

Lake Musconetcong Regional Planning Board
Regular Meeting
July 17, 2024

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 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 - absent
Joseph Keenan - absent	Steven Rattner - present
Rosemarie Maio - present	Rudy Shlesinger - absent
Judith McGrath - present	Lester Wright - present
	Earl Riley - absent

MODIFICATIONS TO THE AGENDA: Additional communication listed.

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

Ray Guyre, Port Morris resident, informed the Board that there is a significant amount of water chestnut along the shoreline of the Port Morris park, adding he thought all of the park shorelines were treated. Chairman Riley responded that they treated the areas for milfoil and treated Byram Bay for water chestnut. Mr. Guyre said there is also a lot of muck and floaters in the area.

Pat Marsico, Netcong resident, confirmed what Mr. Guyre said about the Port Morris park area. She inspected the area and saw a lot of floaters going out about 30 feet. Chairman Riley responded that there are three large rocks in the area and it is difficult to get in with the harvester. Chairman Riley will ask one of the operators to take a look at the area.

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

ACTION ON MINUTES: Chairman Riley noted he will be abstaining on the Minutes since he was not at the meeting; however, he has one correction which is the Minutes indicate Mr. Wright was absent, yet he motioned and voted throughout the meeting. The Minutes will be corrected to reflect Mr. Wright was present at the meeting. On motion by Mr. Hathaway, seconded by Ms. McGrath, the Minutes of the June 19, 2024 regular meeting, as amended, were approved on majority voice vote. Chairman Riley abstained.

COMMUNICATIONS: The following communications have been placed on file:

- 07-01-24 United States Liability Insurance Co. - Notice of Policy Conditional Renewal re: Public Officials renewal subject to form PL 1 PFAS Exclusion - Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS)
- 07-03-24 Lake Management Sciences - Service Report
- 07-09-24 Fidelity Investments - Monthly Account Report (June 2024)
- 07-15-24 Gannett Company - Affidavit of Publication re: legal notice of award of contract to Lake Management Sciences
- 07-15-24 Fidelity Investments - notice if upcoming CD maturity date

On motion by Ms. Maio, 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 – There was no report.

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

Lake Awareness – There was no report.

Lake Management – Mr. Hathaway reported the lake was treated last month and since then the water chestnut was treated in some sections of the Stanhope shoreline and in Byram Bay. Mr. Hathaway said the chemical is slow to act and they are just starting to yellow. Mr. Hathaway noted when they previously used this chemical the water chestnut did not produce seeds and those that did were not able to grow. They are harvesting in Arbolino Bay and only the shoreline of the park was treated. They will be harvesting the rest of the lake. They have pulled one full dumpster out to date. Mr. Hathaway reminded the Board that the St. Cesario Society will be using the Board's site again this year to launch the fireworks. They have asked to access the site to mow the grass. Mr. Hathaway informed the Board that after spending time at the site of their operation, he does not think they will be able to put the new harvester in the water there and take out the existing harvester. He thinks they will have to trailer the conveyor to the boat launch and launch from there. Mr. Hathaway expressed concern with the ability of the ground to support the crane needed to launch the equipment. Mr. Hathaway suggested a meeting between the parties and have Aquarius and the crane operator determine the site to be used. The equipment will be delivered by tractor trailer and moved with a crane. It will require a lot of open space and coordination. Mr. Hathaway also expressed concern about the amount of space they have to operate in addition to the firmity of the ground where they are presently operating. Mr. Hathaway will arrange for the crane to move the equipment. Chairman Riley agreed that the parties need to meet at the site because the current site may not be suitable to do all that needs to be done. Mr. Hathaway also reported they have expended the budget for treating the water chestnut. He had communications with Mr. Guyre and Ms. Marsico about the water chestnut. Mr. Hathaway noted the great benefit to the lake from the hand pull coordinated by the LMCA and he suggested the Board make an official reach-out to the LMCA about the hand pull.

Operating Budget – There was no report.

CD Investment – Mr. Shlesinger reported the rates are dropping on everything. The best rates for short-term investments are government treasury at approximately 5.3%; however, that rate is not available every day. Mr. Shlesinger noted the CD will be maturing on August 7. Chairman Riley noted the maturity date is before the next meeting. Mr. Shlesinger will reach out to Mr. Keenan about reinvesting the CD.

TREASURER'S REPORT: In Mr. Keenan's absence, there was no Treasurer's Report.

BILLS: Ms. Maio questioned the sales tax charged on the Lake Management Sciences bill, noting the Board is tax exempt. Mr. Hathaway said he provided them with the Board's sales tax certificate, but the bill was submitted with sales tax. Also, last month's bill included sales tax. After a brief discussion, the

Board agreed that the sales tax needs to be removed from both bills. On motion by Chairman Riley, seconded by Mr. Hathaway and carried by the following unanimous roll call vote, the Board approved the bills on the Bills List, with the exception of the bill from Lake Management Sciences until they receive a corrected bill removing the sales tax from last month’s bill and this month’s bill.

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 550.00
Gannett New York - New Jersey LocaliQ - legal notice re: award of contract	\$ 11.16
Lake Management Account:	
JCP&L – electric at shed	\$ 4.99
Lake Management Sciences -Seasonal Contract Installment #2	\$27,900.03

ROLL CALL:

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| Mr. Hathaway – yes | Mr. Rattner - yes |
| Ms. Maio – yes | Mr. Shlesinger - yes |
| Ms. McGrath – yes | Mr. Wright - yes |
| Chairman Riley – yes | |

OLD BUSINESS:

\$572,000 Grant Agreement – Chairman Riley reported he submitted an amendment to the budget for the grant. In the budget, the Board had to provide an in-kind cash contribution of \$15,000 in equipment maintenance, being \$5,000 for each year of the 3-year grant. Chairman Riley said since this is new equipment, it would not need that much maintenance/repairs. Chairman Riley noted they need insurance on the equipment and over the 3-year period, it will cost about \$10,000 for insurance. He asked if the Board could amend the budget to reduce the maintenance cost to \$5,000 over the 3-year period and include \$10,000 for equipment insurance. His request was approved last week. Chairman Riley said he needs to send the State copies of the insurance bills and proof of payment for this year’s insurance. Chairman Riley stated he started preparing the second financial report. The financial reports need to be submitted every six months. The one he is preparing is for the period January 1, 2024 through June 30, 2024. The report is almost complete, he just needs to include the insurance information and after it is approved, the Board will receive the next \$150,000. Chairman Riley noted he sent an email to the Board members showing the status of the new harvester. Delivery is expected at the end of August or early September. Chairman Riley said he received a letter from Aquarius saying they will purchase the Board’s old equipment for between \$65,000 and \$80,000. Chairman Riley stated the only thing left open is the question of a backhoe. Chairman Riley said he does not think they need a backhoe right now, but should have one when they get the new equipment so they will not be dependent on Netcong’s DPW. Mr. Hathaway said they have few options. There may be equipment on the State Contract that fits the description they have, or they would need to go out to bid for the backhoe for which bid specifications would need to be written. Mr. Hathaway noted Netcong is a member of the Passaic Co-op. The Board can work with any relationship one of the four towns may have. Mr. Hathaway agreed they do not need to have a backhoe this season, but they need to have one before next season. This gives them time to see if there is a Co-op relationship they can use. Mr. Hathaway suggested the Board attorney, Jim Bryce prepare the RFP. Mr. Hathaway will pull the specs written in the grant and provide them to Mr. Bryce. Chairman Riley stated the Board joined the Passaic Co-op and they are still a member in good standing.

NEW BUSINESS:

Intrepid Hauling - Chairman Riley informed the Board that Frank Base is no longer with Intrepid Hauling and he is now with "Crazy Cans" out of Plainsboro. Chairman Riley called Mr. Base to take the dumpster to the MUA and when he did, he was told he was not the listed hauler for the Board. Chairman Riley contacted the MUA and gave them all the necessary information to have Crazy Cans listed as the hauler of choice. The cost is \$450 per pull.

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

Pat Marsico, Netcong resident, said she thinks it is unlikely she will be able to coordinate the hand pull as she has done in the past. Most of the volunteers are older and/or not able to help. There are two people who regularly hand-pull the water chestnut and she will ask them if they would be willing to make that their project in lieu of their donation to the LMCA. Ms. Marsico agreed the hand pull is important for maintaining the lake and having two people go out every other week to hand pull is necessary. Mr. Hathaway suggested the LMCA reach out to residents through their public service message and ask that they hand pull the water chestnut in front of their property.

Jim Bryce, Board attorney, asked how the fishing contest went. Chairman Riley responded due to the rainy weather, they did not have as many participants as in the past. There were only a few children; however, most of the Board members showed up to help. All present had a great time and every participant walked away with a prize.

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

GENERAL DISCUSSION:

Mr. Hathaway noted the Board attorney is not currently included in the email thread for the agenda and, although he is not a Board member, he is the Board attorney. Mr. Hathaway asked that when the Board is sent the meeting Agenda and Minutes that Mr. Bryce be included.

ADJOURNMENT: On motion by Mr. Hathaway, seconded by Ms. Maio, and carried by unanimous voice vote, the meeting was adjourned at 7:50 P.M.

Respectfully submitted,

Ellen Horak, Clerk