

RESOLUTION AUTHORIZING ENDORSEMENT OF  
APPLICATION FOR TREATMENT WORKS APPROVAL - (TWA-1)

**Avalon Bay - Wharton**  
East Dewey Avenue  
Block 403, Lot 1  
Borough of Wharton

**WHEREAS**, an application for Treatment Works Approval, has been submitted by the Borough of Wharton for a proposed apartment project consisting of 119 one bedroom, 110 two bedroom and 19 three bedroom apartments and a swimming pool on Tax Block 403, Lot No 1, located on East Dewey Avenue, Wharton, New Jersey for review by the Rockaway Valley Regional Sewerage Authority (RVRSA), 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 33,741 GPD, allocated from the First Come/First Serve category; and

**WHEREAS**, the gallonage required to service the project pursuant to the calculation of the NJDEP is 50,925 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 Serve**" category gallonage in the amount of 33,741 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. This approval is expressly conditioned upon compliance, by the Applicant, with any relevant provisions of the Highlands Preservation and Planning Act or any rules or regulations issued pursuant thereto, if any.
- 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. That the qualified property owner **shall obtain** the necessary permit(s) for sewer connection(s) to the RVRSA system, in connection therewith and the requirements of other governmental entities having jurisdiction.
- 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 Extension of Time To File Third Round Petition for Substantive Certification and Imposing Scare Resource Restraint Upon Highlands Region Municipalities," dated November 12, 2008 and letter from COAH's Executive Director regarding "Application of COAH Scare Resource Restraint To Highlands Municipalities," dated December 17, 2008.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on January 10, 2013

On motion of Glenn Corbett

Second by Michael Guadagno

And a Roll Call Vote as Follows:

Yeas: (9) Cegelka, Corbett, Guadagno, Hercek, Lowell, MacNeal, Schaefer, Schorno, and Vincitore

Nays: (0) None

Abstain: (1) Secco

Absent: (0) None



Bruce W. MacNeal  
Board Secretary