

Resolution 18-062

RESOLUTION CONSENTING TO CONNECTION OF 29 BAKER STREET, BLOCK 904, LOT 12, MINE HILL, TO THE RVRSA SYSTEM

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 an Amended and Restated Customer Service Contract dated April 19, 2018, between the RVRSA and Mine Hill Township; and

WHEREAS, 29 Baker Street, Block 904, Lot 12, Township of Mine Hill (hereinafter “29 Baker Street”), upon information and belief, is currently constructed to rely upon a septic tank for wastewater disposal that has been certified by Mark Caputo, Health Officer, to be in failure and has backed up into the residential dwelling, 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, 29 Baker 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, pursuant to an email from Matthew LaMarca, Environmental Program Specialist, NJDEP WRM, Office of Operations and Coordination, to Robert Bocchino, P.E. dated May 3, 2018, Preliminary Notice to amend the WMP to include portions of Howard Avenue, including 29 Baker Street, was published in the New Jersey Register on April 16, 2018, however the Site Specific Amendment has not yet been adopted; and

WHEREAS, the RVRSA is desirous of facilitating the connection of a single-family house at 29 Baker Street, Block 904, Lot 12, in the Township of Mine Hill, that is currently constructed to discharge wastewater to a septic system, on an emergent basis provided certain conditions are met. The gallonage associated with this connection will be included in the gallonage allocated to Mine Hill with respect to the Howard Street Site Specific WMP Amendment; and

WHEREAS, the RVRSA has notified Matthew LaMarca, NJDEP, Edward Hudzina, Bureau of Northern Enforcement, NJDEP and Virginia Michelin, Morris County Planning of its intention to serve 29 Baker Street, Block 904, Lot 12 on an emergent basis.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, on this 10th day of May, 2018, that:

1. The Rockaway Valley Regional Sewerage Authority hereby consents to the connection of 29 Baker Street, Block 904, Lot 12, Township of Mine Hill, upon application therefor and with the consent of the County of Morris and NJDEP, for the purpose of providing wastewater to an existing single family dwelling which authorization. The providing of sewer service 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 subsequent 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 29 Baker Street, Block 904 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, if applicable; and

(iv) This approval is subject to the payment of the appropriate fees and/or charges of the RVRSA or any other governmental authority having jurisdiction. Additional fees shall be assessed in accordance with an amendment to the Amended and Restated Service Contract, dated April 19, 2018, for the Howard Avenue Project, and will be due as provided therein.

(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.

(vi) Execution of an amendment to the Amended and Restated Customer Service Contract, dated April 19, 2018, providing for sufficient gallonage to accommodate the additional flow proposed to be served pursuant to this authorization.

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 29 Baker Street, Block 904, Lot 12, Mine Hill, New Jersey.

3. A copy of this Resolution shall be submitted to Matthew LaMarca, Environmental Program Specialist, NJDEP WRM Office of Operations & Coordination, Edward Hudzina, Environmental Specialist 3, Northern Bureau of Compliance and Enforcement, NJDEP, and Virginia Michelin, CFM, Principal Environmental Planner, Morris County Office of Planning and Preservation.

4. Copies of this Resolution shall also be provided to the 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 May 10, 2018.

Moved by: Glenn Corbett

Seconded by: John Cegelka

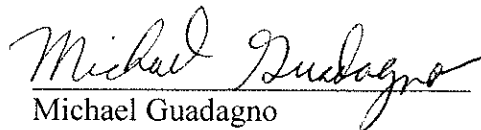
ROLL CALL VOTE:

AYES: (7) Andes, Cegelka, Corbett, Guadagno, Isselin, Rossi, Schorno

NAYS: (0) None

ABSTAIN: (1) Vincitore

ABSENT: (2) Lowell and Recchia


Michael Guadagno
Board Secretary