

Resolution 17-010
RESOLUTION AUTHORIZING ENDORSEMENT OF
EXTENSION OF TREATMENT WORKS APPROVAL (TWA-1)
Avalon Bay Communities, Inc.
Wooton Street
Block 69, Lot 72
Town of Boonton

WHEREAS, an application for an extension of Treatment Works Approval (TWA-1) Permit No. 13-0363, has been submitted by the Town of Boonton. The extension is necessary due to delays caused by onsite cleanup requirements. The Project proposes 350 apartments and 5800 square feet of office space within a new five (5) story building, on Tax Block 69, Lot 72, located on Wooton Street, Boonton, New Jersey, and is more particularly described in TWA-1 Permit No. 13-0363, 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 for extension of the previously issued TWA-1 Permit; and

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service the proposed project is in the amount of 45,770 GPD; and

WHEREAS, the gallonage required to service the project pursuant to the calculation of the NJDEP is 70,255 GPD; and

WHEREAS, the Town of Boonton is required to endorse the extension of the TWA-1 Permit; which it has done subject to conditions as contained in Resolution 16-221, dated November 7, 2016; and

WHEREAS, RVRSA is desirous of facilitating this application for sewer service extension.

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

1. There shall continue to be allocated from RVRSA's "First Come/First Serve" category, gallorage in the amount of 45,770 GPD.

2. The RVRSA hereby endorses the extension of TWA-1 Permit No. 13-0363. JoAnn Mondsin, Executive Director of the RVRSA, is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 entitled Endorsements at subsection 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 upon 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 from 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, including, but not limited to, conditions imposed by the Town of Boonton.
- 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 the original RVRSA Resolution 13-098 approval, dated October 17, 2013, 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 January 12, 2017

On motion of Glenn Corbett

Second by Michael Guadagno


And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Lowell, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (1) Recchia


Michael Guadagno
Board Secretary