

Resolution 11-032

RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR TREATMENT WORKS APPROVAL - (TWA-1)
Liberty Street and Liberty Lane Subdivision
Tax Block 44, Lots No's: 30 & 30.1
Town of Boonton

WHEREAS, an application for Treatment Works Approval, has been submitted by the Town of Boonton for Liberty Street and Liberty Lane Subdivision sewer extension, Tax Block 44, Lots No's. 30 & 30.01, Town of Boonton for review by the Rockaway Valley Regional Sewerage Authority (RVRSA) to serve the Liberty Street and Liberty Lane project and the construction of 319 LF of 8 inches gravity PVC sewer line, to serve a proposed six family dwelling project, consisting of five new single family dwellings, reconnection of one existing home (on septic) and demolition of one existing dwelling (on septic), which extension project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification of the 201 Sewerage Agency, as well as the certification of the owner of the sewerage treatment facility, that its treatment system contains sufficient capacity to accept the additional flow, which would emanate from the sewer extension proposed in the said application; and

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service proposed project is in the amount of 1,375 GPD (5 @ 275 gpd totaling, allocated from the First Come/First Serve; 1 home (225 gpd) from Septic Reserve; and

WHEREAS, the gallonage required to service the project pursuant to the calculation of the NJDEP is also 1,800 GPD.

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

1. There shall be allocated from RVRSA's "**First-Come First Served**" category gallonage in the amount of 1,375 GPD.
2. There shall be allocated from RVRSA's "**Septic Reserve**" category gallonage in the amount of 225 GPD.

Bruce W. MacNeal, Secretary of the RVRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 entitled Endorsements at subsections A2-C subject to the following conditions:

- A. That **subsection C** Certification by Wastewater Treatment Facility Owner shall not be **executed**, however, a notation shall be inserted to refer to an addendum attached which includes a revised certification which provides as follows:

I (we) certify that the treatment plant is currently complying with its conventional and non-conventional NJPDES permit requirements (see N.J.A.C. 7:14A-22.17 (b)-(d), flow percent removal and toxicity requirements excluded from this certification) as determined by a rolling average of the three most recent monthly discharge monitoring reports that were required to be submitted to the Department as of this date, and based upon my (our) assessment of all information pertinent to this permit request, is anticipated to continue to do so with the additional flow from this project.

- B. That this approval **explicitly excludes** connection of vacant lot(s), which encroach any environmentally sensitive areas (ESA) pursuant to Special Grant Condition No. 4, federal project C340389-04-2, effective November 29, 1983.
- C. That any connection from a non-domestic source **is subject** to the RVRSA's industrial pretreatment program regulations. The applicant shall first obtain a clearance form the RVRSA's pretreatment program prior to seeking for obtaining the necessary permit(s) for connection to the RVRSA's local/regional conveyance system.
- D. That any connection from a non-domestic source **is subject** to the RVRSA's industrial pretreatment program regulations. The applicant shall first obtain a clearance form the RVRSA's pretreatment program prior to seeking for obtaining the necessary permit(s) for connection to the RVRSA's local/regional conveyance system.
- E. This approval is expressly conditioned upon satisfaction, by the Applicant, of any Statewide or areawide Water Quality Management (WQM) plan consistency requirements and compliance with any relevant provisions of the New Jersey Water Quality Planning Act (at N.J.S.A. 58:11A-10) and the Statewide Water Quality Management Planning rules (at N.J.S.A. 7:15-3.1), including compliance with any sewer service area boundary delineations and County Wastewater Management Plans adopted pursuant thereto, if applicable.
- F. That the sewer mainline and each of the building lateral to be installed in connection with the project **shall be subject** to inspection(s) by the RVRSA.

- G. That this endorsement **shall expire** automatically unless the attached application is filed with the NJDEP within **60 days** of the day of the adoption of this Resolution. Evidence of submission shall be submitted by the Applicant to RVRSA in order to satisfy this requirement.
- H. This approval **is subject** to compliance with revised Service Rules of the RVRSA, and the payment of the appropriate fees and/or charges of the RVRSA including, but not limited to those set forth at Section 4.03 (3) Revised Service Rules of the RVRSA, and payment of the appropriate fees of any other governmental authority having jurisdiction.
- I. In the event that the allocation remains unconnected to the RVRSA System for longer than eighteen (18) months from the date of this resolution, then payments shall be made to the RVRSA representing the debt service and capital cost funded by the users for the prior year—calculated on the number of gallons per day allocated but unconnected. Such payment shall be made each year until the allocated gallonage is connected or terminated.
- J. This approval is subject to compliance with the resolution of the Council on Affordable Housing (“COAH”) entitled “Resolution Granting Extensions of Time to File Third Round Petition for Substantive Certification and Imposing Scarce Resource Restraint upon Highlands Region Municipalities”, dated November 12, 2008 and letter from COAH’s Executive Director regarding “Application of COAH Scarce Resource Restraints to Highlands Municipalities”, dated December 17, 2008, if applicable.
- K. The approval of the use of NJDEP’s gallonage determination is made under **protest** and for the sole purpose of approving the TWA-1 sewer extension application and shall **not affect** in any way gallonage allocated for RVRSA’s planning purposes.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on April 14, 2011

On motion of Glenn Corbett

Seconded by Bruce Mac Neal


And a Roll Call Vote as Follows:

Yeas: (8) Cegelka, Corbett, Guadagno, Klingener, Lowell, MacNeal, Schaefer, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (2) Schulman and Secco



Bruce W. MacNeal
Secretary