

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**August 21, 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.

**OATH OF OFFICE:** Chairman Riley administered the Oath of Office to Greg Poff.

**ROLL CALL:**

Mark Crowley - absent	Greg Poff - present
Robert Hathaway – absent	Steven Rattner - present
Joseph Keenan - present	John Rogalo – present (arrived @ 7:28 pm)
Rosemarie Maio – present	Lester Wright - present
	Earl Riley - present

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

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

Yonnie Guyre, LMCA Treasurer, presented a bill to the Board from Aquatic Technologies in the amount of \$2,600, which was for the treatment of 17 acres in the middle of the lake. Ms. Guyre also presented the Board with a check from the LMCA in the amount of \$2,600. Chairman Riley explained that the LMCA had offered to treat 17 acres of the lake for invasive weeds using their applicator. The LMCA also offered to pay for the treatment. Since the Board oversees the State-owned lake and the middle of the lake is the Board's responsibility, the LMCA is making a donation to the Board in the amount of \$2,600. Chairman Riley thanked the LMCA.

Pat Marsico, 41 Koclas Drive, Netcong and LMCA member, clarified that the \$2,600 donation from the LMCA and their donation towards last year's treatment of water chestnut does not come from the funds collected for their weed management drive. Anything contributed to the lake outside of that drive is raised from other sources. Chairman Riley again thanked the LMCA for their help in supporting the lake.

Chairman Riley added the \$2,600 bill from Aquatic Technologies to the bills list.

Ms. Marsico said she has information to share on the meeting she attended at Lake Mohawk regarding the algae bloom. There were over 300 people in attendance and there were three speakers: Stephen Souza founder of Princeton Hydro, James Cosgrove of Omni Environmental Group and Christopher Obropta, a specialist in water resources with Rutgers Cooperative Extension. Ms. Marsico questioned if Lake Musconetcong got its bacteria from Lake Hopatcong and she was told it seems unlikely and that the problem generated our own. They were told if you are going to evaluate the lake you should look for the algae on a cloudy day because most retreat on a sunny day. It rises on cloudy days. The speakers also explained the reason the algae is not dangerous to the ducks and fish is because aquatic organisms avoid it. They know how what is and how to avoid the bad algae. Chairman Riley commented that the NJDEP said if you catch fish in the lake you should not eat them; however, the science seems to say differently since the fish avoid the harmful algae. Ms. Marsico said someone asked about if the harmful algae could be treated. The response was that treatment using copper to counter the blooms can temporarily relieve lakes, but can cause the bacteria to release phosphorus,

which is the nutrient that feeds the blooms so it is not recommended. They did not have any alternative chemical to use. It was also said that long-term exposure to the algae has been linked to neurodegenerative diseases, including Parkinson's and Alzheimer's. Harmful algae growth is caused by stormwater run-off. Phosphorous is the biggest driver. Some professional landscapers are licensed to apply phosphorous. If you use a lawn service you should question them on if they are using phosphorous. It is also in the dirt which is why it is important to prevent run-off from property. Pet and animal waste also contribute to the harmful algae growth.

Chairman Riley stated he was on the lake today with State Parks trying to measure for HAB with the meter. According to the meter, they found only two areas that were above the State's recommended limit. Chairman Riley said he is hoping the State will be testing on Lake Hopatcong tomorrow and he will try and have them come to Lake Musconetcong to do physical testing of the area where the HAB is. There was no HAB in the areas sampled today. The areas tested were along the Stanhope shoreline (Lloyd and Reeve Avenues), the center of the lake between Stanhope and Port Morris Park and they also went into Port Morris Park as well as where the harvester is docked and none of those areas showed a tremendous amount of HAB. What is there appears to be HAB, but it is actually "Duck Weed."

Melissa Castellon, State Parks Superintendent, stated the information was sent to water monitoring and if it seems to be low, they will still come out to the lake but if it is high, they would wait until it is closer to the low threshold. Ms. Castellon said if not, Blanca Chevrestt, Superintendent of Swartswood Lake, has the meter and will do testing every Wednesday.

Mr. Rattner spoke about how harmful using copper sulfate would be. In the 1960's it was used in Budd Lake and it got rid of everything in the lake. It was a mistake to use it. Mr. Ratter noted nitrogen is just as big a problem as phosphorous and nitrogen is still in fertilizer. Mr. Rattner stated all the problems start upstream. The algae do not travel as much, but it is the nutrients coming down from Lake Hopatcong. Mr. Rattner added that 50% of the nutrients in Lake Hopatcong is from septic and 30% is surface water. The Musconetcong Watershed Association and Musconetcong River Management Council has done DNA testing on everything going into the river and the results were deer and bear.

Ms. Marsico noted some members of the public at the meeting spoke about the nitrogen problem, but the panel did not mention it.

(Mr. Rogalo arrived.)

Ms. Marsico stated the panel listed septic and agriculture as contributors. Ms. Marsico said she researched and found nothing about herbicide causing it. Internal contributor was sediment release and recycling and decomposing weeds. Ms. Marsico noted this can be used as an argument to when weeds are treated early before they come to the surface. Ms. Marsico said the panel noted a stormwater management program is part of the solution and they stressed a regional level of stormwater management. The panel also offered ideas of what people can do. You want ground water to be porous; rain gardens will help and you should let vegetation grow along the shoreline as a filter with a 10' to 15' buffer of plants which will help with the run-off. You also should not put compost near the lake.

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 Ms. Maio, seconded by Mr. Wright, the Minutes of the July 17, 2019 meeting were approved by majority voice vote. Mr. Poff, Mr. Keenan and Mr. Rogalo abstained.

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

07-19-19 Notice to Property Owners – Install 6ft fence & Gate at Block 26, Lot 10, Netcong

07-29-19 Sussex County Freeholders – Appointment of Greg Poff as County Representative to the Board

08-01-19 Ag Choice – Aquatic Vegetation Acceptance Agreement (2019)

Mr. Keenan asked if the Board has received the 2019 budget contribution from Netcong or Byram. The Clerk responded in the negative. Chairman Riley will contact Byram and he will ask Mr. Hathaway to contact Netcong. The Clerk will also send a reminder letter to both Byram and Netcong.

Chairman Riley noted the communication regarding the Aquatic Vegetation Acceptance Agreement. Ag Choice had refused to take all lake generated weeds because they had a problem with weeds from Lake Hopatcong, being MEK was found in the weeds. Chairman Riley said, at a cost of \$480, they had to do four samples to ensure there was no MEK in Lake Musconetcong. The tests came back negative and he had to sign an agreement that we would continue to monitor (at no cost) and ensure our weeds were clear of any chemicals. Chairman Riley signed the agreement and Ag Choice will now take the weeds from Lake Musconetcong. Ms. Maio asked if the agreement was reviewed by the Board's attorney prior to signing. Chairman Riley responded in the negative, adding the Board does not have to do any further testing and they now have an agreement that will not cost the Board any money and will not negatively impact the Board. Chairman Riley said the alternative would be to send the weeds to the Sussex County MUA at a cost of \$127 per ton, which the Board cannot afford.

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

#### **REPORTS OF COMMITTEES:**

**Canal Society** – There was no report.

**Musconetcong Watershed Association** – Mr. Rattner reported the Wild & Scenic Film Festival will be held on September 7, 2019. There will be a \$7.00 charge for the event.

**Site Plan Review/Stream Encroachment** – Mr. Rogalo had nothing to report.

**Lake Awareness** – Ms. Maio had nothing to report

**Lake Management** – In Mr. Hathaway's absence, Chairman Riley reported there were major equipment failures recently. They have not done much weed harvesting because the shore conveyor was in disrepair. Mr. Rogalo spent a lot of time and rectified it, but it broke down again. Chairman Riley noted the conveyor broke down four times in one week and it is not worth trying to repair it again. The only viable solution was to replace both chains. The vendor the Board purchased the equipment from (Aquarius Systems) was charging \$144 for a 10' section of chain and we need 140

feet of chain. The cost would have been \$2,016. Wayne Swistek found a vendor, USA Roller Chain, that would sell us the same 10-foot section of chain for \$66.99. One of the bills on the bills list is for 928.14 for new chains. Chairman Riley reported the old conveyor was dismantled and they recreated the chain with about 300 volunteer man-hours. Chairman Riley thanked Rich Perry, Wayne Swistek and Al Cook for their tremendous time and effort. Chairman Riley noted the conveyor has never run as good as it does now. Chairman Riley also reported he was on the lake and went into Byram Bay to look at the water chestnut. There is about 4 to 5 acres of water chestnut. Chairman Riley said he and Wayne Swistek harvested about 3 acres of water chestnut yesterday. Chairman Riley reported he took the clam shell off the hydro rake and put the rake on which was used to grab the water chestnut. Chairman Riley noted the rake was very effective in grabbing the water chestnut. Chairman Riley stated they need to bring the AM 2000 conveyor to the conveyor site. He will reach out to the Stanhope Administrator and ask to have the DPW bring the conveyor to Port Morris and put it next to the other conveyor. Chairman Riley also said the Board is looking for volunteers to run the harvester and to learn to run the hydro rake. They are looking for additional operators so they can increase the harvesting program within the next two months.

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

**TREASURER’S REPORT:** The Treasurer’s Report was emailed to the Board. Mr. Keenan expressed concern with the low balance in the accounts. The only income the Board can expect between now and next June is the 2019 budget contribution from Byram and Netcong which totals about \$9,600. Chairman Riley said he sent the hydro rake grant paperwork to the State and requested the \$3,000 be sent to the Board, not Rutgers since Chairman Riley prepared the report. There is an additional \$3,000 left in the grant for reporting preparation and \$1,000 for operation which will bring another \$4,000 into the Board’s account. Ms. Maio noted they must be cautious about spending additional money. Chairman Riley noted they cannot increase their budget request to the municipalities and counties. Chairman Riley stated the Board asked the State of New Jersey for \$20,000 and they gave the Board absolutely nothing. On motion by Mr. Rogalo, 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. Rogalo, 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:

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation \$ 500.00

Lake Management Account:

JCP&L – electric at shed \$ 3.31  
Ag Choice – 4 Water Samples \$ 480.00  
Ag Choice – disposal 1 load (7/15/19-7/19/19) \$ 210.00  
Aquarius Systems – Connect Link/Pintle Chain \$ 185.26  
Solitude Lake Management – lake management services (Aug) \$3,000.00  
Ag Choice – disposal 1 load (8/12/19-8/16/19) \$ 210.00  
Aquatic Technologies – treatment of 17 acres \$2,600.00

Debit/Credit Card

NAPA Auto Parts – Oil \$ 14.38  
NAPA Auto Parts – Oil and Cleaning Rags \$ 61.31  
USA Roller Chain & Sprockets – 10’ Pintle Chain, Pin & Cotter \$ 928.14

**ROLL CALL:**

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

On motion by Mr. Rattner, seconded by Mr. Rogalo and carried by unanimous voice vote, the Board accepted the \$2,600 donation from the LMCA.

Chairman Riley stated Rich Perry has bills to submit to the Board for material he purchased for the repair of the conveyor. Mr. Perry presented a receipt from Lowes in the amount of \$161.65 for welding material and a receipt in the amount of \$154.85 for new steel plates. On motion by Mr. Rogalo, seconded by Mr. Rattner and carried by the following unanimous roll call vote, the Board approved reimbursement to Mr. Perry in the amount of \$316.50.

**ROLL CALL:**

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

**OLD BUSINESS**

Ms. Maio asked the status of the boat from the Stanhope Fire Department. Chairman Riley stated he has not received a response from the Fire Department. He does not know what the Fire Department has done with the boat.

**NEW BUSINESS:**

Mr. Rogalo stated an individual approached the Stanhope Environmental Commission who needs volunteer hours. Mr. Rogalo asked if the Board could use the individual's service. Chairman Riley responded in the affirmative and asked Mr. Rogalo to provide him with the contact information. In the past they have used students from Lenape Valley High School as helpers with the harvesting process on the weed harvester.

Support Letter to Governor Murphy re: hydro raking – Chairman Riley noted Mr. Hathaway emailed the Board a letter he drafted to the Governor which he would like the Board to support. Ms. Maio stated she cannot support the letter due to the tone of the letter. Mr. Rattner agreed, adding the tone of the letter is not appropriate. Mr. Rogalo agreed. Ms. Maio expressed her opinion that the Board should take a much calmer and more positive approach to doing this. Ms. Maio recommended first approaching the legislators in District 24 and District 25. Chairman Riley questioned if the Board should draft a similar letter with a different tone to the Governor. Ms. Maio stated she would prefer to go through the district legislators and ask for their help and if we get no where with them, then go to the press. Ms. Maio said it is time the public knew that the State of New Jersey is not supporting its own assets.

Mr. Rogalo asked if prior to his arrival, the Board had a discussion about the State giving money to the Board for weed disposal. Chairman Riley said the Board did not receive the promised money from the State and that he had brought it up to Mark Texel and Olivia Glenn who were going to follow up on it

and make sure it happened in the new fiscal year, which was July 1<sup>st</sup>. It has been over a month and the Board has received zero dollars from the State. Mr. Rogalo stated Assemblyman Bucco informed him that he had received word today that the State will pay the cost of weed disposal for the Board. Ms. Castellon, present in the public, said she asked Josh Osowski the status based on the May meeting of the State paying the disposal costs but she has not heard yet. Mr. Rogalo said Assemblyman Bucco told him they made the commitment today to pay the disposal costs. Chairman Riley asked Mr. Rogalo to send him an email containing information on his discussion with Assemblyman Bucco.

Chairman Riley asked for the remainder of the Board's comments on the letter to the Governor. Mr. Keenan agreed the tone of the letter was offsetting. Mr. Wright agreed with Mr. Keenan's comment. Chairman Riley noted the comments and said the tone of the letter is offsetting, but the intent is agreed on and that it should be presented differently. The Board agreed they should go through the elected officials first before going to the Governor.

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

Melissa Castellon, State Parks Superintendent, said they will wait for the water monitoring tomorrow and see what they find based on the number today and if they hold off, she will continue to have it done on Wednesdays. Chairman Riley asked Ms. Castellon to let him know a day before if transportation on the lake is needed. Ms. Castellon stated the water lowering application was submitted. Ms. Castellon noted Mr. Hathaway was correct in his email, there was an error in her records. Last year there was a permit, but it was never used. The purpose was for the swirl chamber that never happened. Ms. Castellon said she also send a drawdown schedule for this year and future years. Ms. Castellon stated she submitted the Board's funding request. She also said she learned the Morris County MUA can take more than they had in the past and she asked if the Board would like her to reach out to the MUA and see if they will take the Board's weeds. Chairman Riley responded in the affirmative. Ms. Castellon stated she also reached out to Holly and asked her to provide a list of all permits issued for Lake Musconetcong and to do it again next year. Chairman Riley said he was notified that Rodeo was applied to the lake's edge at Port Morris Park, adding they do not want that chemical in this lake. Chairman Riley stressed that the Board needs to understand who is applying for permits and with what they are using. Chairman Riley noted no permits were applied for and he thinks Rodeo was applied by Roxbury Township. Ms. Castellon noted the letter the Board mentioned regarding weed disposal of the hydro rake and she asked Chairman Riley to forward the email to her and she will reach out to the recycling unit. Ms. Castellon said she would like better understanding on the expectations, adding there needs to be communication. Chairman Riley said he would like to utilize the hydro rake for the intended purpose. Ms. Castellon suggested the Board reach out to the Sussex County MUA and ask for a reduced fee. Chairman Riley noted that for ten years the Board took the material from the lake to State property and within two to three years, the material has completely disappeared and turned to soil.

Yonnie Guyre, Landing resident, asked the status of the bugs. Chairman Riley clarified Ms. Guyre is inquiring about the probiotics being done in Arbolino Cove. Chairman Riley stated they applied the third application today. They had an initial report of the depth of the muck, water column, DO, phosphorous and nitrogen. They are also using two control sites; one in Byram Bay and one in Netcong. They do not have a comparison yet, but will receive it at the end of September. They will then know exactly what happened. The theory is, as the bacteria digests the muck, it becomes more

liquid with higher viscosity and the water column washes it away. Chairman Riley commented that given enough time and money the lake will dredge itself, which is the intent.

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

**ADJOURNMENT:** On motion by Mr. Rogalo, seconded by Ms. Maio, and carried by unanimous voice vote, the meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Ellen Horak