

WARREN TOWNSHIP SEWERAGE AUTHORITY

RESOLUTION NO 12-121

**RESOLUTION GRANTING CONDITIONAL
PRELIMINARY APPROVAL OF THE APPLICATION OF
HILLCREST ROAD SCHEDULE A PROPERTIES LLC
FOR CONNECTION BY MEANS OF A LOW-PRESSURE
FORCE MAIN, WITH THIRTY (30) EDU'S OF CAPACITY,
OF LOTS 65.02, 65.03, 66, 67, 68, 69, 70, 71, AND 72, BLOCK
198, AND LOTS 1, 5, 6.01, 6.02, 6.03, 7.01, 7.02, 8.01, AND
8.02, BLOCK 200, LOCATED ON HILLCREST ROAD IN
THE BERKELEY HEIGHTS SEWER SERVICE AREA**

WHEREAS, the applicant, Hillcrest Road Schedule A Properties, LLC, had applied to the Authority for Conceptual Approval for connection by means of a low-pressure force main and for thirty (30) EDUs of capacity to serve Lots 65.02, 65.03, 66, 67, 68, 69, 70, 71, and 72, Block 198, and Lots 1, 5, 6.01, 6.02, 6.03, 7.01, 7.02, 8.01, and 8.02, Block 200, located on Hillcrest Road in Warren Township but within the Berkeley Heights sewer service area; and

WHEREAS, the Authority approved the applicant's plan for Conceptual Approval by Resolution 11-51, dated April 20, 2011, which approval included findings that a gravity alternative for these properties was not feasible; and

WHEREAS, the applicant has now applied to the Authority for Preliminary Approval for connection by means of a low-pressure force main and for thirty (30) EDUs of capacity to serve Lots 65.02, 65.03, 66, 67, 68, 69, 70, 71, and 72, Block 198, and Lots 1, 5, 6.01, 6.02, 6.03, 7.01, 7.02, 8.01, and 8.02, Block 200, located on Hillcrest Road in Warren Township but within the Berkeley Heights sewer service area; and

WHEREAS, the applicant proposes to connect these properties by means of what will become an Authority-owned low-pressure force main within the Hillcrest Road right-of-way that will connect to the Authority's existing 8-inch line in Mountain Avenue, which existing line discharges into the Berkeley Heights sewer system; and

WHEREAS, the properties associated with this application are located within an area designated to flow to the Berkeley Heights Sewer System as part of the Sewer Use Agreement between the Authority and the Township of Berkeley Heights (the "Sewer Use Agreement"). Specifically, all of the properties listed on Schedule A of the Second Amendment to the Sewer Use Agreement ("Schedule A") are shown to be connected in the application for Preliminary Approval, with the exception of Block 200, Lot 9, which can be connected to the existing 8-inch sewer line in Mountain Avenue by gravity; and

WHEREAS, as reflected on Schedule A, under the Sewer Use Agreement Lot 1, Block 200 is allocated thirteen (13) EDUs of capacity, and the remaining properties are allocated one (1) EDU of capacity each, for a total of thirty (30) EDUs of capacity allocated to the properties

that are the subject of this Preliminary Approval; and

WHEREAS, the applicant has submitted a Preliminary Plan showing that each of the individual properties are to be sewerred by means of a low-pressure sewer system, with each property connecting into what will then become an Authority-owned common force main which connects to the Authority's existing 8-inch sewer line in Mountain Avenue; and

WHEREAS, the Preliminary Plan shows that seventeen (17) residential lots in the Schedule A area will each be provided with an 1 1/4-inch SDR-21 PVC connection stub, terminating with a ball valve at the front of the property. Each homeowner will be responsible to construct his own connection consisting of a packaged pump station, 1 1/4-inch force main and check valve assembly, as shown in detail on the drawings. As shown on the revised drawings, the Camp River Bend property, Lot 1, Block 200, will be provided with one (1) 3-inch SDR-21 PVC stub in order to connect the facilities on that site. As such, a total of eighteen (18) connection stubs from the common force main are proposed; and

WHEREAS, based on subsequent communications, Camp River Bend will be requesting that the plans be revised to provide for two (2) SDR-21 PVC stubs in order to connect the Camp facilities, which will bring the total connection stubs to nineteen (19), if and when such modification is made; and

WHEREAS, the proposed 2,130 LF force main ranges in size from 2-inch to 3-inch in diameter, based on design calculations for the number of pumps to be connected in each reach. The force main is located approximately 4-feet off the east edge of pavement, except to jog around obstructions such as trees. The drawings include the Authority's construction details recommended for low pressure sewer systems. While not part of this force main application, the homeowner's individual pump station is specified on the drawing to be an E-One Sewer Systems Model DH071 pump station, which includes the required controls and alarms; and

WHEREAS, the Camp River Bend property was estimated to have a potential for 13 EDUs, based upon the facilities shown on an earlier site plan of the camp. The 13 EDU allotment is consistent with the schedule provided in the Berkeley Heights Sewer Agreement. In the most recent revisions, the applicant's engineer modified the drawings to indicate that one (1) 3-inch stub is to be provided for all of the buildings and uses at the site. However, based on subsequent communications it is likely that the plans will be modified to provide for two (2) stubs, one that will eventually serve the five residential buildings on the camp site, corresponding to 5 EDUs, and one that will serve the other (non-residential) camp facilities, assumed to correspond to the balance of 8 EDUs, for a total of 13 EDUs; and

WHEREAS, at the time of the initial submittal of the revised Preliminary Plan, no additional information about the Camp's volume of wastewater or types of facilities had been provided, nor had the Camp provided any proposed internal layout for sewerred the Camp if it were to connect some or all of its facilities to the proposed low-pressure system; and

WHEREAS, efforts by representatives of the Authority eventually resulted in the Camp undertaking an evaluation of its actual water usage during the camping season by means of

metering water usage and through other analysis, the results of which evaluation are set forth in a report prepared by the Authority's engineers, PS&S, dated August 31, 2012, which report estimated a current flow of approximately 5,000 gpd, and a potential future flow of 6,665 gpd under full camp conditions (900 campers, 175 counselors). As indicated in that report, this flow would generally occur within a 7 hour period (9:30 am to 4:15 pm). The PS&S report noted that using the NJDEP flow criteria stated at N.J.A.C. 7:14A-23.3, the projected flow at full camp conditions would be 16,125 gpd, but opined that the actual water usage recorded at the Camp supported the lower flow projections. The PS&S report further noted that the Camp only operates its camp program for 34 days out of the entire year; and

WHEREAS, at the request of PS&S and the Authority, Menlo Engineering Associates, the engineers for the Camp, provide the Camp and the Authority with a preliminary design for future connection of the Camp into the proposed low-pressure system, which preliminary design consisted of a memorandum dated October 3, 2012 and a Preliminary Sewer Plan dated October 2, 2012. The Menlo memorandum utilized the PS&S conclusions regarding project flow, and applied a 1.5 safety factor to the Camp's flow, and added to that anticipated flow from the 5 single family residences to arrive at a total design flow of 11,500 gpd at the peak usage of the Camp facilities during the summer weeks when the Camp is operational; and

WHEREAS, the Menlo memorandum described the proposed internal system by which the Camp, including the 5 residences would be sewerred, which involved internal gravity laterals which would flow to the rear of the Camp property and from there would be pumped by two or three WH484 pumping units that would be consistent with the requirements of the E-One system. The Menlo memorandum further calculated the rates at which the pumps would operate; and

WHEREAS, the Menlo memorandum showed one single stub on the low-pressure system being provided for the entire Camp, including the 5 residences, by reason of the interior layout of the gravity laterals and low-pressure pumps; and

WHEREAS, as previously noted, the internal system within the Camp may be modified, resulting in two stubs being provided; and

WHEREAS, the Menlo memorandum and the PS&S report were then provided to E-One by the Applicant and by letter reports dated October 17, 25 and 26, 2012, E-One updated its previous "Cost and Design Analysis" report, dated June 13, 2012. These E-One reports, taken together, confirm that the system and designs, including the preliminary design flows for the Camp submitted by Menlo, will be able to properly service the proposed single family homes as well as the flow associated with the Camp facilities. The E-One reports confirm that even if only a small number of homes initially connect, the use of progressing cavity pumps will allow the system to satisfactorily function by maintaining a constant discharge, increasing the flow velocity, and scouring the pipe clean of accumulated solids. The submittals made by the Applicant, taken together with and including the PS&S report, the Menlo memorandum and the E-One reports, satisfy the conditions set forth in the Conceptual approval previously granted; and

WHEREAS, as submitted, the Preliminary application provides that the cost of each

individual pump and force main connection to the stub will be the responsibility of each property owner; and

WHEREAS, the Township of Berkeley Heights has indicated that based upon its study of available sewer line capacity, it is agreeable to the connection of the properties to the 8-inch sewer line in Mountain Avenue, which also receives the flow from the Schedule B area; and

WHEREAS, while the proposed system is currently planned to be constructed by the applicant and subsequently dedicated to the Township and Authority to become part of the Authority's system, the Authority is aware that consideration may be given by the Township of Warren to undertake construction of the project as a local improvement to be financed through a special assessment; and

WHEREAS, by memorandum dated November 15, 2012, the Authority's Engineer for this application has indicated that he has reviewed the documents submitted on behalf of the Applicant, specifically drawings consisting of Sheets 1 through 4 of 5, dated revised 10/22/12, as prepared by Fisk Associates, PA, and a revised Sheet 5 of 5 dated 10/12/12, and has determined that all technical specifications have been met for preliminary approval and has recommended that the Authority grant preliminary approval, with certain specific conditions, identified in the November 15, 2012 memorandum.

NOW, THEREFORE, BE IT RESOLVED by the Warren Township Sewerage Authority, County of Somerset, State of New Jersey, that the Authority hereby grants Preliminary Approval to Hillcrest Road Schedule A Properties, LLC, for the connection of Lots 65.02, 65.03, 66, 67, 68, 69, 70, 71, and 72, Block 198, and Lots 1, 5, 6.01, 6.02, 6.03, 7.01, 7.02, 8.01, and 8.02, Block 200, and a total anticipated possible flow of thirty (30) EDUs by means of a low-pressure force main within Hillcrest Road that will connect to the Authority's existing 8-inch line in Mountain Avenue, in the Berkeley Heights sewer service area. This approval is subject to the following:

1. The approval granted herein is for Preliminary Approval only. Actual connection of each individual property to the force main, including the Camp, will require a separate application to and approval from the Authority. The application for connection must include details and other documents specifying the model pump station, the force main pipe material and valving details which are to be installed. The property owner will be required to enter into an agreement covering its ownership, maintenance and responsibility for its private pump station and force main, in accordance with the Authority's Rules and Regulations. Approval of actual connection for any property that is not a participant in the applicant LLC will be conditioned on payment of the Authority's then current connection fee and, pursuant to the Berkeley Heights Sewer Use Agreement, evidence of payment of Berkeley Heights' connection fee. For any property that is a participant in the applicant LLC, and, as to the Camp, based upon the extent to which the Camp is a participant in proportion to the number of EDUs eventually determined to apply to its use, upon evidence of payment of the Berkeley Heights' connection fee, the Authority will credit the amount of that fee against the Authority's then current connection fee. The Authority bases this distinction on the unique facts associated with this application. Those facts include, but are not limited to, the fact that the low-pressure system will connect almost directly into the Berkeley Heights system, so those participating in the cost of

construction of the low-pressure system will have already paid for the cost of that part of the Authority's system into which non-participants will later connection into.

2 It shall be the applicant's responsibility to obtain the NJDEP TWA Permit required for the construction of the force main and the Somerset County Road Opening Permit required for all work with the right-of-way of Hillcrest Road and Mountain Avenue.

3. The installation of the common force main and connection stubs is under the jurisdiction of the Authority and must be inspected by a representative of the Authority. The applicant shall pay the additional escrow deposit to cover the cost of this inspection, in an amount as may be required by the Authority at the time of construction. Due to the nature of construction of such a low-pressure line being substantially different than the construction of a gravity line, the amount of the required escrow deposition will be recommended by the Authority's engineer prior to commencement of construction.

4. The Applicant shall revise the Preliminary Plans to reflect the proposed connection of the Camp, including the 5 residences, to the low-pressure by means of two stubs rather than a single stub as currently shown, if requested by the Camp, so long as such request is made prior to actual construction of the line.

5. Lateral stubs, as shown on the drawings as revised pursuant to Condition 4 above, shall all be installed at the time of construction of the low-pressure line. The cost of installing the stubs that applicant does install is eligible for reimbursement to the applicant in accordance with the Authority's Rules and Regulations applicable to off-site stubs, provided that for any property owner who participates as a member of the application LLC shall be considered to be an applicant and not a third-party property owner. This means that the LLC shall not be reimbursed for the construction of any such stub, and that at time that an LLC property connects the property owner shall not be required to pay the Authority the stub reimbursement amount provided for in the Authority's Rules and Regulations.

6. If applicable, the applicant, prior to any excavation, must provide written notice to the Somerset-Union Soil Conservation District.

7. The applicant shall not commence any construction requiring engineering inspection until it has provided proof to the Authority that the applicant has notified the "One-Call Damage Prevention System" pursuant to the Underground Facility Protection Act, N.J.S.A. 48:2-73, et seq., which proof shall be provided by supplying the Authority with the confirmation number assigned to the notice of intent pursuant to said Act.

8. The Applicant shall complete all site restoration work associated with the construction of the sanitary sewer to the satisfaction of the Authority and the Township.

BE IT FURTHER RESOLVED that the Authority's Chairman and Administrator are hereby authorized and directed to execute the required New Jersey Department of Environmental Protection TWA-1 permit application.

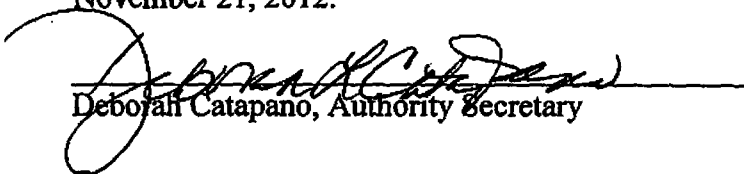
BE IT FURTHER RESOLVED that in the event the Township elects to undertake the project proposed by the applicant as a local improvement and financed as through a special assessment, the Authority's approval of this project can be relied on by the Township and the plans submitted by the applicant utilized by the Township. In the event of construction as a local improvement, the conditions of this approval relating to payment of connection fees, reimbursement for the cost of stub construction, and any other conditions that are inconsistent with such a local improvement and special assessment shall no longer apply.

Moved by Mr. Truglio
 Seconded by Mr. Checchio

Roll Call Vote	Yes	No
Chairman Reeder	x _____	_____
Mr. Truglio	x _____	_____
Ms. Garafola	_____	_____
Mr. Kaufman	_____	_____
Mr. Vetter	_____	_____
Mr. Checchio (Alternate #1)	x _____	_____
Mr. Paolella (Alternate #2)	_____	_____

CERTIFICATION

I, Deborah Catapano, Secretary of the Warren Township Sewerage Authority in the County of Somerset, New Jersey, do hereby certify that the above resolution is a true and correct copy of a resolution adopted at a meeting of the Warren Township Sewerage Authority on November 21, 2012.


 Deborah Catapano, Authority Secretary