

POMPTON LAKES BOROUGH MUNICIPAL UTILITIES AUTHORITY  
RESOLUTION

WHEREAS, on June 25, 2026 the Authority was in the midst of a previously scheduled rehabilitation project for its one million gallon storage tank; and

WHEREAS, due to the failure of several valves, water continued to flow into the tank, and efforts by Authority personnel could not close the valves, creating an emergency condition, requiring the Authority to contact Carner Brothers of Roseland, New Jersey , a reputable contractor specializing in insertion and isolation valves; and

WHEREAS, in the course of the installation of the isolation valves and the restoration of the municipal water system it was determined that the water tank piping utilized lead joints; and

WHEREAS, with the Authority being a party to the Lead Service Line Replacement Program, it was necessary to run all new piping between the two new valves and the one million gallon storage tank; and

WHEREAS, because the piping containing lead was encased in concrete, an existing concrete wall had to be removed, a project beyond the ability of Authority personnel; and

WHEREAS; upon consultation with Carner Brothers, on July 1, 2026, a decision was made to shut down the water system overnight, to have Carner Brothers install two isolation valves, thus minimizing the impact on the Authority's customers; and

WHEREAS, the inoperability of the water tank valves coupled with the discovery of leaded-joint piping was deemed by the superintendent to be an emergency condition, not allowing for sufficient time to prepare specifications and to advertise the project for public bidding or even to solicit quotations from multiple contractors; and

WHEREAS, the materials provided, including new valves, fittings and lengths of pipe were provided by Capital Supply, a reputable firm known to the Authority, and one new fire hydrant provided by Core and Main, a reputable firm known to the Authority and its regular supplier of hydrants, and the totality of the work by Carner Brothers, a reputable contractor known to the Authority; and

WHEREAS, the cost of the emergency repair work far exceeded the bid threshold as defined in N.J.S.A. 40A:11-3, which is fixed at \$17,500.00; and also exceeded the threshold allowed for work procured by the Authority's Qualified Purchasing Agent, which is currently fixed at \$53,000.00; and

WHEREAS, the final total cost to the Authority was \$177,628.89, itemized as follows:

|                 |                 |
|-----------------|-----------------|
| Carner Brothers | \$152,299.33    |
| Capital Supply  | 20,749.21       |
| Core and Main   | <u>4,580.35</u> |
| Total           | \$177,628.89    |

and

WHEREAS, under N.J.S.A. 40A:11-6, if an emergency exists which affects the public health, safety or welfare, a contract may be awarded without public advertising for bids; and

WHEREAS, in the opinion of the superintendent the condition, if not addressed immediately, affected the public, health safety or welfare in that it involved the temporary shutdown of the public water system and the need to eliminate system components containing lead;

NOW, THEREFORE, BE IT RESOLVED BY THE POMPTON LAKES BOROUGH MUNICIPAL UTILITIES AUTHORITY:

1. The Authority declares that an emergency existed on June 25, 2026, to wit:  
conditions in the one million gallon storage tank requiring major structural repairs beyond the  
capability of Authority personnel, including the elimination of lead in components of the tank  
and requiring the temporary shutting down of the public water system

2. The decision of the superintendent to engage Carner Brothers, Core and Main  
and Capital Supply to complete the necessary repair work and to restore operation of the public  
water system, at a total cost of \$177,628.89 is hereby ratified and confirmed.

3. This Resolution shall be effective as of August 17, 2026, but shall be deemed  
retroactive to June 25, 2026

ATTEST:

POMPTON LAKES BOROUGH  
MUNICIPAL UTILITIES AUTHORITY

  
Timothy Troast, Secretary

  
Kevin P. Carroll, Chairman

#### CERTIFICATION

The undersigned, Secretary of the Pompton Lakes Borough Municipal Utilities Authority,  
hereby certifies that the foregoing Resolution reflects action taken by Motion made and seconded  
and unanimously approved at a duly constituted regular meeting held on August 17, 2026

Dated: August 17, 2026

  
Timothy Troast