the Board's control. Mr. Hathaway stated he and Chairman Riley are attempting to schedule a meeting with the LMCA about once again trying to coordinate scheduling of the herbicide application. They would like to meet with Pat Marsico of the LMCA as well as the LMCA's applicator and the Board's applicator. They will try to put together a whole lake plan and figure out the best way to address all of the issues in the lake including weed control. Mr. Hathaway said they hope to have the meeting before the end of this month and that discussion will affect our budget as to how much the Board needs to spend and how much they need to receive from the municipalities and counties.

Chairman Riley reported he attended the Lake Hopatcong Commission meeting. He reached out to the Commission and asked them to start thinking about how the Commission and this Board can work together and coordinate resources and help each other. He does not know how his reaching out was received by the Commission. Chairman Riley noted the Commission has equipment and resources the Board can use on our lake and the Board has equipment and resources that the Commission can use on their lake. Chairman Riley added that both lakes are part of the same watershed and they need to start working together. Ms. Miao noted the Board is a government entity and there are restrictions that a foundation does not have. Chairman Riley stated the Lake Hopatcong Commission is not a foundation and he asked them to think about avenues that they can work together. Chairman Riley noted Mr. Crowley suggested he reach out to the Lake Hopatcong Commission. Chairman Riley added that the DEP has overall say on the lake, but the DEP has never been supportive of what the Board is trying to do with this lake. Mr. Crowley said if they get the two entities together there may be avenues to take that benefit both. Melissa Castellon, present in the public, suggested setting up a meeting and invite Ron Smith, Chair of the Commission and Chairman Riley to try and open communication between the two entities. Mr. Poff questioned if could be consideration for holding quarterly or semi-annual meetings between the two entities and possibly having a liaison from each entity to the other and furtherance of trying to foster the communication. Chairman Riley stated that Ms. Castellon has, for the past year, tried to facilitate quarterly meetings with the parties involved and the Lake Hopatcong Commission has either never been invited to those meetings and if they have been invited, they never attended the meetings. Chairman Riley said, from his prospective, the meetings they have had with the State and different departments of the DEP have been a lot of "we will look into it, we will try to do this or that" and the Board has never received a single positive outcome from any of those meetings. Mr. Poff suggested taking the State out of the meetings and have a representative of this Board meet with a representative of the Commission. Chairman Riley noted a member of this Board is also a commissioner on the Lake Hopatcong Commission; being Mr. Crowley. Chairman Riley has spoken to Mr. Crowley about what can be done and what we should be doing. Mr. Crowley and one other member of the Commission are on the same page about communication between the two entities. Mr. Crowley suggested not reaching out in a formal environment, but to have quiet

meetings and see if there is some synergy with possibly the two Chairmen meeting. The need to first find common ground. Chairman Riley stated he is amenable to meeting with Mr. Smith if Mr. Smith is amenable to meeting with him. Chairman Riley noted the Board has their own charter and mission that he will not sway from. Mr. Crowley stated the Lake Hopatcong Commission is also looking for funding and the Lake Hopatcong Foundation helps the Commission. Mr. Rogalo commented that it was huge that the Commission got Steve Sweeney on Lake Hopatcong, adding that it got his attention which can be helpful for future funding. Chairman Riley stated Assemblywoman DeCroce proposed \$4 Million Dollar funding for Lake Hopatcong. Chairman Riley said he immediately sent a letter to Senator Oroho and Assemblyman Bucco as asked about this Board receiving some of that funding. They are both on board with this Board receiving a piece of the funding. Senator Oroho is sponsoring a Senate Bill for increased funding that includes this Board.

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

**TREASURER’S REPORT:** The Treasurer’s Report was emailed to the Board. Mr. Keenan noted there were three invoices from Auto Electric on this bills list, two of which were previously approved. Mr. Hathaway explained that, although approved, the bills were never paid so Mr. Hathaway paid them on the Board’s credit card. The two bills for \$129.90 were previously approved and the bill for \$207.40 needs to be approved tonight. Chairman Riley noted the net balance is \$4,539.04. There are funds pending from Netcong Borough for the goose egg addling program, \$3,000 from the State for the quarterly report for the grant and \$1,000 from the grant for fuel, etc. On motion by Mr. Hathaway, seconded by Mr. Rogalo and carried by unanimous voice vote the Treasurer’s Report was accepted and placed on file.

**BILLS:** Mr. Rattner asked for clarification on the discussion regarding the Auto Electric bills. Mr. Hathaway explained that the purchases were made and were previously approved as being on the credit card; however, in actuality, they were never paid. Mr. Hathaway has since made the payment using the Board’s credit card. Mr. Hathaway stated the last time the Board contracted with Solitude they made the final payment, but was not satisfied. Since the final payment was made, they did not have any leverage. Mr. Hathaway stated the Board made it clear on their expectation and those expectations have not been met by Solitude. Mr. Hathaway recommended temporarily holding off on approving and paying the \$3,000 bill from Solitude. There was a brief discussion on the unsatisfactory report provided. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by the following unanimous roll call vote, the following bills are to be paid if and when funds are available, with the exception of the \$3,000 bill from Solitude Lake Management, which bill will be put on the next meeting agenda.

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 500.00
Selective Insurance Co. – Commercial Liability Ins. Premium	\$1,865.00

Lake Management Account:

JCP&L – electric at shed	\$ 3.26
Ag Choice – disposal 1 load (9/16/19-9/20/19)	\$ 210.00
West Chester Machinery & Supply Co. Inc. (couplings, hose, nut, etc.)	\$ 125.56

Debit/Credit Card

Approved Auto Electric Exchange (5/17/19)	\$ 129.90
Approved Auto Electric Exchange (6/06/19)	\$ 129.90

Approved Auto Electric Exchange (6/10/19)

\$ 207.40

**ROLL CALL:**

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

**OLD BUSINESS**

Fire Department Boat – Chairman Riley stated he never heard back from Alan Bookspan of the Stanhope Fire Department regarding the boat. He reached out numerous times and left a message saying if the Fire Department was going to sell the boat, he would like to speak to him about possibly splitting the profit. Ms. Maio said the Fire Department has not sold the boat. Ms. Maio said she is speaking as a member of this Board. When Alan Bookspan was at a Board meeting, the Board told him it is the Fire Department’s boat to do whatever they wanted to do. The Board did not say to sell it and give us part of the profit. Ms. Maio expressed her opinion that the Fire Department has every right to sell the boat and keep the profit. Chairman Riley agreed, but added that originally they signed a contract for the boat the Board sold them at a cost of \$1.00 and the intent was for them to use the boat as a rescue boat for the lake and also to help the Board by placing the buoys in the lake and removing them on an annual basis, which they never really did. Ms. Maio noted they came to the Board and said they want to give the boat back because they could not afford the insurance. Chairman Riley stated they asked the Board to pay the insurance, which the Board declined to do. After a brief discussion, the Board agreed the boat belongs to the Stanhope Fire Department. Chairman Riley agreed, but commented that he would have thought in good conscience, if they sold the boat, they would give some of the money to the Board. The matter of the boat is now closed.

**NEW BUSINESS:**

2020 Budget – Chairman Riley prepared a preliminary budget which includes a significant increase over last year’s budget. Last year’s budget was \$47,300 and this year’s proposed budget is \$52,375. The increase to the municipalities and counties is a little over 14%. Chairman Riley said that for the past five years, he has attempted to keep the budget to a 2% increase and each year, the Board runs out of money. They cannot keep operating like this; they must have some reserve. Mayor Maio noted the budget allocation is based on the percentage of shoreline per municipality and stated the Borough of Stanhope does not own Lakeside Park, it is state-owned and the Borough leases it from the State. The shoreline along Musconetcong Park is also state-owned, but is included in the percentage for Stanhope Borough. The Borough of Stanhope is dealing with the State’s responsibility. Mayor Maio said that she will be writing to the Governor, as the Mayor of Stanhope about this issue and she will reach out to the Mayor’s of the other 3 towns and ask them to do the same. Chairman Riley agreed that the municipalities and counties should not be paying for the maintenance of this State lake. Ms. Maio noted the Borough of Stanhope has assumed their responsibility and part of the State’s responsibility. Chairman Riley stated he is working with the Board’s charter and the charter states the percentage of each town and county and the State’s only responsibility is in-kind services. The Board reviewed the preliminary budget and conducted a line item by line item review of the fixed expenses and variable expenses, most of which will be in lake

management. The unanticipated revenue from the grant money will be included in the budget. Mr. Hathaway suggested removing the sludge reduction which has a budget of \$10,000 and move the \$10,000 into weed control and increase weed control from \$10,000 to \$25,000. Chairman Riley said during discussions with the applicator, he was told that for about \$50,000 between the Board and LMCA, they can treat the entire lake. Chairman Riley stated if they can come up with an agreement between the two applicators and two entities, they may have a change to control the weeds next year and that between the two entities they can come close to the \$50,000 needed. Mr. Hathaway expressed concern with an almost 15% increase. He stated if you add in all the revenue, the Board can commit to \$25,000 to weed control. In the past he has been able to negotiate 50% of the lake at \$25,000 and if the LMCA can join, we can do more. In the absence of any State funding there will be no sludge reduction. The Board will need to sign a 2-year contract for weed control and if not, the lake will look as it did this year. Mr. Hathaway stated they need to tell the municipalities and counties that the almost 15% budget increase is because they will be treating the entire lake. Mr. Hathaway advocated to change the weed control line item to \$25,000 and add the revenue. Ms. Maio suggested adding in the goose egg addling money from Netcong into the budget as well as the grant money. The Board agreed with the anticipated income outlined in the budget and discussed minor changes under lake management. There is unanticipated revenue of \$2,300 from Netcong for the goose egg addling program and \$4,000 from the grant. They will reduce sludge reduction (probiotics) from \$10,000 to \$0, increase weed control to \$25,000 which will include the \$10,000 from sludge reduction and \$5,000 from unanticipated revenue. Chairman Riley noted the water chestnut bloomed this year and they need to allocate some of the \$25,000 towards water chestnut. On motion by Mr. Hathaway, seconded by Mr. Rogalo and carried by the following unanimous roll call vote, the Board approved the budget as presented with the following amendments: move the \$10,000 from sludge reduction into weed control and include the \$4,000 expected from the State from the grant and \$2,300 expected from Netcong Borough for the goose egg addling which equals an additional \$6,300 to be put in expected revenue.

**ROLL CALL:**

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

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

Melissa Castellon, State Parks Superintendent, said she will try to coordinate the meeting between the Board and Lake Hopatcong Commission in the hope of the two boards working together. Both boards have resources and there is no reason they should not work with each other. Chairman Riley said he would be agreeable to attend the meeting if and when scheduled. Ms. Castellon noted the November quarterly meeting she was trying to schedule and said she understands Chairman Riley's frustration, but asked him to reconsider attending the meeting. If they keep meeting and keep discussing with more listening and patience they will eventually get somewhere. Ms. Castellon said she wants to work with the Chairman and put together a plan. Chairman Riley explained to the Board that Ms. Castellon has been trying to put together quarterly meetings with State Parks and a representative of this Board to try and work out how NJ State Parks and the DEP and this Board can work together for the betterment of the lake. About a month ago she sent an email asking to meet

with him and Mr. Hathaway and Pat Hamilton and he declined. Chairman Riley said he declined because they have been meeting for two years and received many promises, but not a single thing has ever come to fruition. He questioned why he should be wasting his time when nothing is ever done from the State's side. Ms. Castellon urged Chairman Riley to reconsider and continue with the meetings. Mr. Hathaway recommended discontinuing meetings in the small group, adding his time is valuable and to sit in a meeting and be told certain things and then there is no follow through is a waste of his time. Mr. Hathaway said he would welcome a meeting where there are Mayors or legislators involved. Ms. Castellon said since the first meeting with Pat Hamilton things have changed. She explained to her the Board's finances have changed so drawdowns are now more important for weed control. Ms. Castellon said she does not think Ms. Hamilton was aware of that fact. Mr. Hathaway said at the meeting Ms. Hamilton made it clear that a drawdown does not provide weed control. Ms. Castellon said from recent discussions, she believes Ms. Hamilton is willing to reconsider the drawdown for weed control. Mr. Hathaway said they made an agreement for a drawdown once every three years and they are drawing down next year, so he is done talking about it with Ms. Hamilton. Chairman Riley said they have been meeting for a couple of years and he appreciates Melissa's efforts; however, the result of those meetings is "0" and nothing has ever been accomplished. After a lengthy discussion, Chairman Riley agreed to meet again and have a written agreement signed by the parties after which they can move forward. Chairman Riley asked Ms. Castellon to send him a suggested meeting date and he will respond. Ms. Castellon reported the Lake Hopatcong Commission's application for a drawdown has been submitted and she will let the Board know when the permit is issued. The permit is for a 22" drawdown. Ms. Castellon asked where the Board disposed of their weeds. Chairman Riley responded they took their weeds to Ag Choice. Ms. Castellon said Lake Hopatcong Commission took their weeds to SCMUA. Chairman Riley noted the Lake Hopatcong Commission spent a tremendous amount of money for weed disposal at the SCMUA while the Board only spent \$8.00 per cubic yard for disposal at Ag Choice.

Yonnie Guyre, LMCA member, reported 186 hours of volunteer time for the third quarter.

Seeing no one further from the public wishing to speak, Chairman Riley closed the public portion of the meeting.

**ADJOURNMENT:** On motion by Ms. Maio, seconded by Mr. Rogalo, and carried by unanimous voice vote, the meeting was adjourned at 8:41 p.m.

Respectfully submitted,

Ellen Horak