

Resolution 26-075

**RESOLUTION AUTHORIZING EXECUTION OF
SETTLEMENT AGREEMENT WITH
NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

WHEREAS, on June 8, 2026, the Rockaway Valley Regional Sewerage Authority (hereinafter "RVRSA") received a Notice of Civil Administrative Penalty Assessment (hereinafter "NoCAPA") issued by the New Jersey Department of Environmental Protection (hereinafter "NJDEP") dated June 5, 2026; and

WHEREAS, said NoCAPA alleged that RVRSA failed to properly register all regulated underground storage tanks (hereinafter "USTs") with the NJDEP, since the registration associated with RVRSA's USTs expired September 30, 2023, and further, NJDEP assessed a civil administrative penalty in the amount of \$5,000.00 against the RVRSA; and

WHEREAS, the RVRSA received the registration renewal application on May 18, 2023, and paid the same by invoice 230608580 on June 8, 2023 by check number 27097, prior to the September 30, 2023 deadline, however, due to an inadvertent oversight, the registration paperwork was not submitted via the State website until October 4, 2023 - four (4) days late; and

WHEREAS, the RVRSA and NJDEP engaged in informal settlement discussions and NJDEP has agreed to reduce the penalty amount to \$2,500.00; and

WHEREAS, RVRSA desires to resolve this matter in accordance with the material terms of the attached Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. The Executive Director is authorized and directed to execute the attached Settlement Agreement in substantially the form of agreement attached hereto.
2. Payment in the amount of \$2,500.00, which is the full Settlement Amount required by the Settlement Agreement attached hereto, shall be disbursed in accordance with the payment terms of the Settlement Agreement. Funds are available in the 2026 budget line item 01-501-022.
3. The Executive Director, staff, and consultants of RVRSA are hereby authorized to take all other actions necessary or desirable to effectuate the terms and conditions of this Resolution.
4. This Resolution shall take effect immediately

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted at a Regular Meeting of the RVRSA held on July 9, 2026.

On motion of Commissioner Schorno
Second by Commissioner Hobbs

And a Roll Call Vote as Follows:

Yeas: (9) Andes, Farrell, Hobbs, Howarth, Isselin, Lepore, Schorno, Sheehy, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (1) Janone

A handwritten signature in cursive script, reading "Donald Farrell", is written over a horizontal line.

Donald Farrell, Board Secretary