

**Lake Musconetcong Regional Planning Board
Regular Meeting
August 17, 2022**

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 20, 2022 and was sent to the Clerks of the four municipalities, the State and the two counties.

ROLL CALL:

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

MODIFICATIONS TO THE AGENDA: There were no modifications 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 Ms. Maio, seconded by Mr. Wright the Minutes of the July 20, 2022 regular meeting were approved on majority voice vote. Mr. Potillo abstained.

COMMUNICATIONS: : The following communications have been placed on file:
07-20-22 NJ Motor Vehicle Commission – Registration Renewal for 2017 hydro rake
07-21-22 Sussex County Board of County Commissioners – Appointment of Anthony Fasano as the County’s representative on the LMRPB
07-21-22 PeopleFirst Property & Casualty Services – Public Officials Liability Renewal Policy
08-01-22 NJ Motor Vehicle Commission – Registration Renewal for 2017 trailer
08-01-22 NJ Motor Vehicle Commission – Registration Renewal for 2017 trailer
08-04-22 Mike Hubble – River Park monthly oil/water separator inspection log (July)
08-08-22 Notice to Property Owners – Netcong Borough re: Master Plan Re-examination

Chairman Riley clarified that the three registration renewals received are for the hydro rake, trailer and conveyor, which the Board no longer owns. On motion by Mr. Keenan, seconded by Ms. Maio and carried by unanimous voice vote, the communications were accepted.

REPORTS OF COMMITTEES:

Canal Society – Chairman Riley reported Canal Day will be held on August 20, 2022 in Wharton (180 Central Avenue) from 10:00 a.m. to 5:00 p.m. Information is on the Canal Society’s website.

Musconetcong Watershed Association – Mr. Rattner reported there may be something happening with the Commissioner of the DEP making appointments, since on July 22, 2022 he made an appointment to the Board of the MWA. Mr. Rattner also reported that the MWA applied for water planning grants which they believed they had a good chance of being awarded; however, they did not get either one they applied for. Mr. Rattner noted the current water levels and said the Watershed Association is saying the USGS metering down in Bloomsbury shows a historically low flow. The USGS website shows the lowest level since 2002. Mr. Rattner noted Lake Hopatcong is now a foot below the dam. The MWA will be watching. Chairman Riley stated the outflow of Lake Hopatcong presently is 12.3’.

Chairman Riley noted in extreme drought conditions they can go down to 8' from the 12.3'. It can also be done at the discretion of the Superintendent. Mr. Potillo asked who makes the extreme drought determination. Laura Franek, Superintendent of State Parks and present in the audience, stated it is the determination of the Commissioner of the NJDEP. He just announced we are in a drought condition, but not an extreme drought condition.

Site Plan Review/Stream Encroachment – There was nothing to report.

Lake Awareness –. There was nothing to report.

Lake Management – In Mr. Hathaway's absence, Chairman Riley reported on a Zoom call held on July 27, 2022 with members of the NJDEP during which they discussed what the Board has pending and what the Board would like to do with probiotic treatment in the lake. The NJDEP said that since they do not have any information on the product they will deny our use of the product. Nick Procopio, a representative from Science and Research in the NJDEP, said he is opposed to putting something in the lake when he does not know the long-term impact on the lake. Chairman Riley said his objection is that Nick Procopio never reached out to the manufacturer to find out what is in the product. Chairman Riley stated he sent Mr. Procopio an email and asked if he reached out to the manufacturer to find out what was in the product and whether or not the product would be harmful to the lake; however, he never received a response to his email. Chairman Riley said the NJDEP is saying the Board cannot put that product in the lake, but questioned their enforcement as it does not come under any control function of the NJDEP. Residents have been putting this product in Lake Musconetcong and other lakes throughout the State of New Jersey and they can do it but the State is prohibiting the Board from putting it in the lake. Chairman Riley noted the LMCA has also used this product in the lake. Chairman Riley said he finds it very questionable as to why the Board is being stopped from using the same product, adding it seems everything this Board wants to do, someone in NJDEP says we cannot do it. Chairman Riley noted the hydro rake as an example. The Board received a grant for the hydro rake, informed the State on the anticipated use of the hydro rake and after the equipment was purchased the Board was told they could not use it for its intended purpose. Chairman Riley stated he finds it ridiculous that Board now has another idea, which has proven to reduce the muck in the lake, and the NJDEP is again saying they cannot do it. Ms. Maio expressed her opinion that it is time the Board craft a letter to Senator Oroho, Senator Bucco and the governing bodies the Board represents and inform them on what is happening. The Board needs to get someone higher up to look into this. Chairman Riley expressed his extreme frustration with the dealings with the State of New Jersey, adding he is fed up with the treatment they give the Board. Chairman Riley noted that Laura Franek was the only one in his email group to respond, and she offered a suggestion that because the Board included a new harvester as well as the probiotic treatment in their grant application, that we change it and remove the probiotic treatment. Chairman Riley noted a decision on the grant will be made next week. Ms. Franek suggested the Board find an alternate product. Chairman Riley questioned if the State would approve the product they change it to. Chairman Riley stated the grant application specifically calls out what the grant will be used for. Laura Franek informed the Board that on the follow up call she had, they were talking about changing the grant and that it has been done before as long as the premise of the grant is still the same. Just changing the product should not be an issue. Chairman Riley also reported the harvester has been on the lake for the past month and there are no weeds to harvest at this point in time. The extra treatment provided took care of the unexpected increased infestation. The dumpster is only about one-third full. Mr. Shlesinger noted there is coontail in Byram Bay. Chairman Riley stated they will harvest that area. Chairman Riley also reported there is a new trainee who is currently being trained on the harvester. Mr. Keenan questioned why homeowners, contractors and homeowner associations can use the pellets. Chairman Riley responded it is

because NJDEP has no enforcement over those entities. Solitude Lake Management was on the Zoom call and was told they cannot use it in the lake. Chairman Riley said this Board cannot put the pellets in the lake because we were told by NJDEP that we cannot do it. Chairman Riley noted there is no regulation that prohibits putting them in the lake.

Operating Budget – There was nothing to report.

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

BILLS: On motion by Mr. Rattner, seconded by Mr. Wright and carried by the following unanimous roll call vote, the following bills are to be paid if and when funds are available:

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 550.00
United States Liability Ins Company – Public Officials Liability Ins.	\$ 889.30

Lake Management Account:

JCP&L – electric at shed	\$ 4.24
Solitude Lake Management – Lake Management Services (08/01-08/31)	\$ 1,284.00
Solitude Lake Management – Lake Management Services (08/01)	\$ 900.00

Debit-Credit Card:

Amazon – grease gun parts	\$ 34.11
Enrite – gas for conveyor	\$ 10.00
Sussex County MUA – disposal of old conveyor equipment shed	\$ 83.95
Delta Gas – fuel surcharge for transportation and disposal of shed	\$ 40.02

ROLL CALL:

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

OLD BUSINESS:

Shed – Ms. Maio asked when the new shed will be delivered. Chairman Riley responded he does not have a delivery date yet. The old shed was torn down and Wayne, Joe, Al and Chairman Riley loaded it into Wayne’s truck and took it to the Morris County MUA. Chairman Riley said that when at the Morris County MUA he was going to pay with a Board check; however, since it was a business they would not accept it; they only accept private owners. Chairman Riley offered to use his personal credit card, but they refused it. Chairman Riley said they then went to the Sussex County MUA who accepted it with no issue. Chairman Riley noted the fuel surcharge on the bills list is for the gas put in Wayne’s truck for the lengthy delivery.

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. Wright, seconded by Mr. Keenan, and carried by unanimous voice vote, the meeting was adjourned at 7:30 P.M.

Respectfully submitted,

Ellen Horak, Clerk