

**APPROVE A TWO YEAR CONTRACT WITH GARDEN STATE LABORATORIES, INC FOR LABORATORY ANALYSIS SERVICES FOR THE 2019 & 2020 CALENDAR YEARS**

WHEREAS, pursuant to the Notice to Bidders the Township of Neptune Sewerage Authority advertised for receipt of bids for Laboratory Analysis Services for the 2019 & 2020 calendar years; and

WHEREAS, the Authority received bids for Laboratory Analysis Services for the 2019 & 2020 calendar years as set forth in the tabulation of bids prepared by the Purchasing Agent on Wednesday, October 10, 2018; and

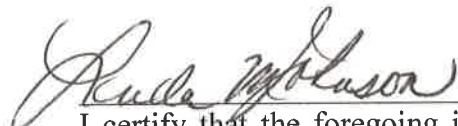
WHEREAS, after bids were received on Wednesday, October 10, 2018 and tabulated by the Purchasing Agent, it was determined that the bid of Garden State Laboratories, Inc. as indicated below was the lowest most responsible bid received and should be accepted and awarded by the Authority:

| <u>Description</u>           | <u>Company</u>                  | <u>Total Amount of Bid</u> |
|------------------------------|---------------------------------|----------------------------|
| Laboratory Analysis Services | Garden State Laboratories, Inc. | \$34,390.00                |

WHEREAS, the Authority's Certification of Funds is attached and made part of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township of Neptune Sewerage Authority that the bid of Garden State Laboratories, Inc. in the amount as stated above be and is hereby approved;

BE IT FURTHER RESOLVED that the Executive Director and Secretary are authorized to execute a contract with Garden State Laboratories, Inc. for the 2019 & 2020 calendar years.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body Member | Recorded Vote |     |         |        |
|-----------------------|---------------|-----|---------|--------|
|                       | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr. | X             |     |         |        |
| Harry Devine          | X             |     |         |        |
| James Mowczan         |               |     |         | X      |
| Alonzo Wright         | X             |     |         |        |
| Linda Johnson         | X             |     |         |        |

TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY


CERTIFICATION OF FUNDS

Date: October 17, 2018  
To: Board of Commissioners  
From: Tina M. Cunningham  
Executive Director  
Subject: Garden State Laboratories, Inc. – Laboratory Analysis Services for 2019  
& 2020

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I hereby certify that sufficient funds are available for payment for the above referenced contract as follows:

Firm: Garden State Laboratories, Inc.  
Amount: \$34,390.00  
Budget Account No.: 6260

  
\_\_\_\_\_  
Executive Director

TNSA  
Resolution No. 5183

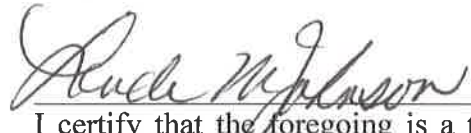
**APPROVING A ONE-YEAR PERFORMANCE BOND EXTENSION  
WITH UNIVAR USA, INC. FOR THE 2019 CALENDAR YEAR**

WHEREAS, the Township of Neptune Sewerage Authority (“TNSA”) has awarded a one-year contract extension for Furnishing and Delivering of Calcium Hydroxide for the 2019 calendar year to Univar USA, Inc.; and

WHEREAS, the Local Public Contracts Law requires that a Performance Bond be submitted in the amount of the contract; and

BE IT RESOLVED, the Authority’s Attorney has reviewed the Performance Bond and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED to accept and approve the Performance Bond submitted by Univar USA, Inc. in the amount of the contract for Furnishing and Delivering of Calcium Hydroxide for the 2019 calendar year.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     |         | x      |
| Linda Johnson            | x             |     |         |        |
| Alonzo Wright            | x             |     |         |        |

TNSA  
Resolution No. 5182

**APPROVING A PERFORMANCE BOND WITH ACCURATE  
WASTE REMOVAL SERVICES INC. FOR THE 2019  
CALENDAR YEAR**

WHEREAS, the Township of Neptune Sewerage Authority ("TNSA") has awarded a two-year contract for Removal and Disposal of Sludge from the Digesters for the 2019 & 2020 calendar years to Accurate Waste Removal Services, Inc.; and

WHEREAS, the Local Public Contracts Law requires that a Performance Bond be submitted in the amount of the contract; and

BE IT RESOLVED the Authority's Attorney has reviewed the Performance Bond and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED to accept and approve the Performance Bond submitted by Accurate Waste Removal Services, Inc. in the amount of the contract for Removal and Disposal of Sludge from the Digesters for the 2019 & 2020 calendar years.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     |         | x      |
| Linda Johnson            | x             |     |         |        |
| Alonzo Wright            | x             |     |         |        |

TNSA  
Resolution No. 5181

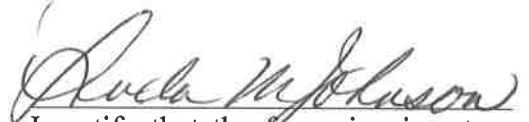
**APPROVING A TWO YEAR PERFORMANCE BOND WITH MIRACLE  
CHEMICAL FOR THE 2019 & 2020 CALENDAR YEARS**

WHEREAS, the Township of Neptune Sewerage Authority ("TNSA") has awarded a two-year contract for the Furnishing and Delivering of Sodium Hypochlorite for the 2019 & 2020 calendar years to Miracle Chemical Company; and

WHEREAS, the Local Public Contracts Law requires that a Performance Bond be submitted in the amount of the contract; and

BE IT RESOLVED, the Authority's Attorney has reviewed the Performance Bond and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED to accept and approve the Performance Bond submitted by Miracle Chemical Company in the amount of the contract for the Furnishing and Delivering of Sodium Hypochlorite for the 2019 & 2020 calendar years.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     |         | x      |
| Linda Johnson            | x             |     |         |        |
| Alonzo Wright            | x             |     |         |        |

TNSA  
Resolution No. 5180

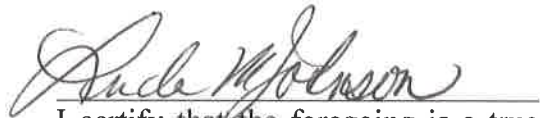
**APPROVING A TWO YEAR PERFORMANCE BOND WITH A&J  
CONSTRUCTION COMPANY FOR THE 2019 & 2020 CALENDAR YEARS**

WHEREAS, the Township of Neptune Sewerage Authority ("TNSA") has awarded a two-year contract for Routine and Emergency Response Services for the 2019 & 2020 calendar years to A&J Construction Company; and

WHEREAS, the Local Public Contracts Law requires that a Performance Bond be submitted in the amount of the contract; and

BE IT RESOLVED, the Authority's Attorney has reviewed the Performance Bond and found it to be acceptable;

NOW, THEREFORE, BE IT RESOLVED to accept and approve the Performance Bond submitted by A&J Construction Company in the amount of the contract for Routine and Emergency Response Services for the 2019 & 2020 calendar years.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     | ✓       | x      |
| Linda Johnson            | x             |     |         |        |
| Alonzo Wright            | x             |     |         |        |

**OFFER OF EMPLOYMENT TO TIMOTHY NORRIS AND  
EDWARD ALLEN AS PLANT OPERATOR TRAINEES  
AT THE NEW HIRE SALARY**

WHEREAS, the Township of Neptune Sewerage Authority ("TNSA") requires the services of two (2) sewer Plant Operator trainees in connection with the operation of the Authority's Treatment Plant; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Neptune Sewerage Authority that Timothy Norris and Edward Allen are hereby engaged as sewer Plant Operator trainees at the new hire salary of Thirty Two Thousand Dollars (\$32,000.00) and said services are to be determined; and

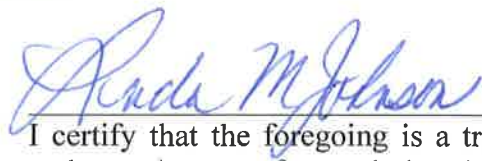
BE IT FURTHER RESOLVED that Timothy Norris and Edward Allen are hired as probationary employees; and

BE IT FURTHER RESOLVED that said employees are required to have a medical examination which will include a test for usage of controlled dangerous substances as defined in N.J.S.A 2C:35-2 and said employment is contingent upon passing of a medical examination as will be determined by the examining physician; and

BE IT FURTHER RESOLVED that Timothy Norris and Edward Allen have been made aware of and fully understands the salary step program for salary increases as described in Resolution No. 5156 adopted on August 15, 2018 and will file affidavits attesting thereto; and

BE IT FURTHER RESOLVED that said employees will be paid on a semi-monthly basis, or at such other times the Authority may from time to time determine; and

BE IT FURTHER RESOLVED that said employees shall perform such other duties as the Authority may from time to time direct.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     |         | x      |
| Alonzo Wright            | x             |     |         |        |
| Linda Johnson            | x             |     |         |        |



TNSA  
Resolution No. 5178

**AUTHORIZE THE APPROVAL OF A PROFESSIONAL SERVICES  
CONTRACT WITH ARCADIS U.S., INC. FOR SPECIAL  
ENGINEERING SERVICES**

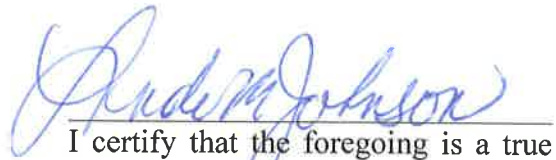
WHEREAS, the Township of Neptune Sewerage Authority (“TNSA”) appointed Arcadis, U.S., Inc. to perform Special Engineering Services on August 15, 2018, TNSA Resolution No. 5153 in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, Arcadis has submitted a Professional Services Contract for said Special Engineering Services; and

WHEREAS, said Professional Services Contract has been approved and reviewed by the Authority Commissioners and Attorney;

WHEREAS, the Authority’s Certification of Funds is attached and made part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township of Neptune Sewerage Authority to approve the Professional Services Contract submitted by Arcadis, U.S., Inc. in the amount not to exceed \$77,600.00.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            | x             |     |         |        |
| Linda Johnson            | x             |     |         |        |
| Alonzo Wright            | x             |     |         |        |



TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY

CERTIFICATION OF FUNDS

Date: October 17, 2018  
To: Board of Commissioners  
From: Tina M. Cunningham  
Executive Director  
Subject: Arcadis U.S., Inc. – Special Engineering Services

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I hereby certify that sufficient funds are available for payment for the above referenced contract as follows:

Firm: Arcadis, U.S., Inc.  
Amount: \$77,600.00  
Budget Account No.: 6031

  
\_\_\_\_\_  
Executive Director

**2019 AUTHORITY BUDGET RESOLUTION  
TOWNSHIP OF NEPTUNE SEWERAGE  
AUTHORITY**

**FISCAL YEAR: FROM:** January 1, 2019 **TO:** December 31, 2019

WHEREAS, the Annual Budget and Capital Budget for the Township of Neptune Sewerage Authority for the fiscal year beginning, January 1, 2019 and ending, December 31, 2019 has been presented before the governing body of the Township of Neptune Sewerage Authority at its open public meeting of October 17, 2018; and

WHEREAS, the Annual Budget as introduced reflects Total Revenues of \$6,787,900, Total Appropriations, including any Accumulated Deficit if any, of \$6,410,800 and Total Unrestricted Net Position utilized of \$0; and

WHEREAS, the Capital Budget as introduced reflects Total Capital Appropriations of \$2,325,000 and Total Unrestricted Net Position planned to be utilized as funding thereof, of \$2,325,000; and

WHEREAS, the schedule of rates, fees and other charges in effect will produce sufficient revenues, together with all other anticipated revenues to satisfy all obligations to the holders of bonds of the Authority, to meet operating expenses, capital outlays, debt service requirements, and to provide for such reserves, all as may be required by law, regulation or terms of contracts and agreements; and

WHEREAS, the Capital Budget/Program, pursuant to N.J.A.C. 5:31-2, does not confer any authorization to raise or expend funds; rather it is a document to be used as part of the said Authority's planning and management objectives. Specific authorization to expend funds for the purposes described in this section of the budget, must be granted elsewhere; by bond resolution, by a project financing agreement, by resolution appropriating funds from the Renewal and Replacement Reserve or other means provided by law.

NOW, THEREFORE BE IT RESOLVED, by the governing body of the Township of Neptune Sewerage Authority, at an open public meeting held on October 17, 2018 that the Annual Budget, including all related schedules, and the Capital Budget/Program of the Township of Neptune Sewerage Authority for the fiscal year beginning, January 1, 2019 and ending, December 31, 2019 is hereby approved; and

BE IT FURTHER RESOLVED, that the anticipated revenues as reflected in the Annual Budget are of sufficient amount to meet all proposed expenditures/expenses and all covenants, terms and provisions as stipulated in the said Authority's outstanding debt obligations, capital lease arrangements, service contracts, and other pledged agreements; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Neptune Sewerage Authority will consider the Annual Budget and Capital Budget/Program for adoption on December 19, 2018.

*Linda M. Johnson*  
(Secretary's Signature)

*Oct 17 2018*  
(Date)

| Governing Body<br>Member: | Aye | Recorded Vote |         |        |
|---------------------------|-----|---------------|---------|--------|
|                           |     | Nay           | Abstain | Absent |
| James W. Manning, Jr.     | X   |               |         |        |
| Harry Devine              | X   |               |         |        |
| James Mowczan             | X   |               |         |        |
| Alonzo Wright             |     |               |         | X      |
| Linda Johnson             | X   |               |         |        |

TNSA Resolution No. 5176

HA-0992-0918



State of New Jersey • Division of Pensions & Benefits (NJDPB)  
**STATE HEALTH BENEFITS PROGRAM**  
**P.O. BOX 299 TRENTON, NEW JERSEY 08625-0299**  
**RESOLUTION**

**A RESOLUTION** for Local Employers to offer an incentive under the State Health Benefits Program.

**BE IT RESOLVED:**

The Township of Neptune Sewerage Authority 162800  
CORPORATE NAME OF EMPLOYER SHBP EMPLOYER LOCATION NUMBER

We agree to voluntarily participate in the Financial Incentive Program granting financial incentives to subscribers who select enrollment into tiered-network medical plans otherwise known as Horizon Blue Cross Blue Shield of New Jersey's OMNIA Plan or Aetna's Liberty plan. We agree that the management and administration of this incentive program shall be solely our responsibility.

The terms of the Incentive Program described above shall include:

- The Incentive Program shall be available to subscribers who are first time enrollees in a tiered-network medical plan beginning Plan Year 2019 and continuing for two plan years through December 31, 2020;
- The Incentive Program does not extend to participants enrolled under P.L. 2005, c. 375 (certain over-age adult children) and COBRA;
- Participation is voluntary at the option of the employer;
- The financial incentive for eligible employees shall be:
  - \$1,000 for **Single member coverage** when changing to a tiered-network plan.
  - \$1,250 for **Member/Spouse coverage** when changing to a tiered-network plan.
  - \$1,250 for **Parent/Child coverage** when changing to a tiered-network plan.
  - \$2,000 for **Family coverage** when changing to a tiered-network plan.
- The incentive amount shall be paid within the first quarter of Plan Year 2019 and is reportable income; and
- The incentive shall be forfeited and returned to the employer if the subscriber fails to remain enrolled for at least two plan years, except that if a subscriber is made ineligible for healthcare through layoff, involuntary separation, reduction to part-time status, or classification into an ineligible position. If a subscriber voluntarily retires or changes health plans due to a catastrophic or emergency health need as determined by the employer after a full year, then the incentive shall be forfeited on a pro-rata basis.

**I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by**

the: TNSA on the 17<sup>th</sup> day of October, 2018  
CORPORATE NAME OF EMPLOYER

\_\_\_\_\_  
SIGNATURE OFFICIAL TITLE  
*Andrea Johnson*

634 Old Corlies Ave Neptune NJ 07753  
STREET ADDRESS CITY STATE ZIP CODE

732 922 3434  
AREA CODE TELEPHONE NUMBER

22 199 2959 18  
EMPLOYER'S STATE SOCIAL SECURITY IDENTIFICATION NUMBER NUMBER OF EMPLOYEES

# RESOLUTION

No. 5175

October 2018

|   |           |                   |
|---|-----------|-------------------|
| Payroll - September 13, 2018                | \$        | 35,820.03         |
| Payroll Taxes - September 13, 2018          | \$        | 15,254.15         |
| Payroll - September 26, 2018                | \$        | 32,894.01         |
| Payroll Taxes - September 26, 2018          | \$        | 14,319.98         |
| NJSHP - October Retirees                    | \$        | 19,563.77         |
| NJSHP - October Active                      | \$        | 27,793.65         |
| NJ Division of Pension - September 2018     | \$        | 6,671.47          |
| <b>Total Paid:</b>                          | <b>\$</b> | <b>152,317.06</b> |
|   |           |                   |
| Allied Fire and Safety Equipment Company    | \$        | 1,519.64          |
| Aramark Uniform & Career Apparel, Inc.      | \$        | 239.88            |
| Armstrong Tree Service, LLC                 | \$        | 1,700.00          |
| Bradley Car Care                            | \$        | 1,183.24          |
| Cablevision Systems Corporation             | \$        | 256.31            |
| Capehart & Scatchard PA                     | \$        | 1,605.75          |
| CMRS-FP                                     | \$        | 100.00            |
| Colonial Life & Accident Insurance Co       | \$        | 306.20            |
| Country Clean Inc                           | \$        | 276.35            |
| Delta Dental of New Jersey, Inc.            | \$        | 1,616.10          |
| DexYP                                       | \$        | 19.95             |
| Electro Maintenance Inc                     | \$        | 7,850.50          |
| Filter Equipment Company, Inc.              | \$        | 485.60            |
| FlexFacts.com                               | \$        | 35.00             |
| Freehold Cartage Inc                        | \$        | 1,010.48          |
| Gannett Salatlite Information Network, Inc. | \$        | 128.30            |
| Goode & Weyser, CPA LLC                     | \$        | 208.33            |
| Grace Marero Monmouth, LLP                  | \$        | 3,631.00          |
| HD Supply Facilities Maintenan              | \$        | 1,286.67          |
| Heritage Business Systems Inc               | \$        | 57.67             |
| Home Depot USA Inc                          | \$        | 505.77            |
| Hughes Environmental Services, Inc.         | \$        | 1,050.00          |
| Ingersoll-Rand Company                      | \$        | 1,917.35          |
| JCP&L                                       | \$        | 32,812.82         |
| Maser Consulting P.A.                       | \$        | 1,844.75          |
| Neptune, Township of                        | \$        | 736.35            |
| New Jersey American Water Company           | \$        | 480.62            |

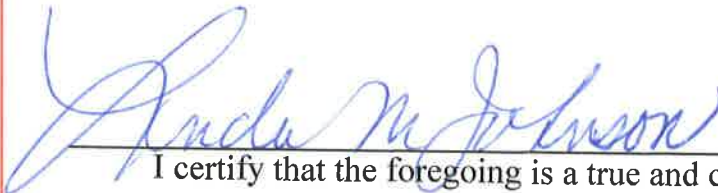
# RESOLUTION

No. 5175

October 2018

|  |           |                   |
|--|-----------|-------------------|
| New Jersey Natural Gas Company           | \$        | 1,389.38          |
| New Jersey Water Environment Association | \$        | 595.00            |
| One Call Concepts Inc                    | \$        | 7.50              |
| Paychex Investment Partnership LP        | \$        | 173.76            |
| Petty Cash                               | \$        | 38.31             |
| Pilot Electric Company, Inc.             | \$        | 24,273.60         |
| Radiator Center                          | \$        | 225.00            |
| Seaboard Welding Supply Inc              | \$        | 39.50             |
| Staples Contract & Commercial, Inc.      | \$        | 169.99            |
| The New Coaster, LLC                     | \$        | 42.86             |
| Tina M. Cunningham                       | \$        | 589.19            |
| Univar USA Inc                           | \$        | 12,877.01         |
| Verizon                                  | \$        | 1,262.90          |
| Verizon Business Communications          | \$        | 14.50             |
| Verizon Wireless                         | \$        | 91.26             |
| WW Grainger Inc                          | \$        | 671.48            |
| Watchung Spring Water Co Inc             | \$        | 74.88             |
| <b>To Be Paid</b>                        | <b>\$</b> | <b>105,400.75</b> |

**GRAND TOTAL** \$ 257,717.81



I certify that the foregoing is a true and correct copy of resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17th day of October 2018.



TNSA  
RESOLUTION NO. 5174

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE SEWERAGE  
AUTHORITY TO CLOSE EXECUTIVE SESSION**

WHEREAS, the Township of Neptune Sewerage Authority by TNSA Resolution No. 5173 to enter into Executive Session; and

WHEREAS, all matters for this Executive Session have been discussed;

NOW, THEREFORE, BE IT RESOLVED by the Township of Neptune Sewerage Authority that it be authorized to adjourn from Executive Session at 6:54 p.m.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17th day of October 2018.

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | X             |     |         |        |
| Harry Devine             | X             |     |         |        |
| James Mowczan            |               |     |         | X      |
| Alonzo Wright            | X             |     |         |        |
| Linda Johnson            | X             |     |         |        |



TNSA  
RESOLUTION NO. 5173

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE SEWERAGE AUTHORITY  
TO ENTER INTO A CLOSED SESSION TO DISCUSS PERSONNEL MATTERS  
AND CONTRACTUAL MATTERS**

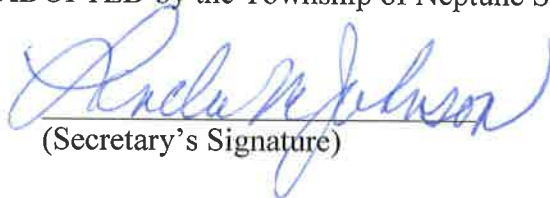
WHEREAS, the Township of Neptune Sewerage Authority ("Authority"), a duly constituted public body in the County of Monmouth, State of New Jersey, has determined there is a need to discuss the following subject in closed session:

1. Personnel Matter
2. Contractual Matters

NOW, THEREFORE BE IT RESOLVED, upon proper motion and vote at a public meeting by the Township of Neptune Sewerage Authority in the County of Monmouth, State of New Jersey as follows:

1. The Authority entered into closed session to discuss the topic above on October 17, 2018.
2. The closed session minutes may be made available to the public shortly after the Authority adopts them by proper motion and vote.

ADOPTED by the Township of Neptune Sewerage Authority on October 17, 2018;

  
(Secretary's Signature)

10/17/18  
(Date)

| Governing Body<br>Member | Recorded Vote |     |         |        |
|--------------------------|---------------|-----|---------|--------|
|                          | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr.    | x             |     |         |        |
| Harry Devine             | x             |     |         |        |
| James Mowczan            |               |     |         | x      |
| Alonzo Wright            | x             |     |         |        |
| Linda Johnson            | x             |     |         |        |

**RESOLUTION OF THE TOWNSHIP OF NEPTUNE SEWERAGE  
AUTHORITY TO AMEND RULES AND REGULATIONS TO REQUIRE  
A DAILY MAXIMUM EFFLUENT LIMIT FOR NITRATES FOR  
SIGNIFICANT INDIRECT USERS**

**WHEREAS**, the Township of Neptune Sewerage Authority (“Authority”), a duly constituted public body in the County of Monmouth, State of New Jersey, has determined that there exists a need to update the Rules and Regulations of the Authority (“Rules and Regulations”) to be in compliance with New Jersey Department of Environmental Protection (“NJDEP”) regulations for Significant Indirect Users (“SIU”) that establish a nitrate limit of two hundred milligrams per liter (200 mg/l); and

**WHEREAS**, the Authority is making the changes pursuant to NJDEP’s new standards for the amount of nitrates from SIUs; and

**NOW, THEREFORE BE IT RESOLVED**, upon proper Motion and Vote at a public meeting by the Township of Neptune Sewerage Authority in the County of Monmouth, State of New Jersey as follows:

**Section 1.** Township of Neptune Sewerage Authority Rules and Regulations shall be supplemented as follows:

§1.2. Definitions to include the “Definition of Significant Indirect User” which means:

1. Any user in the State including, but not limited to, any significant industrial user as defined in 40 CFR 403.3(t) but excluding municipal collection systems, who discharges wastewater into a local agency where:
  - a. The user is subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N;
  - b. The user’s average volume of process wastewater exceeds 25,000 gallons per day;
  - c. The amount of BOD, COD or Suspended Solids in the industrial process wastewater discharge exceeds the mass equivalent of 25,000 gallons per day of the domestic waste of the affected local agency;
  - d. The volume of industrial process wastewater in the discharge exceeds five percent or more of the average daily dry weather flow of the local agency;
  - e. The user’s discharge of process wastewater contributes, five percent or more of the daily mass loading of any of the pollutants listed in N.J.A.C. 7:14A-4, Appendix A Tables II through V;
  - f. The user is designated as an SIU by the control authority on the basis that the user has a reasonable potential for adversely affecting the local agency’s operation;
  - g. The user is designated as an SIU by the control authority on the basis that the user has been in violation of any Federal, State, or local pretreatment standard

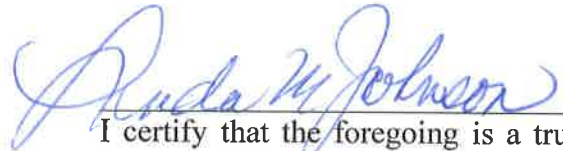
or requirement, including, but not limited to, significant noncompliance as defined in 40CFR 403.8(f)(2)(vii); or

- h. The control Authority determines it would be consistent with the intent of the Pretreatment Act or State Act to require a permit for the indirect user; and
2. Any user in areas of the State in which the Department is the control authority where:
- a. The user is determined to be a hazardous waste facility that received a permit in accordance with N.J.A.C. 7:26-12;
  - b. The user's discharge consists of landfill leachate, which is either pure, treated, or diluted; or
  - c. The user's discharge consists of 25,000 gallons per day or more of process wastewater and/or polluted ground water which is pumped from the ground in order to decontaminate an aquifer.

## Section 2. Prohibited Discharge Standards

### §2.2 Specific Prohibitions

(k) sewerage from Significant Indirect Users containing more than two hundred milligrams per liter (200 mg/l) of nitrates.



I certify that the foregoing is a true and correct copy of a resolution duly passed and adopted at a meeting of the Township of Neptune Sewerage Authority held on the 17<sup>th</sup> day of October 2018.

| Governing Body Member | Recorded Vote |     |         |        |
|-----------------------|---------------|-----|---------|--------|
|                       | Aye           | Nay | Abstain | Absent |
| James W. Manning, Jr. | x             |     |         |        |
| Harry Devine          | x             |     |         |        |
| Alonzo Wright         | x             |     |         |        |
| James Mowczan         |               |     |         | x      |
| Linda Johnson         | x             |     |         |        |