

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

Mine Hill Township
Canfield Avenue
Blocks 1102 & 1502, Lots 1 & 1
(Public Portion)

WHEREAS, an application for Treatment Works Approval has been submitted by the Township of Mine Hill, which proposes the installation of thirty (30) LF of 8” PVC gravity sewer main to receive the wastewater discharge from a proposed three hundred and sixty (390) unit inclusionary residential development, including seventy-eight (78) low- and moderate-income housing units, comprised of one hundred and twenty-one (121) One-Bedroom Units; two hundred and fifty-three (253) Two-Bedroom Units; sixteen (16) Three-Bedroom Units; and a Clubhouse with a pool, located at Canfield Avenue, Block 1102, Lot 1 and Block 1502, Lot 1, Township of Mine Hill (the “Project”). The Project is more particularly described in the Treatment Works Approvals Permit Application Forms (TWA-1), attached hereto and made a part hereof; and

WHEREAS, based on NJDEP approved Wastewater Management Plan maps, amended on July 22, 2022, the Project is within the approved Sewer Service Area served by the RVRSA; and

WHEREAS, RVRSA has identified a conveyance capacity issue that may exist in that portion of the Jackson Brook Interceptor, owned, operated and maintained by RVRSA, between Meter Chamber R-2 and Meter Chamber RT-5, particularly with regard to the 24”/36” pipe portion of the RVRSA System and the anticipated flows from those municipalities discharging thereto, and has determined that an evaluation to determine whether adequate conveyance capacity exists to provide for anticipated flows; 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, pursuant to RVRSA's planning estimates the gallonage required to service the proposed Project is in the amount of zero gpd; and

WHEREAS, the gallonage required to service the proposed Project pursuant to the NJDEP criteria is in the amount of zero gpd; and

WHEREAS, the Township of Mine Hill is a customer of the RVRSA. Pursuant to the Amended and Restated Customer Service Contract, dated April 19, 2018, and amendments thereto (the "Customer Service Contract"), Mine Hill Township is authorized to discharge not more than 150,013 gallons per day of sewage into the System of the Authority; and

WHEREAS, subject to confirmation of adequate conveyance capacity in the section of 24"/36" pipe between Meter Chamber R-2 and RT-5, and further subject to execution of a seventh amendment to the Customer Service Contract by RVRSA and the Township of Mine Hill, providing for sufficient gallonage to accommodate the additional flow proposed to be served pursuant to this authorization, and payment of the Capital Share associated with a 51,528 GPD discharge, in the approximate amount of \$369,857.63 (final amount to be determined at the time of the issuance of an RVRSA Connection Permit), the RVRSA is amenable to extending sewer service to the aforementioned Project for a new total discharge of 201,541 GPD; and

WHEREAS, the Township of Mine Hill is required to endorse this Project; which it has done by Resolution Township Resolution 105-22, adopted October 6, 2022; and

WHEREAS, since the Project is proposing the discharge of wastewater into the portion of the Jackson Brook Interceptor owned and operated by the Township of Randolph, the Township of Randolph is also required to endorse the Project; which, it has done by Resolution 99-23, adopted on April 20, 2023.

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

1. Zero flow shall be allocated from RVRSA's "First Come/First Serve" category with respect to the public portion of the proposed Project in the Township of Mine Hill.
2. Upon receipt of a determination that adequate conveyance capacity exists to provide for this Project and anticipated future flows, JoAnn Mondini, Executive Director of the RVRSA, is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Forms WQM-003 entitled Endorsements at subsection D subject to the following conditions:
 - A. That this endorsement is conditioned upon confirmation that adequate conveyance capacity exists to provide for anticipated flows and is further conditioned upon the execution of an amendment to the Customer Service Contract, between RVRSA and Mine Hill, providing for sufficient gallonage to accommodate the additional flow proposed to be served pursuant to this authorization and payment of the Capital Share associated with a 51,528 GPD discharge, in the approximate amount of \$369,857.63 (final amount to be determined at the time of the issuance of an RVRSA Connection Permit).
 - 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 clearance from the RVRSA's pretreatment program prior to seeking the necessary permit(s) for connection to the RVRSA's local/regional conveyance system.

- E. That no connection shall be made until RVRSA issues a Permit to Connect 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. Mine Hill shall not issue a plumbing permit authorizing the connection of any properties to the RVRSA without first providing notice to the RVRSA.
- F. That the property owners 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.
- G. That the sewer main line and each of the building laterals to be installed in connection with the project shall be subject to inspection(s) by the RVRSA.
- H. 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.
- 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 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.

- K. 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.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on **June 8, 2023**.

On motion of Commissioner: Potter

Second by Commissioner: Howarth

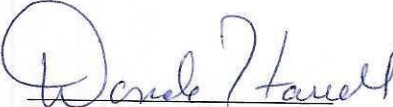
And a Roll Call Vote as Follows:

Yeas: (7) Andes, Farrell, Howarth, Isselin, Laverty, Potter, and Schorno

Nays: (0)

Abstain: (1) Corbett

Absent: (2) Cegelka, Zuppa


Donald Farrell
Board Secretary