

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

Wharton Woods

Intersection of Old Irondale Road and Mill Street

Block 1603, Lot 14

Borough of Wharton

WHEREAS, an application for Treatment Works Approval has been submitted by the Borough of Wharton which proposes the extension of sewers to serve a proposed residential development consisting of 85 new residential market rate 3-bedroom townhouses, and the construction of 1,750 LF of 8" PVC piping, for review by the Rockaway Valley Regional Sewerage Authority (RVRSA), which extension project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

WHEREAS, this application supersedes the prior TWA Approval issued pursuant to RVRSA Resolution 15-004 in 2015 which is hereby superseded, and TWA 15-0051 issued by NJDEP dated March 9, 2015, expired in March, 2017, that included 67 townhouses, and authorized the allocation of 18,600 gpd, which will not be constructed; 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, the project site contains delineated wetlands, however a waiver of the RVRSA's ESA Special Grant Condition No. 4, applicable to undeveloped property, is not applicable to this project because the project does not propose any disturbance to environmentally sensitive areas; and

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service the proposed project is in the amount of 15,555 GPD; and

WHEREAS, the gallonage required to service the project pursuant to the calculation of the NJDEP is 25,500 GPD; and

WHEREAS, the Borough of Wharton is required to endorse the project; which it has done by Borough of Wharton Resolution R-113-22, dated September 12, 2022 and by Borough of Wharton Land Use Board Resolution, dated July 12, 2022; and

WHEREAS, RVRSA is desirous of facilitating Wharton'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 amount of 15,555 GPD.
2. JoAnn Mondsini, 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. The sewer connection restriction of the grant condition remains in effect for any future construction. Any modifications to the project proposing disturbance to wetlands or floodplains shall require submission of an application to the RVRSA to thereafter be submitted to USEPA for a revised 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, including obtaining all relevant approvals and consistency determinations, 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(s) shall obtain the necessary permit(s) for sewer connection(s) to the RVRSA system, in connection therewith and shall comply with 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.
- K. This endorsement is further conditioned upon the submission, to the RVRSA, of the NJDEP issued Treatment Works Approval. A permit to connect to the RVRSA may not be issued until such time as a copy of the Treatment Works Approval is submitted to RVRSA.

CERTIFICATION

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

On motion of Commissioner Farrell

Second by Commissioner Corbett


And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Corbett, Farrell, Guadagno, Howarth, Isselin, and Zuppa.

Nays: (0)

Abstain: (0)

Absent: (2) Lavery and Schorno.


Michael Guadagno
Board Secretary