

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**June 19, 2024**

Vice-Chairman Hathaway 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 18, 2024 and was sent to the Clerks of the four municipalities, the State and the two counties.

**ROLL CALL:**

Robert Hathaway – present	Shawn Potillo - present
Joseph Keenan - present	Steven Rattner - present
Rosemarie Maio - present	Rudy Shlesinger - absent
Judith McGrath - present	Lester Wright - absent
	Earl Riley - absent

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

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

**ACTION ON MINUTES:** On motion by Mr. Rattner, seconded by Mr. Wright, the Minutes of the May 15, 2024 regular meeting were approved on majority voice vote. Mr. Potillo abstained.

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

05-20-24 Fidelity Investments - Summary Prospectus  
05-23-24 NJS Dept of Treasury - check in the amount of \$150,000 re: Water Resources Planning Management (Grant)  
05-24-24 Notice to Property Owners - Variance Application to construct detached garage at 10 Mountain Terrace, Stanhope  
05-24-24 NJ Motor Vehicle Commission - Registration Renewal re: 820 Weed Harvester  
05-28-24 Morris County - Memorandum of Understanding and check in the amount of \$6,259.38 re: 2024 budget contribution  
05-28-24 Fidelity Investments - Transaction Confirmation (May 21, 2024)  
05-29-24 Stanhope Borough - check in the amount of \$17,124.53 re: 2024 budget contribution (\$16,374.53 and herbicide treatment (\$750.00)  
06-10-24 Fidelity Investments - Monthly Statement (4/1/24 - 5/31/24)  
06-17-24 Lake Management Sciences - Service Report

On motion by Mr. Rattner, 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** – There was no report.

**Lake Awareness** – Ms. Maio reported the annual fishing contest was held and there were about 13-14 children participating. Everyone present had a fun time. Ms. Maio expressed her opinion that the bad weather had a lot to do with the lack of attendance.

**Lake Management** – Mr. Hathaway reported that the lake was treated this past Thursday. Mr. Hathaway said the treatment map was created and he agreed with Chris Hanlon on the areas to be treated. Most of the area was east of the island but there was also a part of DiRenzo Park and a small area of about ten acres on the west side of the island. All the parks were done and the entire bay in Stanhope Park and Roxbury Park. A limited treatment in Arbolino Park was done as it was not necessary to do a large treatment as they have done in the past. The report given was submitted to the NJDEP as well as shared with the Board. It confirmed that the target growth was observed in the treatment area. Ms. Maio said she was questioned by a Stanhope resident about the treatment and why notice was not given and if a permit was obtained. Mr. Hathaway said the only notification required is the notice they posted by the State Park and the required permits were acquired. Mr. Hathaway stated that the post treatment was done. Mr. Hathaway also reported they harvested weeds west of the island and work was done in the pond on the north side and a little in Musconetcong Park. They have not yet filled the dumpster. Currently the harvesting has been suspended because you should not harvest while the weeds are on the uptake from the treatment. They will harvest again in about nine days. Mr. Hathaway commented that the lake looks very good and the water clarity is better than it has ever been at this time of year. The LMCA did their treatment about a week before the Board's treatment and he feels the treatments have had a big impact on the lake. Mr. Hathaway stated Chairman Riley had communications with the builder of the equipment and they are on schedule which would be a July delivery. The Board has the second \$150,000 from the State which is the amount due on delivery and the builder understands they will not get the remainder of the money until the Board receives it from the State. They communicated to Chairman Riley via email that they understand this is how it will be. Mr. Hathaway reported that the equipment is working and Netcong is providing backhoe services. Mr. Hathaway said Chairman Riley sent him a link to consider the purchase of a used piece of equipment, but Mr. Hathaway is not in favor of purchasing used equipment. He does not think it is a good idea and does not accord with the grant terms so it will be the Board's money. Mr. Hathaway also said that no one on the Board can fix the machine other than himself and he is not interested in doing all the machine repairs. Mr. Hathaway said they should get a new machine with an extended warranty. Mr. Hathaway has asked the attorney to work on an RFP and they need to research if there is anything under State Contract that meets their needs in which case they can just purchase the machine. Ms. Maio spoke about the possible euthanizing of geese and said the Borough of Stanhope is totally opposed and will not fund it. Stanhope has not found any problem with geese on their property because the riparian buffer has kept the geese to a minimum. Mr. Hathaway stated the geese are an issue for Netcong and they are completely committed to it and will continue doing it. Mr. Hathaway said all of the towns benefit and should all share in the expense. Ms. Maio said the discussion with Stanhope's officials was that they do not have a problem and they do not think their residents should pay for something that is not a problem. Mr. Hathaway stated Netcong has been doing this for about the past ten years which is why there is not a problem in Stanhope. Mr. Hathaway asked Ms. Maio to think back ten years ago before the program started and she will remember there was an issue with the geese. What Netcong is doing is helping to limit the geese problem in Stanhope. Mr. Potillo noted the geese are a problem in Roxbury too and he asked if they are euthanizing or just addling. Mr. Hathaway responded it is both. Mr. Maio stated Stanhope has no issue with the addling of the eggs. Mr. Hathaway said Netcong has been subsidizing the euthanizing of the geese that, in his opinion, are an infestation population. Mr. Hathaway suggested possibly, as a Board, to recommend they stop a year of euthanizing and see what the impact is.

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

**CD Investment** – Mr. Keenan reported there are two CD’s coming due in early and late August. The Board should decide at the July meeting what they want to do with the CD’s. Mr. Keenan informed the Board he will not be at the July meeting.

**TREASURER’S REPORT:** The Treasurer’s report was emailed to the Board. On motion by Mr. Pottillo, seconded by Mr. Wright and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

**BILLS:** On motion by Ms. McGrath, seconded by Mr. Wright 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
Murphy McKeon P.C. - Retainer/General (4/11/24-4/29/24)	\$ 780.00
Murphy McKeon P.C. - Retainer/General (5/1/24-5/29/24)	\$ 435.00

Lake Management Account:

JCP&L – electric at shed	\$ 4.26
Lake Management Sciences - Seasonal Contract Installment #1	\$ 29,499.41
Aquarius Systems - 2nd Payment re: HM-820 Aquatic Plant Harvester	\$150,000.00
You Name It - fishing contest trophies	\$ 94.00
Debit/Credit Card:	
Ramsey Outdoor - fishing contest prizes	\$ 182.62

**ROLL CALL:**

Mr. Hathaway – yes	Ms. McGrath - yes
Mr. Keenan – yes	Mr. Pottillo - yes
Ms. Maio – yes	Mr. Rattner - yes
	Mr. Wright – yes

**OLD BUSINESS:**

\$572,000 Grant Agreement – Vice-Chairman Hathaway noted the Board spoke about this earlier and a more detailed discussion will take place at the July meeting.

**NEW BUSINESS:**

Vice-Chairman Hathaway offered the following Resolution which was read by title:

**A RESOLUTION OF THE LAKE MUSCONETCONG REGIONAL PLANNING BOARD AUTHORIZING AN EXTRAORDINARY UNSPECIFIABLE SERVICES AGREEMENT WITH LAKE MANAGEMENT SCIENCES, INC. FOR LIMNOLOGICAL VEGETATION ASSESSMENT AND MANAGEMENT SERVICES**

**WHEREAS**, the Lake Musconetcong Regional Planning Board (hereafter referred to as “Board”) wishes to retain a specialized service for aquatic vegetation assessment and management (hereafter referred to as

“Services”) of Lake Musconetcong and has determined to award the contract as an extraordinary unspecifiable service without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 40A:11-5; and

**WHEREAS**, the Services are specialized and qualitative in nature and require expertise, extensive training and proven reputation in the field of endeavor as the Services require specialized knowledge, qualified ecological assessment and judgment, and licensure by the State of New Jersey for aquatic pesticide treatment and Lake Musconetcong, which is a public water body with ecological sensitivity; and

**WHEREAS**, Lake Management Sciences, Inc. (hereinafter “Contractor”) has submitted a proposal for the provision of said services to the Board, which is appended hereto; and

**WHEREAS**, the Board has determined that the aggregate value of the contract for services will exceed \$17,500.00; and

**WHEREAS**, the Contractor has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee for the previous one year, and that the contract will prohibit it from making any reportable contributions through the term of this contract; and

**WHEREAS**, the Board’s Chief Financial Officer has certified that funds are available for this purpose; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “extraordinary unspecifiable” services without competitive bid and the contract itself must be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Lake Musconetcong Regional Planning Board, in the County of Morris and State of New Jersey, as follows:

1. The Lake Musconetcong Regional Planning Board hereby awards and authorizes the Chairman and Clerk to execute an Agreement with Lake Management Sciences, Inc. for aquatic vegetation assessment and management services, with the form, terms and provisions as found within the Contract as appended hereto.
2. This contract is awarded without competitive bidding as an “extraordinary unspecifiable service” in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) of the Local Public Contracts Law because said services are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor.
3. The Clerk is hereby authorized and directed to file the Contractor’s Business Entity Disclosure Certification with a copy of this Resolution.
4. A notice of this action shall be printed once in the Board’s official newspaper as required by law.

On motion by Ms. Maio, seconded by Mr. Keenan and carried by the following unanimous roll call vote, the above Resolution was adopted.

ROLL CALL:

Mr. Hathaway – yes  
Mr. Keenan – yes  
Ms. Maio – yes

Ms. McGrath - yes  
Mr. Potillo - yes  
Mr. Rattner - yes  
Mr. Wright – yes

Hopatcong Elks Fishing Contest - Ms. Maio spoke about the Hopatcong Elks fishing contest that was held on Father's Day at Musconetcong Park. The fishing contest was well attended with 37 participants. Mr. Hathaway noted the event was well publicized. Ms. Maio said they asked her if the Board would be interested in combining their fishing contest with the Board's annual fishing contest next year. Ms. Maio noted the Elks Club received a large amount of donations for their fishing contest. Vice-Chairman Hathaway said he would be in favor of combining the two fishing contests and asked if anyone was opposed to it. No Board members were opposed. Ms. Maio will relay the response to the Hopatcong Elks.

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

**ADJOURNMENT:** On motion by Mr. Potillo, seconded by Ms. McGrath, and carried by unanimous voice vote, the meeting was adjourned at 7:31 P.M.

Respectfully submitted,

Ellen Horak, Clerk