

**Lake Musconetcong Regional Planning Board  
Reorganization Meeting  
January 19, 2022**

Mr. Riley opened the Reorganization 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 21, 2021 and was sent to the Clerks of the four municipalities, the State and the two counties.

**OATH OF OFFICE:** The Clerk administered the Oath of Office to Earl Riley and Steven Rattner.

**ROLL CALL:**

Robert Hathaway – present  
Joseph Keenan – present  
Rosemarie Maio – present

Steven Rattner - present  
Rudy Shlesinger – present  
Lester Wright - present  
Earl Riley - present

Mr. Hathaway noted the agenda indicates the present vacancies, but it does not show the two State vacancies. The Board agreed the agenda should include the State vacancies.

**ANNUAL BUSINESS:**

**Election of Officers**

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

**Vice Chairman:** Mr. Rattner nominated Mr. Hathaway as Vice-Chairman, seconded by Mr. Keenan. Ms. Maio motioned to close the nominations, seconded by Mr. Rattner. Robert Hathaway accepted the nomination and was elected as Vice-Chairman on unanimous voice vote.

**Secretary/Treasurer:** Mr. Hathaway nominated Joseph Keenan as Secretary/Treasurer, seconded by Ms. Maio. Ms. Maio motioned to close the nominations, seconded by Mr. Hathaway. Joseph Keenan accepted the nomination and was elected Secretary/Treasurer on unanimous voice vote.

**Resolutions**

Chairman Riley offered the following resolutions as Consent Agenda items, which were read by title and acted on under one motion.

**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 2022.

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 2022 as required under the Open Public Meetings Act.

**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 2022, 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 16, 2022	August 17, 2022
March 16, 2022	September 21, 2022
April 20, 2022	October 19, 2022
May 18, 2022	November 16, 2022
June 15, 2022	December 21, 2022
July 20, 2022	

BE IT FURTHER RESOLVED, that the Annual Reorganization Meeting for the calendar year 2023 will be the third Wednesday of the month.

Reorganization & Regular Meeting January 18, 2023

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.

**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 2022 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.

**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 2022 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.

**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 it hereby retains Clifford Lundin as Board Attorney at the rate of \$175.00 per hour;

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 effect immediately.

On motion by Mr. Rattner, seconded by Mr. Hathaway, and carried by the following unanimous roll call vote, the above resolutions were adopted.

**ROLL CALL:**

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

**COMMITTEE APPOINTMENTS:** Chairman Riley made the following committee appointments:

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

**MODIFICATIONS TO THE AGENDA:** There were no modifications to the Agenda.

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

Lieutenant Anthony Coppolella of the Netcong Police Department came forward. Mr. Hathaway explained that Lieutenant Coppolella was involved in the ice rescue on the lake this past weekend. Previously he had asked Mr. Hathaway about getting kits like Stanhope police have in their cars for the rescues. He is present to demonstrate the kits in the hope the Board can help the Netcong police with funding for the kits. Chairman Riley stated, if the Board agreed, he would like to fund all three towns, not just Netcong, because they all have areas on the lake that need to be responded to. Ms. Maio stated she does not believe there is a kit in each car of the Stanhope police. She thinks they have four kits and have at least six cars. Ms. Maio also said that she appreciates the concern and the motive, but she does not believe this is the function of this Board and she cannot support it. The Board is not intended to provide funds to municipalities for things they should purchase on their own. Ms. Maio asked if the Netcong Fire Department has the equipment, noting she believes they do, just like the Stanhope Fire Department and Ambulance Squad. Mr. Rattner noted the first responder should have the equipment and the police are the

first person at the scene. Mr. Rattner stated Mount Olive has no problem funding this equipment. Mr. Rattner also noted that the motorcycle is still in the lake and is polluting the water. Lieutenant Coppolella said the State Police indicated they will be using it for training. The Board discussed the motorcycle being left in the lake and agreed it is unacceptable for it to remain in the lake as it is contaminating the water. Chairman Riley asked what the kits consists of. Lieutenant Coppolella said they are water rescue kits with modifications to make then ice rescue kits. Lieutenant Coppolella noted they have seen a rise in population on the lake over the last couple of years. The kit contains several items, one being a 75-foot rope. Lieutenant Coppolella explained the incident on the last this past weekend and the need for the rope. A person has 5 to 10 minutes once they fall into the water to get rescued. The kit also contains a thin life preserver for the police officer that inflates once it hits water. There is a cost of \$60.00 to service the life preserver to make it work again once it is inflated. There is a self-inflated life preserver that gets thrown to the person in the water. All three of these items are for water rescue. The addition of ice picks is what separates it to an ice rescue kit. Lieutenant Coppolella distributed a price quote from Firefighter 1 that includes a breakdown of the cost. The cost for 8 kits, which is what Netcong Police need is \$3,682.48. Ms. Maio asked if Lieutenant Coppolella approached Netcong Council to ask for the funds, adding she believes the first step should be to make the request to the municipalities as it is their responsibility and not the responsibility of this Board, nor is it within the charter of this Board to fund another organization. Mr. Rattner agreed with Ms. Maio, but if the town does not fund it, the Board may want to consider funding it. Chairman Riley stated another funding source is State Parks. Chairman Riley said he is not opposed to funding this; however, it is a State lake and the State should be responsible for the security of this lake and should provide the funding for rescues. Ms. Maio questioned, if the Board pays for these kits, what will they do if another entity such as the Ambulance Squad requests replacement of their outdated ice rescue equipment. Chairman Riley expressed his concern for the safety of the people on the lake. Mr. Rattner suggested Lieutenant Coppolella contact Morris County for a Community Development Grant. Pat Marsico, present in the public, said she agrees it should be shared equally between the towns. She also said she is surprised at the cost and that it does not include the suits. Ms. Marsico asked how many cars are on the road at one time and if all 8 cars should have the kits. Lieutenant Coppolella responded there are 3 cars on the road at the same time. Ms. Marsico suggested that the officers grab a bag as they are going out to the car. Chairman Riley asked the Board's opinion. Ms. Maio again expressed her concern and said she is against the Board funding the kits. Chairman Riley said he does not know what the actual cost would be because they do not know how many kits would be needed. They only know Netcong would like 8 kits, but do not know how many the other towns would need so they could be talking about a substantial amount of money. Chairman Riley noted the police departments do a phenomenal job, but he agrees with Ms. Maio that this is not part of the charter of the Board. Chairman Riley asked Mr. Rattner to research, as a public service from this Board, options for funding sources through Morris County or another source. Ms. Marsico stated the LMCA will fund at least kits to the Netcong Police Department which will take care of the emergent situation. Lieutenant Coppolella thanked the Board for their time and attention.

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. Keenan, seconded by Mr. Rattner, the Minutes of the December 15, 2021 meeting were approved on unanimous voice vote.

**COMMUNICATIONS:** The following communications have been placed on file:  
12-20-21 PeopleFirst Property Insurance – Group Accident Insurance Enrollment Form

On motion by Mr. Hathaway, seconded by Ms. Maio 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 he and Chairman Riley have not received a response to their request for a meeting with NJDEP to discuss a communication they received from Fred Lubnow. Chairman Riley recapped his discussion with Mr. Lubnow at a Coalition of Lakes meeting he attended last month at which Mr. Lubnow said he believes all probiotic treatments are going to be a controlled use by permit from the NJDEP. Chairman Riley said he and Mr. Hathaway requested a meeting with NJDEP through State Parks. Mr. Hathaway noted this has not been verified and he questioned if NJDEP has authority to enforce this permit requirement. Mr. Hathaway said he and Chairman Riley will continue to work on trying to schedule a meeting for another thirty days and if they receive no response, they will take a different path. Ms. Maio suggested the Board proceed as if there is no permit required.

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

**TREASURER’S REPORT:** Mr. Keenan noted the Treasurer’s Report was emailed to the Board. 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 Mr. Hathaway, 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
PeopleFirst Property & Casualty Services – Group Accident Ins. Premium	\$ 200.00

Lake Management Account:

JCP&L – electric at shed	\$ 4.09
Solitude Lake Management- Lake Management Services (01/01)	\$2,249.00

**ROLL CALL:**

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

**UNFINISHED (OLD) BUSINESS:**

FJZ Properties, LLC – Chairman Riley stated he received an email earlier today from Cliff Lundin stating he received an email from the Secretary of Netcong’s Land Use Board informing him that FJZ has not submitted the Board Engineer's requested information so they will not be on the agenda for January 24. Chairman Riley said he also received an email from Christa Reeves of the MWA, who has been made aware of the FJZ Properties application. She is concerned about the application and wanted to know if anyone has done any water quality research at the outflow of this site. Mr. Hathaway stated here has been more than one at that outflow in recent history. Chairman Riley asked Mr. Rattner to bring this up to the MWA and if they are interested in doing water quality of the outflow at that site, he will work with Christa. Chairman Riley expressed his opinion that a monthly or by-weekly test at that site may be helpful with the Board’s concerns with the application.

**NEW BUSINESS:**

Clerk’s Compensation – Ms. Maio said she would like to address the compensation for the Clerk. There has been no increase in the compensation for many years and she believes it is time to give an increase. Chairman Riley agreed that an increase should be given. Ms. Maio suggested a \$50.0 increase. On motion by Ms. Maio, seconded by Mr. Hathaway and carried by the following unanimous roll call vote, the Board agreed to increase the monthly compensation to the Clerk from \$500.00 to \$550.00.

**ROLL CALL:**

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

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

Pat Marsico, member of the LMCA, said she reviewed the May 19, 2021 minutes of the Board and has concerns with respect to certain comments contained in those minutes under Lake Management. Ms. Marsico read excerpts of the minutes she questioned regarding the LMCA treating the boat launch and the residents in the Port Morris area having objected to the treatment. Chairman Riley clarified the discussion at the meeting regarding the boat launch. Mr. Hathaway said he received an email from residents in the Port Morris area which is what he was speaking to. He was not clear if those residents were handled in the LMCA’s program. It was limited to the communication the Board received objecting to the use of herbicide. Mr. Hathaway said he did not have knowledge if the LMCA’s program included those properties. He was reassuring the Board that their application was not affecting those homeowners. Ms. Marsico also noted comments in the July, August and September minutes about the water chestnut including mention of the impact of the hand pull and that the water chestnut are almost eradicated in the lake. Ms. Marsico said if they suspend the hand pull, the lake would look totally different. Mr. Hathaway acknowledged the importance of the hand pull in dealing with the water chestnut.

Seeing no one further 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 8:05 P.M.

Respectfully submitted,

Ellen Horak, Clerk