

**Lake Musconetcong Regional Planning Board
Regular Meeting
November 15, 2023**

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 19, 2023 and was sent to the Clerks of the four municipalities, the State and the two counties.

ROLL CALL:

Laura Franek – present	Shawn Potillo - absent
Robert Hathaway – absent	Steven Rattner - absent
William Hayden - absent	Rudy Shlesinger - present
Joseph Keenan- present	Lester Wright - present
Rosemarie Maio – present	Earl Riley - present

MODIFICATIONS TO THE AGENDA: Additional communication listed.

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 Mr. Keenan, seconded by Mr. Wright the Minutes of the October 18, 2023 meeting, were approved on unanimous voice vote.

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

- 10-23-23 National Domain – Check in the amount of \$840.00 re: refund for domain name listing
- 11-06-23 Fidelity – Transaction Confirmation
- 11-06-23 Jersey Central Power and Light – Notice of returned check in the amount of \$4.09 and return check fee of \$15.00 added to the account
- 11-14-23 Stanhope Borough Land Use Board – Variance Application to construct a single-family home at 3 Walton Street, Stanhope

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 – In Mr. Hathaway’s absence, Chairman Riley reminded the Board that the shoreline clean-up around the lake will be held on December 2nd with a rain date of December 9th. Mr. Hathaway has been in contact with the LMCA and they will have volunteers assist as well. Chairman Riley said they would like to publish the clean-up through social media. State Parks will pick up the bags of debris. Chairman Riley informed the Board that Solitude Lake Management misplaced the nine bags of MD pellets they had been storing for the Board. They are 50lb bags and the total cost of the bags is

\$2,531.25. Solitude agreed on the value and offered to replace the bags of MD pellets, but Chairman Riley told them he does not want the pellets replaced, he wants the money credited to the Board’s account. Solitude is working on a credit to the Board’s account in the amount of \$2,531.25. Chairman Riley reported they sold the backhoe for \$6,100. The person who purchased it made repairs and it is fully operational and he is currently using it. Chairman Riley said he asked the Board’s attorney, Cliff Lundin to draft an RFP for next year’s herbicide treatment. He did not have a sample RFP so he contacted Princeton Hydro who offered to write the RFP for a cost of \$4,500. The Board and the attorney agreed the cost was too high so Mr. Lundin will look for an alternative. Chairman Riley noted they need a proposal in order to go out to bid for the herbicide treatment in the lake and he would like a motion to authorize him to spend no more than \$4,500 to have an RFP written. Ms. Maio suggested contacting the towns to see if they have a sample RFP that the Board can use and revise it with the Board’s information. Mr. Franek will check with the Hopatcong Commission’s Administrator to see if she has a boilerplate that the Board can use and tweak it with their information.

Operating Budget – There was no report.

CD Investment – There was no report.

TREASURER’S REPORT: The Treasurer’s report was emailed to the Board. Mr. Keenan spoke about the issue with the Board’s account at Fulton Bank. Someone had breached the Board’s checking account in the amount of \$20,000; however, the bank detected the fraud and reversed the transaction. The breach requires that the account be permanently closed and a new one set up. The bank did not have all of the documentation that should have been given when the account was first opened. Chairman Riley was able to provide all the required documentation. Chairman Riley also had to send them a letter stating that there will be three signatories on the account, being himself, Mr. Hathaway and Mr. Keenan. The new account should be opened shortly. On motion by Ms. Maio, seconded by Mr. Shlesinger and carried by unanimous voice vote, the Treasurer’s Report was accepted and placed on file.

BILLS: The Board pulled the two invoices from Solitude Lake Management totaling \$2,537.00 from the bills list. On motion by Mr. Keenan, seconded by Mr. Wright and carried by the following unanimous roll call vote, the bills on the bills list, as amended, were approved.

Operating Account:

Ellen Horak - Clerk’s Monthly Compensation	\$ 550.00
Fulton Bank – Safe Deposit Box Annual Fee	\$ 85.30

Lake Management Account:

JCP&L – electric at shed	\$ 6.92
JCP&L – Oct. returned check (\$4.09 and \$15.00 return check fee	\$ 19.09

Debit/Credit Card:

Macmillan Oil Co. of Allentown, Inc–400lb drum of HD Food Grade Oil	\$1,969.84
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ROLL CALL:

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

Chairman Riley questioned the Treasurer’s Report showing two checks in the amount of \$550 payable to Ellen Horak, the Board’s Clerk. Mr. Keenan responded the first check was returned due to the breach so the other \$550 was a replacement check. The Treasurer’s Report will be corrected.

OLD BUSINESS:

\$572,000 Grant Agreement – Chairman Riley noted at last month’s meeting there was a question about if the Board could rent a backhoe instead of purchasing one. He contacted the grant manager who said yes, they can rent the backhoe, but only for the time the grant is open. Chairman Riley said they would only have two seasons under the grant and it is his opinion that they should not rent a backhoe. Chairman Riley reported he submitted two progress reports and both were accepted. The progress reports were for the period April through June and July through September. Chairman Riley also reported that he and Mr. Keenan just completed and submitted the first quarter financial report. He has not heard yet if it has been accepted.

NEW BUSINESS:

Resolution Authorizing the Sale of the Backhoe – Chairman Riley offered the following Resolution which was read by title:

**RESOLUTION
LAKE MUSCONETCONG REGIONAL PLANNING BOARD
AUTHORIZING THE SALE OF PERSONAL PROPERTY PURSUANT TO N.J.S.A. 40A:12-13
et. seq., and N.J.S.A. 40A: 11-4.7 et. seq.**

Whereas, the Lake Musconetcong Regional Planning Board (LMRPB) is an intergovernmental entity of the six governments with jurisdiction over Lake Musconetcong; and

Whereas the LMRPB is in possession of and holds title to a 1988 Ford Backhoe, Model 555B, serial number C780896, featuring a diesel engine, 4-wheel drive and manual transmission, (Hereinafter referred to as “the equipment.”); and

Whereas, said equipment is antiquated, shows signs of significant rust at its meeting of October 18, 2023, the LMRPB declared the equipment and appurtenant access, damage to its seats and has flat tires; and

Whereas the LMRPB at its meeting of October 18, 2023 determined the equipment to be no longer needed for public purposes and authorized the sale of the equipment; and

Whereas, said sale was conditioned on the equipment being conveyed in AS IS condition; and

Whereas the LMRPB, through its membership arrangement with the Passaic County Cooperative Pricing System entered into an agreement with Liquidity Services d/b/a/ GovDeals.com for the sale of the equipment via an electronic auction; and

Whereas, said auction was advertised on the govdeals.com website from the period of October 23, 2023 through October 30, 2023; and

Whereas a notice of the auction was provided to each of the municipal members of the LMRPB with a request that the notice be publicly posted; and

Whereas, the LMRPB had previously determined that the estimated fair value of the equipment and appurtenant accessories was \$500.00; and

Whereas, in accordance with that determination, the LMRPB set the minimum bid price in the auction at \$500.00 with bidding increments in the amount of \$25.00; and

Whereas, at the close of the auction, the highest bid received was in the amount of \$6,100.00 and was submitted by William McClure of Brown's Mills, NJ; and

Whereas, the LMRPB has determined that the bid submitted by William McClure was fully in conformance with the advertised bid.

NOW THEREFORE BE IT RESOLVED by the Lake Musconetcong Regional Planning Board pursuant to N.J.S.A. 40A: 12-13 (a) (1) that it hereby authorizes the Chairman and Secretary to enter into a Contract with William McClure for the sale of the equipment at a price of \$6,100.00; and

BE IT FURTHER RESOLVED that the Chairman and Secretary are authorized to execute any and all certificates of title and other papers to effectuate the sale; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the governing bodies of the constituent members of the LMRPB.

On motion by Mr. Wright, seconded by Mr. Shlesinger and carried by the following unanimous roll call vote, the above resolution was adopted.

ROLL CALL:

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

Roll-Off Container – Chairman Riley noted the Board had previously discussed the need for a roll-off container. They returned the roll-off container to the person they borrowed it from five years ago and it was in very bad shape. Chairman Riley said he asked Frank Base of Intrepid to look for a container for the Board that will last for ten years. He found a 30-yard container that is almost like new for a cost of \$4,150. Chairman Riley noted a new container is over \$7,000. Chairman Riley said he would like a motion to permit him to purchase the container. On motion by Mr. Wright, seconded by Mr. Shlesinger and carried by the following unanimous roll call vote, the Board authorized Chairman Riley to purchase the container from Frank Base in the amount of \$4,150.00.

ROLL CALL:

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

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 Mr. Wright, and carried by unanimous voice vote, the meeting was adjourned at 7:25 P.M.

Respectfully submitted,

Ellen Horak, Clerk