

A Regular Meeting of the Members of the Pompton Lakes Borough Municipal Utilities Authority was held at 2000 Lincoln Avenue, Pompton Lakes, New Jersey on February 21, 2024.

In accordance with the New Jersey Open Public Meetings Act, adequate notice of this meeting was provided. Letters to North Jersey Herald News, Suburban Trends, and the Administrator of Pompton Lakes, dated February 15, 2023, gave notice that the Regular Meeting of the Authority would be held immediately following the Reorganization Meeting on Wednesday, February 21, 2024. The meeting was held at 2000 Lincoln Avenue, Pompton Lakes, New Jersey. A notice stipulating the time and date of this meeting was also posted in a public place, to wit: 2000 Lincoln Avenue, Pompton Lakes, New Jersey.

Roll Call was as follows:

PRESENT: Kevin Carroll  
Neal Galletta  
Lloyd Kent  
Tim Troast  
John Wegele (Executive director)  
Billy Doty (Superintendent)  
Jeffrey M. Kassover (Attorney)  
Erik DeLine Council Liaison

ABSENT:  
Michael Longo

**UPON MOTION** duly made by Mr. Galletta and seconded by Mr. Troast, and upon roll call vote the minutes from the Regular Meeting held on January 17, 2024, were accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo
Abstain:	None

Chairman Carroll noted that no one was present for the Public Portion of the meeting.

**CHAIRMAN REPORT:**

Chairman Carroll reported that the law firm that the Authority has designated to handle the PFAS litigation can no longer proceed with the process. The same attorney will be handling the litigation just a different entity to avoid any conflict of interest. Chairman Carroll would like to transfer the engagement contract to the new firm.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Troast, and upon roll call vote to transfer the engagement contract of the new PFAS litigation entity was accepted.

**Vote:**

Ayes            Carroll, Galletta, Kent, Troast  
Nays:            None  
Absent:          Longo

Chairman Carroll would also like to pass a resolution to request a COLA increase of 3.2% for the commissioners.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Troast, and upon roll call vote to pass a resolution for the 3.2% COLA increase for the commissioners was accepted.

**Vote:**

Ayes            Carroll, Galletta, Kent, Troast  
Nays:            None  
Absent:          Longo

Chairman Carroll also reported that he has two proposals from H2M engineers for the professional engineering services. These proposals are for Well #3 PFAS treatment and North Pumping station replacement. Chairman Carroll is requesting for him to sign and authorize the proposal agreement.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Kent, and upon roll call vote to sign the proposals for Well #3 PFAS treatment and North Pumping station replacement were accepted.

**Vote:**

Ayes            Carroll, Galletta, Kent, Troast  
Nays:            None  
Absent:          Longo

**FINANCIAL OPERATIONS:**

Mr. Galletta presented the following bills for approval:

Operating/Vouchers for February	\$ 87,055.48
Additional Expenses for January	\$ 74,345.98
Hospitalization for February	\$ 29,479.71
Operating Payroll/Gross January	\$ 102,439.66
Social Security for January	\$ 5,884.70

Meter Deposit Refund for January	<u>\$ 1,069.00</u>
TOTAL	\$300,274.53

**CAPITAL:**

John Wegele	\$2,011.40
H2M Architect and Engineers	\$3,168.50
H2M Architect and Engineers	\$1,642.50
Roberge Electric Co. Inc.	\$13,980.70
Rio Supply Inc	\$7,620.00
Roberge Electric Co. Inc.	\$6,990.64
Steven Pertuz Attorney Trust Account	<u>\$25,000.00</u>
TOTAL	\$60,413.74

**UPON MOTION** duly made by Mr. Galletta and seconded by Mr. Troast, and upon roll call vote it was certified that the funds are available and budgeted to pay these expenses was accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

Councilman DeLine inquired about the status of the wastewater treatment plant capacity analysis. Mr. Doty stated he will follow up on the status. Councilman DeLine also inquired about the Authorities purchase of 279 Ramapo Street. Chairman Carroll stated that the NJDEP is starting to implement Dioxane 1,4 MCL (maximum contaminant level) in drinking water, and 279 Ramapo Avenue will be a treatment facility for Wells #1 and #2 for the Dioxane.

Mr. Galletta read a resolution for the record to amend the 2024 Capital budget. Amendment to the 2024 Capital budget is required due to the need to construct a new treatment facility at Well#3 in order to comply with the new regulatory requirements of NJDEP to meet the new PFAS requirements and the construction of a new pumping station to meet the increased demand of sewerage flow from new customers due to redevelopment of the Borough's Business District. Totals from \$900,000 to \$8,400,000.

**UPON MOTION** duly made by Mr. Galletta and seconded by Chairman Carroll, and upon roll call vote to amend the Capital Budget of 2024 from \$900,000 to \$8,400,000 was accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

Mr. Galletta reported that the new fiscal year budget for 2024, 2025 has been completed and all the commissioners have received a copy. He inquired if anyone had any questions regarding the budget. Mr. Galletta stated if everyone is okay with the budget it will be sent to Paul Cuva (Authority's accountant) for additional reviewing to be sent to the state of New Jersey to be introduced and then adopted.

**UPON MOTION** duly made by Mr. Galletta and seconded by Chairman Carroll, and upon roll call vote to send the new fiscal year 2024/2025 budget to Mr. Cuva to review and submit to the state of New Jersey to be introduced and then adopted was accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

Chairman Carroll also would like to move all maturing CDs to the State of New Jersey Cash Management Fund. Chairman Carroll would like to have access to the funds without being penalized.

**PERSONNEL:**

Reported progress.

**WATER OPERATIONS:**

Mr. Kent submitted Mr. Doty's Water Report and reported that pumping is about the same as last January. Mr. Kent inquired about voting for the Capital Water and Sewer budget for 2024/2025.

**UPON MOTION** duly made by Mr. Kent and seconded by Mr. Galletta, and upon roll call vote the Water and Sewer Capital amounts for the new fiscal year 2024/2025 were accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

**WASTEWATER OPERATIONS:**

In Mr. Longo's absence Mr. Kent submitted Mr. Doty's Wastewater Report and reported progress.

**EXECUTIVE DIRECTOR:**

Mr. Wegele reported progress.

**SUPERINTENDENT'S REPORT:**

Mr. Doty reported that the meeting with Meridia for preconstruction was postponed due to the snow and is now scheduled for Thursday February 22, 2024. The meeting is regarding water work procedures installing and moving a hydrant and abandoning two services. Mr. Kent inquired about Mr. Doty's monthly report regarding water and sewer project status. Mr. Doty has added to the report H2 Loan projects and the status. Mr. Kent inquired if he will be adding additional loan inquiries to the loan projects. Mr. Doty stated he will be adding all new information. Mr. Doty stated all the loans are ranked by number the lower the number the higher the rank.

**ATTORNEY'S REPORT:**

Mr. Kassover reported he prepared a resolution to be signed for transitional duty policy. The resolution was approved at the last meeting it just requires a signature. Mr. Kassover also reported that he spoke with Mr. Doty and Chairman Carroll regarding an emergency resolution regarding the laboratory floor/locker room ceiling. Mr. Doty noted the work will begin on Tuesday February 27, 2024. Chairman Carroll read the emergency resolution for the record to move forward with replacing the laboratory floor/locker room ceiling as this has become a safety hazard.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Kent, and upon roll call vote to approve the emergency resolution to replace the laboratory floor/locker room ceiling as it has become a safety hazard was accepted.

**Vote:**

Ayes	Carroll, Kent, Troast
Nays:	Galletta
Absent:	Longo

Mr. Galletta stated that he would like to review the contract and he believes there are other contractors out there to receive the required 3 quotes.

Mr. Kassover also reported that the bond resolutions have been approved for the PFAS and North Pumping Station. The resolutions have been prepared and require signature from the assistant secretary to certify that the resolution was adopted. Mr. Kassover noted he will send the signed resolutions to the Borough Clerk and publish a summary of the resolution if anyone objects to the resolution, they have 20 days to file a lawsuit after 20 days the resolution will become effective. Mr. Kassover read the resolution for the record. Mr. Kassover requested a motion to adopt the bond resolutions.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Kent, and upon roll call vote to certify the bond resolutions for PFAS and North Pumping Station was accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

Mr. Kassover noted he has a couple things to discuss in closed session regarding 279 Ramapo Street and PFAS litigation.

**UPON MOTION** duly made by Mr. Troast and seconded by Chairman Carroll, and upon roll call vote the Water, Wastewater, Executive Director, Superintendent and Attorney's reports were accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

**COUNCIL LIAISON:**

Mr. DeLine reported that phase two of the Lincoln Avenue project will start up again, beginning with the milling and paving part. Mr. Wegele stated he spoke with the Borough Administrator about the Authority inspecting Lincoln Avenue regarding replacing any valve boxes, water main valve boxes and sewer valves that need replacement while the road is getting ready for paving. Mr. DeLine noted that Pompton Five Associates is moving forward and plan to start redevelopment in March. Mr. DeLine also noted that Fortunato – 525 Wanaque Ave is believed to be ready to open since it was expected to open in January or February. Mr. Troast stated it looks like there is a lot more work to be done so that timeframe does not seem realistic. Mr. DeLine stated that Pompton Smith Properties may be coming back, the drawings show a 2-story parking garage, but the location of the garage has an easement that may change the redevelopment plans. Mr. DeLine talked about 198-222 Wanaque Ave developers just approached the redevelopment agency with a concept plan. The original plan started with 360 residential units it has been cut back to 210 residential units. The height of the building has been cut 2 stories and if needed they can drop another story as this project has one extra floor for parking. The requirement is 1.5 parking spaces per unit and the project has 1.8 parking spaces. Mr. DeLine also reported that 519 Ringwood/Passaic County Veterans Housing has provided another concept plan to be set back away from Ringwood Ave with 52 residential units. These units are for Pompton Lakes Veterans and seniors or a preference for up county veterans and seniors any town North of Pompton Lakes. Mr. Galletta inquired about the salt dome. Mr. DeLine stated that the salt dome will be taken down and rebuilt to look more like a barn on the same property. Mr. Galletta also inquired about the recycling center. Mr. DeLine stated the

recycling center property will have an increase in land, and they are talking about having a one-way entrance and another one-way exit. Mr. DeLine stated that there is a paper street that extends into the county facility now that will need to be vacated.

**UPON MOTION** duly made by Chairman Carroll and seconded by Mr. Troast, and upon roll call vote the Council Liaison report was accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

**OLD BUSINESS:**

Mr. Kent reported that it does not look like getting a working water fountain in the dog park will take place. Open Space is still deciding whether it is necessary to spend the money.

**CORRESPONDENCE:**

Chairman Carroll presented correspondence for discussion on items 1 through 3.

**UPON MOTION** duly made by Mr. Troast and seconded by Mr. Galletta, and upon roll call vote items 1 through 3 were accepted.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

**UPON MOTION** duly made by Mr. Galletta and seconded by Mr. Troast, and upon roll call the members of the Pompton Lakes Municipal Utilities Authority entered Closed Session at 7:12pm.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

RESOLUTION



**CLOSED SESSION STATEMENT**

Whereas Section 7 of the Open Public Meeting Act (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances and.

Whereas, on February 21, 2024, this body is of the opinion that such circumstances presently exist.

Now, therefore be it resolved by the commissioners of the Borough Municipal Utilities Authority, county of Passaic, State of New Jersey, as follows:

- 1. That the public shall be excluded from discussion of action upon the hereinafter-specified subject matter.
- 2. The general nature of the subject matter to be discussed is as follows:

**To discuss real estate and personnel matters.**

- 3. The commissioners shall release and disclose to the general public the action taken on this matter of the above-mentioned litigation when the reason for discussing and acting on the matter in closed session no longer exists, but no later than one month of the commissioners arriving at a final decision of the specific subject matter.

Approved: \_\_\_\_\_

Kevin P. Carroll, Chairman

Attest: \_\_\_\_\_

Tim Troast, Assistant Secretary

**UPON MOTION** duly made by Mr. Galletta and seconded by Mr. Kent, and upon roll call vote the members of the Pompton Lakes Municipal Utilities Authority entered back into Open Session at 6:58pm.

**Vote:**

Ayes	Carroll, Galletta, Longo, Kent, Troast
Nays:	None
Absent:	Longo

**UPON MOTION** duly made by Mr. Galletta and seconded by Mr. Troast, and upon roll call vote the Regular Meeting of the Pompton Lakes Municipal Utilities Authority was adjourned at 7:45pm.

**Vote:**

Ayes	Carroll, Galletta, Kent, Troast
Nays:	None
Absent:	Longo

Prepared by: Mary Read

Respectfully submitted by

Tim Troast, Assistant Secretary