



# MUSCONETCONG River Management Council

## Bylaws of the Musconetcong River Management Council Adopted April 19, 2022

### I. PREAMBLE

*Whereas*, the Musconetcong River was studied and segments of the river were designated into the National Wild and Scenic Rivers System in 2006 based on their outstandingly remarkable cultural, historic, recreational and natural resource values; and

*Whereas*, these designated Wild and Scenic segments of the Musconetcong River subsequently became a cooperatively managed Partnership Wild & Scenic River of the National Park Service (NPS); and

*Whereas*, portions of fourteen municipalities including the Township of Allamuchy, Township of Bethlehem, Borough of Bloomsbury, Township of Byram, Township of Franklin, Township of Greenwich, Town of Hackettstown, Borough of Hampton, Township of Independence, Township of Lebanon, Township of Mansfield, Township of Mount Olive, Township of Washington (Morris County), Township of Washington (Warren County) are located within, or are contiguous with, the designated Wild and Scenic segments of the Musconetcong River as defined by Public Law 109-452; and

*Whereas*, the economic and cultural vitality of the above municipalities are supported by their relationship to the Musconetcong River and its tributaries; and

*Whereas*, the health of the Musconetcong River and its tributaries is dependent upon the economic, cultural and environmental policies of the surrounding municipalities; and

*Whereas*, the original Musconetcong Advisory Committee established in 1995 has successfully completed a Musconetcong River Comprehensive Management Plan (CMP); and

*Whereas*, the Musconetcong Advisory Committee was comprised of representatives from each of the 14 municipalities and a variety of other interested public and private organizations from the community (hereinafter referred to as “stakeholders”); and

*Whereas*, it is necessary to continue a formal organization to monitor implementation of the CMP and assist the stakeholders, individually and collectively, in dealing with matters concerning the Musconetcong River and its watershed; and

*Now, therefore*, it is agreed that the stakeholders establish the “Musconetcong River Management Council” (herein referred to as “MRMC”) to provide ongoing monitoring, coordination and assistance to each other and to cooperate with the National Park Service in implementing the CMP and in addressing issues in accordance with the organizational structure and procedures set forth herein.

## **II. NAME**

The name of the organization shall be the Musconetcong River Management Council (MRMC), formerly known as the Musconetcong Advisory Committee in P.L. 109-452.

## **III. PURPOSE**

- A. The purpose of the MRMC is to assist the stakeholders in effectively implementing the CMP with the National Park Service and to coordinate efforts among collaborative and competing interests, always keeping in mind resource protection. To accomplish this purpose, the MRMC shall, at a minimum, undertake the following activities:
- B. Present the CMP to municipal officials in the designated Musconetcong River corridor, other public and private agencies and the public.
- C. Provide direction and coordination in the implementation of the CMP.
- D. Provide a forum for open discussion of river corridor management issues and projects.
- E. Provide a vital communication link between the stakeholders and Musconetcong Watershed Association, the fourteen municipalities, the four counties, New Jersey Department of Environmental Protection, NJ State Council Trout Unlimited and certain other non-governmental organizations for ensuring that all river-related activities are performed on a corridor-wide basis.
- F. Provide technical assistance to the fourteen municipalities in the watershed on water quality, water quantity and watershed management issues.
- G. Support public education programs to improve understanding of watershed management.
- H. Support an ongoing water quality, water quantity, and watershed monitoring program to document the ecological and hydrological condition of the Musconetcong River and its tributaries.
- I. Provide annual updates of water quality, water quantity, and watershed management activities in the designated river corridor.

- J. Perform, coordinate and/or participate in scientific research projects within the Musconetcong River and its watershed.
- K. Update the River CMP from time to time in cooperation with the National Park Service as required, and recommend these revisions and related regulatory measures for adoption by municipalities in the Musconetcong River designated corridor.

#### IV. ORGANIZATION

##### A. Musconetcong River Management Council Membership

1. **Voting Membership** - Each of the aforementioned 14 municipalities and Hunterdon, Warren, Sussex, and Morris counties, as well as the Musconetcong Watershed Association, North Jersey Resource Conservation and Development Council and NJ State Council Trout Unlimited, shall have a voting membership position on the MRMC, with the condition that these groups sign a Memorandum of Understanding documenting their commitment to the purpose of the MRMC. The Township of Pohatcong is entitled to join the MRMC as a voting member when all requirements of Public Law 109-452, Section 5(d) are satisfied. The New Jersey Department of Environmental Protection is entitled to join the MRMC as a voting member per MRMC vote held on February 15, 2022. Only one (1) vote may be cast for each voting membership position and no proxies are allowed.

These entities shall have the right to appoint individuals to represent their interests and vote on their behalf at MRMC meetings. Each entity may appoint one (1) official member and a maximum of two (2) ranked alternate members, with the higher ranking of the two alternate members in attendance serving in the absence of the official member. All official and alternate members shall serve a term and be eligible for reappointment for a period set at the discretion of the entity they represent. Ideally, the terms of office for voting members from different entities shall be staggered to avoid the potential of all MRMC members changing at the same time.

2. **Non-Voting Membership** - It is also recognized that other groups such as other riverside municipal, county, regional, state, and federal agencies, and private organizations may have jurisdiction or interest in activities in the Musconetcong River. These groups may be represented and participate in MRMC meetings and activities as Non-Voting Members of the MRMC, with the condition that these groups sign a Memorandum of Understanding documenting their commitment to the purpose of the MRMC. The MRMC may admit Non-Voting Member organizations to the MRMC by simple majority vote at a regularly scheduled MRMC meeting.

3. **Resignation** - Any appointed representative of a voting member may resign by notifying the organization they represent and filing a written resignation with the MRMC Secretary.
4. **Termination** - The MRMC may request that a representative of a voting or non-voting member be terminated for good cause (as stated in a motion to request termination) so long as there is a minimum of seven (7) affirmative votes of the MRMC voting members. Notice of the motion to request termination shall be sent to the individual subject to termination and the voting or non-voting member municipality or the represented organization.
5. **Vacancies** - In the event a vacancy is created as the result of a voting MRMC member not being able to fulfill the duties, the vacancy will be filled by the highest ranked alternate representative from that voting member.
6. **Public Participation** - It is the intention of the MRMC to interact with all other groups and individuals interested in the Musconetcong River and its watershed to coordinate their participation in implementing the CMP, as appropriate. To facilitate this goal, notice of meetings of the MRMC shall be provided in accordance with the New Jersey Open Public Meetings Act. Accordingly, actions in-between MRMC meetings, taken by the Executive Committee, Chair, and Executive Director, will be reported and ratified at the following MRMC meeting.

**B. Officers - The Officers of the MRMC shall be voting or non-voting members and shall be:**

1. **Chair** - The Chair shall preside at meetings of the MRMC and supervise the general conduct of MRMC meetings. The Chair shall also serve as spokesperson for the MRMC.
2. **Vice Chair** - The Vice Chair shall conduct meetings in the absence of the Chair and perform other duties as requested by the Chair.
3. **Treasurer** - The Treasurer shall also oversee the conduct of any financial matters of the MRMC and liaise with the River Administrator (RA), and the NGO Executive Director (ED). The Treasurer shall keep a written record of the MRMC budget and prepare bi-monthly and annual financial reports, if any.
4. **Secretary** - The Secretary shall see that all MRMC proceedings and documents are properly signed, recorded and stored. The Secretary shall record and keep minutes of meetings and distribute them to all MRMC members.

The Officers shall be nominated by the membership and elected annually in June by majority vote of the MRMC. Elected Officers shall serve a term of one year. An individual may hold more than one office, with the exception that no one may hold

both offices of Chair and Vice Chair. If a vacancy is created in association with an Officer position, the Council will elect a new Officer by majority vote at its next regular meeting, so long as a quorum is present.

**C. Sergeant-at Arms** - A Sergeant-at-Arms may be appointed by the Chair. The Sergeant-at-Arms shall be responsible for keeping order, taking attendance and recording roll call votes, submitting these records to the Secretary.

**D. NGO River Administrator (RA)** - The MRMC will work with a host non-governmental organization (NGO) River Administrator (RA) to implement the CMP.

The RA shall be a staff member or officer of the host NGO, as expressed in the Cooperative Agreement between the NPS and the host-recipient NGO. The RA will have the delegated authority from the NGO ED to schedule, organize, announce, set agendas and manage MRMC meetings and elections in consultation with the MRMC and its officers. The RA will carry out the following duties:

1. Coordinate with the MRMC involving CMP implementation matters.
2. Prepare, organize, announce and manage the agenda and proceedings for all MRMC meetings and elections.
3. Conducting administrative activities for the MRMC, including preparation of correspondence and other written materials; and any related administrative actions needed to effectively implement MRMC actions.
4. Contacting government agencies, private organizations and, as appropriate and in consultation with the MRMC, to carry out the activities of the MRMC.
5. Performing such other duties as requested by the MRMC.

**E. Executive Committee** - The Executive Committee shall be comprised of the Officers and the RA and meet on an as-needed basis. The Executive Committee shall oversee and organize the activities of the MRMC and make recommendations to the MRMC.

**F. Standing Committees** - The MRMC may create Standing Committees, as needed, to undertake special activities. Standing Committees will initiate studies, complete investigations, prepare reports and drafts for the MRMC. Standing Committees will generally consist of three members but can be expanded depending upon need and interest. The Chair of the MRMC will designate the Chair of any Standing Committee. Standing Committees will also interact with other interested groups, as appropriate, to accomplish their objectives. Persons who are not members of the MRMC can be designated as ex-officio members of Standing Committees.

## **V. MEETINGS/PROCEDURES**

- A. Regular MRMC meetings will be held every two months
- B. The MRMC will hold an annual reorganization meeting during June.
- C. Executive Committee and Standing Committee meetings may be held at the discretion of the committee.
- D. The regular and annual meetings will be open to the public with time designated for public comment. Notice of meetings of the MRMC shall be provided in accordance with the New Jersey Open Public Meetings Act.
- E. The presence of at least eight voting members of the MRMC as defined in Section IV (A) 1 above shall constitute a quorum at regularly scheduled meeting.
- F. Passage of a motion requires a simple majority vote of those voting members in attendance.
- G. Roll call votes are required for passage of formal resolutions and the expenditure of funds.
- H. The conduct of meetings will be governed by the latest edition of *Robert's Rules of Order, Newly Revised*. Minutes will be available to the public.

## **VI. CONFLICT OF INTEREST**

Any member of the MRMC who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the MRMC, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will voluntarily recuse himself or herself and refrain from discussion and voting on said item.

## **VII. BUDGET/FUNDING/COMPENSATION**

- A. The ED will prepare an annual workplan/budget in accordance with NPS CA requirements, and may seek endorsement with the MRMC or Executive Committee. The fiscal year of the MRMC will begin on July 1<sup>st</sup> and end on June 30<sup>th</sup>, or otherwise, consistent with the current CA.
- B. The ED will be authorized to expend funds within the limits of the NPS CA approved budget appropriations. The ED may be authorized by the MRMC to spend funds raised by the MRMC pursuant to implementing the Comprehensive River

Management Plan upon approval of the full MRMC via roll-call vote.

- C. The MRMC may seek funding from a variety of sources and develop methods of funding in order to successfully accomplish MRMC activities.
- D. No MRMC member shall for reason of his/her appointment be entitled to receive any salary or compensation from MRMC, but nothing herein shall be construed to prevent an MRMC member from receiving any compensation for serving as an MRMC member from their stakeholder organization.

**VIII. AMENDMENTS**

These Bylaws may be amended by an affirmative vote of seven MRMC voting members, at a meeting where all voting members of the MRMC have been given ten days prior written or electronic notice of the proposed amendment.

**CERTIFICATION**

These Bylaws were approved at a meeting of the MRMC on April 19, 2022.

William B. Leavens

April 19, 2022

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Secretary

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Date