

**Lake Musconetcong Regional Planning Board**  
**Regular Meeting**  
**June 15, 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 – present	Steven Rattner - present
Joseph Keenan - present	Rudy Shlesinger - present
Rosemarie Maio - present	Lester Wright - absent
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:** Chairman Riley commented that under “Open to the Public” he does not believe it is a true statement of Yonnie Guyre. The minutes state she asked Mr. Hathaway if “he obtained the cost to control the bugs in the Port Morris Park area.” Mr. Hathaway stated Ms. Guyre was asking if he knew how much it would cost to apply the probiotics. The Clerk reminded the Board that the minutes reflect what was said and action taken at the meeting, adding you cannot change or interpret what was said. Chairman Riley withdrew his comment. On motion by Mr. Rattner, seconded by Ms. Maio the Minutes of the May18, 2022 regular meeting were approved on unanimous voice vote.

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

- 05-24-22 Motor Vehicle Commission – Registration Renewal Application re: 2000 APH (Weed Harvester)
- 05-26-22 Theresa Dunay - River Park monthly oil/water separator inspection log (May)
- 05-31-22 Netcong Borough – Purchase Order in amount of \$2,400 re: 2022 Goose Addling
- 05-31-22 Morris County – check in the amount of \$6,259.30 re: 2022 budget contribution
- 06-02-22 Roxbury Township – Purchase Order in the amount of \$10,815.08 re: 2022 budget contribution (\$10,065.08) and herbicide treatment (\$750.00)
- 06-06-22 Stanhope Chamber of Commerce – Vender Check-In Instructions re: Stanhope Day

Mr. Hathaway stated he has an additional communication from the LMCA which was sent to some of the Board members, but not all and was not sent to the Board’s Clerk. Mr. Hathaway read Pat Marsico’s email and he addressed each of her concerns. Mr. Hathaway stated the Board treated 150 acres this past Thursday. He saw the boat operating in the west side of the island and significant time on the other side of the lake. Mr. Hathaway said he does not have the map yet. Mr. Hathaway stated the towns are again sponsoring treatment of the parks. Mr. Hathaway agreed the area along Washington and Lake Streets in Port Morris have floaters, adding the wind blows the weeds in, some are from boats and some break free from the roots. Mr. Hathaway noted that is what happens when you live on the lake. There is nothing this Board can do to deal with that. Mr. Hathaway stated he does not believe a fast-acting product should be used in the lake and it is outside the Board’s permit. Mr. Hathaway said he is aware it is frustrating; however, that area depends on which way the wind is blowing. The Board will not base their plan on where the wind is blowing at the time. Mr. Hathaway stated Solitude’s contract will address the Eurasian

Milfoil, as well as the curly leaf pondweed, and sago and narrowleaf pondweed. Mr. Hathaway agreed it will leave behind biomass because anything they kill falls to the bottom of the lake and begins to decay. Mr. Hathaway noted they are all aware that the nutrient load is coming from Lake Hopatcong. Mr. Hathaway acknowledged that early administration of herbicide can be more effective. There is a pre-emergent and post-emergent chemical. The pre-emergent chemicals are in a clay and they work through the lake bed; however, they are much more expensive and would limit our use. The way we are doing it does have an impact on the water chestnut that the pre-emergent does not do. Mr. Hathaway stated we can only treat 50% of the lake at any one time. These types of permits are scrutinized and we do not want to be creating deserts on the lake bottom. You cannot kill everything in the lake and he does not believe the DEP would permit covering 75% of the lake surface. A copy of Ms. Marsico's email has been placed on file.

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

### **REPORTS OF COMMITTEES:**

**Canal Society** – Chairman Riley reported Canal Day was held on June 4<sup>th</sup> and was well attended. The next Canal Day will be sometime in the future.

**Musconetcong Watershed Association** – Mr. Rattner reported he last section that they were trying to get Wild and Scenic designation has happened.

**Site Plan Review/Stream Encroachment** – In Mr. Wright's absence, Chairman Riley reported FJZ's application for a change of use was approved by the Netcong Planning Board. Cliff Lundin and Mr. Wright attended the hearing, representing the Board and again voiced the Board's objections and concerns. Mr. Hathaway stated there were some restrictions written in and it is more permissive than the Board would like but less permissive from what they wanted. Mr. Rattner stated a change of use needs the County's approval. Mr. Rattner noted stormwater is an important item; however, the County has no authority to force someone to abide by the Municipal Land Use Law, requiring stormwater management. This would be a reason if someone objected, saying the town did not follow the Municipal Land Use Law. Chairman Riley expressed his opinion that this is a moot point. Mr. Hathaway will bring it to the attention of Netcong's Mayor.

**Lake Awareness** – Ms. Maio reported Stanhope Day and the fishing contest scheduled for June 12, 2022 were moved to June 26, 2022 due to the forecast for rain. Chairman Riley stated volunteers are needed for the fishing contest, set-up at Stanhope Day and to be at the Board's table during Stanhope Day.

**Lake Management** – Mr. Hathaway reported, with the assistance of the Netcong DPW, the harvester was deployed. The harvester had a major hydraulic leak that was repaired. Chairman Riley noted Wayne Swistak did much work on the harvester and fixed it. It is now operational and it will be used to deploy the buoys in the near future. Chairman Riley noted that he, Mr. Hathaway and Mr. Swistak cannot deploy all the buoys, they need volunteers to help. They have 50+ markers to place in the lake. Chairman Riley stated Ray Guyre made anchors for the buoys. The Board thanked Mr. Guyre for making the anchors. Mr. Hathaway reported they need hydraulic oil which will be very expensive. The cost will be about \$2,000. The vendor is the same vendor used by State Parks. Mr. Hathaway will take care of getting the hydraulic oil. Mr. Hathaway explained to the Board the challenges they are having to get an account set up for State Contract. They can purchase through a State contract vendor, but have not

received a quote. They are asking for a number of items including a copy of a non-modifiable government issued document with the Board's name, the commercial shipping address and the Board's identification number. The Clerk found two documents in the Board's file, one being from the IRS with the Board's Tax ID number and one from the State of New Jersey stating the Board is tax exempt. The Clerk was asked to scan the documents and email them to Chris at Avantor, who is trying to set up the Board's account. The Clerk will copy Chairman Riley and Mr. Hathaway on the email. Mr. Hathaway stated the Board's QPA told him the Board would need a sponsor municipality to make the transaction. Mr. Hathaway stated the State contract bidder has not authorized the Board to transact with them yet. They need the documentation to be sent from the Board. Mr. Hathaway noted Marvin Joss, the Board's QPA, informed him the price received for the product is a very good price. He also said he cannot purchase if as the QPA at \$45,000 and the Board would need a sponsor municipality. Mr. Rattner noted if it is \$45,000 you must solicit three quotes. If you do not get three you can use two you get and the QPA can sign off on it. Ms. Maio noted Stanhope has a QPA and if the Board cannot use their QPA, she will speak to Stanhope about using their QPA.

**Operating Budget** – Mr. Keenan asked how the Board anticipates how much harvesting will be done this year versus last year. Chairman Riley responded it is a guess. This year he expects, from looking at the lake, about 8 to 10 times more than they did last year. Mr. Hathaway noted they enjoyed a drawdown the year before which is why the lake was in such good condition. Mr. Keenan noted it looks like they will spend more than last year. Mr. Keenan noted disposal costs. Chairman Riley responded he reached out to Ag Choice, but they have not responded to him yet. He has not contacted the hauler until he hears from Ag Choice. Mr. Hathaway said the hauler will probably be about \$400 a pull. Mr. Hathaway said they will spend all of the budgeted money and then possibly discuss how much more to spend. He expects they will run through the money before they receive satisfactory results. Mr. Hathaway noted the LMCA application was highly effective and the area that they applied is remarkably clear and is in more area than treated. Chairman Riley expressed his opinion that the total budget will cover all of their expenses. Mr. Hathaway agreed, adding that the lake management budget will be adequate to manage the lake.

**TREASURER'S REPORT:** The Treasurer's Report was emailed to the Board. Mr. Keenan questioned the number of bills from Solitude. Chairman Riley responded there are three contracts with Solitude. One is for the probiotic treatment, one is for the treatment of water chestnut only and the third is for the treatment of the rest of the lake. Chairman Riley added that this is about half the cost of last year. There was a \$900 total to be paid upfront for the Byram Bay water chestnut treatment. The probiotic bill will be paid monthly from now until October. The other bill is a monthly charge of \$1,284 per month. Ms. Maio asked the total expense to Solitude for the year. Chairman Riley responded the contract for the milfoil treatment is a two-year treatment contract (22 months). The total for the contracts is \$21,708 which, with a QPA is under the bid threshold amount. The amount committed to Solitude for the two years is \$34,548. On motion by Mr. Hathaway, seconded by Mr. Rattner and carried by unanimous voice vote, the Treasurer's Report was accepted and placed on file.

**BILLS:** On motion by Ms. Maio, 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
Lake Management Account:	
JCP&L – electric at shed	\$ 8.14

Solitude Lake Management – Lake Management Services re: 04/01/22-04/30/22 (\$1,284.00) and 05/01/22-05/31/22 (\$1,284.00)	\$2,568.00
Solitude Lake Management – Lake Management Services (06/01-06/30)	\$1,284.00
Solitude Lake Management – Lake Management Services (06/01)	\$ 900.00
West Chester Machinery – Hydraulic Hoses for Harvester	\$ 122.76
Ray Guyre – reimbursement for parts	\$ 5.30
You Name It – Trophies for fishing contest	\$ 111.00
Debit/Credit Card:	
Ramsey’s – fishing contest prizes	\$ 185.60

**ROLL CALL:**

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|--------------------|----------------------|
| Mr. Hathaway - yes | Mr. Potillo - yes    |
| Mr. Keenan - yes   | Mr. Rattner - yes    |
| Ms. Maio - yes     | Mr. Shlesinger – yes |
|                    | Chairman Riley – yes |

Ms. Maio noted the Treasurer’s Report indicates the Board has not received the budget contribution from Byram or Roxbury. Mr. Potillo will remind Roxbury and the Clerk will send a reminder letter to Byram.

**OLD BUSINESS:**

Lake Management Grant/New Jersey SAGE – Chairman Riley informed the Board that he spent close to 30 hours writing the grant. Although the Board hired Princeton Hydro, they were a consultant and worth the money from the help they gave him. Chairman Riley had to write the grant and he sent it to Princeton Hydro for review and then he had to write it into NJ SAGE on-line. He had the grant ready to go on May 27, with the deadline being May 28. He received notification from NJ SAGE that the deadline was extended to June 10. He asked Princeton Hydro to review the entire grant and they made some recommended changes which he did. Chairman Riley stated he had to wait for a letter of support from Roxbury Township, which he received on June 7<sup>th</sup>. He submitted the grant on June 8<sup>th</sup>. The grant is for \$727,000 plus a \$54,000 match which is all volunteer hours for a total of a \$791,000 grant request out of the available 8 Million Dollars from the State of New Jersey. A decision will be made on August 24<sup>th</sup>. The grant is for another 820 stainless steel harvester, conveyor, trailer, backhoe and \$150,000 for probiotic treatment. Chairman Riley noted Greenwood Lake and Lake Hopatcong are guaranteed 1 Million Dollars. There are a number of other lakes that submitted applications including the Lake Hopatcong Foundation.

NJDEP Meeting - Chairman Riley reported on a meeting he and Mr. Hathaway had with the NJDEP Commissioner. Chairman Riley noted Mr. Hathaway lead the discussion and did a phenomenal job. Mr. Hathaway told them the Board’s position and what happened in he past and what needs to be done in the future. Chairman Riley spoke to Commissioner Shawn LaTouette and told him the Board has not had a State representative since 2016. The Commissioner asked if he had anyone in mind, to which Chairman Riley responded he would like Laura Franek to be appointed as the State representative. Chairman Riley stated he showed pictures of the lake, before and now, to an Aide of the Commissioner and she told the Commissioner that they need to put us as a model for other lakes in the State.

**NEW BUSINESS:**

New Shed – Chairman Riley stated the Board needs to replace the shed at the conveyor site in Roxbury. When it was originally placed at the site in 2002, it was not put on blocks. It is a wooden shed and the bottom is now rotted. The present shed is much larger than the Board needs. Chairman Riley said they need to remove the existing shed and put up a smaller shed which should be put on blocks and moved to the other side. Mr. Hathaway agreed the existing shed should be replaced with a smaller one and should be put on blocks; however, he is not in agreement that the location should be moved to the other side. He has reservations about having it in plain view as it may be vandalized. After a lengthy conversation, it was agreed that the Board should demolish the existing shed and purchase a smaller prefabricated shed. Mr. Hathaway said as long as it is the same size or smaller, no permit is required. Chairman Riley noted the shed is located on State property in Roxbury Township and since it is State property, no permit is needed. Ms. Maio disagreed and said the State does not ask the municipality’s permission if on State property. The State gave the Board permission to put the shed on State property. Ms. Maio said one condition of the State when they allow someone on State property is that you do not disturb the grounds. Chairman Riley stated he would like the shed to be 30’ closer to the lake, which would be 15” from the lake. Ms. Maio suggested he speak to Laura Franek and tell her his thought and ask her if she has an issue with it. Chairman Riley stated he believes a 6’ x 8’ shed will be large enough for what is kept in it. On motion by Mr. Potillo, seconded by Ms. Maio and carried by the following unanimous roll call vote, the Board authorized the purchase of a new shed for an amount not to exceed \$3,000.

**ROLL CALL:**

Mr. Hathaway - yes	Mr. Potillo - yes
Mr. Keenan - yes	Mr. Rattner - yes
Ms. Maio - yes	Mr. Shlesinger – yes
	Chairman Riley – yes

Buoys – Chairman Riley questioned when to deploy the buoys. Mr. Shlesinger stated he is available to help on the weekends. Mr. Keenan stated he would also be available on the weekend. Mr. Hathaway scheduled the deployment of the buoys for the morning of Saturday, June 25<sup>th</sup>. Mr. Hathaway asked the rest of the Board to let him know if they are able to help on that day. Mr. Hathaway noted there are less than 50 known hazards in the lake. They will mark the known hazards and he and Chairman Riley know of a few other hazards and they will deploy buoys at those locations. Mr. Hathaway believes there will probably be about 40 buoys deployed, so they need more than three people to help.

Probiotic Treatment - Chairman Riley stated he will be using the new meter the Board purchased and the sludge judge. The probiotic treatment will be in Byram Bay, Arbolino Bay and Musconetcong Cove. They will need to put buoys there to mark the location. They also need a couple of “control buoys” i.e. by the harvester dock. Mr. Hathaway suggested also putting a marker at the “pond” and someplace northeast of the island in the open water. Chairman Riley stated there will be control areas and he will monitor a number of things. He will take the measurements from the jon boat and he will measure from 1’, 2’ and 3’ depths. He will be monitoring each area based on the water column. Chairman Riley noted they have 10 yellow buoys for the probiotic treatment, which are different than the regular buoys. Ms. Maio expressed concern with the number of buoys that will be in the lake and the affect on the boaters with having so many. Chairman Riley responded the red buoys are where the rocks are and they are needed for the harvester.

Disposal – Chairman Riley will reach out to the Morris County MUA about disposal. He will continue to try to contact Ag Choice. Mr. Hathaway noted the Morris County MUA does not have the capacity to take from us as they take all of Hopatcong’s disposal.

Workload – Chairman Riley addressed the Board about the numerous tasks for the Board that he has solely taken on over the years which include, but not limited to the website, Go Daddy account, volunteer tracking for the annual report (in addition to input into the report prepared by the Clerk), fishing contest, grant writing, the meter usage, which he is the only one who knows how to use. Chairman Riley said he is not complaining, but he takes on too much and he would like someone to take over the fishing contest, management of the website and volunteer tracking. Mr. Hathaway offered to take over the fishing contest. Chairman Riley asked the Board members to think about taking over some of the tasks he does.

**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. Hathaway, seconded by Ms. Maio, and carried by unanimous voice vote, the meeting was adjourned at 8:17 P.M.

Respectfully submitted,

Ellen Horak, Clerk