

Resolution 15-056

RESOLUTION CONSENTING TO THE PROPOSED AMENDMENT OR REVISION OF THE MORRIS COUNTY WASTEWATER MANAGEMENT PLAN RELATIVE TO 9 GILLEN STREET, MINE HILL TOWNSHIP, AND CONNECTION OF 9 GILLEN STREET TO THE RVRSA SYSTEM UPON NJDEP APPROVAL OF A WMP REVISION OR AMENDMENT

WHEREAS, the Water Quality Management Planning Rules (N.J.A.C. 7:15) adopted by the New Jersey Department of Environmental Protection (NJDEP) requires that all areas of New Jersey must be addressed by Wastewater Management Plans (WMP); and

WHEREAS, the New Jersey Water Quality Planning Act, N.J.S.A. 13:1D-1 et seq. and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. mandate the completion and submission to the New Jersey Department of Environmental Protection (NJDEP) for review and approval, of a Wastewater Management Plan (County WMP) which defines the existing and future capacity demands of existing and future wastewater related jurisdictions and wastewater service areas, and further requires that all projects and activities affecting water quality must be consistent with these planning documents. Upon adoption, the County WMP becomes a part of the areawide Water Quality Management Plan (WQMP); and

WHEREAS, N.J.A.C. 7:15-5.4 establishes that the county board of chosen freeholders shall have wastewater management plan responsibility for a WMP area consisting of all areas within its county. Those areas designated as within the Rockaway Valley Regional Sewerage Authority STP are depicted on the map entitled "Future Wastewater Service Area Map for Morris County amending the Following Areawide Water Quality Management Plans: Northeast, Upper Delaware, Upper Raritan, Sussex, Date of Current Submittal: March 14, 2012" as noticed in the July 2, 2012 New Jersey Register at 44 N.J.R. 1919; and

WHEREAS, the Township of Mine Hill is a customer of the RVRSA pursuant to a Customer Service Contract dated July 7, 1987, between the RVRSA and Mine Hill Township, which provides for the discharge of not more than 35,250 gallons per day of sewage into the System of the Authority and an Amendment to the Contract that was executed by the parties in September, 1997 allowing for the discharge of an additional 55,000 gallons of sewage into the System, and a Second Amendment to the Contract that was executed by the parties in April, 2011 for an additional amount of 4,675 gpd of sewage to be discharged in to the RVRSA System, for a total amount of 94,925 gpd, calculated on the basis of a thirty day average, RVRSA is obligated to serve existing development and failed septic systems within Mine Hill up to wastewater flows of 94,925 gpd. Mine Hill and the RVRSA are currently evaluating the availability of gallonage allocated to Mine Hill; and

WHEREAS, 9 Gillen Street, Block 903 Lot 12, Township of Mine Hill (hereinafter “9 Gillen Street”), upon information and belief, is currently constructed to rely upon a cesspool for wastewater disposal that has been certified to be in failure, and there exists a sewer line to the RVRSA System contiguous to the property, allowing for the connection to the RVRSA upon NJDEP’s determination that the connection is consistent with the WMP; and

WHEREAS, 9 Gillen Street is located outside of the RVRSA’s current sewer service area and therefor is currently inconsistent with the adopted WMP. Authority to adopt changes to the RVRSA sewer service area rests with the NJDEP, and is subject to the amendment or revision process set forth at N.J.A.C. 7:15-3.4 and N.J.A.C. 7:15-3.5 respectively. Accordingly, prior to connection of this property, the adoption of an amendment or revision to the applicable planning documents is needed to establish that connection of this property is consistent with N.J.A.C. 7:15-3.1; and

WHEREAS, the RVRSA is desirous of endorsing a revision or amendment to the RVRSA sewer service area, as contained in the adopted WMP, to facilitate the connection of a single family house at 9 Gillen Street, Block 903 Lot 12, Township of Mine Hill, that is currently constructed to discharge wastewater to a cesspool that has been certified by the Director of Health and Code Enforcement for Mine Hill Township to be in failure, and further, upon adoption of a WMP revision or amendment, to providing sewer service for one single family house at 9 Gillen Street, Block 903 Lot 12, Township of Mine Hill, provided certain conditions are met. The gallonage associated with this connection will be included in the ongoing evaluation of gallonage allocated to Mine Hill.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, on this 11th day of June, 2015, that:

1. The Rockaway Valley Regional Sewerage Authority hereby consents to the revision or amendment of the County WQMP to include 9 Gillen Street, Block 903, Lot 12, Township of Mine Hill, as within the sewer service area of the RVRSA, upon application therefor and with the consent of the County of Morris, for the purpose of providing wastewater to a single family dwelling. Further, the RVRSA authorizes the connection of a single family dwelling located at 9 Gillen Street, Mine Hill, to the RVRSA System, which authorization shall only be effective upon satisfaction of all of the conditions enumerated herein and is subject to the following conditions:

(i) This authorization is conditioned upon the adoption of a revision or amendment to the County Wastewater Management Plan, in accord with N.J.A.C. 7:15-3.1 et seq., to include 9 Gillen Street, Block 903 Lot 12, Township of Mine Hill, as within the RVRSA sewer service area depicted on the map entitled “Future Wastewater Service Area Map for Morris County amending the

Following Areawide Water Quality Management Plans: Northeast, Upper Delaware, Upper Raritan, Sussex, Date of Current Submittal: March 14, 2012.”

(ii) Any sewer extension or building lateral to be installed shall be subject to inspection(s) by the RVRSA and issuance of a Permit to Connect. In accord with Section 503(D) of the Service Contract, “[n]o connection shall be made, suffered or allowed to be made to the System unless a Permit to Connect shall have first been issued by the Authority and all requirements of the Authority’s Connection Permit System shall have been satisfied, including but not limited to, the inspection by the Authority’s representative, employee or agent of all sewer lines and laterals to be connected to the System. Such inspection shall be required of that portion of a sewer line between the building foundation and the local collection system, as well as of the local collection system itself.”; and

(iii) This authorization is subject to receipt of a certification, in accordance with the RVRSA Service Rules Article IV (4C) and RVRSA Sewer Connection Permit Application, which requires a certification from a qualified person that floodplains/wetlands are not located within the parcel; and

(iv) This authorization is further subject to payment of all applicable fees associated with this connection. In accordance with RVRSA Service Rules Appendix IV – Rate Schedule B1, Feasibility of Sewer Service, an application fee of \$450.00 dollars is required. The \$450.00 dollar fee was not included with the application. Additionally, in accordance with RVRSA Service Rules Appendix IV – Rate Schedule – RVRSA Sewer Connection Permit and Inspection Fees (Attached): (1) Residential Connection Permit Fee: \$30.00 and (3) Residential/Non-Residential Connection Inspection Fee: \$30.00 dollars. The RVRSA received payment of \$45.00 dollars, therefore an additional \$465.00 is due the RVRSA prior to issuance of a Permit to Connect.

(v) All users are subject to the RVRSA’s Service Rules and Service Rules Addendum, entitled, Regulations Concerning Industrial Users and General Sewer Use Requirements (“RVRSA Service Rules Addendum”), as amended and supplemented from time to time.

2. Upon satisfaction of the conditions enumerated herein, the Executive Director is authorized to issue a Permit to Connect for one single family dwelling located at 9 Gillen Street, Mine Hill, New Jersey.

3. This Resolution shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.1 et seq.

4. Copies of this Resolution shall be provided to the Morris County Planning Board and Township of Mine Hill.
5. This Resolution shall take effect as provided by law.

CERTIFICATION

I hereby certify that this resolution was adopted at the regularly scheduled meeting of the RVRSA held on June 11, 2015

Moved by: Glenn Corbett

Second by: Hector Schorno


ROLL CALL VOTE:

Yeas: (7) Andes, Cegelka, Corbett, Lowell, Recchia, Schaefer, Schorno

Nays: (1) Secco

Abstain: (0) None

Absent: (2) Guadagno and Vincitore



Michael Guadagno
Secretary