• Salute to the Flag
• Compliance with Open Public Meetings Act
• Roll Call:

Council Members:
_____ Murphy  _____ Buie  _____ Witte
_____ Bergen  _____ Lyden  _____ Borowiec
_____ Gabel, Council President

In Attendance:
_____ Mayor Andes  _____ Administrator Ward
_____ Township Attorney Jansen  _____ Other: ____________

Public Portion (Please limit comments to a maximum of three (3) minutes)

Interview Candidates for
Zoning Board of Adjustment Vacancy

R-18-137: Resolution Appointing a Board of Adjustment Member for
the Township of Denville Effective June 13, 2018

R-18-138: Resolution Granting Consent to a Treatment Works
Approval (TWA) Application for 185 Cedar Lake East (Block
61302, Lot 110) in the Township of Denville

PRESENTATIONS & DISCUSSIONS

Discussion on Uniform Construction Code Fee Schedule
Sal Poli, Construction Official

Motion to Adjourn
RESOLUTION APPOINTING A BOARD OF ADJUSTMENT MEMBER FOR THE TOWNSHIP OF DENVILLE EFFECTIVE JUNE 20, 2018

WHEREAS, Township of Denville Board of Adjustment Regular Member James Rodimer resigned from the Board effective April 30, 2018; and

WHEREAS, it is in the Township’s custom to have Alternate Member #1 appointed to fill the vacancy created by the resignation of a Regular Member, to appoint Alternate #2 to fill the unexpired term of Alternate #1, and to appoint someone to fill the unexpired term of Alternate #2; and

WHEREAS, the Municipal Council has conducted interviews of interested citizens and wishes to proceed with the appointments.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that the following appointments to the Board of Adjustment are hereby made, effective June 20, 2018:

Timothy Wagner is appointed to fill the unexpired term of former Regular Member James Rodimer, expiring December 31, 2018.

Krista Kussoff is appointed to fill the unexpired term of former Alternate #1 Timothy Wagner, expiring December 31, 2019.

_________________________ is appointed to fill the unexpired term of former Alternate #2 Krista Kussoff, expiring December 31, 2018.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on ___, 2018.

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION GRANTING CONSENT TO A TREATMENT WORKS APPROVAL (TWA) APPLICATION FOR 185 CEDAR LAKE EAST (BLOCK 61302, LOT 110) IN THE TOWNSHIP OF DENVILLE

WHEREAS, James F. and Anne E. McIntosh ("Applicant") will be applying to the State of New Jersey Department of Environmental Protection for a Treatment Works Approval (TWA) for a Sanitary Sewer Lateral; and

WHEREAS, the Township Engineer has reviewed the application and takes no exception to the endorsement of the Treatment Works Approval (TWA) Application by the Township of Denville.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that consent is hereby granted for execution by all appropriate Township of Denville officials of the attached Treatment Works Approval (TWA) Permit Application Statement of Consent form (WQM-003) for property located at 185 Cedar Lake East in the Township of Denville and further known as Block 61302, Lot 110.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on

Certification Date: ___________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
Dear Mr. Ward:

Please find attached Treatment Works Approval (TWA) Application for the above referenced property. We take not exception to the endorsement of the TWA Application by the Township of Denville via a resolution by the governing body and by signing the "Statements of Consent" form, which have also been attached.

If you have any questions concerning this review, please do not hesitate to contact my office.

Very truly yours,

Mott MacDonald

John K. Ruschke, PE
Vice President
john.ruschke@mottmac.com
T 908.238.5000 F 973.267.2890

JKR:sja

Cc: James McIntosh, Owner
    Thomas F. Graham, PE, Dykstra Walker Design Group
    John Egbert, DPW Director
STATEMENTS OF CONSENT

A supplement to the TWA-1 or NJPDES-1 Forms

General Information

<table>
<thead>
<tr>
<th>Applicant/Owner/Operator</th>
<th>James F and Anne E McIntosh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location of Work Site</td>
<td>85 Cedar Lake East, Denville, NJ 07834</td>
</tr>
<tr>
<td>Name of Project/Facility</td>
<td>McIntosh Residence</td>
</tr>
<tr>
<td>Type of permit application (TWA, NJPDES/SIU)</td>
<td>TWA</td>
</tr>
<tr>
<td>NJPDES Permit Number (if applicable)</td>
<td></td>
</tr>
</tbody>
</table>

A-1 Consent By Governing Body**

(Consent by the municipality in which the project is located.)

As an authorized representative of the governing body, I hereby certify that the Denville Township (Name of Municipality or Municipal Authority) consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of all municipal ordinances.

Signed* ____________________________ Date ____________________________

Type Name and Position ____________________________

* Cite authorization to sign for the governing body

Resolution# ____________________________ Dated ____________________________

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For most Treatment Works Approval (TWA) applications, this section may be omitted if a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality. In such cases, the governing body consent requirement may be satisfied by completing Section A-2. Applicants for TWAs for Industrial/commercial facilities discharging pursuant to NJPDES/DSW or DGW permits must complete section A-1.
A-2 Consent by Sewerage Authority**

As an authorized representative of this agency, I hereby certify that the

Rockaway Valley Regional Sewerage Authority

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency.

Signed*________________________________________Date

Type Name and Position

* Cite authorization to sign for the agency

Resolution#________________________________Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Governing Body's full resolution, consenting to the project, must be submitted with the application.)

** Note

For TWA applications, this section must be completed when a sewerage entity (for example, sewerage authority, utilities authority, municipal utilities authority, joint meeting, etc.) has responsibility for regulating the construction and operation of wastewater treatment and conveyance facilities within the municipality.

A-3 Consent by Owner of Wastewater Treatment Facility**

(For NJPDES/SIU applications only)

As an authorized representative of this agency, I hereby certify that the

(Name of Agency)

consents to the submission of the above listed application to the Department of Environmental Protection for approval. I further certify that the project as proposed conforms with the requirements of this agency and the agency agrees to accept wastewater from the project for treatment.

Signed*________________________________________Date

Type Name and Position

* Cite authorization to sign for the agency

Resolution#________________________________Dated

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the Agency's full resolution, consenting to the project, must be submitted with the application.)

** Note

For NJPDES/SIU applications, this section must be completed when the owner of the receiving wastewater treatment plant is different than the entity listed under A-2.
B. **Certification by Wastewater Conveyance System Owner**

By agreeing to accept wastewater from the project, I (we) hereby certify that to the best of my (our) knowledge the wastewater conveyance system, into which the project proposed under this application will connect, has adequate capacity in accordance with N.J.A.C. 7:14A-1.2 ("Adequate conveyance capacity"). Furthermore, I (we) am (are) not aware of inadequate conveyance capacity conditions in any portion of the downstream facilities necessary to convey the wastewater from this project to the treatment plant.

Name of Municipality or Authority: Denivlle Township

Signed* ___________________________ Date ___________________________

Type Name and Position ___________________________________________________________________________

* Cite authorization to sign for the governing body

Resolution# ___________________________ Dated ___________________________

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** Note

1. For TWA applications, this section must be completed by the owner/operator of the wastewater conveyance system into which the project named herein will directly connect.

2. For NJPDES/SIU applications, this section must be completed when the owner/operator wastewater conveyance system into which the project named herein will directly connect is different that the entity listed under A-3.

---

C. **Certification by Wastewater Treatment Facility Owner**

(For TWA applications that include a sewer connection/extension.)

I (we) hereby certify that the committed flow*** to the

Rockaway Valley Regional Sewerage Authority

(Name of Wastewater Treatment Plant)

does not exceed the presently permitted design capacity and with the additional flow proposed by this application, the permitted design capacity is not anticipated to be exceeded. I (we) further 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), 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.

Accepted for Treatment by ___________________________________________________________________________

Signed* ___________________________ Date ___________________________

Type Name and Position ___________________________________________________________________________

Name of project and/or location ___________________________________________________________________

* Cite authorization to sign for the governing body

Resolution# ___________________________ Dated ___________________________

(Submit the resolution with the application. If no such resolution granting authority to sign exists, the governing body's full resolution, consenting to the project, must be submitted with the application.)

** For TWA applications, this section must be completed by the owner of the wastewater treatment facility receiving the wastewater identified in this application.
**Additional Information (For TWA Applications)**

1. Approvals, permits, service contracts, or other reservations of flow capacity issued or agreed to by any participating municipality or sewerage agency do not constitute the required approval of the DEP.

2. For computation of actual flow at the receiving wastewater treatment plant, the average flow processed by the facility for the three (3) month period immediately preceding the submission of the application shall be used. Pursuant to the NJPDES regulations (N.J.A.C. 7:14A), no application shall be submitted to the DEP if the wastewater treatment facility is not meeting its discharge permit requirements.

**Lack of Consent**

1. The affected sewerage authority or municipality must consent to the application or submit comments to the DEP within 60 days of the applicant's request for consent. Prior to the expiration of the 60-day period to respond to a request for a written statement of consent, the municipality or sewerage authority may request a 30-day time extension.

2. Any document issued by a sewerage authority or municipality which is a tentative, preliminary, or conditional approval shall not be considered a statement of consent.

3. When the affected sewerage authority or municipality does not consent to a project, it shall state all reasons for rejection or disapproval in a resolution and send a certified copy of the resolution to the DEP.

4. When the affected sewerage authority or municipality expressly denies a request for a written statement of consent for a project, the permit application may be determined by the DEP to be incomplete for processing; or in the alternative, the DEP may review the reasons for denial. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval or sewer connection approval in accordance with N.J.A.C. 7:14A-22.

5. When the affected sewerage authority or municipality does not issue a written statement of consent in accordance with (1) above, or a denial in accordance with (3) above, the DEP, upon receipt of proof that the applicant has delivered to the affected agency a written request for a statement of consent, shall review the reasons therefore, if known on the basis of reasonably reliable information. Any such reasons shall be considered by the DEP in determining whether to issue a draft permit in accordance with N.J.A.C. 7:14A-15.6, or a Treatment Works Approval in accordance with N.J.A.C. 7:14A-22. The DEP, may in its discretion, deem the application to be incomplete pending the expiration of the time period set forth in (1) above.

* This section has been excerpted from the NJPDES regulations for guidance purposes only. Please refer to N.J.A.C. 7:14A-22.8(a)3 for the complete requirements concerning statements of consent.

**Notice: False statements, representations, or certifications, in any application, record, or document are subject to fines and penalties as set forth in the Water Pollution Control Act (N.J.S.A. 58:10A-10F 2 and 3.**
1. APPLICANT/OWNER *

Name ________________________________ Telephone ____________________________

Permanent Legal Address ________________________________

City or Town ________________________________ State NJ Zip Code ____________

* Applicant/Owner should be the eventual owner of the proposed Treatment Works.

2. LOCATION OF ACTIVITY

Name of Facility/Site ________________________________

Street Address/Location ________________________________

Lot No. _________ Block No. _________

City or Town ________________________________ State NJ Zip Code ____________

County ________________________________

3. NEW JERSEY LICENSED PROFESSIONAL ENGINEER

Name ________________________________ N.J. License No. _________

Name of Firm, if employee ________________________________

Mailing Address ________________________________

City or Town _________ State NJ Zip Code ____________

Telephone _________ Fax _________ E-Mail ________________________________

4. ESTIMATED CONSTRUCTION COST AND APPLICATION FEE

A. Cost of treatment works proposed in this application $________
   (Attach a breakdown of the cost of all items related to the construction of the proposed treatment works).

B. Application Fee $________
   (In accordance with N.J.A.C. 7:1C-1.5 et seq., made payable to Treasurer, State of NJ, Environmental Services Fund).
5. **Other Required Permits**

If any of the following applications have been submitted for this project, provide the applicable information.

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Application Status</th>
<th>Application Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment Works Approval</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Exemption From Sewer Ban</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Water Quality Management Plan Amendment</td>
<td>Pending</td>
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<tr>
<td>CAFRA</td>
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<td></td>
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<tr>
<td>Stream Encroachment</td>
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<td></td>
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<tr>
<td>Freshwater Wetlands</td>
<td>Pending</td>
<td></td>
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<tr>
<td>Tidal or Coastal Wetlands</td>
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<td></td>
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<tr>
<td>Waterfront Development</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>NJPDES Permits</td>
<td>Pending</td>
<td></td>
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<tr>
<td>Pinelands Certificate</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Delaware &amp; Raritan Canal Commission</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Hackensack/Meadowlands Commission</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Other Related Approvals</td>
<td>Pending</td>
<td></td>
</tr>
</tbody>
</table>

(*If any of the above applications were approved, please provide a copy of the approval with this application*).

6. **Project Description** (Brief Description of Proposed Treatment Works and Intended Use).

Applicant proposes to replace existing septic system with a connection to the existing municipal sewer system.
7. **Applicant's Agent** (Optional)

I, James F. and Anne E. McIntosh

(Aplicant/Owner's Name)

authorize to act as my agent/representative in all matters pertaining to my application the following person:

Name: Thomas F. Graham PE

Position: Professional Engineer

Address: Dykstra Walker Design Group 21 Bowling Green Parkway Ste 204

City: Lake Hopatcong

State: NJ Zip Code: 07849 Telephone: (973) 683-6540 x14

Signature of Agent: [Signature]

Date: [5/18/18]

Signature of Applicant/Owner: [Signature]

Date: [5/18/18]

8. **Property Owner's Certification**

I hereby certify that James F. and Anne E. McIntosh

(Property Owner's Name)

owns the property identified in this application. As owner, I grant permission for the activity to be permitted under this application and authorize the Department of Environmental Protection to conduct on-site inspections, if necessary. If the construction activity will take place in an easement, I certify that with this application, I presently have or will obtain permission of the property owner(s) prior to initiation of construction of this proposed treatment works.

Signature of Owner: [Signature]

Date: [5/18/18]

Print or Type: Name and Position: James G. McIntosh, Trustee of the Children's Trust F/B/O James G. McIntosh

9. **Statement of Preparer of Plans, Specifications and Engineer's Report and/or Abstract**

I hereby certify that the engineering plans, specifications, and engineer's report and/or abstract applicable to this project comply with the current rules and regulations of the Department of Environmental Protection with the exceptions as noted.

Signature of Engineer: [Signature]

Date: [5/25/18]

Print or Type: Name and Position: Thomas F. Graham PE

**Professional Engineer's Embossed Seal**
10. PROPER CONSTRUCTION AND OPERATION CLAUSE

I, the Applicant/Owner, ______________ agree that the treatment works will be properly constructed and operated in accordance with the engineering plans, specifications and conditions under which approval is granted by the Department of Environmental Protection.

Signature of Applicant/Owner ___________________________ Date 5/18/8

Print or Type: Name and Position James G. McIntosh, Trustee of the Children's Trust F/B/O James G. McIntosh.

11. CERTIFICATION BY APPLICANT/OWNER

I certify, under penalty of law, that the information provided in this application and the attachments is true, accurate, and complete. I am aware that there are significant civil and criminal penalties for submitting false, inaccurate, or incomplete information, including fines and/or imprisonment.

Signature of Applicant/Owner ___________________________ Date 5/18/8

Print or Type: Name and Position James G. McIntosh, Trustee of the Children's Trust F/B/O James G. McIntosh.

INSTRUCTIONS FOR COMPLETING FORM TWA - 1

This form should accompany all Treatment Works Approval permit applications.

1. General Information - (Items #1 through #4, #6) Complete the requested applicant and project information.

2. Other Required Permits (Item #5) - Please list all permits issued for the subject project (in addition to the permits being applied for at this time).

3. Signatures (Items #7 through #11) - All signatures must comply with N.J.A.C. 7:14A-4.9 and N.J.A.C. 7:14A-22.8. Where indicated under items #1, #10 and #11, the applicant/owner should be the eventual owner of the proposed treatment works. Item #8 shall be completed by the owner of the property.

Should you need assistance in completing the application, please call the appropriate phone number listed below:

- Bureau of Construction & Connection Permits
  (609) 984-4429
  Municipal Treatment Works, Industrial Treatment Works, Sewer Extension, Sewer Ban Exemption, Subsurface Disposal Systems

- Bureau of Nonpoint Pollution Control
  (609) 633-7021
  Alternate Design Septic Systems (design flow less than 2,000 GPD)