

**Lake Musconetcong Regional Planning Board
Reorganization Meeting
January 16, 2019**

Mr. Riley opened the Reorganization 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 18, 2018 and was sent to the Clerks of the four municipalities, the State and the two counties.

SWEARING IN NEW MEMBERS: Mr. Riley administered the Oath of Office to Mr. Keenan and Mr. Rattner

ROLL CALL:

Mark Crowley - absent	Steven Rattner - present
Robert Hathaway - present	John Rogalo - present
Joseph Keenan - present	Lester Wright - present
Rosemarie Maio - present	Earl Riley - present

ANNUAL BUSINESS:

Election of Officers

Chairman: Ms. Maio nominated Earl Riley as Chairman, seconded by Mr. Hathaway. Mr. Rattner motioned to close the nominations, seconded by Ms. Maio. Earl Riley was elected as Chairman on unanimous voice vote.

Vice Chairman: Mr. Rogalo nominated Mr. Hathaway as Vice-Chairman, seconded by Mr. Wright. Mr. Keenan motioned to close the nominations, seconded by Ms. Maio. Robert Hathaway was elected as Vice-Chairman on unanimous voice vote.

Secretary/Treasurer: Mr. Hathaway nominated Joseph Keenan as Secretary/Treasurer, seconded by Mr. Rattner. Mr. Rogalo motioned to close the nominations, seconded by Ms. Maio. Joseph Keenan was elected Secretary/Treasurer on majority voice vote. Mr. Keenan abstained.

Resolutions

Chairman Riley offered by following resolutions which were read by title.

Resolution #1 Meeting Notice:

WHEREAS, the Lake Musconetcong Regional Planning Board is required to select a public place for the posting of all notices of regular and special meetings of the Board, and

WHEREAS, said Board must provide notice of all regular and special meetings of the Board to at least two (2) newspapers, one of which must be designated as the official newspaper of the Board.

NOW, THEREFORE, BE IT RESOLVED, that the public place for the posting of all notices of regular and special meetings of the Board shall be the bulletin board within the administration building of the Borough of Netcong Municipal Building, located at 23 Maple Avenue, Netcong, Morris County, New Jersey; and

BE IT FURTHER RESOLVED, that the **New Jersey Herald** is designated as the official newspaper of the Lake Musconetcong Regional Planning Board for the year 2019.

AND BE IT FURTHER RESOLVED, that the **New Jersey Herald** and the **Daily Record** are hereby designated to receive all notices of Board meetings in 2019 as required under the Open Public Meetings Act.

On motion by Mr. Hathaway, seconded by Ms. Maio and carried by unanimous voice vote, Resolution #1 was adopted.

Resolution #2 – Annual Notice:

WHEREAS, the Lake Musconetcong Regional Planning Board must provide annual notice of all regular meetings of the Board to be held during a calendar year;

NOW, THEREFORE, BE IT RESOLVED, that the schedule of all regular meetings as listed below, be and hereby is declared to be the official list of all dates of the regular meetings of said Board for the year 2019, and

BE IT FURTHER RESOLVED, that the said meetings shall commence at 7:00 p.m. and will be scheduled to end no later than 10:00 p.m. with all meetings to be held at the municipal building of the Borough of Netcong, 23 Maple Avenue, Netcong, Morris County, New Jersey, unless otherwise noted

MEETING DATES

February 20, 2019	August 21, 2019
March 20, 2019	September 18, 2019
April 17, 2019	October 16, 2019
May 15, 2019	November 20, 2019
June 19, 2019	December 18, 2019
July 17, 2019	

BE IT FURTHER RESOLVED, that the Annual Reorganization Meeting for the calendar year 2020 will be the third Wednesday of the month.

Reorganization & Regular Meeting January 15, 2020

BE IT FURTHER RESOLVED that said meetings will observe the following tentative Agenda:

Salute to Colors	Reports of Committees
Call to Order	Treasurers Report
Compliance to Sunshine Law	Approval of Bills
Roll Call	Unfinished (Old) Business
Modifications to Agenda	New Business
Open to the Public	Open to the Public
Action on Minutes	Adjournment
Communications	

BE IT FURTHER RESOLVED, that all special meeting dates and agendas shall be published according to law.

On motion by Mr. Rattner, seconded by Mr. Hathaway and carried by unanimous voice vote, Resolution #2 was adopted.

Resolution #3 – Notification of Meetings:

WHEREAS, N.J.S.A. 10:4-6 et seq., known as the “OPEN PUBLIC MEETING ACT” provides for the fixing of a reasonable charge to be paid by any person requesting notification of meetings and minutes of the Lake Musconetcong Regional Planning Board.

NOW, THEREFORE, BE IT RESOLVED, by the said Board that the sum of fifteen dollars (\$15.00) is hereby fixed as the fee to be paid by any person or organization requesting that notice of meetings and minutes of the Board for the calendar year 2019 are mailed to same.

BE IT FURTHER RESOLVED, as provided by N.J.S.A. 40:4-19, no charge shall be made to any newspaper or municipality, named board or agency, county or state that requests the mailings of such notice(s) and/or minutes of the Lake Musconetcong Regional Planning Board to its business office.

On motion by Mr. Rattner, seconded by Mr. Keenan, and carried by unanimous voice vote, Resolution #3 was adopted.

Resolution #4 – Clerical Personnel:

WHEREAS, there exists a need within the Lake Musconetcong Regional Planning Board for the retention of personnel to perform such clerical duties and office work as required by the Board’s job description to hold a monthly public meeting, at the monthly compensation of \$500.00, and in addition, other such work as deemed necessary by the Lake Musconetcong Regional Planning Board at a \$15.00 hourly rate or other rate negotiated per task, and

WHEREAS, the funds for such duties and services are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED, by the said Board that it hereby appoints Ellen Horak, as the Clerk, to be retained on a month-to-month basis, as an independent contractor, for the balance of the calendar year 2019 to perform such duties and office work, outlined previously, with reimbursement for all expenses, such as postage, phone bills, etc.; and

BE IT FURTHER RESOLVED by said Board that if the Clerk should not be available during the year for the above services, she is to provide for coverage.

On motion by Mr. Hathaway, seconded by Ms. Maio, Resolution #4 was approved on the following unanimous roll call vote.

ROLL CALL:

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

Resolution #5 – Consultants:

WHEREAS, there exists a need for the retention of consultant(s) by the Lake Musconetcong Regional Planning Board; and

WHEREAS, the funds for such services are available; and

WHEREAS, Section 40:55-71D of the Municipal Land Use Law states that said Board may employ or contract for, and fix the compensation of legal counsel and experts, and other staff and services, as it may deem necessary, not exceeding the amount appropriated by said Board for its use; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:1101 et seq., requires that the resolution authorizing the awards of contracts for “Professional Services” without competitive bidding must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED by said Board that it hereby retains Marvin Joss as Qualified Purchasing Agent for the sum of \$1.00 annually;

BE IT FURTHER RESOLVED, by said Board that this contract be awarded without competitive bidding as a “professional service” under the provisions of the law because such services are of a qualitative nature as will not reasonably permit the drawing of specifications or receipt of competitive bidding; and that a copy of this resolution be published in the official newspapers of said Board as required by law within (10) days; and that this resolution take affect immediately.

On motion by Mr. Hathaway, seconded by Mr. Rogalo, Resolution #5 was approved on the following unanimous roll call vote:

ROLL CALL:

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

COMMITTEE APPOINTMENTS: Chairman Riley made the following committee appointments:

- Canal Society** – Mr. Hathaway
- Site Plan/Stream Encroachment** – Mr. Rogalo
- Audit Committee** – Mr. Wright
- Musconetcong Watershed Association** – Mr. Rattner
- Lake Awareness** –Ms. Maio
- Lake Management** – Mr. Hathaway
- Operating Budget** – Mr. Keenan

MODIFICATIONS TO THE AGENDA: Additional bill listed.

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

Alan Bookspan, 10 Towpath Lane, Stanhope and Chief of the Stanhope Fire Department, noted several years ago, the Board donated a boat to the Stanhope Fire Department to use to help on the lake, i.e. rescue. The boat has been used and has been well kept by the Fire Department; however, the Fire Department can no longer afford to keep the boat. Donations have decreased by about 40% over the past two years and it has become more difficult to pay the insurance on the boat. The insurance premium is \$1,600 per year. Since the boat is owned by the Fire Department, it is considered a rescue boat, which is

the reason the premium is so high. The Fire Department would like to return ownership of the boat to the Board. The Fire Department will continue to operate the boat, if the Board wishes, but they cannot afford to keep it under their name. Ms. Maio questioned the worth of the boat. Chairman Riley responded the worth is between \$8,000 and \$10,000. The boat is a Boston Whaler and it is in great condition and has not been used much. The value includes the boat, the motor and the trailer. Chairman Riley noted the purpose of the boat when donated to the Fire Department was for lake safety and also included the placement of the buoys in the lake and removal from the lake. The buoys are in the lake to mark hazards which is also a safety issue. Chairman Riley noted there is a liability issue with ownership of the boat. The Board agreed they would need to consult legal counsel on the liability if it was owned by the Board and the Board allowed the Fire Department to use it. Chairman Riley asked Melissa Castellon, present in the public, that since it is a State lake, would the liability be on the State regardless of who responds to an incident. Ms. Castellon responded it is her opinion the liability is on the entity responding. The Board discussed various options including, decline to take back the boat, take back the boat and see if another municipality's fire department would use it on the lake or take back the boat and sell it. Mr. Bookspan stated the Fire Department does not want to return the boat, but they must because they cannot afford the insurance cost. The Fire Department will continue to store the boat and maintain it; however, they can not continue with ownership. Chairman Riley stated the Board will discuss the matter and inform Mr. Bookspan of their decision.

Melissa Castellon, State Parks Superintendent, questioned the possibility of asking the State Police about taking ownership of the boat and allowing the Fire Department to continue to use it. Mr. Bookspan and the Board were in favor of Ms. Castellon's suggestion. Ms. Castellon will contact the State Police. Ms. Castellon informed the Board that a new kiosk has been installed and it includes a few emergency kits. Ms. Castellon also informed the Board that the potholes in the area have been filled.

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 Mr. Hathaway, seconded by Mr. Keenan, the Minutes of the October 17, 2018 Meeting were approved on unanimous voice vote.

COMMUNICATIONS: The following communications have been placed on file:

- 10-17-18 Copy of emails between Chris Squazzo (NJDEP) and Chairman Riley re: hydro raking
- 10-19-18 Netcong Borough – copy of letter to Olivia Glenn re: annual lake lowering
- 10-25-18 Notice to Property Owners – variance to construct 6' fence at 33 Center St., Netcong
- 11-16-18 Borough of Netcong – copy of letters to Roxbury and Stanhope re: goose management
- 12-03-18 Notice to Property Owners – amend condition of variance approval regarding truck deliveries at 1-3 Kelly Place, Stanhope
- 12-11-18 Notice to Property Owners – site plan and variance to construct a billboard on property at 1 Route 46, Mount Olive.
- 12-14-18 Notice to Property Owners – variance to construct new second floor to home at 36 Dell Avenue, Netcong
- 12-17-18 Notice to Property Owners – variance to construct 2nd floor addition to existing garage at 163 Route 46, Netcong (Netcong Heights Apartments)
- 12-20-18 IRS – Employer Identification Number Verification
- 12-26-18 NJ Motor Vehicle Commission – registration for 2001 AQS Trl R34
- 01-07-19 Daily Record – Affidavit re: rate charged for official advertising

- 01-07-19 Selective Insurance Co. – Commercial Insurance Policy Information
01-09-19 Stanhope Borough – Resolution Appointing Rosemarie Maio as Borough representative to the LMRPB
01-11-19 Netcong Borough–Reappointment of Joseph Keenan as Borough representative to the LMRPB

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

REPORTS OF COMMITTEES:

Canal Society – Mr. Hathaway reported the Canal Society received a substantial grant of over \$1 Million Dollars and a significant portion is to be used to restore property in Wharton. Chairman Riley reported that State Parks Service has received a \$3Million Dollar grant for Waterloo Village. The grant was from NJDOT and is Greenway money because Waterloo Village is considered a transient hub. The money will be used to rebuild the Mule Bridge. The Mule Bridge will connect Waterloo Village with Morris County and the Morris County Parks System.

Musconetcong Watershed Association – Mr. Rattner reported the MWA is going a lot of things outside on the historic sites, pathways, etc. There are about 61 Indian carp sights they identified and will try to get on the Registry. There is a “Change Water Tank Fund” and the federal government is trying to have the five pipes under the river removed. They are hoping to use drones when the water is down to look at it and possibly some of the work done in the next few years. The Warren Heritage Scenic Byway Group is looking to broaden outside Warrant County. They are looking for members to start attending their meetings. Mr. Rattner reported the river has been running high and some of the river banks down the river has been washed away. Mr. Rattner also reported Wild & Scenic signs have been received and will be installed at all road crossings where the road crosses the river. The MWA also discussed the invasion of the New Zealand mud snail. These snails are in the river and one snail can generate 40 million new snails each year. These snails eat algae and with the change in the river level, there may not be much algae.

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

Lake Awareness – Ms. Maio had nothing to report. Mr. Hathaway asked the Board to consider a partnership with the LMCA to sponsor some education in the local schools on ice safety. The lake has become more popular and there are a lot of children on the ice. Ms. Maio questioned if this is something the Board should do. Mr. Hathaway stated the thought was to have a professional lecturer on ice safety and share the cost with the LMCA. Ms. Maio stated she is not in favor of paying someone, noting the Board’s limited budget. Chairman Riley asked is anyone is allowed on the iced lake. Mr. Rogalo responded in the affirmative. No one is permitted to ice skate on state water; however, this is not enforced. Chairman Riley asked Ms. Castellon if State Park Police will enforce the “no ice skating” law on this lake. Ms. Castellon responded enforcement is discretionary. Mr. Rattner recommended contacting the local fire departments about speaking to the schools on ice safety. Ms. Maio stated the Stanhope Fire Department and most local fire departments already visit the schools annually. Chairman Riley suggested having the fire departments include information on ice safety when they make their presentation to the grade schools. The Clerk will send a letter to the Chief of the fire department of the four towns surrounding the lake and ask that ice safety be discussed with the grade schoolers. Ms. Castellon stated she will reach out to the Knee Deep Club who does a demonstration on the lake.

Lake Management – Mr. Hathaway reported the machinery has been repaired and is operational. Stanhope and Netcong DPW and the Netcong Police Department helped with removal of the equipment. Stanhope is storing a significant part of the equipment. Mr. Hathaway stated they are in good shape to harvest weeds. Mr. Hathaway noted discussion about sending a follow up letter to Olivia Glenn on various issues and questioned if the letter was sent. Mr. Hathaway recalled Pat Marsico’s discussion at a previous meeting about making a grant request to Kellogg – Hudson Farm. Mr. Hathaway suggested the Board consider asking for a grant to provide funds for a new backhoe. They can get through this year with the existing backhoe, but it will be an issue in the next year or two. The cost for a backhoe is about \$50,000. Chairman Riley stated he regularly checks the gov.deals site looing at heavy equipment and he believes the Board can get a viable backhoe for about \$10,000-\$30,000. Chairman Riley will continue to look for a backhoe. Chairman Riley will contact John Ursin, the attorney for Hudson Farms and the individual who manages the grants for Hudson Farms, and ask about helping with the replacement of a backhoe. Chairman Riley noted the Board has not had a meeting the past two months and he reported since that time they changed all of the oil in the harvester as previously discussed. They spent \$22,000 on the correct hydraulic oil. They also replaced the pump that was bad. The machine is currently operational and with the correct oil in it. There is 55 gallons of the correct oil left and it is stored in the shed. Chairman Riley also mentioned that he and Ray Guyre will need to get together to pull off all the batteries and have them charged for the spring. Chairman Riley also reported that on about November 1st they discovered someone dumped construction debris at the Board’s site in Port Morris. The Board’s dumpster was loaded with construction debris. State Parks arranged for their maintenance people to remove the debris. There is now a lock on the gate at that site. Chairman Riley reported the buoys were removed from the lake on November 14th and contrary to their agreement, the Stanhope Fire Department did not remove the buoys. The buoys were removed by Chairman Riley, Mr. Hathaway, Wayne Swistak and Al Cook. Chairman Riley stated the Stanhope Fire Department has not lived up to the intent of their contract for the boat. The Stanhope Fire Department placed the buoys in the lake this past spring and 90% were in the wrong place and Chairman Riley had to relocate them to the correct place. Chairman Riley also stated that although they were asked three times, the Stanhope Fire Department did not pick up the buoys so members of the Board did it themselves. Chairman Riley stated he has no objection to the Board taking back the boat and asking Netcong or Roxbury’s Fire Department if they are interested in taking the boat. Ms. Maio noted the Board wants the boat used in Lake Musconetcong and if given to Roxbury, they cannot be sure it will not be used in one of Roxbury’s other lakes. The Board agreed that since they want it used for Lake Musconetcong, they will only approach Netcong’s Fire Department. The Board agreed that if Netcong’s Fire Department does not want the boat then the Board will sell it. Chairman Riley.

Operating Budget – There was no report.

TREASURER’S REPORT: Mr. Keenan reported the Treasurer’s Report was emailed to the Board. There is still an outstanding invoice in the amount of \$3,000 for Rutgers. The Board has not received the grant funds from the State to pay this invoice and once received, the bill will be paid. Mr. Keenan noted the balance in the account is very low, at \$2,881.16. Chairman Riley noted the Board has between 3 and 4 months before they will receive revenue from the municipalities. Chairman Riley stated the Clerk sent a draft Annual Report to him and Mr. Hathaway for review. In this year’s Annual Report Chairman Riley added a “Chairman’s Comments” in which he expressed how upset and disappointed he is with the State of New Jersey and their lack of cooperation and partnership with this Board. The State has screwed the Board with their failed promises of funding and their “no” communication. Chairman Riley also reported he spoke to Ag Choice and was told they do not think disposal will be a problem this year but could not give him a price. The Board can depend on Ag Choice for the weeds alone, not the muck. Chairman Riley

estimated the cost will be about \$6,000. The total cost for disposal including transport will be \$8,000 to \$10,000. Chairman Riley said he cannot comment on the hydro rake other than that they are trying to work a deal with Netcong for Netcong to take the material for Arbolino Park. Mr. Hathaway said the material will be used in Arbolino Field and Indian Field, adding he is in discussion with Netcong's Council on this matter. Ms. Maio suggested the Board have Ag Choice send the Board's bill to the State. Ms. Castellon proposed she speak to Ag Choice and let them know both lakes (Hopatcong and Musconetcong) will be going there and ask them to give them both the same price, which is \$6.00 per yard. She will also ask if they will take the Board's hydro rake material. Chairman Riley noted the Board was promised \$6,000-\$7,000 from the State for weed disposal. Ms. Castellon will work on this matter. Mr. Hathaway informed the Board that if they want to operate the equipment it will affect the herbicide treatment, noting this is an either/or situation. If the Board wants to operate the equipment, they must dial back on the herbicide budget to \$14,000 - \$15,000. If the Board does not operate the equipment, they can budget \$25,000 for herbicide treatment. The Board must presume the State will continue to not fund them. Mr. Hathaway added there are other options, including the biological treatment. Mr. Rogalo stated using herbicide only this year, the lake had the best water quality it has had in years. Chairman Riley stated he and Mr. Hathaway have been in contact with Solitude Lake Management about options for this year's treatment. A presentation will be given to the Board before a decision is made. There was a lengthy discussion about the expanded herbicide treatment the past two years and the water quality, the biological treatment as well as possibly not harvesting at all and pulling the machines out of the water and do exclusive herbicide in the lake. Chairman Riley stated he is working closely with the Borough of Netcong on the hydro rake issue and he would like to see the harvester on the lake harvesting as much as possible if Ag Choice will bill the State of New Jersey. Ms. Maio stated she would prefer staying with herbicide this year unless the State of New Jersey actually give the Board the promised funds. Mr. Hathaway agreed. Mr. Hathaway will discuss with Solitude (1) continue the herbicide treatment as the Board has done in the past or (2) if the Board received the \$16,000 which leaves the Board a guaranteed restored fund balance, the Board can then decide how to move forward.

On motion by Rogalo, seconded by Mr. Rattner and carried by unanimous voice vote, the Treasurer's Report was accepted and placed on file.

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

November Bills

Operating Account:

Ellen Horak - Clerk's Monthly Compensation \$ 500.00

Lake Management Account:

JCP&L – electric at shed \$ 3.32

Solitude Lake Management – Lake Management Services \$2,575.00

Aquarius Systems – hydrostatic pump front half and sight gauge \$4,529.64

Hydro Rake Grant Account:

Rutgers, the State University – Quarterly Reports 4-6 \$3,000.00

December Bills

Operating Account:

Ellen Horak - Clerk's Monthly Compensation \$ 500.00

Lake Management Account:

JCP&L – electric at shed	\$ 4.68
Solitude Lake Management – Lake Management Services	\$2,575.00

January Bills:

Operating Account:

Ellen Horak - Clerk's Monthly Compensation	\$ 500.00
Selective Insurance – liability insurance monthly premium	\$1,842.00
Fulton Bank – safe deposit rental fee	\$ 63.97
Postmaster – 100 stamps @ \$.50 each	\$ 50.00

Lake Management Account:

JCP&L – electric at shed	\$ 3.22
NAPA Auto Parts – Wrench	\$ 45.19
Solitude Lake Management – Lake Management Services	\$2,575.00

ROLL CALL:

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

UNFINISHED OLD BUSINESS

Mr. Hathaway noted discussion about sending a follow up letter to Olivia Glenn on various issues and questioned if the letter was sent. Chairman Riley stated he sent the follow up email to Olivia Glenn and never received a response.

Ms. Maio questioned the egg addling program, noting she thought it was to reduce the swan population. Mr. Hathaway responded they were permitted to do the swans, but they did not because they needed more people. Ms. Maio said there is a large amount of swans. Mr. Hathaway stated he and Chairman Riley only observed two swan nests. They intend on doing the swan nests this year, but they need more than just the two of them to do it.

NEW BUSINESS:

Mr. Rogalo gave an FYI to the Board that early this past summer Ron Jacobson of Fish and Wildlife placed 658 Tiger Muskies in the lake. Chairman Riley commented it is interesting that the primary reason the Board was stopped from using the hydro rake in the spring was it would negatively impact the breeding of blue gills and pickerel. No he is hearing that the lake has been loaded with Tiger Muskies that feast on the fish. Chairman Riley questioned the rationale, adding “what is going on.”

Constitution and By-Laws – Chairman Riley stated the Clerk retyped the Constitution and By-Laws. There have been no changes. The last revision which was November 20, 2002 and it was not signed by the Chairman. Chairman Riley asked the Board to authorize him to sign the document. This document is needed by the Motor Vehicle Commission for the change of the Board's address. On motion by Ms. Maio, seconded by Mr. Hathaway and carried by unanimous voice vote, the Board authorized Chairman Riley to sign the Constitution and By-Laws, last revised on November 20, 2002.

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

Melissa Castellon, Superintendent of State Parks Service, asked if there are any other outstanding issues other than waiting to hear from Olivia Glenn with respect to funding. Chairman Riley responded in the affirmative stating the Board is still waiting for a name of a person to sit on this Board as the State's representative. Chairman Riley submitted Ms. Castellon's name, but no appointment was made. Chairman Riley asked Ms. Castellon if she is interested in sitting on the Board. Ms. Castellon responded not as a voting member, but as a guest. Chairman Riley stated the State representative would be a voting member. They need a person selected by the Commissioner of the DEP to be a voting member on this Board. Chairman Riley noted State representation on the Board is an outstanding issue in addition to the funding issue.

Ray Guyre asked that the Board repair the battery holder for the backhoe. Mr. Hathaway responded he will have it repaired.

Seeing no one further from the public wishing to speak, Chairman Riley 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 Ms. Maio, seconded by Mr. Hathaway, and unanimously carried by voice vote, the foregoing resolution was adopted.

The Board went into Closed Session at 8:46 P.M.

RETURN TO OPEN SESSION:

At the conclusion of the Closed Session, the Board reconvened the public meeting at 9:00 P.M. with all present.

ADJOURNMENT: On motion by Ms. Maio, seconded by Mr. Rogalo, and carried by unanimous voice vote, the meeting was adjourned at 9:00 P.M.

Respectfully submitted,

Ellen Horak, Clerk