

Lake Musconetcong Regional Planning Board
Regular Meeting
May 15, 2019

Vice-Chairman Hathaway 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 - absent
George Graham – absent
Robert Hathaway - present
Joseph Keenan - present

Rosemarie Maio - absent
Steven Rattner - present
John Rogalo - present
Lester Wright - present
Earl Riley - absent

MODIFICATIONS TO THE AGENDA: Additional communications and bills listed. Mr. Hathaway added a presentation by Bob Schindler of Solitude Lake Management to the agenda. Mr. Schindler will be giving a presentation on the three proposals provided to the Board. Mr. Hathaway noted the Board took on treatment of the shorelines and Solitude has proposed an “either/or” chemical of which Mr. Hathaway recommends 24D. Solitude did a survey of the lake. The propose \$5,000 for application of 24D to target the weeds identified. Mr. Hathaway said he, Mr. Keenan and Mr. Schindler met with the representative from Aqua Fix and have negotiated a reasonable proposal; however, Mr. Hathaway stated he is not completely satisfied with the proposal.

PRESENTATION: Bob Schindler, Solitude Lake Management, came forward. Mr. Schindler provided a brief background of his company. Mr. Schindler stated they implemented a 24D treatment program for Eurasian Milfoil. The goal is not plant eradication in the lake; they want to selectively manage the Eurasian Milfoil. Over the past few years it has been successful. A survey of the lake last week indicated a lot of the area of the lake targeted had limited to no milfoil growth. One proposal for this year is to continue with the 24D arsenic program (Platoon), which is one of the most cost effective and more favorable than using a contact herbicide. The idea is to try to scale back the amount of herbicide that is needed on an annual basis, but continue to approach the areas of concern as they appear year after year. The other proposal is based on a diquat treatment (Tribune). Mr. Hathaway stated the summary is this will be different than what has been done in the past. The resolution will be different than what the LMCA has done. Mr. Schindler said you do not want to have to continue to use large scale treatment. You want to only do spot treatments with the use of herbicide to address milfoil growth. Mr. Rogalo asked how water chestnut will be addressed. Mr. Schindler responded there is another proposal that was sent earlier this year which was based on per acre and the water chestnut was included in that proposal. Mr. Hathaway stated the amount is \$1,500 and typically, the LMCA has taken on that cost. Mr. Schindler stated they are continuing to address the water chestnut. Mr. Hathaway stated last year 3 acres were treated and it will not be more than last year. Mr. Schindler said it is too early to survey for water chestnut. Mr. Rogalo noted the water clarity throughout the year was better than it has been in decades. Mr. Rogalo spoke about the treatment by the LMCA and Board last year. They did not have a high-water flow from the lake and then they had tremendous rain that flushed the lake and added to the clarity. Mr. Rogalo noted the present high flow and asked if it will affect them. Mr. Schindler responded they would not do it with a high flow. There needs to be a lighter flow for a successful treatment. Mr. Schindler noted that the biological treatment has impacted the lake in a positive manner. Mr. Hathaway said the experiment is intended to identify the phosphorous. The Board has a proposal from Aqua Fix that, at its base, is acceptable; however, they do

not have a deal yet because there are some missing things in the proposal. Mr. Hathaway informed the Board that Rutgers has agreed to oversee the experiment. Mr. Hathaway added they need to identify what happens to the phosphorous in order to get 319 funds. They also want to know the density of the material coming out of the lake. Mr. Hathaway stated he and Mr. Keenan met with the micro biologist who assured them there will be no odor. Mr. Hathaway stated the proposal is designed to treat Arbolino Cove and the cove at the Port Morris park. Mr. Hathaway expressed concern with the Port Morris park because it is close to the inlet. Mr. Hathaway also noted they agreed it is approximately 16 acres; however, their proposal says less acreage. Mr. Hathaway does not recommend anything less than 16 acres. Mr. Hathaway added that they need to have Rutgers people agree. Mr. Hathaway noted they propose a timeframe of May through September, but he does not think it can be done until June. They proposed \$15,000 which includes all of the monitoring. Mr. Hathaway expressed his opinion that \$15,000 should include larger acreage and that quality analysis should be included. The proposal includes a before and after measurements and Mr. Hathaway believes there should be one added for water quality. Mr. Hathaway said he would like to redesign the experiment and send it to Rutgers to review. Mr. Hathaway said the proposal does not include language stating “specific identified phosphorous and it should. Also, there is language in the agreement that needs to be added. Mr. Hathaway noted the end goal is to get federal money for the lake. Mr. Schindler noted the attraction with this project for Solitude and Aqua Fix is the Rutgers relationship, so the results will be independently verified. Mr. Schindler added that having the data to take to other clients will be very beneficial and it will open the door for the bacteria treatment to be more manageable. Mr. Rogalo noted the discussion on the phosphorous in the lake and commented that most of the phosphorous is coming from Lake Hopatcong. Mr. Hathaway thanked Mr. Schindler for his attendance. Copies of the proposals have been placed on file.

OPEN TO THE PUBLIC: Vice-Chairman Hathaway opened the meeting to the public.

Tom Kinney, 21 Musconetcong Avenue, Stanhope said he purchased his house in 2012 and was unaware of the amount of muck in the lake until he and his wife tried to go into the lake. Mr. Kinney said he researched various methods to get rid of the much in the lake in front of his property. He tried a number of “muck eaters” and some worked well with no odor. He did his own test with a stick and in the area where he had 4 feet of muck, there is none. Mr. Kinney commented the product works amazingly well with some working better than others. Mr. Kinney encouraged the Board to move forward with the biological treatment.

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

ACTION ON MINUTES: On motion by Mr. Keenan seconded by Mr. Wright, the Minutes of the April 17, 2019 meeting were approved by majority voice vote. Mr. Rogalo abstained.

COMMUNICATIONS: The following communications have been placed on file:

- 04-22-19 Morris County – Memorandum of Understanding for \$5,425.00 re: 2019 budget Contribution
- 04-24-19 Notice to Property Owners – Site Plan and Variance to change existing pricing display to an LED digital display re: Exxon Station, 1 US Route 206, Byram
- 04-29-19 Glenn Kienz, Weiner Law Group – RFP re: Board Attorney
- 05-01-19 Eileen Born, Dolan & Dolan – RFP re: Board Attorney
- 05-01-19 Stanhope Borough – Purchase Order in the amount of \$14,941.80 re: 2019 budget

- Contribution (\$14,191.80) and 2019 herbicide treatment (\$750.00)
05-01-19 van den Heuvel & Fountain – notice of name change to “NFP”
05-01-19 NJ Motor Vehicle Commission – registration renewal re: 1988 backhoe
05-10-19 Morris County – Executed Memorandum of Understanding and Purchase Order in the amount of \$5,425.00 re: 2019 budget contribution
05-13-19 Notice to Property Owners – expand existing bldg. to allow detailing and storage of vehicles at 5 Allen Street, Netcong
05-15-19 Stanhope Borough – check in the amount of \$14,941.80 re: 2019 budget contribution and 2019 herbicide treatment

On motion by Mr. Rattner, seconded by Mr. Keenan 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 – In Ms. Maio’s absence, Mr. Hathaway reported the Board will be hosting the fishing contest on June 9th. Chairman Riley informed him that he will be able to be present for the fishing contest and Stanhope Day. The Sportsmen Federation again contributed \$300 and Yonnie Guyre volunteered to pay for the trophies. Ramsey’s agreed to donate 2 rod and reels for prizes as they have done in the past and will most likely give more, as they have done in the past. Mr. Hathaway, Mr. Rattner, Mr. Rogalo and Chairman Riley will assist during Stanhope Day.

Lake Management – Mr. Hathaway reported he and Chairman Riley met with Olivia Glenn, Mark Texel, Josh Osowski and Melissa Castellon and discussed a variety of topics, but the main focus was on the funding the Board expected. Mr. Hathaway stated they were informed the Board would not be receiving the \$16,000 that was promised. They said that with the way they are funded through the Hopatcong Commission, they do not have authority over the money. The fuel tax being given to the Lake Hopatcong Commission is not under their authority and that they are funded like they were before. Mr. Hathaway spoke to Tony Bucco who said that is not the way it is, at least not that he is aware of and if it is true, he will petition a new Bill. Mr. Hathaway said the only funding the Board will receive will be \$6,000 after July 1st to handle our disposal issue, which promise was documented. There will also be minutes taken of the quarterly meetings. Mr. Hathaway said he also expressed issue with the lack of the draw down. Mr. Hathaway reported Chairman Riley was invited to Roxbury to make a presentation on what the Board is doing. Mark Crowley and the Roxbury Council are fully supportive of the Board’s efforts. Mr. Hathaway also reported the buoys will be placed in the water shortly. Chairman Riley made anchors and they will be deployed before Memorial Day. Mr. Hathaway reported he, Chairman Riley and Mr. Keenan and Ray Guyre administered the egg addling program and they did not encounter a single goose nest. They did addle swan nests. Mr. Hathaway reported the harvester equipment will be in the water by the end of the month. Mr. Hathaway said that due to the lack of State funding, Chairman Riley revised the 2019 budget by removing the \$16,000 promised by the State. The Board still owes Rutgers \$3,000 for the grant reports, which check should be delivered by the State within the next two weeks. Mr. Hathaway read the following report from Chairman Riley into the minutes: “I have submitted the Q9 report for the Hydro rake grant. I have tracked down the \$3,000 we are due on the grant to pay Rutgers from last November. We should be

getting the check in the next two weeks. I have requested a budget modification to the grant moving \$6,000 from consultants to personnel costs. We can then claim the \$6,000 for the Board when I complete and file the quarterly reports. I also realized that we can be reimbursed an additional \$1,000 from the grant for supplies that we purchase (like fuel for the hydro rake).” Mr. Hathaway said the Board will have the \$6,000 by the end of the year. With the funds for personnel costs for reporting and reimbursement of \$1,000 for supplies; for the sake of our budget, by the end of the year the Board will have \$10,000 in unanticipated revenue; however, \$3,000 is due to Rutgers, so the Board will have \$7,000. The Board will also receive \$2,359 from Netcong for the goose addling program. We have a \$300 overage of herbicide for the shoreline and a \$8,325 herbicide budget and \$5,000 for sludge reduction. This gives the Board a balance of \$22,984. The Board will receive \$2,300 from the towns for herbicide treatment at the three parks which gives the Board \$25,284 for herbicide related purchases, if chosen to delegate it. The Solitude quote, accepting the water chestnut which is \$1,500 comes to \$22,000 and it will take care of the parks, 35 acres and the sludge and will leave a remaining \$3,200. Mr. Hathaway noted there is flexibility in the disposal budget because the Board will be receiving those funds from State Parks and the Board has not spent that much in the past two years. There is also \$5,000 in maintenance and it is highly unlikely the Board will spend down that budget. Mr. Hathaway expressed his opinion that the Board should move forward and authorize the two proposals by Solitude and to handle the water chestnut if the LMCA does not. On motion by Mr. Hathaway, seconded by Mr. Rogalo and carried by unanimous roll call vote the Board authorized the proposal from Solitude Lake Management for 35 acres of herbicide treatment for \$5,000, treatment of the parks’ shoreline for \$2,000 and treatment of the water chestnut for an amount not to exceed \$1,500.

ROLL CALL:

Mr. Hathaway – yes	Mr. Rogalo - yes
Mr. Keenan – yes	Mr. Wright - yes
Mr. Rattner - yes	

Mr. Hathaway suggested moving forward with the \$15,000 proposal for the sludge reduction experiment provided the Board has agreed cooperation from Rutgers and he is able to redesign the proposal to include language he believes needs to be included. On motion by Mr. Rogalo, seconded by Mr. Rattner and carried by the following unanimous roll call vote the Board authorized \$15,000 for sludge reduction project provided they have cooperation from Rutgers, they have an identifiable pathway to quantify phosphorous, there is a mid-term inspection of the water analysis and provided the acreage is 12 or above and the Board authorizes Mr. Hathaway to negotiate the contract.

ROLL CALL:

Mr. Hathaway – yes	Mr. Rogalo - yes
Mr. Keenan – yes	Mr. Wright - yes
Mr. Rattner - yes	

Operating Budget Committee – Mr. Keenan had nothing to report.

TREASURER’S REPORT: The Treasurer’s Report, as corrected was emailed to the Board. The balance in the account is \$4,807.61. On motion by Mr. Wright, seconded by Mr. Rogalo and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

BILLS: On motion by Mr. Keenan 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 \$500.00

Lake Management Account:

JCP&L – electric at shed \$ 3.53

Earl Riley – Reimbursement of Expense – Amazon (steel wire) \$ 28.78

Earl Riley – Reimbursement of Expense – Lowe's \$ 9.86

Earl Riley – Reimbursement of Expense – Lowe's \$ 5.48

Earl Riley – Reimbursement of Expense – Stanhope Post Office \$ 1.40

Debit/Credit Card

Tri County Towing – trailer tire/mount tire \$242.89

Dollar General – bowls \$ 7.46

Netcong Hardware – screws \$

ROLL CALL:

Mr. Hathaway – yes

Mr. Rogalo - yes

Mr. Keenan – yes

Mr. Wright - yes

Mr. Rattner - yes

OPEN TO THE PUBLIC: Vice-Chairman Hathaway opened the meeting to the public.

Yonnie Guyre, Landing resident, asked the Board not to spend the \$1,500 on water chestnuts until they speak to her and Pat Marsico.

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

CLOSED SESSION:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently existing;

NOW, THEREFORE, BE IT RESOLVED by the members of the Lake Musconetcong Regional Planning Board as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is as follows:

1 Contract
3. It is anticipated at this time that the above stated subject matter(s) will be made public at the conclusion of each individual specified subject matter.
4. This resolution shall take effect immediately.

On motion by Mr. Keenan, seconded by Mr. Ratner, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Board went into Closed Session at 8:15 P.M.

RETURN TO OPEN SESSION:

At the conclusion of the Closed Session, the Board reconvened the public meeting at 8:25 P.M. with all present.

On motion by Mr. Hathaway, seconded by Mr. Wright and carried by unanimous voice vote, the Board agreed to invite Eileen McCarthy Born to the next meeting to discuss a potential relationship and to authorize Mr. Hathaway to take care of the investigatory aspect.

Mr. Hathaway informed the Board that at the meeting he and Chairman Riley attended with Olivia Glenn, the Board was presented with the State of New Jersey, Division of Parks and Forestry's "Certificate of Appreciation" and the New Jersey Governor's Office on Volunteerism and Governor's Advisory Council on Volunteerism "Outstanding Service Award."

OPEN TO THE PUBLIC: Vice-Chairman Hathaway opened the meeting to the public.

Yonnie Guyre, Landing resident, asked if Chairman Riley still needs the volunteers' time for the grant. Mr. Hathaway responded in the affirmative.

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

ADJOURNMENT: On motion by Mr. Rogalo, seconded by Mr. Wright, and carried by unanimous voice vote, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Ellen Horak, Clerk