

Resolution 13 097

AMENDMENT TO RESOLUTION 13-065 AUTHORIZING ENDORSEMENT OF  
APPLICATION FOR TREATMENT WORKS APPROVAL - (TWA-1)

**Mark's Corner Village**  
1 West Hanover Avenue  
Block 119, Lot 130 & 130-1

**WHEREAS**, by Resolution 13-065, the Rockaway Valley Regional Sewerage Authority (RVRSA) approved a request for endorsement of an application for Treatment Works Approval, that had been submitted by the Township of Randolph for a proposed mixed commercial use project consisting of three buildings comprising 54,000 sf retail; 6,100 sf restaurant; and 3,000 sf bank, located on West Hanover Avenue, Randolph, New Jersey; and

**WHEREAS**, the RVRSA further allocated, from RVRSA's "First Come/First Serve" category, gallonage in the amount of 10,525 GPD to the project; and

**WHEREAS**, it has come to the attention of the RVRSA that the Block and Lot numbers for the property were incorrectly stated in the TWA Application and aforementioned Resolution as Block 129, Lot 130 and 130.1, as is more specifically set forth in the attached letter from Edward K. DeHope, Esq. dated October 4, 2013, attached hereto and made a part hereof; and

**WHEREAS**, the RVRSA desires to amend Resolution 13-065 to include the supplemental information submitted to the RVRSA by the applicant in support of this project, and to revise the Block and Lot numbers for the property to reflect that the property is located at Lots 130 and 130-1 Block 119.

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

1. Resolution 13-065 is hereby amended to include the supplemental information submitted to the RVRSA by the applicant in support of this project, and to revise the Block and Lot numbers for the property to reflect that the property is

located at Lots 130 and 130-1 Block 119, 1 West Hanover Avenue, Randolph Township, Morris County, New Jersey.

2. Except as expressly set forth in this Resolution, all of the terms and provisions of Resolution 13-065 shall remain in full force and effect, to wit:

- i. There shall be allocated from RVRSA's "First Come/First Serve" category gallage in the amount of 10,525 GPD.

- ii. JoAnn Mondsinini, Executive Director 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. The ESA Special Grant Waiver issued by the USEPA dated February 4, 2013, urges the usage of alternative /green materials, and energy and water efficient products by the developers, as well as, their consultants/contractors.

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. 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 October 17, 2013

On motion of Michael Guadagno

Second by John Cegelka


And a Roll Call Vote as Follows:

Yeas: (10) Cegelka, Corbett, Guadagno, Hercek, Lowell, Recchia, Schaefer, Schorno, Secco and Vincitore

Nays: (0) None

Abstain: (0) None

Absent: (0) None

  
Michael Guadagno  
Board Secretary