

Lake Musconetcong Regional Planning Board
Regular Meeting
February 21, 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:

Laura Franek – present	Shawn Potillo - present
Robert Hathaway – absent	Steven Rattner - absent
Joseph Keenan - present	Rudy Shlesinger - present
Rosemarie Maio - present	Lester Wright - present
Judith McGrath – absent	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. Wright the Minutes of the January 17, 2024 reorganization meeting, were approved on unanimous voice vote.

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

- 01-18-24 Morris County Board of County Commissioners – reappointment of Steven Rattner as Morris County representative on the Board
- 01-22-24 GovDeals – check in the amount of \$6,100 re: sale of backhoe
- 01-22-24 Fidelity – notice of CD maturing on February 12, 2024
- 01-23-24 Netcong Borough – Purchase Order in the amount of \$10,151.51 re: 2024 budget Contribution (\$9,351.51) and herbicide treatment (\$800.00)
- 01-29-24 Daily Record – Affidavit of Publication re: annual meeting notice
- 01-29-24 NJ Herald – Affidavit of Publication re: annual meeting notice
- 01-29-24 PeopleFirst Property & Casualty Services – Group Accident renewal application
- 01-29-24 Fulton Bank – Income Tax Form 1099-INT (interest of \$243.11)
- 01-29-24 Fulton Bank – Income Tax Form 1099-INT (interest of \$3.17)
- 01-29-24 Solitude Lake Management – final accounting including all credits (balance remaining of \$1,284)
- 02-02-24 Fidelity – 2023 Tax Reporting Statement
- 02-12-24 Netcong Borough – check in the amount of \$10,151.51 re: 2024 budget contribution (\$9,351.51) and herbicide treatment (\$800.00)

On motion by Ms. Franek, seconded by Mr. Wright 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 – There was no report.

Operating Budget – There was no report.

CD Investment – Mr. Keenan said he will discuss this in the Treasurer’s Report.

TREASURER’S REPORT: The Treasurer’s report was emailed to the Board. Mr. Keenan said, with respect to the maturing CD, he should have contacted Fidelity well in advance of the maturity date to re-deposit the funds into a 12-month CD, as they cannot do it in a day or two. It will be done next week. The funds were rolled into the money market account because Fidelity had not heard from him. The funds will be reinvested in a 12-month CD next week at an interest rate of 5.51%. Mr. Shlesinger noted interest rates will be dropping in the coming months. On motion by Mr. Potillo, seconded by Ms. Maio and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

BILLS: Mr. Keenan said he did not write a ten-cent check to JCP&L. The ten-cents will be included with next month’s JCP&L bill. Chairman Riley noted the bill from Solitude Lake Management in the amount of \$1,284.00 is the final payment to Solitude. On motion by Mr. Potillo, seconded by Mr. Wright and carried by the following unanimous roll call vote, the bills on the Bills List were approved.

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 550.00
PeopleFirst Property & Casualty – Group Accident Renewal Policy	\$ 200.00
Joseph Keenan – reimbursement for cost of new supply of checks	\$ 32.39
Gannett New York-New Jersey LocaliQ (NJ Herald) – annual mtg notice	\$ 33.54
Gannett New York-New Jersey LocaliQ (Daily Record) – annual mtg notice	\$ 67.76

Lake Management Account:

JCP&L – electric at shed (if billing issue is resolved – or \$60.49)	\$ 0.10
Solitude Lake Management – final payment on account	\$1,284.00

ROLL CALL:

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| Ms. Franek – yes | Mr. Potillo - yes |
| Mr. Keenan – yes | Mr. Shlesinger - yes |
| Ms. Maio – yes | Mr. Wright – yes |
| | Chairman Riley - yes |

OLD BUSINESS:

Ms. Maio asked for an updated on a replacement for Solitude Lake Management. Chairman Riley responded he has been in contact with some people but they need an RFP to go out to bid. Cliff Lundin was going to work on the RFP, but he retired. Chairman Riley noted the Board no longer has an attorney nor a QPA. He is looking into how to they can do the backhoe purchase. If they find a distributor under State Contract, they do not need to go out to bid. Chairman Riley stated the Board possibly can rent a backhoe for this year which would give them more time to look for one.

\$572,000 Grant Agreement – Chairman Riley reported he has been in communication with NJDEP and they came to an agreement on what is needed and what they will accept. Chairman Riley said, about two weeks ago, he sent the NJDEP a final accounting of all of the expenses the Board incurred, all of the volunteer hours, etc. He received a response two days ago saying they are missing some receipts. The Board's Clerk gathered the requested receipts and Mr. Hathaway looked into the fuel oil receipts. Chairman Riley said he now has all the requested receipts, which he will send to the NJDEP tomorrow. This should satisfy the NJDEP and allow the Board to get the next \$150,000. Chairman Riley stated he received an email from Aquarius stating the conveyor and trailer are done and they want to ship it to the Board now. Aquarius also indicated the Board will need a crane since they are putting the equipment on a flatbed truck. Chairman Riley said the agreement was that Aquarius would ship everything to the Board. Chairman Riley said he did not understand at the time of the purchase that they would need a crane. He was only just now made aware that a crane would be needed. Chairman Riley informed Aquarius the Board will not accept early delivery and cannot accept delivery within two weeks as indicated in their email because they have a conveyor in place and a boat on a trailer and they cannot sell this equipment until they get a date when they can purchase the new equipment. Chairman Riley noted he received an email from the sales person at Aquarius confirming they will be delivering all the equipment at the same time and that he has not been given an estimate for completion of the harvester, but as soon as it is received, he will let us know so the Board can start the process of putting our current equipment up for bid. The sales person will send a construction update next week. Ms. Maio noted Aquarius is way ahead of schedule and questioned what they will do if they do not have the grant money when the harvester is completed. Chairman Riley responded that he will have the financials finalized tomorrow and the Board will have the money. Aquarius understands the Board has to wait for the money from the State. The Board will not go into their money to pay for any portion of this equipment. Chairman Riley said he reports to the NJDEP every quarter and after they justify expenditure of the advance, the Board receives the next \$150,000 advance. The Board sent the first \$150,000 to Aquarius as a down payment to build the harvester. Ms. Maio asked how they will account to the State for spending the next \$150,000. Chairman Riley responded the \$150,000 requested now was to purchase a backhoe. Chairman Riley noted the Board is now having second thoughts about purchasing a backhoe because why should they purchase one now when it would just sit for six months. Chairman Riley said they told the State they want the \$150,000 advance payment to purchase equipment. Ms. Maio questioned how they will justify to the State the second \$150,000. Chairman Riley responded he is justifying the first \$150,000 now and he will have Aquarius send an invoice to continue to build, if needed. The Board must prove to the State that they used the advanced money.

Board Professionals – Chairman Riley noted the Board needs an attorney and he asked the members to give thought and provide suggestions. Chairman Riley said, at the recommendation of Cliff Lundin, he reached out to Dan McCarthy who is an attorney in Hopatcong and who is heavily involved with the Lake Hopatcong Commission. He received a response from Mr. McCarthy's office stating he is very involved in the Lake Hopatcong Commission and is trying to cut down and is not taking any new clients. Chairman Riley stated he would prefer an attorney working on an hourly basis rather than on a retainer. Chairman Riley noted the Board also needs a QPA and he asked the Board members to look into possible QPA's.

Buoys – Chairman Riley said, in the near future, they will need to have the buoys placed in the lake and he does not want to not pay the boys \$200 to do it as they did last year. The Board must be cautious of the liability issue by having children place the buoys, even with adult supervision. It was agreed the Board members should place the buoys in the lake. Chairman Riley said he knows where all the hazards are in

the lake and he will need members to help get the harvester in the lake and to assist in the placement of the buoys.

Security Cameras – Chairman Riley said when they get the new equipment, they should have security cameras installed at the site. Chairman Riley informed the Board that Mr. Hathaway found security cameras that do not require Wi-Fi, but requires a contract for the service. The cost of the security camera is about \$150 and they need two cameras. The Board will need to pay for the service. Mr. Shlesinger noted there are security cameras that can be tied to someone's cell phone.

Herbicide Treatment – Chairman Riley noted the Board does not have a contract for herbicide treatment this year. They do not have an RFP. Chairman Riley said Ms. Franek sent him and Mr. Hathaway a copy of an RFP the Lake Hopatcong Commission sent out for herbicide treatment. It does not completely match what the Board needs, but they can make some changes to it. Chairman Riley informed the Board that Glenn Sullivan, who used to be with Solitude Lake Management, has a new company and he asked him for a quote for the herbicide treatment. If the quote is over \$17,500, the Board will need to go out to bid. If the Board had a QPA, the bid threshold would be higher than \$17,500. Ms. Maio said she will get a recommendation on a QPA.

Volunteer Hours for the Grant – Chairman Riley said he had a difficult time putting together something the State would accept for volunteer hours. Everything he submitted was denied. The State will only accept harvester operators and maintenance volunteer hours. Chairman Riley said he has a daily log sheet for the operators which the State accepted because it contained a name and a start and finish time. Chairman Riley said he modified the daily log sheet to include land support and maintenance support volunteers, which will be accepted by the State.

NEW BUSINESS:

Annual Report – Chairman Riley noted the Annual Report was emailed to the Board members. On motion by Mr. Keenan, seconded by Mr. Wright and carried by unanimous voice vote, the Board approved the Annual Report and directed the Clerk to distribute it accordingly.

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 Ms. Franek, seconded by Ms. Maio, and carried by unanimous voice vote, the meeting was adjourned at 7:33 P.M.

Respectfully submitted,

Ellen Horak, Clerk