

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

Gateways at Randolph Expansion
44 Center Grove Road
Block 77, Lots 25, 30 and 31
Township of Randolph

WHEREAS, an application for Treatment Works Approval was submitted and endorsed by the Authority by Resolution 19-119; and

WHEREAS, the NJDEP has issued TWA No. 20-0013 for the project; and

WHEREAS, the applicant has requested an expansion of the project in connection with TWA No. 20-0013; and

WHEREAS, the NJDEP directed the applicant to obtain endorsement of the Authority for an amended application for Treatment Works Approval; and

WHEREAS, an amended application for Treatment Works Approval has been submitted by the Township of Randolph ("Randolph"), which proposes the extension of sanitary sewer at 44 Center Grove Road, in the Township of Randolph, to expand the existing Gateways at Randolph apartment complex to add 100 two-bedroom units in four (4) proposed new buildings, and an addition to the existing recreation building to relocate the lease office that is proposed to be demolished for construction of one of the new apartment buildings. The existing complex consists of 54 individual apartment buildings, a lease office, and a recreation center. The project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

WHEREAS, it has been confirmed by the New Jersey Highlands Council, by email dated July 30, 2019, from Casey Ezyske to Robert Bocchino, that the area is within the approved Sewer Service Area served by the RVRSA; 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, one of the conditions imposed by the United States Environmental Protection Agency (USEPA) upon the grant for the construction of the RVRSA wastewater treatment plant prevents the connection of any structure within wetlands (as Resolution 22-049

delineated on maps approved by USEPA) and upon parcels wherein wetlands are subsequently delineated to the RVRSA treatment facilities for a period of 50 years from November 29, 1983; and

WHEREAS, the project site contains delineated wetlands on the property, which property is not currently fully improved. The applicant has submitted a letter dated October 28, 2019 from by Andrew B. Abramson, of the Value Companies stating that the project does not propose conducting any regulated activity within the delineated wetlands. The NJDEP issued a Letter of Interpretation/Line Verification regarding this project, addressed to Mr. Abramson dated September 12, 2018, verifying the boundaries of the delineated wetlands. By letter dated October 30, 2019 from David Kluesner, Acting Director, Strategic Programs Office, USEPA to Robert Bocchino, P.E., RVRSA, USEPA has approved a partial waiver of the ESA special grant condition for this project due to the fact that no wetlands onsite will be impacted by the project. The sewer connection restriction of the special grant condition remains in effect for any future construction or proposed disturbance to wetland areas; and

WHEREAS, Tracy Shevlin of the NJDEP and Nikolaus Wirth of the USEPA have been notified of the requested expansion of the project and indicated that an amended application for a Wetlands Waiver is needed; and

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service the proposed project is in the new amended amount of 15,090 GPD allocated from First Come/First Serve; and

WHEREAS, the gallonage required to service the project pursuant to the calculation of the NJDEP is a new amended amount 23,490 GPD; and

WHEREAS, the Township of Randolph is required to endorse the project; which, it has done by Resolution 145-19, dated June 13, 2019 and Resolution 29-22, dated January 27, 2022; and

WHEREAS, RVRSA is desirous of facilitating Randolph's application for sewer service extension.

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 new total amended amount of 15,090 GPD.

2. JoAnn Mondisini, 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 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. RVRSA's consent is conditioned upon the requirement that prior to any modification to this project resulting in any additional disturbance to wetlands, an application shall be submitted to the EPA seeking a revised ESA special grant condition determination.
- 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 mainlines and each of the building laterals 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 receipt of Wetlands Waiver from the USEPA for the proposed expanded project.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on April 14, 2022.

On motion of Commissioner Guadagno

Second by Commissioner Corbett

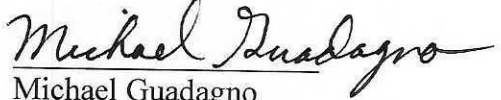
And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Isselin, Lavery, and Schorno

Nays: (0)

Abstain: (0)

Absent: (3) Farrell, Howarth, and Zuppa


Michael Guadagno
Board Secretary