

**Lake Musconetcong Regional Planning Board  
Regular Meeting  
November 20, 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.

**OATH OF OFFICE:** Chairman Riley administered the Oath of Office to Jacob Hamilton.

**ROLL CALL:**

Jacob Hamilton - present	Shawn Potillo - present
Robert Hathaway - present	Steven Rattner - present
Joseph Keenan - present	Rudy Shlesinger -present
Rosemarie Maio -present	Lester Wright - absent
Judith McGrath - 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:** On motion by Ms. Maio, seconded by Mr. Hathaway, the Minutes of the October 16, 2024 regular meeting were approved on majority voice vote. Mr. Rattner abstained.

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

10-28-24 Fidelity Investments - Monthly Statement (September)

11-04-24 NJS Dept. of Treasury - Check in the amount of \$150,000 re: \$572,000 grant

On motion by Mr. Keenan, seconded by Mr. Hathaway 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 remains drawn down. He communicated with all of the municipalities and the LMCA to let them know the lake would be drawn down and that it will be refilled on or about December 15th. This schedule may be affected by ice formation, if there is any. Mr. Hathaway noted he is in communication with Mr. Hamilton regarding the draw down. Mr. Hathaway also reported that all the equipment has been put away and the buoys are out of the water. Only the channel markers remain in the lake as they have in the past. Mr. Hathaway said he met with a representative of Aquarius to have a repair made to the new conveyor. The conveyor winch was not well designed and when they tried to use it, it was problematic. Aquarius sent someone down with a new winch and they installed it today. They replaced the winch with one with a heavier cable. Aquarius recognized there was a design flaw. Chairman Riley informed the Board that he and Wayne Swistek were moving the conveyor

after the pad was repaired. They were installing the conveyor and as they moved it back and forth into place and as they tried to lower the end into the lake the cable snapped and almost hit Chairman Riley. As the cable snapped Chairman Riley was very close to it and was knocked to the ground to avoid being hit. They contacted Aquarius who saw there was a design flaw and flew someone here to install the replacement winch with a heavier cable. Chairman Riley noted this was a safety issue and Aquarius admitted it was a design flaw. Chairman Riley stated he has the emails with Aquarius in which they acknowledge their flaw. Mr. Hathaway noted it was through Chairman Riley's demands that the equipment was updated and the repair made by Aquarius' representative. Originally they wanted the Board to make the repair. Mr. Hathaway was concerned if someone was injured and the Board made the repair then the Board would be responsible. It was important that Aquarius make the repair, which they did. Mr. Hathaway stated the warranty is two years from using the equipment, which will be two years from June when they will start using the equipment. Mr. Hathaway will get the warranty in writing from Aquarius. Mr. Hathaway noted the lake is in good condition and the water is clear. There is no growth in the target area. The water quality is very good. Mr. Hathaway commented on how easy it is to communicate with State Park's Jake Hamilton and said he has not had that type of positive communication from State Parks in a very long time.

**Operating Budget** – Mr. Keenan prepared a sheet showing expenses through October 16 and estimated expenses for November and December, which he distributed to the Board. Chairman Riley noted they need to have the budget done by the end of the month in order to send it to Morris County. Morris County needs it by the end of the year so they can include it when they prepare their budget.

**CD Investment** – Mr. Keenan reported information on the CD's is contained in the Treasurer's Report.

**TREASURER'S REPORT:** The Treasurer's Report was emailed to the Board. On motion by Mr. Hathaway, seconded by Ms. Maio, and carried by unanimous voice vote, the Treasurer's Report was accepted and placed on file. Chairman Riley stated there is a discrepancy from back in June. The vendor, Lake Management Sciences, billed the Board \$29,449.41, which included sales tax. The Board paid the bill; however, they were only supposed to bill the Board \$27,666.50. Mr. Hathaway had provided Lake Management Sciences with the Board's tax exempt certificate. They were told the Board wants a revised bill because they had included the sales tax, but the Board never received a revised bill. The Board instructed the Clerk to send a letter to Lake Management Sciences requesting a refund of the sales tax paid on their bill.

**BILLS:** Ms. Maio asked why the bill from Murphy McKeon, P.C. for the Board attorney's services is on the Bills List. Chairman Riley stated he spoke to the attorney and it was a miscommunication with his office. Mr. Bryce reported his hours and his office billed the Board. Mr. Bryce agreed his attendance at the Board's meetings would be pro bono, unless the Board specifically requested he attend for a certain issue. Mr. Bryce said the Board should disregard that bill. Chairman Riley stated the Board does not owe the attorney any money. On motion by Mr. Hathaway, seconded by Mr. Potillo and carried by the following roll call vote, the Board removed the attorney's bill from the Bills List and future Bill Lists unless he attends a meeting after being asked to by the Board for a specific business item:

ROLL CALL:

Mr. Hamilton - abstain  
Mr. Hathaway - yes

Ms. McGrath - yes  
Mr. Potillo - yes

Mr. Keenan - yes  
Ms. Maio - yes  
Mr. Rattner - yes  
Mr. Shlesinger - yes  
Chairman Riley - yes

On motion by Mr. Hathaway, seconded by Mr. Shlesinger 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 Murphy McKeon, P.C. in the amount of \$150 which was deleted:

**Operating Account:**

Ellen Horak - Clerk's Monthly Compensation	\$ 550.00
Selective Insurance - Commercial Liability Ins Installment Payment	\$1,814.00
Fulton Bank - Safe Deposit Box Rental Fee Renewal ( <i>automatically paid from account on November 30, 2024</i> )	\$ 85.30

**Lake Management Account:**

JCP&L – electric at shed	\$ 4.85
Debit/Credit Card:	
Amazon - pintle hitch (trailer hitch)	\$ 63.96

**ROLL CALL:**

Mr. Hamilton - yes  
Mr. Hathaway - yes  
Mr. Keenan - yes  
Ms. Maio - yes  
Ms. McGrath - yes  
Mr. Pottillo - yes  
Mr. Rattner - yes  
Mr. Shlesinger - yes  
Chairman Riley - yes

**OLD BUSINESS:**

\$572,000 Grant Agreement – Chairman Riley reported the Board now owns everything they purchased from Aquarius. The final bill has been submitted and paid. The Board received the \$150,000 check from the NJDEP and after paying Aquarius, there is \$12,500 remaining in the grant account to be used for the purchase of a backhoe. The Board still has \$122,000 coming from the grant for the purchase of a backhoe. Chairman Riley expressed his pleasure with the new equipment, noting the equipment should last for 25 years.

**NEW BUSINESS:**

Barney's Way Property - Mr. Shlesinger addressed the Board about the awful condition of the shed and surrounding area on Barney's Way. Mr. Shlesinger distributed pictures of the shed, the dock and the surrounding area. The pictures show various debris scattered throughout the area, the poor condition of the shed and the poor condition of the dock. There are buoys that have been left there as well as an abandoned boat that had been left there for a very long time and was only recently removed. Mr. Shlesinger said the area has become a "hangout" for underage drinking and is an eyesore to the community. Mr. Shlesinger suggested fencing off the property to keep people off the property and the equipment. Mr. Shlesinger spoke of the disagreement he had with Chairman Riley regarding teenagers using the Jon Boat. Mr. Shlesinger said the area is the "ghetto of Stanhope" and the neighbors want it cleaned up. Mr. Shlesinger also noted it is not safe working conditions for the Board's volunteers. Mr. Shlesinger said they need to clean up the area, paint the shed, replace the door and hardwire electricity to the site. This will not be a \$1,000 fix, it

will cost about \$10,000. After a heated discussion, Mr. Potillo stated the Board members saw and heard Mr. Shlesinger and he does not know the incident with him and Chairman Riley, but he should not be yelling at volunteers, which the Board members are. They volunteer their time and do the best job they can. Although something happened between him and Chairman Riley, he should not take it out on the entire Board. Mr. Shlesinger responded he was not yelling at a specific person, it was his frustration at the situation at Barney's Way. The Board agreed the area needs to be addressed. Chairman Riley asked Mr. Shlesinger if he is volunteering to be in charge of the project to fix the area. Mr. Hathaway offered to assist Mr. Shlesinger. There was a lengthy discussion about what needs to be done and what can be done. Chairman Riley explained that the Board does not own the land, it is owned by the State of New Jersey and the Board may need permission and/or permits to do anything at the site. Ms. Maio stated you cannot close off State land so they cannot put a fence around the area. It is State land and must remain accessible to the public. Mr. Hathaway said it is possible to have a gate on the gangway to deter people from going on the dock. Chairman Riley noted the new equipment and said he would like to install some form of security camera. Mr. Hathaway offered to go over the projects with Mr. Shlesinger and he can authorize Mr. Shlesinger to do the work within the budget and if not within the budget, he will bring the amount back to the Board. Chairman Riley noted Mr. Shlesinger's comment about the hanging out and underage drinking and he suggested he contact the State Park Police, not the local police because it is under the State Parks authority. On motion by Mr. Hathaway, seconded by Mr. Potillo and carried by the following unanimous roll call vote, the Board designated Mr. Shlesinger as the lead person from the Board to serve as the Property Manager of the Stanhope facility with the understanding that any expenditures have to be approved and Mr. Hathaway will work with Mr. Shlesinger to affect all that was discussed and to create a budget for the projects:

ROLL CALL:

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

Grant Manager's Site Visit - Chairman Riley informed the Board that the Grants Manager requested to come up and see the lake. Chairman Riley offered her an escorted tour of the lake. They cannot go on the lake because we have no water craft in the lake so he will drive her around to all of the Board's equipment sites. The Grant Manager, her supervisor and Mr. Hathaway will join him on the tour. Chairman Riley thanked Mr. Potillo for putting the article on the new equipment in Roxbury's local paper, Tapinto Roxbury. Chairman Riley stated the Board's logo will be on the harvester.

2025 Budget - Mr. Hathaway requested the Board discuss and finalize the 2025 budget because they need to submit it to Morris County before the next meeting. Mr. Hathaway noted Mr. Keenan provided anticipated expenses to the end of the year. Chairman Riley noted they do not have a true picture of what they spent and he believes next year's budget will be about \$75,000. Mr. Hathaway disagreed, stating the number will be higher at about \$85,000. Mr. Hathaway proposed they take the actuals on the line items and add an additional 2% to all of the aggregate numbers. The Board reviewed the budget line items. Ms. Maio noted the work for Barney's Way and said it should be included in next year's budget. Mr. Hathaway suggested a Facilities Management line item with a budget amount. There is \$1,500 in the 2024 budget to be assigned to the clean up. The money from the sale of the old equipment can go towards the clean up.

He does not think the one time expense for Barney's Way clean up should be included in the budget. Chairman Riley noted they have not increased the budget to the municipalities and counties in the past five years and he feels a 2%-3% increase is fair. Chairman Riley said he and Mr. Keenan will put together a budget and he will present it to the towns and the counties. Mr. Hathaway suggested they take the actual numbers of expenses from 2024 and add 2% and present that number as the operating budget. He would not add anything else to the budget. Mr. Hathaway stated they have always done a reflective budget from the previous year. Chairman Riley noted the recurring expenses through November total \$80,284. The Board discussed the budget and budgeted line items. On motion by Mr. Hathaway, seconded by Mr. Potillo and carried by the following unanimous roll call vote, the Board authorized Chairman Riley and Mr. Keenan to create an operating budget based on the actuals with a not more than 2% increase above the actuals not to exceed \$85,000 and to submit it to Morris County and that no capital expenditures will be made until a capital budget is created and approved by the Board:

**ROLL CALL:**

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

Mr. Hathaway asked Mr. Potillo, Ms. Maio and Chairman Riley to afford their town a heads up that the budget will be substantially increased. He will inform Netcong Borough.

**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. McGrath, and carried by unanimous voice vote, the meeting was adjourned at 8:28 P.M.

Respectfully submitted,

Ellen Horak, Clerk