



HMUA MINUTES

REGULAR
MEETING OF

March 12, 2019

ADMINISTRATION BUILDING
424 Hurley Drive
Hackettstown, NJ



REGULAR MEETING March 12, 2019

JACOB GARABED ADMINISTRATION BUILDING

The meeting was called to order by Chairperson Kuster at 7:01 P.M. Chairperson Kuster announced that adequate notice of this meeting has been given to the area press and the Town of Hackettstown, and the meeting shall be convened and conducted in accord with the requirements of the Open Public Meetings Act.

Executive Director Corcoran acknowledged receipt of the resolution adopted by the Town of Hackettstown reappointing John DiMaio to the Authority for a term expiring February 1, 2024. Mr. DiMaio completed and executed the Oath of Office.

Roll call indicated the following members in attendance: Kuster, John DiMaio and Harper.

Also attending: Counselor Michael Selvaggi, Steve Varneckas, Counselor John Zaiter, Executive Director Corcoran and Recording Secretary Palma.

Chairperson Kuster led a salute of the United States Flag.

Chairperson Kuster indicated approval of minutes of the February 19th Annual Meeting to be the next agenda item. A motion to approve the minutes was made by Harper, being seconded by John DiMaio with Kuster and Harper voting yea and John DiMaio abstaining.

Chairperson Kuster indicated approval of minutes of the February 19th Executive Session to be the next agenda item. A motion to approve the minutes was made by Harper, being seconded by John DiMaio with Kuster and Harper voting yea and John DiMaio abstaining.

Chairperson Kuster opened the meeting to public participation and noted there were no members of the public present.

Chairperson Kuster stated the next agenda item was discussion and possible action to amend conditional Tentative and Final approval for the Woodmont Independence Urban Renewal, LLC Residential Complex on Block 6.02, Lot 2 in Independence, NJ.

Counselor Selvaggi and Mr. Varneckas approached the Board. Mr. Varneckas began by stating he continues to work with the County regarding their requirements, but they still have made no headway and are very concerned that inability to obtain County approval may impact the project. Steve stated that they have reviewed the draft proposed agreement with the changes made by John Zaiter and would like to have the County approval included as a contingency allowing refund of connection fees if not obtained. He also indicated that he would like the Authority to include in the agreement under Item #5 that, if for any reason the NJDEP did not issue the required permits, the HMUA would refund all of the connection fees to Woodmont. Executive Director Corcoran confirmed that NJDEP land use permits have been obtained, and stated that there should be no reason for the NJDEP to decline their water and sewer applications.

At this point, it was suggested that the Board convene into Executive Session.

Chairperson Kuster stated he would entertain a motion to convene into Executive Session. Resolution #19-3382 was proposed by John DiMaio who moved its adoption. The motion to convene into Executive Session was seconded by Harper. Ayes: Kuster, John DiMaio and



Harper.

Counselor Selvaggi and Steve Varneckas exited the meeting.

Resolution #19-3382

BE IT RESOLVED, on this 12th day of March by the Hackettstown Municipal Utilities Authority and pursuant to N.J.S.A. 10:4-1 et. seq., the Authority shall discuss Attorney Client Communications in Executive Session.

It is not possible, at this time, for the Authority to determine when and under what circumstances the above referenced item, which is to be discussed in Executive Session, can be publicly disclosed.

THEREFORE, BE IT RESOLVED, on this 12th day of March, 2019 by the Hackettstown Municipal Utilities Authority that the matters, as noted above, will be discussed in Executive Session, said session commencing at 7:30 PM.

Harper moved to end Executive Session and re-enter Regular Session, said motion being seconded by John DiMaio and all indicating approval at 7:55 PM. No formal action was taken during Executive Session.

Counselor Selvaggi and Steve Varneckas re-entered the meeting.

Counselor Zaiter stated that the Board would like to keep all the changes to the agreement regarding their comments on the NJDEP permits and will add the County to Item #5 of the agreement. Mr. Varneckas questioned their concerns with the NJDEP permits and still requested that all permits from the NJDEP be included. Chairperson Kuster stated that the Authority would put together an agreement that they are comfortable with.

The following Resolution #19-3383 was proposed by John DiMaio who moved its adoption.

Resolution #19-3383

WHEREAS, Woodmont Independence Urban Renewal, LLC has expressed concerns with regard to obtaining approvals from Warren County, potential NJDEP removal of the subject property from the HMUA's sewer service area, and placement of the subject property in the Highland's preservation area without an exemption; and

WHEREAS, Woodmont Independence Urban Renewal, LLC has requested relief from being subject to payment of liquidated damages of 20% of connection fee paid if they are unable to move forward with the project due to the above potential conditions; and

WHEREAS, the HMUA Board has determined that the above stated potential conditions are unusual circumstances not normally encountered by developers in the service area; therefore

BE IT RESOLVED, that the HMUA hereby approves the development of an agreement with Woodmont Independence Urban Renewal, LLC Residential Complex on Block 6.02, Lot 2 in Independence, NJ to provide relief to the payment of liquidated damages of 20% of connection fee paid should the above conditions occur. The attorney for Woodmont Independence Urban Renewal, LLC will prepare the agreement for review by HMUA's attorney and endorsement by the Executive Director.



This Resolution was seconded by Harper and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was discussion and possible action regarding any project Change Orders. Executive Director Corcoran stated there is one change order for Pillari Brothers under Contract 47W in the amount of \$34,033.14 for the additional 6" and 8" water main, and additional HMUA directed construction work at Maple Ave., Cindy Terrace, Franklin and Lafayette Streets. The following Resolution #19-3383 was proposed by John DiMaio who moved its adoption.

Resolution #19-3383

WHEREAS, the Hackettstown Municipal Utilities Authority has reviewed the proposal for Change Order #3 in the amount of \$34,033.14;

WHEREAS, Suburban Consulting Engineers has recommended approval of Change Order #3; therefore

BE IT RESOLVED, the Hackettstown Municipal Utilities Authority authorizes Change Order #3 in the amount of \$34,033.14 for additional piping and HMUA directed additional work, labor and materials at Maple Ave., Cindy Terrace, Franklin and Lafayette Streets, for the Water Main Replacement Project Phase VIII (Contract #47W).

This Resolution was seconded by Harper and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was to entertain Resolutions approving the Operations Expense Account Requisitions #OEA-1152 in the total amount aggregate amount of \$130,012.64. The following Resolution #19-3384 was proposed by Harper who moved its adoption:

Resolution #19-3384

BE IT RESOLVED, that the following Operations Expense Requisitions be formally approved:

Dated:	February 15, 2019	OEA-1152	SL-06	\$130,012.64
			Total	\$130,012.64

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Renewal & Replacement Fund Requisition #RR-255 in the aggregate amount of \$18,359.74. The following Resolution #19-3385 was proposed by John DiMaio who moved its adoption.

Resolution #19-3385

BE IT RESOLVED, that the following Renewal and Replacement Fund Requisition #RR-255 be formally approved:

REQUISITION #RR-255

Mott MacDonald	Engineering Services	\$	2,230.00
Pumping Services	Flygt Trash Pump		3,141.74



Water Works Supply	5/8" Water Meters w/ERT's	12,988.00
	Total	\$ 18,359.74

This Resolution was seconded by Harper and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was to entertain a Resolution approving Escrow Subaccount Requisition #ESR-287 in the amount of \$342.50. The following Resolution #19-3386 was proposed by Harper who moved its adoption.

Resolution #19-3386

BE IT RESOLVED, that the following Escrow Subaccount Requisition #ESR-287 be formally approved:

REQUISITION #ESR-287

Mott MacDonald	BETTY JANE HAMMEL	\$ 342.50
	Total	\$ 342.50

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Kuster, John DiMaio and, Harper voting yea.

Chairperson Kuster stated the next agenda item was discussion and possible action to award Contract AS-19 for Liquid Aluminum Sulfate. Executive Director Corcoran stated that the low bidder is Chemtrade Chemicals, who is our current supplier and provides satisfactory service. However, she confirmed that the bid received is a 21% increase from the current price paid per gallon.

After a brief discussion, the following Resolution #19-3387 was proposed by Harper who moved its adoption.

Resolution #19-3387

WHEREAS, subsequent to the proper advertisement, two (2) sealed proposals for Liquid Aluminum Sulfate were received and read aloud at a public bid opening on March 6, 2019 at 2:30 PM at the HMUA Jacob Garabed Administration Building; and,

WHEREAS, it has been determined that the lowest bid was received from Chemtrade Chemicals US, LLC of Parsippany, New Jersey for the bid price of \$1.15 per gallon; therefore,

BE IT RESOLVED, Contract #AS-19 for Liquid Aluminum Sulfate is awarded to Chemtrade Chemicals US, LLC of Parsippany, New Jersey and the Executive Director is hereby authorized to execute the necessary contract documents.

This Resolution was seconded by John DiMaio and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was discussion and possible action to modify the Authority Rules and Regulations.

Executive Director Corcoran began by stating she had forwarded to all Board Members an explanatory memorandum and the Rules and Regulations with track edits of proposed changes for their review. She indicated that she has researched rules of several similar agencies, and has



recommended changes that she believes are in the best interest of the Authority. Corcoran summarized the major changes proposed.

- Reservation of Capacity and Liquidated Damages for Expired Permit (Sections 103 and 104): Corcoran recommended that the rules clarify that Final Approval constitutes a reservation of capacity. There was some discussion among the Board Members regarding the current retainage of 20% of connection fees as liquidated damages for expired permits, and it was suggested that this requirement be replaced with the retainage of an administrative reimbursement fee per EDU for expired permits. Corcoran stated that this change would be made throughout the rules as applicable.
- Request for Withdrawal of Application (Section 104B): The current rules allow only 60 days for applicants to request withdrawal of an application with HMUA retaining an administrative reimbursement fee. As the Board intends to replace the retainage of 20% of connection fees as liquidated damages with an administrative reimbursement fee per EDU, she recommended that the administrative reimbursement fee apply to any withdrawal of Final Approval and Permit to Construct regardless of time. In addition, she recommended requiring that applicants pay the required Final Connection Fee within 30 days of Final Approval, or Final Approval will be voided and Preliminary Connection Fee will be returned minus the administrative reimbursement fee per EDU.
- Filing Fee (Section 105): Corcoran recommended clarifying language that Filing Fee is non-refundable.
- Corcoran recommended clarification of language regarding Connection Fees (Section 106 and throughout document):
 1. Application – Preliminary connection fee to be paid based on adopted connection fee at time of application multiplied by expected EDUs.
 2. Final Approval – Actual final connection fee calculated by HMUA based on then current adopted connection fee multiplied by confirmed EDUs.
 3. Final connection fee must be paid within 30 days of Final Approval or application is null and void and administrative reimbursement fee per EDU is withheld by HMUA.
- Performance Bond Requirement (Section 109 and throughout document): Corcoran recommended changes to require Performance Bonds prior to issuance of Permit to Construct.
- Clarification of Final Approval and Permit to Construct (throughout document). Being that some items are due prior to “Final Approval” and others due prior to issuance of “Permit to Construct”, Corcoran recommended changes to clarify what is being referred to “Final Approval” or “Permit to Construct” with regard to each of the requirements. She recommended changes to language to make the Permit to Construct, which is the final permit required by HMUA prior to construction, more prominent in the language.
- Interest Earned (Section 106): Corcoran recommended that the rules clarify that connection fees deposited shall be placed into an account that will not bear interest to the developer/applicant but may bear interest to HMUA.
- Private sewer laterals or force mains (Section 107): She recommended clarification that individual private owned sewer laterals or force mains shall not be permitted to run down public roads. The reason for this is that HMUA is responsible for all sewer piping in the



public ROW and some applicants may propose to install a significant length of private piping to be able to connect to an existing sewer.

- Service Charges and Collections (Section 114): Recommended clarifications to reflect current practices since changing the billing system and eliminating turn on requests after hours (between 8:00 pm and 7:00 am).
- Recommended requirement for a corporation clamp at abandoned service lines (Section 122)
- Clarification of meter pit requirements (Section 201) for all new services and for any existing services lines that have been repaired instead of installing one continuous replacement copper line.
- Water and Sewer Tapping Charges Removed (Section 203 and 304). HMUA no longer provides tapping services.

Kathy also confirmed that all changes have been reviewed by John Zaiter. She further stated that in addition to the above, there are several recommended changes to the administrative fees, which have not been increased in many years. She went through the proposed fee changes, and explained that many of the current fees are very low relative to other agencies. She explained that the proposed fee increases would need to be approved following a public hearing, but can be included in the public hearing regarding connection fees if the Board moves ahead with that.

After a lengthy conversation, the following Resolution #19-3388 was proposed by Harper who moved its adoption.

Resolution #19-3388

WHEREAS, the HMUA Rules and Regulations require periodic updates to meet the needs of the Authority and maintain an orderly system for existing customers and new customers applying for water and/or sewer service; and

WHEREAS, the HMUA Board has reviewed the changes to the Rules and Regulations proposed by the Executive Director and determined the revisions that will be made (markup of Board approved changes attached); therefore

BE IT RESOLVED, the HMUA Rules and Regulations are hereby modified to include the revisions as noted in the attached document.

This Resolution was seconded by Kuster and upon roll call vote carried: Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was discussion and possible action to proceed with connection fee rate increases.

Executive Director Corcoran stated that at the last meeting Robert McNinch of FWCC gave the Board an overview of the statutory requirement to calculate connection fees on an annual basis. She provided a brief overview of how FWCC calculated the statutory connection fees. She confirmed that FWCC calculated the connection fees to be \$5,530.00 per EDU for water and \$5,505.00 per EDU for sewer. She stated that the calculated fees are the maximum that the Authority could charge under the statute, and that Mr. McNinch has recommended imposing the statutory maximum.



There was some discussion and the Board was in agreement that the Authority has been undercharging new connections for many years now while NJDEP continues to impose new requirements and costs continue to grow.

A motion was made by John DiMaio to move forward with the Public Notice and Hearing concerning changing the water and sewer connection fees to the statutory limits, and other administrative fee changes recommended by the Executive Director associated with HMUA's billing structure. This motion was seconded by Harper and upon roll call vote carried. Ayes: Kuster, John DiMaio and Harper voting yea.

Chairperson Kuster stated the next agenda item was the report of the Office Manager.

Debbie began by stating the office staff has been doing a great job with the meter replacement program. She confirmed of the three routes in the system, Route 1 only has approximately 40 left to be replaced, Route 2 is completely done and Route 3 has approximately 475 left.

Debbie stated she spent a few days at Edmunds working with their staff on the new updates and reports. She confirmed that she found this to be very helpful

Debbie also stated since using the Robo-call system, the number of collections has decreased. Also, the credit card payments are working out very well.

Debbie concluded by stating she will be attending the Rutgers Educational Forum at the end of April for the renewal of her QPA.

Chairperson Kuster requested Executive Director Corcoran to proceed with her report.

Executive Director Corcoran began by stating the Deputy Director position has been advertised on our website, Facebook, AEA, NJWEA, AWWA, LOM and the Daily Record. She confirmed that eight resumes were received and she has the first interview set up for Thursday.

Kathy continued by reviewing the developer projects as follows:

- WaWa awaiting final approved asbuilts.
- Heath Village West has continued with construction.
- Quick Check we are still waiting for the performance bonds and updated connection fees.
- Princess Towers recently submitted an application for Final Approval.

Kathy also stated they have received the arsenic treatability test results from NJDEP and Stevens Institute, and will be scheduling a meeting within the next few weeks to review the results.

Kathy continued by stating the work has begun on the nitrification system. One nitrification tank is out of service and the contractor has begun removing valves and diffusers in the tank. Staff removed 2,500 lbs of grit, which was brought to the landfill. The WPCP is experiencing some changes in the quality of the nitrification process due to this construction, and staff is working to control this.

Kathy also stated the peracetic acid (PAA) Quality Assurance Project Plan has been submitted to the NJDEP and they are waiting for their response.

On the water side, Kathy stated that there is a meeting scheduled for Thursday with the County regarding the 1.0 tank property. She and John Zaiter plan to negotiate terms of a future agreement related to the properties, existing tank and future tank facilities.



Kathy continued by stating the Asset Management Plan should be completed soon by Mott MacDonald and there is a workshop scheduled for next week.

Kathy also stated that water department staff continues to do leak detection on a daily basis.

Kathy continued by stating the water main project is done with the exception of a few punch list items, which will be completed in the spring. Also, they are still waiting for the contractor to submit his costs with regards to the asphalt on the project.

Kathy concluded by stating she will be attending the AWWA conference next week.

Upon the completion of the Executive Director's report, Chairperson Kuster requested Projects Engineer Klemm to proceed with his report (see attached).

Chairperson Kuster requested Counselor Zaiter to proceed with his report. Counselor Zaiter stated he had nothing further to add.

Chairperson Kuster asked whether anyone had business of a general nature to discuss. There being no additional comments or discussion, Chairperson Kuster declared a motion to adjourn would be in order and was so moved by John DiMaio, seconded by Harper and followed by a unanimous voice vote.

Time – 9:20 P.M.

Kathleen Corcoran, PE, PP, PMP
Executive Director & Secretary

101. DEFINITIONS

- A. "Application for Service" shall mean a document prepared and completed by an Applicant, Customer or Owner in accord with the requirements as specified in Section 105.
- B. "Authority" shall mean the Hackettstown Municipal Utilities Authority.
- C. "Benefit Per Unit" shall mean the fee calculated and certified in accordance with Section 121.
- D. "Connection" shall mean any physical or operational change to a collection system or to the plumbing or piping of any building project, facility, or other structure either proposed or existing for which a building permit or other municipal approval including site plan or subdivision approval is required, and which connects directly or indirectly to any portion of the HMUA water distribution system or treatment works.
- E. "Connection Fee" shall mean the charge(s) as calculated by the Authority from time to time so as to properly apportion an equitable and uniform shared cost of the water and/or sewer system(s) which have been or will be constructed by the Authority to accommodate or benefit the Applicant, Customer or Owner. "Preliminary Connection Fee" shall mean the fee due at the time of acceptance of the application by HMUA and shall be calculated based on the most recently adopted connection fee as of the application date and the estimated number of EDUs. "Final Connection Fee" shall mean the fee calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority.
- F. "Applicant", "Customer" or "Owner" shall mean any person, corporation or organization contracting, or making application for water or sewer connections or for use, products or services or who use said services or who is the owner or occupant or both of any real property which directly or indirectly has been connected to the water or sewer system or to which directly or indirectly has been furnished or supplied the use products or services of the water and sewer system or water or sewer services facilities or products.

- G. "DEP" shall mean the Department of Environmental Protection of the State of New Jersey.
- H. "Domestic Sewage" shall mean the normal waterborne fluid wastes from residences, commercial establishments, institutions and industrial establishments, limited exclusively to the wastes from kitchens, bathrooms, water closets, lavatories and laundries.
- I. "EDU" shall mean equivalent dwelling unit and shall be equal to a dwelling unit using 300 gallons of service per day.
- J. "Executive Director" shall mean the person so designated by the Authority with the responsibility for the overall daily management of the Authority.
- K. "Final Approval" shall mean the approval granted by the Authority pursuant to the requirements as specified in Section 105 and when granted shall constitute a reservation of capacity or service from the Authority.
- L. "Industrial Wastes" means the liquid wastes resulting from the processes employed in industrial, manufacturing, trade or business establishments, or from the development, recovery, detoxification or processing of natural resources or other wastes as distinct from domestic sanitary wastes.
- M. "Main" shall mean the Authority-owned or controlled piping and appurtenances, in or along public highways and streets, or along privately owned rights-of-way, used for the transmission or distribution of water to or for the collection of Domestic Sewage or Industrial Wastes from its customers.
- N. "New Service" shall be defined as any water or sewer connection which had not previously been made or which requires a main extension permit from DEP.
- O. "Non Residential User" shall mean all users and connections other than defined as "Residential User", including but not limited to business, commercial, industry; restaurants, taverns theaters, camps, churches, schools, hospitals, boarding homes, nursing homes, etc.

- P. "Permit" shall mean the approval granted by the Authority pursuant to the requirements as specified in Section 105 for the construction of water and sewer facilities to service each unit and/or the connection or use of water or sewer service for each unit.
- Q. "Person" shall mean any individual, partnership, firm, corporation, association or other organization.
- R. "Physical Connection" shall mean when the water and/or sewer facility which serves one unit or several units is capable of being used, and has been approved by the HMUA.
- S. "Residential User" shall mean a single-family, multi-family, apartment, trailer, mobile home, hotel or motel unit that is designed and used exclusively for providing living accommodations.
- T. "Service Agreement" shall mean an agreement between the Applicant or Owner and the Authority, which details the contractual requirements of both parties for receiving and providing water and/or sewer service.
- U. "Tentative Approval" shall mean the approval granted by the Authority pursuant to the requirements as specified in Section 105 and which does not constitute a reservation of capacity or service from the Authority but shall signify that upon submission of a request for Final Approval and compliance with the requirements as specified in Section 105, final Approval may be granted by the Authority.

102. PERMIT REQUIRED

No Person shall build, install, modify or operate any facility for providing water supply or for the collection, treatment or discharge of any pollutant, including any "Connection" as defined in Section 101, except after approval by the Authority. No Person shall change the character of usage, the nature of usage, change the size of facilities or change the extent of water and sewer facilities or usage, except after approval by the Authority.

103. APPLICATION FOR SERVICE IN GENERAL

A. The Authority will accept no application for service until the Applicant has paid, or made satisfactory arrangements to pay all arrears and charges due by the Applicant.

B. The accepted application shall oblige the Applicant to pay to the Authority its rates and fees as established from time to time and to comply with its rules and regulations.

~~B.C.~~ A Preliminary Connection Fee shall be due at the time of acceptance of an application for Final Approval by HMUA and shall be calculated based on the most recently adopted connection fee as of the application date and the estimated number of EDUs. The Final Connection Fee shall be calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority. Any remaining final connection fees due must be promptly paid in accordance with Section 106.

D. All completed applications for water and sewer ~~Permits-approvals~~ shall be ~~approved~~ processed on a first-come first-served basis. The obligation of the Authority to approve completed applications for water and sewer ~~Permits-service~~ is contingent upon the availability of capacity both at the treatment plant and in the ~~Mainsmains~~.

E. The provision of Tentative Approval by the Authority shall not constitute a reservation of capacity in the HMUA water and/or sewer system.

F. The provision of Final Approval by the Authority shall constitute a reservation of capacity in the HMUA water and/or sewer system.

G. The Authority shall not issue a Permit to Construct or allow construction of water or sewer facilities until such time as the Authority has issued Final Approval and is in receipt of all necessary payments due, approvals from the DEP or any other municipal, state or federal agency that may be required.

~~Preliminary Planning Board Approval shall also be a condition precedent to the Tentative Approval of an Application for Service.~~

H. The Authority shall not accept an application which is incomplete, does not meet the requirements of Section 105, or an application for service or services which can not be rendered as a result of the lack of conveyance or treatment capacity or for projects which are outside of the Authority's approved service area.

104. SPECIAL CONDITIONS OF ISSUED APPROVALS/PERMITS

- A. A ~~Permit-Final Approval that is issued~~ for any residential unit shall be valid for a period of thirty-six (36) months from the date of issue, and a ~~Permit-Final Approval that is issued~~ for any industrial or commercial unit shall be valid for a period of thirty-six (36) months from the date of issue. The ~~Permit-Final Approval and Permit to Construct~~ shall be void unless Physical Connection is made within the appropriate period. In cases where construction ~~and occupancy~~ of units has continued during the six-month period immediately prior to any expiration date of a ~~Final Approval-Permit~~, the ~~Final Approval and Permit to Construct~~ may, at the ~~sole~~-discretion of the Authority, be renewed for ~~an~~ additional six-month period. Unless so renewed, the ~~permit-Final Approval and Permit to Construct~~ will automatically expire at the expiration of the thirty-six (36) month period.
- B. In the event that Physical Connection is not made, or ~~Permit-Final Approval~~ renewed within the period set forth in Section 104 A., the ~~Permit-Final Approval~~ shall automatically expire and shall be void and of no force and effect. ~~The full amount of the Connection Fee paid for the water or sewer Final Approval shall be refunded, less an Administrative Reimbursement fee as detailed in the Rate Schedule for each water and sewer EDU withdrawn. The HMUA shall retain twenty percent (20%) of the Connection Fee paid for each expired Permit as a charge for administrative expenses and loss of service revenue. This charge is reasonable in amount and is to be considered as liquidated damages, and not as a penalty. Actual damages would be difficult to calculate and this amount is considered reasonable as liquidated damages. The balance of the Connection Fee paid for the expired Permit shall be returned to the Applicant by the HMUA.~~ In the event, ~~however~~, that the Applicant submits a written request for withdrawal of the water or sewer connection within ~~sixty~~ the period set forth in Section 104 A. ~~(60) days after the water or sewer Permit is issued, or the Applicant fails to submit the required additional connection fees due (if applicable) within the required 30 days following Final Approval, the Final Approval shall be void and of no force and effect, and~~ the full amount of the Connection Fee paid for the water or sewer ~~Permit-Final Approval~~ shall be refunded; less an Administrative Reimbursement fee as detailed in the Rate Schedule for each water and sewer EDU withdrawn.
- C. In cases where construction ~~and occupancy~~ of units has continued during the six-month period immediately prior to any expiration date of ~~a~~ Final Approval ~~Permit~~, the ~~Permit~~

Final Approval may be renewed for individual six-month periods at the discretion of the Authority. The ~~Permit~~Final Approval may be renewed for longer periods at the discretion of the Authority to coincide with the expiration date of an extension granted or to be granted by the DEP. In the event that Physical Connection is not made or ~~Permit~~Final Approval renewed by any expiration date, the ~~Permit~~Final Approval shall automatically expire and shall be void and of no force and effect and the provisions of this Rule shall apply as in the case of expired Permits, as set forth in Section 104 B.

105. APPLICATION FOR SERVICE

An Application for Service is required whenever a Permit is required as specified in Section 102.

- A. As used in this section, "complete application" for water and/or sewer service shall include and be defined as the following:
1. "Application for Service" shall be submitted in triplicate for the Applicant's entire project and include the following:
 - a. Preliminary Planning Board Approval shall be a condition precedent to the Tentative or Final Approval of an Application for Service. A copy of the Planning Board Approval shall be submitted by the Applicant.
 - b. Filing fee in the amount as stated in the Rate Schedule. Filing fee is non-refundable.
 - c. Review fee as stated in the Rate Schedule shall be deposited with the Authority and shall be held in an escrow account. The Authority shall withdraw funds from this escrow account to reimburse itself for costs incurred by the Authority for engineering review, legal review or other services provided to Applicant by the Authority.
 - d. Four (4) copies of all engineering plans and reports in accord with the requirements of Section 107. The engineering plans and reports that are required to be submitted with the Application shall be in accordance with, and must comply in every respect to, the rules, regulations and specifications of the

Authority and any state or federal agency asserting jurisdiction over water and/or sewer services.

Upon receipt of an application, the Authority and its consultants shall review the application and respond to the Applicant with regard to any additional requirements or modifications. Subsequent to the receipt of an appropriately modified application, if necessary, including engineering plans and reports in conformance with all applicable rules, regulations and specifications, and a copy of the Preliminary Planning Board Approval, the Authority may grant Tentative Approval for the Applicant's entire project.

Upon receipt of Tentative Approval from the Authority, the Applicant may request Final Approval for Applicant's entire project or a portion thereof. Tentative Approval from the Authority does not constitute a reservation of capacity or service from the Authority.

2. Along with a written ~~request-application~~ for Final Approval ~~for Service~~, the Applicant shall submit the following:
 - a. An executed "Service Agreement", proof of compliance with each and every item, condition and stipulation contained within said agreement including, but not limited to compliance with the HMUA Rules, Regulations and Specifications.
 - b. All completed state or federal agency applications, ~~which that~~ require the endorsement of the Authority.
 - c. ~~Required performance guarantees in accordance with Section 109. Construction cost estimates for on-site and off-site improvements and for the cost of producing as-built drawings, in accordance with Section 109. The amount to be posted under the performance guarantee shall be 120% of this amount.~~
 - d. Posting of additional escrow amount for review as required.
 - e. Payment of Preliminary Connection Fee and any applicable Benefit Per Unit fee
~~-A Preliminary Connection Fee shall be due at the time of acceptance of the application by HMUA and shall be calculated based on the most recently~~

adopted connection fee as of the application date and the estimated number of EDUs. The Final Connection Fee shall be calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority. Any remaining final connection fees due must be promptly paid in accordance with Section 106.

e. The Applicant may pay the entire Connection Fee and Benefit Per Unit fee or secure payment of the fees by depositing with the HMUA 25 percent of the Connection Fee in cash and the remaining 75 percent as an Irrevocable Letter of Credit in a form acceptable to the attorney for the HMUA. As units under construction near completion, the applicant shall remit the remaining 75 percent of the applicable Connection Fee and Benefit Per Unit fee for each Equivalent Dwelling unit (EDU) to be imminently provided with water and/or sewer service. The payment shall be received prior to the Authority providing water and /or sewer service to the unit, and prior to any letter being issued by the HMUA which may be a requirement to obtain a certificate of Occupancy for said unit. If an Irrevocable Letter of Credit (LC) is in effect guaranteeing the 75 percent portion of the Connection Fee and Benefit Per Unit fee, the HMUA, at the Applicant's option, will issue a Draft against the LC in lieu of a cash payment. For the purposes of this paragraph, a draft against the LC shall be considered the same as a cash payment. If the Applicant remits cash, the HMUA will authorize an appropriate reduction in the LC.

- f. Posting of escrow amounts required for Tapping Fees, Inspection Fees, Turn-On Fee, Meter Setting Fee and any other charges as required.

The afore stated application, fees and posted escrow amounts submitted with the ~~request-Application~~ for Final Approval ~~for Service~~ shall be based upon the number of EDU'S and/or connections for which the Applicant is requesting service. The Final Connection Fee shall be calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority. Any remaining final connection fees due must be promptly paid in accordance with Section 106.

- B. The fully completed application with accompanying plans and fees shall be submitted to the HMUA office no later than 30 days prior to the regular monthly meeting of the Authority which is normally scheduled for the second Tuesday of each month. If said completed application or accompanying plans or fees is submitted less than 30 days prior to the regular meeting it may be placed on the agenda for the regular meeting of the following month.

If the Authority, at the regular meeting at which the application is reviewed, preliminarily determines that the Application and accompanying plans and fees, as well as all conditions precedent, appear to be complete, then the application shall be certified as complete as of the date of the meeting at which action is taken, for the purposes of the commencement of the time for the action by the Authority.

Notwithstanding, that the application may have been certified as complete, the HMUA reserves the right to reject the application for being incomplete, should that be discovered during the course of review.

- C. Upon submission to the HMUA of a completed application for Final Approval of sewage or water service, the HMUA shall approve or disapprove the application within 90 days of the date that the application is certified as complete.
- D. The HMUA reserves the right to extend the time for the aforesaid approval or disapproval for a period not to exceed 30 days by adoption of a resolution therefore.
- E. Upon Final Approval of the application and payment of any additional connection fees due as indicated in Section 106, the Authority will endorse the completed applications to federal or state agencies, including but not limited to the Water or Sewer Extension Permits.
- F. Failure of the HMUA to approve or disapprove of the application for construction within such time shall constitute approval of the application and consent of the Authority to the construction of the plant or facility. In the event that the Authority fails to approve or disapprove the application within the aforesaid time, said application shall be marked "Approved Because of Failure to Act Within the Time Limitations Imposed by Law." In the further event of approval because of failure to act within the time limitations imposed, such approval shall not be binding upon any local, state or federal agencies, which may

assert jurisdiction over the review and approval of plans. In the event that the application for the aforesaid construction of facilities is rejected by any local, state or federal agency asserting jurisdiction for noncompliance with the rules, regulations or specifications of that agency, and said application is returned as disapproved, the Applicant shall submit an amended Application to the HMUA containing the changes, modifications or corrections requested by the federal or state agency for review and approval by the HMUA and the time limitations for approval by the HMUA of the amended Application shall begin again, upon certification of the application as complete by the HMUA, pursuant to the provisions contained herein.

- G. Upon submittal of Performance Guarantees in accordance with Section 109, receipt of all required approvals from state or federal agencies including but not limited to DEP Sewer or Water Extension Permits and compliance with the aforesaid requirements, the Authority will issue a Permit to ~~construct~~Construct. The Applicant shall not be allowed to begin construction prior to the issuance of a written permit from any state or federal agency, if required, and a Permit to Construct from the Authority.
- H. Notwithstanding anything contained in this rule, in the event that an Application for Service is made for water for property which abuts existing water Mainsmains, or for sewerage service for property which abuts existing sewer Mainsmains, and no permits are required from any state or federal agencies, the Authority reserves the right to waive certain requirements of the application procedures, including payment of review fees associated with those procedures. Upon receipt of Final Approval of the application, submittal of Performance Guarantees in accordance with Section 109, and payment of any additional connection fees due as indicated in Section 106 and other~~the~~ appropriate fees, the Authority shall issue a Permit to Construct. Upon issuance of the Permit to Construct by the Authority, the Applicant may proceed with construction.
- I. In the event that an Application for Service is made for water for a single family dwelling that abuts existing water Mainsmains, or for sewerage service for a single family dwelling, which abuts existing sewer Mainsmains, and no permits are required from any state or federal agencies, the Executive Director is authorized to grant Final Approval and issue a Permit to Construct, and may waive the required application procedures and fees as detailed in Section 105 A.1.c. A.1.d and A.2.d. Upon receipt of Final Approval of the application, and payment of the appropriate fees, the Executive Director shall issue a

Permit to Construct. Upon issuance of the Permit to Construct, the Applicant may proceed with construction.

106. SERVICE CONNECTION CHARGES

- A. The Applicant shall pay, in accordance with Section 105.A.2.e, a one-time water and/or sewer service Connection Fee and any applicable Benefit Per Unit fees charged for each EDU. A Preliminary Connection Fee shall be due at the time of acceptance of the application by HMUA and shall be calculated based on the most recently adopted connection fee as of the application date and the estimated number of EDUs. The Final Connection Fee shall be calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority. Any remaining final connection fees due must be paid within thirty (30) days of Final Approval, or the Final Approval shall be null and void. ~~in an amount as established by the Authority's Rate Schedule in effect at the time that service is requested.~~ The Connection Fee and any applicable Benefit Per Unit Fees shall be applicable to all water and/or sewer connections for each single-family dwelling.
- B. Connection Fees and any applicable Benefit Per Unit Fees for Non Residential Users shall be calculated based upon ~~the Authority's~~ the estimate of water projected usage as calculated using NJAC 7:14A-23.3 for sewer connections and NJAC 7:10-12.6(b) for water connections. The estimated usage shall be divided by 300 gallons per day to determine the number of EDU's. ~~The Connection Fee and any applicable Benefit Per Unit Fees shall be computed by multiplying the number of EDU's by the EDU charge as provided in the Rate Schedule.~~ A Preliminary Connection Fee shall be due at the time of acceptance of the application by HMUA and shall be calculated based on the most recently adopted connection fee as of the application date and the estimated number of EDUs. The Final Connection Fee shall be calculated at Final Approval and shall be calculated based upon the confirmed EDUs and the most recently adopted connection fees in effect at the time of Final Approval by the Authority. Any remaining final connection fees due must be paid within thirty (30) days of Final Approval, or the Final Approval shall be null and void. The minimum Connection Fee and any applicable Benefit Per Unit Fees for Non Residential Users shall be no less than that imposed for a single-family dwelling. The Connection Fee and any applicable Benefit Per Unit Fees

may be increased in the event that the Applicant presents special requirements, which must be met by the HMUA to provide service.

- C. In the event that off-site facilities were constructed by the Owner(s) of other properties, for which the Applicant benefits, there may be an additional charge for each EDU of Applicant's project. This charge shall be based upon the derived "Benefit Per Unit" as calculated and certified in accordance with Section 121. This charge shall be due and payable at the same time as the Connection Fee.
- D. Connection fees deposited shall be placed into an account that shall not bear interest to the applicant/developer, but which may bear interest to the Authority.
- E. In the event that there is a change in use of a structure which includes either a change in the character or nature of usage or a change in the size of a facility which results in an increase in the nature or extent of the usage, the Authority may impose an additional Connection Fee to correspond with the amount of increased usage.
- F. If the Customer is to receive both water and sewer services from the Authority, both the water service Connection Fee and the sewer service Connection Fee shall be due and payable at the same time.

107. DESIGN CRITERIA FOR CONSTRUCTION OF FACILITIES

The Applicant shall construct and install, at no cost to the Authority, all off-site and all on-site water systems and facilities and all off-site and all on-site sewerage systems and facilities, including Mainsmains, force Mainsmains, pumping stations and any related appurtenances which are necessary to provide service to the units for which Application for Service has been made. All construction shall be in accordance with the rules, regulations and specifications of the Authority and the engineering plan submitted by the Applicant and approved by the Authority.

- A. An Application for Service shall be submitted to the Authority for a review of the proposed facilities, route of construction, estimated volumes of flow and whether an individual or comprehensive study of the water or sewerage system is required to be submitted by the Applicant. No application will be considered unless a professional engineer or architect as prescribed by law, registered in the State of New Jersey is in

charge of the planning and design of the proposed sewerage and water distribution facilities and has affixed his seal and signature thereto.

B. Engineer's Report. A complete Engineer's Report setting forth the basis of design shall be submitted to the Authority by the Applicant for each project. It shall contain the following minimum data:

1. For Sewer Systems

- a. Intended use of the proposed realty improvements and the characteristics of sewage expected from such use.
- b. The effect of the proposed sewerage facilities on existing or proposed sewerage systems.
- c. Amount of infiltration expected and its effect on design flow.
- d. The estimated average daily and peak flow and descriptive formula utilized in calculating such estimates.
- e. The Applicant's requested timeframe for the staging of any required off-site improvements.
- f. Preliminary cost estimate for both on-site and off-site sewers.
- g. Any other factors which would affect design and use of the sewerage system as determined by the HMUA.
- h. Any other factors which may be required by local agencies.
- i. The plans and specifications shall be in conformance with NJDEP "Rules and Regulations For The Preparation And Submission Of Plans For Sewer Systems And Wastewater Treatment Plants". N.J.A.C. 7:14-2.1 et seq.

In some areas where there may be a future demand for the sewage works, the Authority may require the Applicant to construct either larger or deeper sewers than necessary just to accommodate the Applicant's project. In this case, the Applicant may be reimbursed in accordance with Section 121.

All sanitary sewers shall be designed to carry four times the average flow estimated for twenty-five years in advance. Average flow shall be assumed to be 100 gallons per person, per day, and 3 persons shall be assumed per equivalent dwelling unit, including infiltration.

In general, no private force mains or sewer laterals will be permitted to extend along a roadway or public right of way. The Authority may consider unusual circumstances to permit such a condition on a case by case basis.

All sewers must be designed on a “separate system” basis in which all water from roofs, basements, streets and any other areas must not be conducted to the sanitary sewer system. No bypasses or overflows, which allow raw sewage to be discharged from sewer, shall be installed.

Sewers and force Mains-mains shall be designed to flow with a minimum velocity of not less than two feet per second at full flow based on Manning formula with $n=0.013$. Materials used in the construction of sewers, service laterals and force Mains-mains are indicated in the HMUA specifications.

2. For Pumping Stations

- a. The operational characteristics including pumping rates, wet well detention times and force main velocities at minimum, maximum and average flow (both present and future).
- b. Technical basis of design for the mechanical, structural and electrical elements of the station including emergency standby generator.
- c. The Applicants requested timeframe for the staging of the installation of any required equipment or facilities.
- d. Preliminary cost estimate for construction and annual operating costs.
- e. Any other factors which would affect design and use of the sewerage system.

- f. The plans and specifications shall be in conformance with NJDEP "Rules and Regulations For The Preparation And Submission Of Plans For Sewer Systems And Wastewater Treatment Plants" N.J.A.C. 7:14-2.1 et seq.

In some areas where there may be a future demand for the sewage works, the Authority may require the Applicant to construct larger facilities than necessary just to accommodate the Applicant's project. In this case, the Applicant may be reimbursed in accordance with Section 121.

3. Water Distribution Systems

- a. Maximum static and ~~Minimum~~-minimum pressure at peak day demand plus fire flow.
- b. Intended use of the proposed realty improvements and the characteristics of use for Non Residential projects.
- c. The effect of the proposed water distribution facilities on existing or proposed water distribution facilities.
- d. The estimated flow.
- e. The Applicants requested timeframe for the staging of any required off-site improvements.
- f. A preliminary cost estimate for both on-site and off-site water distribution system(s).
- g. Any other factors which would affect design and use of the water distribution system as determined by the HMUA.
- h. Any other factors, which may be required or local agencies.
- i. The plans and specifications shall be in conformance with NJDEP "Standards For The Construction Of Public Community Water Systems". N.J.A.C. 7:10-11.1 et seq.

In some areas where there may be a future demand for the water works, the Authority may require the Applicant to construct larger facilities than necessary just to accommodate the Applicant's project. In this case, the Applicant may be reimbursed in accordance with Section 121.

Materials used in construction of water mains, services and appurtenances are indicated in the HMUA specifications.

- C. Plans and Profiles of all Proposed Sewer and Water Mains. Four (4) sets of plans and profiles shall be submitted and shall be of uniform size, 24" x 36", with a 1/2" border on top, bottom and right side, and a 2" border on the left side, the last one for binding. All plans shall be in a minimum scale of 1 inch equals 50 feet and profiles in a minimum scale of 5 feet vertical to 50 feet horizontal. The plans shall show the following:
1. Details. The plans and profiles shall show all other underground utilities and appurtenances such as Water Mains, storm sewers, gas and electric as may be applicable and existing and proposed sewers, appurtenances, contours, and all existing and proposed streets, and surface elevations at all breaks in grade and street intersections the true or magnetic meridian, boundary line, title, data and scale. All sheets shall be numbered.
 2. Symbols. Sewers and/or water Mains and appurtenances to be constructed shall be clearly labeled. Existing sanitary sewers and water Mains shall be labeled as such. All topographical symbols and conventions shall be those used by the United States Geological Survey.
 3. Elevations. All elevations shall be shown on United States Geological Survey datum. All permanent benchmarks of the New Jersey Coast and Geodetic Survey shall be shown. Elevations of street surfaces shall be shown. The elevations of sewer inverts at ends of lines and at changes of grades shall be indicated. The elevations of streets surfaces shall be shown to the nearest 0.01 feet. Sewer inverts shall be shown to the nearest 0.01 feet. Sufficient benchmarks shall be permanently established for the area.
 4. Distances, Grades and Sizes. For water Mains, valves and hydrants, the distances and stationing manholes, grades in decimal, sewer sizes and material shall be shown on the

plans. Arrows shall show the direction of flow. For water Mainsmains, the distances, diameter and material shall be shown on the plans.

- D. Plans and Specifications. The plans for the pumping stations, water Mains-mains and water storage facilities shall include a general site plan showing boundaries, contours, proposed improvements with capacities, underground or overhead wires, and shall include the items referred to in the Engineer's Report that are related to the design drawing.

108. MAIN EXTENSIONS

- A. All applications for water or sewer main extensions shall be prepared, whenever necessary, by the Applicant at its sole expense and shall be subject to review and approval by the Authority and its consulting engineer and shall be submitted to DEP in the name of the Authority as the applicant, unless directed otherwise by the Authority. All rights or entitlement contained in a main extension permit issued by DEP shall belong to the Authority and not to the Applicant. The Authority reserves the right to withhold the submission of a main extension permit to DEP for good cause. The Authority reserves the right to surrender any main extension permit to DEP on a section-by-section basis, if substantial construction has not yet begun on that section to which the permit refers.
- B. Main extension permits shall be secured from DEP for each section of a development or for each project or facility, whenever required, prior to the Authority issuing a Permit(s) to Construct to the Applicant.
- C. Preliminary Planning Board Approval shall be a condition precedent to the submission of a main extension application to DEP.
- D. Main extension applications shall only be sent to DEP after Final Approval by the Authority and payment of all final connection fees and/or other fees due.

109. PERFORMANCE AND MAINTENANCE GUARANTEES

- A. "Performance guarantee" and "maintenance guarantee" shall mean either cash, third party surety bonds from a reputable insurance company or third party letters of credit from a

financial institution having assets of One Billion dollars or more, in a form that is acceptable to the Authority.

- B. An acceptable performance guarantee must be posted prior to issuance of a Permit to Construct by the Authority. Prior to the commencement of any construction of on-site or off-site facilities that either will be dedicated to the Authority or will remain as private property (excluding laterals), the Applicant shall post with the Authority a performance guarantee covering said on-site and off-site improvements and for the cost of producing As-Built drawings in accordance with Section 110 and 111.B, for all on-site and off-site facilities to be constructed. The amount to be posted under the performance guarantee shall be 120% of the estimated cost of the improvements to be constructed plus the estimated cost of producing As-Built drawings. The Authority shall approve the form of the Performance Guarantee before it shall be accepted.
- C. The Applicant may request a reduction in the performance guarantee posted if at least 50% of the improvements to be constructed under the performance guarantee are satisfactorily completed and tested in accordance with HMUA rules, regulations and specifications and if the improvements, in the opinion of the Authority, are adequately protected from future damage due to continuing construction. The Authority may allow up to a maximum of a 75% reduction of the dollar value of the improvements that are satisfactorily completed, tested and protected.
- D. Maintenance guarantees shall be posted upon final acceptance of the improvement for a two-year period in an amount of 10% of the estimated cost of the improvements constructed. Final acceptance of the improvements constructed in the section shall not occur until the date that the maintenance guarantee, in a form satisfactory to the Authority, shall be received by the Authority.

110. ISSUANCE OF PERMIT TO CONSTRUCT

The Authority shall not issue a Permit to Construct until such time as:

- A. A.—The Authority has granted Tentative and Final Approval;
- B. All final connection fees have been paid;

BC. All required local, county and State agencies have granted approval;

D. An acceptable Performance Guarantee has been posted;

CE. The applicant has deposited any required additional escrow deposits;

DF. If required by the applicable approval, the Applicant enters into an agreement with the Authority wherein the applicant agrees to indemnify and hold harmless the Authority for all damages, costs and expenses, including attorney's fees and costs in connection with or arising out of any construction undertaken by the Applicant prior to the Authority's final acceptance of such construction;

EG. The applicant 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 written proof of the confirmation number assigned to the notice of intent pursuant to said Act; and

FH. PRE-CONSTRUCTION MEETING - A Pre-construction meeting shall be scheduled and held prior to the commencement of construction of any water or sewer infrastructure. Applicant is required to communicate with and seek guidance and approval from all regulatory authorities with jurisdiction, including but not limited to municipal or county officials, NJDEP and NJDOT, where applicable. Applicant is responsible to invite impacted agencies to the pre-construction meeting and keep impacted agencies apprised of construction activities, as required. In addition, the Authority shall be notified in writing as to the name, address and day-time and off-hour contact information for the contractor and all sub-contractors as well as the superintendent who shall be in charge and have full responsibility for supervision of construction of any water and/or sewer infrastructure.

GI. All other required conditions of the Authority in granting approval are fulfilled.

111. INSPECTION OF CONSTRUCTION

The Authority or its consulting engineers shall inspect the construction of all water systems and facilities and sewer systems and facilities to determine whether said systems and facilities are being constructed in the proper manner. The owner shall submit to the Authority, no less than two (2) weeks prior to the start of construction, an accurate construction schedule. The construction schedule will be used by the Authority to schedule the necessary inspections. Inspections required or requested during other than normal work hours will be charged at 1.5 times the regular fee. For purposes of this section, "re-inspection" is defined as an additional trip required because work was incomplete or rejected. If conditions warrant additional expertise or closer supervision, as determined by the Authority, inspections will be performed by the Authority's Engineer in lieu of inspections by Authority personnel and at the Applicant's expense. If Full-Time inspection is requested by the Applicant then said inspection shall be performed by the Authority's Engineer and shall be scheduled in advance. Fees for inspections performed by the Authority are as detailed in the Rate Schedule. The cost of inspection by the Authority's Engineer shall be the amount charged to the Authority for said services which shall be based on the hourly rate or other agreed rate then in effect with the Engineer. The Applicant shall submit additional escrow funds to cover the cost of inspections performed by the Authority's Engineer.

Despite the presence of an inspector during the construction period, the applicant shall be responsible for meeting all requirements of these Rules and Regulations and for constructing the water and/or sewer facilities in conformance with the plans and specifications approved by the Authority. Approval by the inspector during construction does not imply that the work shall not require further inspection.

The Authority shall be under no obligation to provide water or sewerage service to an Applicant if the water and sewer systems and facilities are not built in accordance with the approved construction plans and the Authority's rules, regulations and specifications. The cost of inspection shall be borne by the Applicant in accord with the Rate Schedule.

A. ~~_____~~ **NO BACKFILL PRIOR TO INSPECTION** - No trench shall be backfilled until such time as the Inspector has checked each joint of the pipe and has authorized backfilling to proceed.

B. ~~_____~~ **WATER VALVES TO REMAIN CLOSED.** Water main extensions and associated Water Valves shall remain closed or rendered inactive during construction to

prevent any possible contamination from an unapproved water main or water source. Water Valves shall only be operated by HMUA personnel or under the direction of the HMUA Inspector.

C. PLUGGING OF SEWER LINES DURING CONSTRUCTION

1. ~~A.~~ Sewer connections/extensions shall be plugged or rendered inactive during construction to prevent the entrance of material into the Authority's sewer system. In the event that it is not feasible or possible to plug the ~~Sewer-sewer Systems~~system, the individual sewer connection may be plugged or the water main or service shall remain deactivated.
2. ~~B.~~ In the event that a plug is removed without authorization or becomes dislodged during construction and the Authority or its agents incur costs as a result of such occurrence, the applicant and/or its agents shall be responsible for reimbursing the Authority for such costs and the Authority may impose a use fee associated with the estimated quantity of any water that may have entered the sewer system from such source.

D. ~~————~~ **RESTORATION OF PROPERTY.** The applicant shall be responsible for the prompt restoration of all property wherein any digging, work or installation is done and, wherever the same is performed within the right of way lines of a public street or other public place, the same shall be restored and maintained and any pavement or other improvement thereof or therein shall be restored and maintained in accordance with the specifications applicable thereto as adopted by the State, County or Municipality.

E. ~~————~~ **STOP ORDER OF ENGINEER.** In the event the applicant fails to perform construction work in a competent manner, or if faulty materials or methods of construction are employed, or if the Contractor fails to employ reasonable work methods outlined by the Inspector, or if the applicant or the Contractor or their agents cause damage to any portion of the Authority's water system or sanitary sewer system, the Inspector shall inform the Authority Engineer or Consulting Engineer who, acting on behalf of the Authority, has the right to stop construction until faulty materials or methods of construction have been removed or corrected, and proper materials or methods of construction are employed, and in the case of damage to the Authority's water system or sanitary sewer system, that the damage is repaired and the Authority

and/or its agents are reimbursed for the costs incurred in connection therein. In the event a dispute between the applicant or the Contractor and the Engineer arises, the matter shall be submitted in writing to the Authority for resolution as may be required. All construction work shall cease during such disputes until a satisfactory agreement is reached by all parties concerned.

—Any approvals granted by the Authority shall be considered withdrawn until the Authority has determined that the damage to the system has been repaired, to the satisfaction of the Authority and its Engineer, and the applicant and/or contractor has paid any and all costs incurred by the Authority or its agents in connection with such damage and any fees imposed under these Rules and Regulations.

111A. AUTHORIZATION FOR OPERATION OF FACILITIES

The Applicant shall not perform any connections to the ~~Water-water Facilities-facilities~~ and the Applicant shall not complete any ~~Connections-connections~~ to the ~~Sewer-sewer Facilities-facilities~~ prior to receipt of a written “AUTHORIZATION FOR OPERATION OF FACILITIES”.

The Authority’s consulting engineer or duly authorized engineering representative shall certify first to the Authority Board and, after Authority Board approval, to the DEP, that the construction has been satisfactorily completed and is in accordance with the plans and specifications as approved by the Authority.

—In order to obtain an “Authorization for Operation of Facilities” the Applicant must satisfactorily complete the following:

WATER

- a. pressure test
- b. negative bacteriological test
- c. satisfactory final inspection
- d. for water booster pumping stations, full mechanical, duty and performance tests must be conducted on all equipment, and all Operation and Maintenance manuals and Warranties must be submitted to the Authority in triplicate along with recommended spare parts.

SEWER

- a. air test for leakage;

- b. mandrel test for pipe deflection;
- c. manhole vacuum testing
- d. ~~television~~ in-line camera inspection;
- e. submittal of ~~television tapes~~ inspection footage;
- f. submittal of ~~televising~~ inspection company's written log and report ;
- g. satisfactory final inspection; and
- h. for sewage pumping stations, full mechanical, duty and performance tests must be conducted on all equipment, and all Operation and Maintenance manuals and Warranties must be submitted to the Authority in triplicate along with recommended spare parts.
- i. if construction has occurred within an easement, the property subject to the easement has been restored in a manner required by such easement agreement and satisfactory to the property owner of such property, and that all other conditions of the easement have been complied with.

Water Items c and d and Sewer Items ~~d~~, g, and h must be performed in the presence of the Authority's consulting engineer or duly authorized engineering representative.

111B. SUBMISSION OF AS-BUILT INFORMATION

Applicants which request water and/or sanitary sewer service from the Authority for 3 or more EDU's or design and construct water or sewer main extension shall provide the HMUA with as-built drawings prepared in AutoDesk AutoCAD format consistent with the HMUA's Geographic Information System (GIS). The Applicant shall also furnish to the Authority one (1) reproducible copy and four (4) prints of the "As-Built" drawings of the water system and sewer system assets, certified by the engineer for the Applicant. The as-built utility information shall be furnished to the HMUA within 30 days of the Authorization for Operation of Facilities. The as-built submission shall be in a form suitable for ready integration with the HMUA's existing GIS Document Management System. Upon receipt of the as-built submission, the HMUA's Consulting Engineer shall review the submission to determine whether it was submitted in the required format. If the Applicant does not submit the as-builts within 30-days or the submission is not in the required format or does not accurately reflect the actual as-built conditions, the Applicant understands and agrees that the as-builts shall be prepared by HMUA's Consulting Engineer and paid from the Applicant's Escrow account. The as-built information shall be completed and approved prior to any reduction or release of any Performance Bonds.

The as-built drawings shall be mapped on topographic base mapping at the same scale (1"=100') and contour interval (2 feet) as the existing HMUA GIS landbase. The as-built plans shall be geo-referenced to the New Jersey State Plane NAD 83 horizontal and the NAVD 88 vertical coordinate systems with units being expressed in US Survey feet. The as-built plans will be submitted in AutoDesk AutoCad format, with the mapped features and attributes being geo-referenced within the AutoCad model space viewport. That is, when a feature is listed in the drawing file it will return the x,y coordinate within the NAD83 coordinate system. Horizontal and vertical mapping accuracy shall at a minimum meet National Map Accuracy Standards (NMAS) at 1-inch equals 100-foot scale. Where practical, the as-built utility location mapping shall be tied into the field control points for the Authority's GIS mapping.

As-built drawings are to be developed with separate layering for all utility and base map features. At a minimum, developers shall be required to locate and map the following final asset installation as-built locations (not marked up proposed locations) of the potable water and sewer system extensions constructed under the approvals granted by the HMUA.

Sanitary Sewer System

- 1. Sanitary sewer main centerline alignments shall be mapped in their entirety.
2. All sanitary sewer manholes
3. All sewer lateral alignments for patron service
- 4. All cleanouts for patron service connections
5. Projects requiring sewage pumping stations and force mains shall map those facilities into the as-built drawings. Force mains shall be mapped as described below for water mains.

Potable Water System

1. Water mains centerline alignments shall be mapped in their entirety and shall be based on actual field locations determined at a minimum of every 50 feet, at every change in direction, and at every fitting.
- 2. All valve boxes with valve type called out
- 3. All hydrant, hydrant valves and hydrant laterals
4. All curb boxes (shut off valves) and meter pits for patron service connections
5. All service laterals from the water main to the curb box.

6. Projects requiring water storage tanks, booster pumping stations or other types of auxiliary appurtenances shall map those facilities into the GIS as-built drawings.

Service Connections and Background

1. Lot and block number of each property shown on the as-built
2. Post office address numbers for each building
3. Property lines
4. Street names

As built mapping symbology, blocks, line types, etc. shall follow normal cartographic standards of appearance. As-built drawings shall overlap into undisturbed adjoining areas by at least 20-feet on all sides. As-built plans, as a minimum, are to portray the same level of features shown on the existing HMUA GIS land base.

The as-built plan must show the following information pertaining to the utility assets.

Utility Mains (including laterals)

- Diameter, material, pipe class, manufacturer, installed length
- Inverts & slope (sewer)

Manholes

- Rim Elevation, Depth to Floor, Pipe Inverts, Drop Manhole (called out)

Valves

- Valve Type (gate, butterfly, air release, etc.) Manufacturer, Depth to nut
- Number of turns to close, Close direction (LH counter clockwise / RH clockwise)

Hydrants

- Manufacturer, Model, Nozzle Diameters

Separate layers must be used to map the as-built potable water and sanitary sewer systems. All point features (Manholes, cleanouts, hydrants, valves, curb boxes, fittings, etc) shall be drawn as AutoCAD “block entities” for ready insertion into the HMUA GIS.

The following layering structure is to be used:

<u>Layer Designation</u>	<u>Description</u>
Sewer-Gravity Main	Sanitary sewer gravity main
Sewer-Manhole	Sanitary sewer manhole
Sewer-ForceMain	Sanitary sewer force main
Sewer-Lateral	Sanitary sewer cleanout location
Sewer-Cleanout	Sanitary sewer cleanout location
Sewer-Other	Other sanitary sewer features (i.e. grease trap, plug, fittings, casing, etc.)
Water-Valve	Water valve
Water-Main	Water main
Water-Hydrant	Fire hydrant
Water-Lateral	Water service lateral
Water-CurbBox	Water service shutoff valve
Water-MeterPit	Water service meter pit
Water-Fitting	Water utility fittings (bend, reducer, tee, cross, cap, etc.)
Water-Other	Other water utility features (i.e. casing, etc.)

The following list contains the HMUA base map layering structure that must be followed:

<u>Layer</u>	<u>Color</u>	<u>Description</u>
ADDRESS	(1)	postal address of property
PROPERTY-BND	(5)	contains the property boundaries for the project location
DEP-CONTOUR	(2)	contains intermediate depression contours
DEP-INDEX	(9)	contains index depression contours
INDEX-CONTOUR	(3)	contains index contours only
INT-CONTOUR	(6)	contains intermediate contours only
SPOT-ELEV	(1)	contains any and all spot elevations
SUPP-CONTOUR	(10)	contains any supplementary (additional) contours
BOUNDARY	(7)	outlines project area as per contract
BRIDGE	(9)	all structures spanning water
BRUSH-SHRUB	(3)	outline large areas of low vegetation
BUILDING	(9)	all roofed and walled permanent structures
CULVERT	(3)	headwalls, pipe under drives, etc.
CURBED-ROAD	(10)	all curbed public roads

CURB-PARKING	(3)	all curbed parking areas structures only (includes weirs), earth dams
DAM	(14)	represented by Contours
DECK	(11)	contains raised decks, concrete patios, etc...
DRIVEWAY	(15)	contains all driveways
FENCE	(12)	contains all Fence (a software linetype)
G-RAIL	(14)	contains all Guard Rails
HEDGE	(2)	hedge lines, ornamental hedges around homes
OBSCURED-AREA	(2)	outlines areas of dense trees, underbrush, or dense shadows
PAVEMENT	(15)	all non-curbed private roads, driveways, non-curbed, parking lots, etc.
PILE	(15)	outlines areas of temporary mounded material
PIPE	(3)	contains all visible pipe mainly overhead pipe found at industrial plants
RAILROAD	(11)	contains all track and 3 rd rail
ROAD-DIRT	(15)	field roads, woods road, dirt road
ROAD-PAVED	(7)	all non-curbed public roads
RUIN	(7)	all remains of past buildings, old foundations
RUNWAY	(7)	aircraft runways, conc., macadam, and/or dirt
SIDEWALK	(14)	all walkways; concrete, macadam, gravel, etc...
STONEWALL	(12)	contains all Stonewalls
SWAMP	(13)	outlines swamp areas
SWAMPSYM	(11)	swamp symbol
TRAIL	(15)	trails, paths etc...
TREE	(1)	tree line and/or individual trees
UN-CONST	(15)	outlines areas of construction, new foundations
UTILITY	(2)	contains utility pole, catch basins, etc..
WALL	(14)	retaining walls; concrete, stone, wood
WATER	(4)	streams, rivers, ponds, lakes, coastal water-way

112. ACCEPTANCE OF COMPLETED CONSTRUCTION

After construction has been completed, the Applicant shall request in writing that the Authority accept the systems and facilities. The Applicant shall, at the time of the request, submit to the Authority any and all completed documents, which are necessary to:

- A. Dedicate all water and sewer systems and facilities including Mains, force Mains, pumping stations and any and all related appurtenances, to the Authority, which are located in the public right-of-way or in easement areas approved by the Authority. All of

the above is to be conveyed to the Authority free and clear of all liens, encumbrances and debts. A Bill of Sale shall be included for all items conveyed. A statement shall be included certifying that everything conveyed to the Authority has been paid for in full. A Corporate resolution authorizing conveyance to the Authority.

- B. Deed (with warranties) at no cost to the Authority, all necessary titles or easements to lands necessary for the maintenance or operation of the water and sewerage systems and facilities, including easements for extension of Mains to adjacent properties.
- C. Post a two-year maintenance bond in the amount of 10 percent of the total construction cost to cover cost of repairs for any latent defects discovered during the two-year period; and

Upon the completion of all of the requirements herein, the Authority shall determine whether said systems are constructed in accordance with the approved plans and rules, regulations and specifications and shall determine whether all supporting documents are in order.

If all construction and submissions are approved, the Authority shall proceed to accept the systems and facilities so constructed and shall accept and have recorded, wherever necessary, the dedications, deeds, easements, bonds and as-built drawings. All costs for recording of documents shall be paid by Applicant. The responsibility for all construction, maintenance and cost of operations prior to acceptance by the Authority shall be borne by the Applicant.

The Authority shall not accept any water or sewer facilities, which are not located in the public right-of-way or in an easement approved by the authority, even if the facilities were bonded improvements. In this event, the Authority shall approve final construction, but shall not accept the facilities, and the facilities shall remain the private property of and shall be maintained by the Applicant.

113. FUNDS HELD IN ESCROW

Escrow fees shall be posted by the Applicant in the amount specified in these rules and regulations and Rate Schedule. The funds so posted shall be held by the Authority in an escrow

account. The Authority shall, from time to time, withdraw funds from this escrow account to reimburse itself for costs incurred by the HMUA for inspection, engineering review, legal review or for other services provided to Applicant by the HMUA. The amount which the Authority reimburses itself for the expenses of professional reviews and other services shall be the amount based upon the hourly rate or other agreed rate then in effect with the Person or firm providing said service. In the event that the escrow fund is determined to be insufficient for required future work, depleted or in deficit, the Applicant shall post additional escrow funds with the Authority in an amount to be set by the Authority. The Applicant may request the return of any unused portion of the escrow funds at the completion or termination of construction and after the Authority has accepted all improvements, and after final release of all maintenance guarantees.

All deposits made by any person shall be managed by the Authority in conjunction with the requirements of N.J.S.A. 40:14B-20.1 as it may be amended from time to time.

114. SERVICE CHARGES, PAYMENTS & COLLECTION

- A. Place of Payment: Service Charges are payable at the office of the Authority, either in person or by mail.
- B. Check Reprocessing Fee: Upon receipt of notice of a check returned for non-payment for any reason, the Authority shall assess a Check Reprocessing Fee in an amount as detailed in the Rate Schedule.
- C. Service Charges Rendered and Due: Meter readings will be made on a regular basis and bills for service will be rendered as soon as practicable after the reading of the respective meters. Bills for unmetered service shall be rendered on a regular basis in the discretion of the Authority. All service charges are due and payable upon presentation.

~~D.~~ Delinquent Service Charges & Collection:

- D. Countless hours are spent by Business Office and Service Personnel to collect outstanding Service Charges. The purpose of this policy is to charge the delinquent customer for the service time as opposed to having all customers pay for this service in

their bills whether they are delinquent or not. Due to the many man-hours attributed to this endeavor, the following policy shall be utilized by HMUA Personnel to collect service charges, which have been billed to customers.

All customers shall be billed on a quarterly basis and Business Office Personnel shall make every effort to mail the bills on the first business day of each month. The normal quarterly bills shall be for services provided during the preceding three-month period and are due and payable upon receipt.

~~If the bill remains unpaid on the 5th of the month following the initial bill, a "FRIENDLY REMINDER" shall be mailed to the customer.~~

If the bill remains unpaid on the ~~17th-10th~~ of the month following the initial bill, a ~~"SHUT-OFF" FINAL NOTICE~~ notice shall be mailed to the customer stating that if payment is not received ~~by the last business day of the month~~ within approximately ten business days of the final notice, the customer's water service will be discontinued.

~~If the bill remains unpaid on the 1st business day of the second month and the customer has not made other payment arrangements with the Business Office, a Service Order shall be generated by the Business Office to discontinue service. Any payment arrangements with the Business Office shall not provide for payment later than the 15th day of the second month. (Approx. 75 days)~~

Upon receipt of the Service Order to discontinue service, HMUA service Personnel shall go to the residence or building and try to personally contact the customer to collect the outstanding charges. If the charges are not paid or the customer is unavailable, the service shall be discontinued. A Service fee, which is indicated in the Rate Schedule of the Authority, payable in advance, shall be imposed whether or not the charges are paid to the HMUA Service Personnel. HMUA Service Personnel will respond to requests to reinstate service that has been discontinued due to non-payment during the hours of 7:00 am through 8:00 pm only. No Cash will be accepted by HMUA Service Personnel outside of regular business hours (8:00 am through 4:30 pm).

If the service is discontinued, an additional Service Fee, payable in advance, shall be charged to the account when service is reinstated.

Any unpaid balance of any service charge plus interest thereon shall be a lien of the parcel of real property with respect to which service was rendered with the effect and pursuant to the procedures specified under N.J. Rev. Stat. 40:148-42. The Authority shall give notice of delinquent charges on a regular basis to the Collector of Taxes for the respective municipality.

115. DISPUTED BILLS

- A. Any Customer that disputes a service charge rendered by the Authority for water or sewer service shall bring the disputed bill to the attention of the Authority within 30 days of the issuance of the bill. Said dispute shall be presented to the Authority in writing, stating the exact portion of the service charge that is in dispute and the reasons why the service charge is in dispute.
- B. Upon receipt of a disputed service charge claim by a Customer, the Authority shall present a temporary estimated bill to the Customer, which shall be computed on the basis of the average usage during the preceding 12-month period or the usage during the same period of time in the preceding year, whichever, in the estimation of the Authority, presents a more accurate estimate. The Customer shall pay the amount of the temporary estimated bill within the same time limits for payment of the original bill.
- C. The Authority shall investigate the bill dispute presented by the Customer and shall receive whatever supporting evidence the Customer may wish to present and shall determine whether the disputed bill is valid or is invalid in whole or in part. In the event that the Authority determines that any or all of the disputed bill is due, and that amount exceeds the amount paid by the Customer under the temporary estimated bill, the difference shall be paid by the Customer within 14 days after notification is sent by the Authority. After said 14-day period, the bill shall be classified as delinquent and shall be processed as specified in Section 114.C.2 and 3.
- D. No abatement on meter bills will be made for leaks or for water wasted by damage to fixtures.

116. DISCONTINUANCE OR RESTRICTION OF SERVICE

- A. By Customers: All contracts covering water services shall continue in force, unless and until receipt of reasonable notice in writing of a desire to terminate the service. Water and sewer service to any premises will be terminated upon the written order of the Owner. Water and sewer service will be considered as terminated at the time that the Authority is given reasonable access, during regular business hours, for an inspection and final reading of the inside water meter and the meter is removed. In the event that the Owner of any premises, which is let to tenants, requests that the water and sewer service to said premises be terminated, and the existence of the tenants is known to the Authority, the Authority shall terminate water and sewer service only after 30-days written notice to both the Owner and the tenant unless both the Owner and tenant consent in writing to the termination of the service at an earlier date.
- B. By Authority: Service may be discontinued for any of the following reasons:
1. Misrepresentation in the Application for Service.
 2. Willful or continued waste of water through improper or defective pipes, fixtures, or otherwise.
 3. Use of water for any other property or purpose than that describe in the Application for Service.
 4. Tampering with any meter or meter reading device.
 5. Damaging any service pipe, meter or meter reading device, curb stopcock or seals, or any other water or sewer appurtenance.
 6. Any condition which threatens the waste of water.
 7. Nonpayment of any charge accruing under the Application for Service, or of any service charge rendered by the Authority.
 8. Refusal of access to the property for purposes of inspecting or for reading, caring for or removing meters.

9. Making or refusing to sever any cross connection between a pipe or fixtures carrying water furnished by the Authority, and a pipe or fixture carrying water from any other source.
10. Misuse of the water or sewer system.
11. Violation of any of the Rules and Regulations of the Authority.

The Authority shall give 7 days notice of discontinuance of service for the above reasons, unless the health, safety or welfare of the community is involved, in which case the Authority may take immediate steps to protect said interest.

C. Unauthorized Termination or Reinstatement of Service.

1. The Customer shall not directly or through others, turn the water on or off at any corporation stop, curb stop, or meter valve; or disconnect or remove the meter, or permit its disconnection or removal, without the written consent of the Authority.
2. In the event that water service shall be turned on at any corporation stop, curb stop or meter valve after water service has been turned off by the Authority, or before service has been authorized by the Authority, the Customer and/or property shall be charged for all expenses incurred by the Authority in re-terminating the water service, including wages, overhead, supplies and expenses, and further, the Authority may require the Customer and/or Owner pay in advance an estimated water and sewerage bill for the ensuing 12-month period for all properties which the Customer and/or property owner have connected to any system of this Authority.

D. Due to Emergency: In the event of breakdown, emergency, or for any other unavoidable cause, the Authority shall have the right to discontinue the water supply temporarily in order to make necessary repairs or connections, but the Authority will use all reasonable and practical measures to notify the Customer of such discontinuance of service. In such case, the Authority shall not be liable for any damage or inconvenience experienced by the customer; or any claim against it at any time for interruption in service, lessening of the supply, inadequate pressure, poor quality of water, or for any causes beyond its control. When the supply of water is to be temporarily interrupted, notice will be given,

when practicable, to all customers affected by the temporary interruption of service, stating the probable duration of the interruption, and also the purpose of the interruption.

E. Reserve Supply and Restriction of Use:

1. The Authority shall have the right to reserve a sufficient supply of water at all times in storage, to provide for fire and other emergencies, or may restrict or regulate the quantity of water used by the Customer in case of scarcity, or whenever the public welfare or order of any local, county, state or federal agency may so require.
2. In the event of a declaration by the Authority of an emergency situation with respect to the availability of potable water, the Authority shall have the right to require any Customer to cease and desist using water for the purposes of watering lawns shrubbery or gardens, washing motor vehicles or filling swimming pools.
3. In the event of a declaration by the Authority or an existing or anticipated state of low water pressure, the Authority shall have the right to regulate water usage by eliminating water usage for the purposes of watering lawns or gardens washing motor vehicle or filling swimming pools on an alternate day basis.
4. In the event that any Customer violates the provisions of this rule, the Authority may discontinue the water service to that Customer for the duration of the emergency or state of low water pressure.

117. RESPONSIBILITY FOR SERVICE

- A. It is agreed by parties receiving public fire service, private fire service, or any service, that the Authority does not assume any liability as insurer of property or person, and that the Authority does not guarantee any special service, pressure, capacity, or facility other than is permitted by the ordinary and changing operating conditions of the Authority, as the same exists from day to day. It is agreed by the parties receiving service that the Authority shall be free and exempt from any and all claims for injury to any Persons or property by reasons of fire, water, or failure to supply water pressure or capacity.

- B. Any Customer, which may require, as part of its operations, guaranteed water service, pressure, capacity or facility shall be responsible for constructing any special water appurtenances that may be necessary to guarantee the aforesaid special service in the event that the Authority cannot provide its ordinary and customary water service.

118. GENERAL REGULATIONS

- A. Turn-On Charge: When water has been turned on at any premises for a New Service, the turn-on charge, which is indicated in the Rate Schedule of the Authority, payable in advance, shall be imposed.
- B. Complaints: Complaints with respect to the nature of the service furnished (other than bill disputes) must be made to the Authority's office in writing, and a record of such complaint will be kept by the Authority, noting the name and address of the complainant, the date, the nature of the complaint, and the remedy.
- C. Reasonable Access: The properly identified authorized agents of the Authority shall have the right of access to the premises served, at all reasonable hours, for the purposes of reading meters, examining fixtures and pipes, observing the manner of using water, and for any other purpose, which is proper and necessary in the conduct of the Authority's business, including entering on any lands, waters or premises for making surveys and examinations for the purposes of the Authority.
- D. No Oral Agreements: No agent or employee of the Authority has authorization to bind it by any promise, agreement or representation not provided for in these rules. Official action concerning any promise, agreement or representation, which is binding upon the Authority, can only be made by the Authority itself by majority vote of the Board Members at a public meeting.
- E. Single Service -Water Only: In instances where owners of existing properties make application for and are furnished only water service, the Customer must comply with all rules pertaining to furnishing water service and the charge for such service shall be as described in the rate schedule.

- F. Single Service -Sewer Only: In instances where owners of existing properties make application for and are furnished only sewerage service, the Customer must comply with all rules applicable to furnishing sewerage service and the charge for such service shall be as described in the rate schedule. Non Residential Users are required to have a water meter installed on their water supply in accordance with Section 208.
- G. Damage Claims: All claims for damages against the HMUA shall be governed by the provisions of the New Jersey Tort Claims Act. Notice of any claims shall be given to the Authority by certified mail. Said notice shall comply with the requirements of the New Jersey Tort Claims Act.
- H. No Cross-Connections: No water will be furnished to any premises where any possibility exists of the mingling of the water furnished by the Authority with water from any other source. Nor will the Authority permit its Mains or service pipes to be connected in any way to any piping, tank, swimming pool, vat or other apparatus containing liquids, chemicals, or any other matter which may flow back into the Authority's service pipes or Mains, and consequently endanger the water supply.
- I. Amendments to Rules and Regulations: The Authority reserves the right to change or amend, from time to time, these rules and regulations, and the rates for water or sewer service.

119. PENALTIES FOR VIOLATIONS

- A. In the event of any violation of the Rules and Regulations of this Authority or of any improper or unauthorized use of any portion of the water system or sewer system by any Person or Customer, then the Person or Customer shall, in the discretion of the Authority and in accord with the provisions of N.J.S.A. 40:14B-40, 43 and 44, be assessed a penalty of a maximum of \$100.00 per day per EDU for each violation or improper or unauthorized use or as detailed in Section 708. The Person or Customer shall be given notice of the penalty imposed and be further given an opportunity to be heard. Each action constituting a violation or improper or unauthorized use, as well as each property affected by the violation or improper or unauthorized use, as well as each day that the violation or improper or unauthorized use exists, shall be counted as separate violations for the purposes of determining the penalty to be imposed.

- B. A hearing may be held before the Authority at which time the Person or Customer aggrieved or his attorney, may present evidence regarding either the violation or penalty imposed. The penalty, if any, that is imposed by the Authority after the hearing shall be paid within 15 days after the Person or Customer aggrieved receives written notice of the decision of the Authority.
- C. In the event that the penalty is not paid as required under the: Rules, then the Authority, in its discretion, may terminate all water and sewer services to the Person or Customer and may declare all agreements or contracts with the Person or Customer null and void and of no force and effect.
- D. The penalties imposed in this section shall be cumulative to the penalties described in other sections of these Rules and Regulations and to the other remedies afforded to the Authority by Statute.

120. “BUY AMERICAN” PROVISION

All items or materials used in the construction of the water or sewer plants, Mains or appurtenances, or other projects, which are constructed by a private contractor for an Applicant or Owner but which are to be deeded or dedicated to the Authority and accepted by the Authority for ownership and maintenance, shall be manufactured products of the United States, wherever possible.

121. BENEFIT PER UNIT CALCULATION & REIMBURSEMENT

In situations where the Applicant constructs water and/or sewer facilities that may allow for water and/or sewer service to become available to other properties within the HMUA Service Area, the Applicant may request a Benefit Per Unit reimbursement. The Applicant shall request the Benefit Per Unit in writing after the completion of the applicable construction.

- A. WATER AND/OR SEWER PROJECT COSTS. The Water and/or Sewer Project Costs to be submitted by the Applicant may include actual construction costs, engineering costs, legal costs, permitting costs, HMUA consulting engineer review costs, surveying costs, and appraisal and acquisition costs associated with obtaining

property or easements. The Applicant shall be responsible for submitting specific documentation including Contractor contracts, payment estimates, detailed invoices and cancelled checks for all work performed which is to be included in the costs to be certified by the HMUA. The HMUA may request that the costs be divided into major sections and be calculated by major section so that future users are not paying Benefit Per Unit fees for portions of a project that do not benefit said user.

- B. CALCULATION OF BENEFIT PER UNIT FEE. The Applicant shall also submit a list of all properties (Benefiting Properties) within HMUA's approved Service Area that are deemed to benefit from the project. The Applicant shall review the existing use or zoning for future use of each property and submit the estimated number of Equivalent Dwelling Units (EDU) for each property and for each major section. The BPU shall be calculated by dividing the project cost, as certified by the HMUA, by the number of EDU's (Benefiting Units) that may benefit from the project. Any review performed by HMUA Consultants as part of the Benefit per Unit certification shall be paid by the Applicant from an escrow account and may be included in the project costs.
- C. MAXIMUM AMOUNT OF REIMBURSEMENT. The Benefit Per Unit fee shall be multiplied by the total number of EDU's to be developed by the Applicant and this amount shall be subtracted from the Certified Project Cost. The remainder shall be the maximum amount that may be reimbursed to Applicant from BPU fees received after Certification of Project Costs.
- D. COLLECTION OF BENEFIT PER UNIT FEES. Prior to a Benefiting Property's connection to the water and/or sewer utility facilities, each owner of a Benefiting Unit shall pay to the HMUA the amount of the certified Benefit Per Unit. The Benefit Per Unit fee shall be paid to the HMUA in the same way and at the same time as the HMUA Connection Fee and shall be a requirement for Final Approval to be granted by the HMUA. The HMUA shall not be obligated to collect BPU's for Benefiting Units granted HMUA Final Approval prior to the Certification of the project costs and Benefit Per Unit fee. HMUA's obligation to collect and reimburse the BPU to Applicant shall continue for a period of ten (10) years commencing with the Certification of the Benefit Per Unit fee. Reimbursement to the Applicant shall be in the form of a reduction of any Irrevocable Letter of Credit that may be posted. If there

is no Letter of Credit or the Letter of Credit has been fully utilized, the HMUA shall reimburse the Applicant directly within 45 days of when the funds are deposited into the HMUA account.

122. DISCONNECTION OF SERVICE DUE TO DEMOLITION

In situations where the Customer is proposing to demolish a building on property that is serviced by water and/or sewer, the Customer shall physically disconnect the water and/or sewer. The water service line shall be physically disconnected and abandoned at the water main. An abandoned corporation cap repair clamp, such as Ford Abandoned Corp Cap (FACC) repair clamp or equal, of the appropriate size shall be installed over the existing corporation following cutting of the service line. The sewer service shall be physically disconnected at the sewer main and capped. If the demolition is for the purpose of building a new structure on the property and the water and/or sewer service lines will be utilized for the new building, then the water service line need only be physically disconnected at the curb valve and the sewer service line be physically disconnected and capped a sufficient distance from the building to prevent damage to sewer service line during the demolition process. If this process requires a road opening permit which is not available for whatever reason, the Customer will be required to submit an escrow deposit or other form of guarantee ensuring the proper disconnection of the water and/or sewer service line when the road opening permit is available.

201. SIZE AND TYPE OF WATER SERVICE LINE

The Authority reserves the right to approve the size and type service line. The water service line shall be constructed in accordance with the Authority's specifications and shall be inspected and approved by the Authority's inspector prior to backfilling the trench.

All new service line construction requires the installation of a meter pit, as specified by the HMUA, at the curb line. In addition, on any existing service line where a repair has been made and the service line is no longer one continuous piece of copper from the curb stop to the meter in the building, a meter pit shall be installed at the curb line.

Any construction not approved shall be immediately removed and/or reconstructed in an approved manner. The water service line from the curb line, property line or easement line to the building shall be furnished and maintained by the Owner of the property and shall be installed by a licensed plumber.

202. SEPARATE TRENCH

- A. No water service pipe shall be laid in the same trench with gas pipe, drain or sewer pipe, or any other facility of any utility company, nor within three feet of any open excavation, vault, cesspool, or septic tank.
- B. The underground water service pipe and the sanitary sewer shall be not less than 10 feet apart horizontally and shall be separated by undisturbed or compacted earth. The water service pipe may be in the same trench with the sanitary sewer only under extraordinary circumstances provided approval is obtained from the Authority prior to the installation.

203. WATER TAPPING CHARGES (Not Applicable)

~~Where the Authority has installed the service line from the Authority's water Main to the curb line, property line, or easement as part of the installation of the overall facilities of the Authority, the Authority shall be paid the amount as detailed in the Rate Schedule.~~

~~Where the Applicant required Connection to the water system has not been previously installed, the Authority shall be paid the installation costs plus an administrative charge equal to ten (10) percent of such costs for the installation of the water service from the Authority's water Main to the curb line, property line or easement line. The Authority's charge shall be based upon labor costs at the time of the installation and will be furnished upon request. The Authority reserves the right to require the Applicant to install the service. In the event the Applicant installs the service, the Authority will not impose a tapping charge.~~

204. MAINTENANCE BY CUSTOMER

The Customer shall maintain all Connections, service lines and fixtures from the curb stop to the structure in good order. The Customer shall properly protect meters owned by the Authority from freezing, flooding, vandalism or other damage. In case of such damage, the cost of meter replacement shall be the responsibility of the Customer. The Authority shall only be responsible for the cost of meter replacement in the case of normal wear and tear. The Owner or occupant of the premises must immediately repair all leaks in the service or any other pipe or fixture in or upon the premises supplied from the curb stop to the structure. The Authority shall be responsible for the maintenance of the water line from the Main to the curb stop.

205. AUTHORITY NOT RESPONSIBLE

The Authority shall in no event be responsible for maintaining any portion of the service line owned by the Customer, for damage done by water escaping there from or from lines or fixtures on the Customer's property. The Customer shall at all times comply with applicable regulations with respect thereto, and make changes therein, required by reason of changes of grade, relocation of Mains, or otherwise. The customer is responsible for keeping the top of the curb box exposed at all times.

206. PROPERTY SUPPLIED BY SINGLE SERVICE LINE

- A. A service line from the curb stop to a property, shall not supply more than one unit, property, facility or structure except as detailed below:

1. In residential buildings where one (1) water service line is proposed to supply multiple units with individual water meters, a separate meter room shall be provided. The meter room must be accessible to HMUA personnel from the outside of the building or from a building common area. All meters shall be installed in accordance with Section 208.C and 208.D. A dwelling house, either detached, or one side of a double house, or a house in a row of houses, provided that a garage, a conservatory and similar structures accessory to the life of one family shall be considered as a portion of the dwelling.
2. For Commercial, Industrial or for other than residential use buildings where one (1) water service line is proposed to supply multiple units with individual water meters, the meter must be accessible to HMUA personnel and be located no more than 5 feet above the floor.

Any of the aforesaid properties, facilities or structures, however, upon proper application of the Owner, may be supplied by two or more service lines and meters provided that the supply to each such meter has an individual stop at or near the curb line.

- B. Any existing property, facility, or structure which does not conform to the above regulation shall install separate services to each property, facility or structure upon either subdivision of land, change of the use of any facility thereon, further extension of water service by the Authority thereon or upon repair or replacement of the existing service line or lines.
- C. Where two or more Customers are now supplied through a single service line, any violation of the rules of the Authority, with respect to either or any of said Customers, shall be deemed a violation as to all. Unless said violation is corrected after reasonable notice, the Authority may take such action as can be taken for a single Customer, except that such action will not be taken until the Customer who has not violated the Authority's rules has been given a reasonable opportunity to attach his pipe to a separately controlled service Connection.

207. WATER USE FOR CONSTRUCTION PURPOSES

An Applicant requiring water for construction purposes on a lot or premises that is not already supplied by a metered water Connection, must make special application for said construction

water and pay the construction water fee as specified in the Rate Schedule. Construction water shall not be used for watering lawns, flushing of sewer lines, washing streets, sidewalks or driveways, or any other use which is not directly related to construction.

208. WATER METERS

- A. In General: All water meters shall comply with the Authority's specifications and shall be the property of the Authority and shall be accessible. Initial cost of the meter and installation shall be borne by the Applicant/Owner in an amount as detailed in the Rate Schedule. The Authority shall furnish all meters up to and including two (2) inches. The Owner shall be responsible to furnish all meters larger than two (2) inches and all Compound meters, which must be approved by the HMUA prior to installation.
- B. All Water Services Shall be Metered: Each water service shall be metered. The Authority reserves the right to determine the size and location of the meter.
- C. Location: The Applicant shall provide space for the meter, which shall be readily accessible and shall provide proper protection for the meter. The Applicant shall have the plumbing arranged to receive the meter at a convenient point approved by the Authority and shall position it so that it meters and controls the entire supply. In cases where it is not practical to place the meter within a building, the Applicant shall build an approved meter pit, fitted with a suitable and approved type of cover, inside the property line. The size and dimensions of the pit shall be approved by the Authority, and provide adequate access for ease in installing or removing the meter. If a meter pit is provided, it shall be waterproof.
- D. Valves Required: The Authority will require the Applicant or his plumber to place, before and after the water meter, a combination valve and meter coupling or flange. All meters 3 inches and larger may also include a valved by-pass equivalent to the size of the service line. All valves shall be supplied by the Applicant and shall be in accordance with the Authority's specifications. The valved by-pass shall not be utilized unless permission is obtained from the Authority. Said valved by-pass shall be properly sealed by the Authority to prevent unauthorized use.

E. Responsibility for Damage:

1. Meters will be maintained by the Authority only so far as ordinary wear and tear are concerned, but damage resulting from freezing, hot water, external causes, negligence of the Customer or other such causes shall be paid for by the Customer.
2. The Customer shall also pay a charge for the reinstallation or changing a meter when removed because of damage, which is the responsibility of the Customer. The amount of the charges shall be on a time and materials basis, unless otherwise stated in the schedule of charges.

F. Authority to be Notified When Meter Not Working: The Customer shall immediately notify the Authority of damage to the meter, as soon as it is known to the Customer.

G. Registration Conclusive:

1. The quantity recorded by the inside meter shall be conclusive on both the Customer and the Authority, except when the meter has been found to be inaccurate. In such cases, the quantity may be determined as provided in these Rules and Regulations for "Disputed Bills".
2. In the event of a disputed account involving the accuracy of a meter, such meter will be tested upon request of the Customer, in conformity with the provisions of these rules and regulations. If when so tested, the meter is found to have an error in registration of 1.5 percent or more of normal test flow rates, the bills will be increased or decreased correspondingly.

H. Meter Testing and Accuracy: In accordance with the American Water Works Association (AWWA) Standards No C700, C701 and C702, meters shall be tested at the following intervals by the Customer: three-inch meters shall be tested once every three (3) years; four-inch meters shall be tested every two (2) years; and six-inch meters or larger shall be tested every year. Any meter found to be inaccurate, pursuant to AWWA Standard C705, shall be promptly restored to an accurate condition by the Owner; or an accurate meter shall be substituted within (20) working days upon being notified. Tests shall be performed by a manufacturer's representative or a company certified by the Authority as

qualified to perform said tests. Such tests shall be performed in the presence of a representative of the Authority.

The Authority shall, upon receipt of a written request of a Customer, make a test of the accuracy of Customer's meter in Customer's presence or that of Customer's authorized representative. When a Customer desires, either personally or through a representative, to witness the testing of a meter, Customer may require the meter to be sealed in his presence before removal, which seal shall not be broken until the test is made in his presence. If the meter so tested shall be found to be accurate within the limits herein specified, a fee determined by the Rate Schedule shall be paid to the Authority by the Customer requiring such test, but if not so found, then the cost thereof shall be borne by the Authority. When making such request, the Customer shall agree to the basis of payment herein specified. A report of such test shall be made to the Customer and the Authority shall keep a complete record of such test. If when tested in conformity with the provisions of this rule and regulation, the meter is found to have an error in registration of 1.5 percent or more of normal test flow rates, the bills will be increased or decreased accordingly.

209. PUBLIC FIRE SERVICE

A. Hydrant Location:

1. The Town or Township may specify the location of fire hydrants along water Mains that are to be extended. When the Town or Township makes a written request for installation of a fire hydrant along an existing Main, the cost of the installation of the fire hydrant shall be borne by the Town or Township.
2. An Applicant, which intends to extend water Mains, shall size said mains in order that the Mains can accommodate estimated peak flows plus fire service. Fire hydrants which may be required along Mains to be extended, shall be installed by the Applicant at its sole expense as part of the water Main extension. The number and location of all fire hydrants along water Mains to be extended are subject to approval by the Town or Township. The size of water Mains to be extended, which shall include a provision for fire service, shall be subject to approval by the Authority.

- B. Maintenance and Inspection: All fire hydrants will be maintained the Authority. In addition, the Authority shall, if requested by the Town or Township, make special inspections of any fire hydrant or hydrants to determine the condition of same. Any such inspection made by the Authority shall also, if desired by the requesting party, be made in the presence of a representative of the requesting party.

- C. Allowable Uses: The Town or Township, is authorized at all times to take water from any public fire hydrant for the purposes of fighting fires, refilling pumpers or for any such legitimate use related to fire fighting. The Authority requires prior notice of any practice sessions or drills and reserves the right to alter the location of the practice session to protect the Authority's distribution system. No public fire hydrant shall be used by any corporation, individual or governmental unit for the purposes of sprinkling streets, flushing sewers or gutters, filling swimming pools, use during construction or for any other purpose other than as specifically authorized above, except with the written approval of the Authority. The Penalty for Unauthorized Use of a Fire Hydrant shall be as detailed in Section 708.

- D. Change of Location: Whenever the Town or Township, or any individual after having first secured the permission of the Town or Township, shall request a change in the location of any fire hydrant, the Authority shall make such change at the expense of the requesting party.

210. AUTOMATIC SPRINKLER SERVICE

Automatic sprinklers or other automatic fire service devices located inside a building or buildings must be approved by the Town or Township and underwriters. The Authority reserves the right to refuse approval for an application for automatic fire service where, in the judgment of the Authority, such service is not deemed in the best interests of the HMUA or its Customer.

301. SIZE AND TYPE OF SEWER SERVICE LATERAL

The Authority reserves the right to approve the size and type of sewer service lateral. The sewer lateral shall be constructed in accordance with the Authority's specifications and shall be inspected and approved by the Authority's inspector prior to backfilling the trench. Any construction not approved shall be immediately removed and/or reconstructed in an approved manner. The sewer service lateral from the curb line, property line or easement line to the building shall be furnished and maintained by the Owner of the property and shall be installed by a licensed plumber. The use of vents on any portion of the service lateral that would permit the entrance of surface or storm water is prohibited.

302. SEPARATE TRENCH

- A. No sewer service lateral shall be laid in the same trench with a gas pipe, drain or sewer pipe, or any other facility of any utility company, nor within three feet of any open excavation, vault, cesspool, or septic tank.
- B. The underground water service pipe and the sanitary sewer shall be not less than 10 feet apart horizontally and shall be separated by undisturbed or compacted earth. The water service pipe may be placed in the same trench with the sanitary sewer only under extraordinary circumstances provided approval is obtained from the Authority prior to the installation.

303. REPLACEMENT OF SEWER SERVICE LATERAL

Where the renewal of the sewer service lateral from curb line, property line or easement line to the structure is found to be necessary, the Owner will replace the service in the location as previously used unless approved by the Authority.

304. SEWER TAPPING CHARGES (Not Applicable)

- ~~A. Where the Authority has installed the sewer lateral from the Authority's sewer Main to the curb line, property line or easement line, as part of the installation of~~

~~the overall facilities of the Authority, the Authority shall be paid the amount as detailed in the Rate Schedule.~~

~~B.—Where the Applicant required Connection to the sewer system has not been previously installed, the Authority shall be paid the installation costs plus an administrative charge equal to ten (10) percent of such costs for the installation of the sewer lateral from the Authority's sewer Main to the curb line, property line or easement line. The Authority's charge shall be based upon labor and material costs at the time of the installation and will be furnished upon request. The Authority reserves the right to require the Applicant to install the sewer lateral. In the event the Applicant installs the lateral, the Authority will not impose a tapping charge.~~

305. MAINTENANCE BY CUSTOMER

All Connections, service laterals and fixtures from the curb line, property line or easement line to the building shall be maintained in good order by the customer. All leaks in the service lateral from the building to the curb line, property line or easement line or in any fixture in the premises served, must be repaired immediately by the Owner or occupant of the premises. The Customer shall be responsible for notifying the Authority of the party contracted to do any maintenance work in the customer's service lateral prior to work being commenced, and said contractor shall not backfill any trench until the work has been inspected and approved by the Authority's representative. Any work not acceptable shall be immediately removed and/or replaced by work that is acceptable. The Authority shall be responsible for the maintenance of the sewer service lateral from the Main to the curb line, property line or easement line.

306. AUTHORITY NOT RESPONSIBLE

The Authority shall in no event be responsible for maintaining any portion of the sewer service line owned by the Customer from the building to the curb line, or for damage done by sewage escaping therefrom or from lines or fixtures on the Customer's property. The customer shall at all times comply with applicable regulations with respect thereto,

and make changes therein, required by reason of changes of grade, relocation of Mains, or otherwise.

307. PROHIBITED CONNECTIONS & DISCHARGES

It shall be unlawful for any Person to discharge or cause to be discharged any pollutant or wastewater that will interfere with the operation and/or performance of the Authority's wastewater treatment plant.

Where any Federal Categorical Pretreatment Standard applicable to a particular industrial subcategory is more stringent than limitations imposed under this ordinance for sources in that subcategory, the Federal Standard shall supersede the limitations under this ordinance. Affected industrial users shall comply with the applicable standard(s) by the compliance deadlines specified in 40 CFR 403.6(b). All industrial users subject to Federal Categorical Pretreatment Standards shall, at a minimum, comply with the reporting requirements contained in 40 CFR 403.12.

These general prohibitions apply to all users whether or not the customer is subject to National Categorical Pretreatment Standards or any other Federal, State or Local Pretreatment Standards or Requirements.

A Customer shall not contribute under any circumstances the following substances to the Authority's treatment works.

- A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious to or adversely effect the operation of the Authority's treatment works. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%), nor any single reading, be over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter.

Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances which the Authority,

the State or EPA has determined there is a fire hazard or a hazard to the Authority's treatment system.

- B. Solid or viscous substances, which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, wood, plastics, tar, asphalt residues from refining or processing fuel or lubricating oil, mud or glass grinding or polishing wastes.
- C. Any wastewater having a pH less than 6.0 or greater than 9.5 or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the Authority's treatment works.
- D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving water of the Authority's treatment plant, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Clean Water Act.
- E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
- F. Any substances, which may cause the Authority's treatment plant effluent or any other product of the Authority's treatment plant such as residues, sludges, or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the Authority is pursuing a reuse and reclamation program. In no case, shall a substance discharged to the Authority's treatment works cause the Authority to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Clean Water Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used.

- G. Any substances, which will cause the Authority to violate its NJPDES and/or State Disposal System Permit or the receiving water quality standards.
- H. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- I. Any wastewater, liquid or vapors having a temperature higher than one hundred fifty (150) degrees Fahrenheit.
- J. Any pollutants, including oxygen demanding pollutants (BOD. etc.) released at a flow and/or pollutant concentration which a user knows or has reason to know will cause interference to the Authority's treatment works. In no case shall a slug load have a flow rate or contain concentration or quantities of pollutants that exceed for any time period longer than fifteen (15) minutes more than three (3) times the average 24-hour concentration, quantities, or flow during normal operation.
- K. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by Federal, State regulations or by the Authority.
- L. Any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water or unpolluted industrial process water. Therefore, the connection of floor drains, area drains, yard drains, rain conductors or downspouts, sump pumps, storm water inlets or catch basins are prohibited.
- M. Any wastewater which may contain more than one hundred (100) parts per million, by weight, of fat, oil or grease.
- N. Any wastewater containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the Authority's treatment plant.

308. GREASE, OIL AND SAND INTERCEPTORS.

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the Authority, they are necessary for the proper handling of wastes containing grease or oil in excessive amounts or any flammable wastes, sand and other harmful ingredients. All interceptors

shall be of a type and capacity approved by the Local Health Officer and shall be located so as to be readily and easily accessible for cleaning and inspection.

- B. Where installed, all grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.

309. GARBAGE DISPOSAL UNITS RESTRICTED

No garbage disposal unit or garbage grinding or chopping device shall be attached to any pipe, conduit or otherwise in a manner allowing sediment or residue from such unit or device to be discharged into the sewer system.

310. PRELIMINARY TREATMENT FACILITIES

- A. The admission into the Authority's treatment works of any wastewater having:
 - 1. A five-day Biochemical Oxygen Demand (BOD) or Total Suspended Solids (TSS) greater than three hundred (300) parts per million by weight.
 - 2. Any quantity of substances having the characteristics described in Section 307, shall be required to install preliminary treatment facilities.
- B. Where necessary in the opinion of the Authority, the owner shall provide, at his own expense, such preliminary treatment as may be necessary to:
 - 1. Reduce the BOD or TSS to three hundred (300) parts per million.
 - 2. Reduce objectionable characteristics or constituents so that they do not exceed the limits as provided in Section 307.
- C. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Authority. Construction of such facilities shall not be commenced until approval is obtained in writing.

- D. Where preliminary treatment facilities are provided for any wastewater, said facilities shall be maintained continuously in satisfactory and effective operation by the Owner at his expense.
- E. When required by the Authority, the Owner of any property served by sewer lateral carrying wastewater shall install and maintain, at his expense, a suitable control manhole in the house service connection to facilitate observation, sampling and measuring of the wastewater. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Authority.

311. MEASUREMENTS. TESTS AND ANALYSES

All measurements, tests and analyses of the wastewaters discharged to the Authority's treatment works shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage" and shall be determined from samples taken at the control manhole as provided in Section 310. If a special manhole has not been required, the control manhole shall be considered to be the nearest downstream manhole in the Main sewer to the point at which the sewer lateral is connected. The effluent from all preliminary treatment facilities shall be sampled and analyzed by a State of New Jersey Certified laboratory, with costs of same borne by the Owner, on a frequency to be determined by the Authority. Results shall be submitted to the Authority within 30 days of receipt or as directed by the Authority.

312. SPECIAL AGREEMENTS

No provision of this document shall be construed to prevent a special agreement or arrangement between the Authority and a discharger of wastewater, subject to additional payment by the discharger.

313. METERING

For those facilities, which either receive or propose to receive both water and sewer service from the Authority, the installation of a water meter is required as detailed in section 208. In the event

that only sewer service is provided, Non Residential Users are required to install a water meter meeting the requirements of Section 208 on their alternate water supply.

701. FILING FEES (Referenced in Section 105)

Water Filing Fee - ~~\$2530~~.00 per EDU, but not more than \$1,000.00 nor less than \$200.00 for a project. In the case of one (1) Single-Family dwelling, the fee shall be ~~\$3540~~.00.

Sewer Filing Fee - ~~\$2530~~.00 per EDU, but not more than \$1,000.00 nor less than \$200.00 for a project. In the case of one (1) Single-Family dwelling, the minimum sewer filing fee shall be ~~\$3540~~.00.

702. APPLICATION REVIEW FEES (Referenced in Section 105)

Review Fee (Escrow) - ~~\$4050~~.00 per EDU, minimum of \$1,000.00 or as directed by the Authority.

703. CONNECTION FEES (Referenced in Section 106)

Water Connection Fee -\$1,429 Per EDU

Sewer Connection Fee -\$3,054 Per EDU

~~Pursuant to N.J.S.A. 40:14A-8.13(2) and N.J.S.A. 40:14B-22.3 a non-profit organization building public housing is entitled to a A 50% reduction in the Water and Sewer Connection Fees as detailed above may be permitted for affordable housing units as required by law.~~

Administrative Reimbursement -\$100.00 Per EDU (Section 104)

704. TAPPING FEES ~~(Referenced in Sections 203 & 304)~~ ~~(Not Applicable)~~

~~Water Service Tapping Fee \$250.00~~

~~Sewer Service Tapping Fee \$250.00~~

~~Refer to Sections 203 and 304 for additional explanation.~~

705. INSPECTION FEES (Referenced in Section 111)

Water Service Inspection - \$50.00 per connection

Sewer service Inspection - \$50.00 per connection

Water Service Re-inspection - \$50.00 per connection

Sewer Service Re-inspection - \$50.00 per connection

Geographic Information System As-Built Fee - \$100.00 per Equivalent Dwelling Unit (EDU)
(This fee is for projects less than 3 EDU's that are not producing electronic As-Built drawings in accordance with Section 111B.)

Water Main Inspection - \$~~1.00~~50 per foot

Sewer Main Inspection - \$~~1.00~~50 per foot

Water Main Re-inspection - \$50.00

Sewer Main Re-inspection - \$50.00

Inspections required or requested other than normal working hours, Monday through Friday excluding Holidays, will be charged at 1.5 time the normal rate.

706. CONSTRUCTION WATER SERVICE CHARGES (Referenced in Section 207)

A deposit in accordance with the following schedule shall be paid in advance and retained until service is terminated:

<u>Meter Size</u>	<u>Deposit</u>
5/8" x 3/4"	\$ 200 <u>250</u> .00
2-1/2" Hydrant Meter	\$ 900 <u>1500</u> .00

All construction water shall be metered and shall be billed quarterly at the rate of \$75.00 minimum per quarter or any portion thereof plus the Excess of Minimum service charge then in effect for each thousand gallons.

707. METER SETTING FEE (Referenced in Section 208)

Fees for setting water meters, as requested by customer, will be as follows:

Cost of the Water Meter and Reading Device as purchased by the HMUA plus \$25-30 for installation

Meter flanges and yokes to be provided and installed by Owner prior to setting of water meter.

Charge for 2nd and subsequent appointment(s) to set meter due to missed appointment(s) by customer: \$30.00

708. MISCELLANEOUS FEES AND CHARGES

Water Turn-On Fee (New Construction Section 118) \$2530.00

Service Fee (Section 114) \$35.00

Check Reprocessing Fee (Section 114) ~~\$~~ \$3035.00

Turn Off Fee* \$1920.00

Turn On Fee* \$1920.00

*Turn On & Turn Off fee are to shut off and discontinue service at the request of the customer, for a period of more than a week. No charge for routine shut off of Water Service for Repairs for period of less than 1 week.

Meter Testing Charge – Section 208 (5/8” x 3/4”, 1”, 1-1/2” or 2”) \$2550.00

Meter Change Fee – for customers requesting different size water meter – Cost of Water Meter (unless existing meter is more than 15 years old) plus Cost of Supplies

Reading & Billing Charge – for Meter Reading, Final Billing and account changes associated with Realty Transfer or Change in Tenant. \$1920.00

Charge for 2nd and subsequent appointment(s) due to missed appointment(s) by customer:
\$30.00

Plant Labor, Material & Equipment

- A. Plant labor shall be charged at the hourly rate in effect at the time that labor is performed, plus 30% for fringe benefits and overhead.
- B. Materials shall be charged at the cost of said materials to the Authority plus 25% for overhead and handling.
- C. Equipment owned and provided by the Authority shall be charged at the latest rental rates published by the Associated Equipment Distributors, Chicago, Illinois.

Maximum Penalty for Violation of Rules and Regulations \$100.00/day/EDU (Section 119)

Unauthorized Use of Fire Hydrant.

Any person, firm or corporation who shall use the water from a fire hydrant supplied by the HMUA shall pay the sum as detailed below for each unauthorized use.

- 1st Offense - \$1,000
- 2nd Offense - \$2,500
- 3rd or any subsequent Offenses - \$5,000

709. SCHEDULE OF WATER UTILITY SERVICE CHARGES



SCHEDULE OF WATER UTILITY SERVICE CHARGES

Effective May 1, 2006

WATER UTILITY - Service	QUARTERLY MINIMUM CHARGE	GALLONS ALLOWED MINIMUM	COST / 1,000 GAL EXCESS OF MINIMUM
Residential - Single Family	\$14.90	0	\$1.10
		Usage above 10,000	\$2.20
		Usage above 30,000	\$3.20
		Usage above 60,000	\$4.20
		Usage above 90,000	\$5.20
Low Income Seniors / Disabled *	\$11.18	0	\$1.00
		Usage above 10,000	\$2.20
Lawn Sprinkling / Irrigation	\$26.90	Usage above 0	\$3.20
		Usage above 30,000	\$4.20
		Usage above 60,000	\$5.20
All Other Classes 5/8" Meter	\$25.90	10,000	\$2.20
All Other Classes 3/4" Meter	\$38.90	15,000	\$2.20
All Other Classes 1" Meter	\$51.90	20,000	\$2.20
All Other Classes 1-1/2" Meter	\$78.90	30,000	\$2.20
All Other Classes 2" or larger Meter	\$125.90	50,000	\$2.20
WATER UTILITY - Fire Hydrant / Fire Line	QUARTERLY FIRE HYDRANT CHARGE	QUARTERLY FIRE LINE CHARGE	
All Classes	\$30.00	\$35.00 Per Inch	

* - Eligibility for these reduced charges requires an Annual Qualification Process.

Interest is charged on unpaid balances at the annual rate of 18 percent.

Town of Hackettstown: Buildings & Facilities exempt from charges.

<u>Class of User</u>	<u>Quarterly Minimum Charge</u>	<u>Gallons Used</u>	<u>Cost per 1,000 Gallons Over Minimum</u>
<u>Residential Single Family</u>	<u>\$23.10</u>	<u>> 0 gal</u>	<u>\$1.76</u>
		<u>> 10,000 gal</u>	<u>\$2.53</u>
<u>Diamond Hill – Single Family #</u>	<u>\$56.55</u> <u>(includes \$33.45</u> <u>Differential Rate)</u>	<u>> 30,000 gal</u>	<u>\$3.63</u>
		<u>> 60,000 gal</u>	<u>\$4.73</u>
		<u>> 90,000 gal</u>	<u>\$5.83</u>
<u>Low Income Senior/Disabled Single Family @</u>	<u>\$17.33</u>	<u>> 0 gal</u>	<u>\$1.32</u>
		<u>> 10,000 gal</u>	<u>\$2.53</u>
<u>Diamond Hill – Low Income Senior/Disabled Single Family @ #</u>	<u>\$50.78</u> <u>(includes \$33.45</u> <u>Differential Rate)</u>	<u>> 30,000 gal</u>	<u>\$3.63</u>
		<u>> 60,000 gal</u>	<u>\$4.73</u>
		<u>> 90,000 gal</u>	<u>\$5.83</u>
<u>All Other – 5/8” Meter</u>	<u>\$23.10</u>	<u>For All Water Use</u>	<u>\$2.53</u>
<u>All Other – 1” Meter</u>	<u>\$46.20</u>		
<u>All Other – 1-1/2” Meter</u>	<u>\$92.40</u>		
<u>All Other – 2” Meter</u>	<u>\$138.60</u>		
<u>All Other – 3” Meter</u>	<u>\$184.80</u>		
<u>All Other – 4” Meter</u>	<u>\$277.20</u>		
<u>All Other – 6” Meter</u>	<u>\$462.00</u>		
<u>Lawn Sprinkling / Irrigation</u>	<u>Same as “All Other”</u>	<u>> 0 gal</u>	<u>\$3.63</u>
		<u>> 30,000 gal</u>	<u>\$4.73</u>
		<u>> 60,000 gal</u>	<u>\$5.83</u>

	<u>Quarterly Fire Hydrant Charge</u>	<u>Quarterly Fire Line Charge</u>
<u>All Customers</u>	<u>\$30.00</u>	<u>\$35.00 / Inch</u>

@ - Eligibility for these reduced rates requires an Annual Qualification Process.

- The Water Cost Per Customer is \$2,521.44. The Water Differential Rate of \$33.45 is the Cost Per Customer amount financed for 40 years at 4.375%.

Interest is charged monthly on the unpaid principal balance at the Annual Rate of 18 percent.

Town of Hackettstown: Buildings and Facilities exempt from charges.



SCHEDULE OF DIAMOND HILL WATER SERVICE CHARGES

Effective May 1, 2007

WATER UTILITY - Service	QUARTERLY MINIMUM CHARGE	GALLONS ALLOWED MINIMUM	COST / 1,000 GAL EXCESS OF MINIMUM
Diamond Hill - Single Family #	48.35 (Includes \$33.45 Differential Rate)	0 Usage above 10,000 Usage above 30,000 Usage above 60,000 Usage above 90,000	\$1.10 \$2.20 \$3.20 \$4.20 \$5.20
Low Income Seniors / Disabled Diamond Hill Customer * #	44.63 (Includes \$33.45 Differential Rate)	0 Usage above 10,000	\$1.00 \$2.20

* - Eligibility for these reduced charges requires an Annual Qualification Process.

- The Water Cost Per Customer is \$2,521.44. The Water Differential Rate of \$33.45 is the Cost Per Customer amount financed for 40 years at 4.375 percent.

Interest is charged monthly on the unpaid principal balance at the Annual Rate of 18 percent.

710. SCHEDULE OF SEWER UTILITY SERVICE CHARGES



SCHEDULE OF SEWER UTILITY SERVICE CHARGES

Effective May 1, 2006

SEWER UTILITY - Service	QUARTERLY MINIMUM CHARGE	GALLONS ALLOWED MINIMUM	COST / 1,000 GAL EXCESS OF MINIMUM
Residential - Single Family	\$56.00	N/A	N/A
Residential - Two Family	\$112.00	N/A	N/A
Low Income Seniors / Disabled *	\$42.00	N/A	N/A
Industrial	\$94.00	10,000	\$3.68
All Other Classes	\$56.00	10,000	\$3.47

* - Eligibility for these reduced charges requires an Annual Qualification Process.

Interest is charged on unpaid balances at the annual rate of 18 percent.

Town of Hackettstown: Buildings & Facilities exempt from charges.

<u>Class of User</u>	<u>Quarterly Base Charge</u>	<u>Gallons Discharged</u>	<u>Cost per 1,000 Gallons</u>
<u>Residential Single Family</u>	<u>\$66.00</u>	<u>N/A</u>	<u>N/A</u>
<u>Diamond Hill Residential Single Family #</u>	<u>\$130.89 (includes \$64.89 Differential Rate)</u>	<u>N/A</u>	<u>N/A</u>
<u>Low Income Senior/Disabled Single Family @</u>	<u>\$49.50</u>	<u>N/A</u>	<u>N/A</u>
<u>Diamond Hill – Low Income Senior/Disabled Single Family @ #</u>	<u>\$114.39 (includes \$64.89 Differential Rate)</u>	<u>N/A</u>	<u>N/A</u>
<u>Residential Two Family</u>	<u>\$123.20</u>	<u>N/A</u>	<u>N/A</u>
<u>Industrial</u>	<u>\$137.50</u>	<u>> 10,000 gal</u>	<u>\$4.35</u>
<u>All Other Customers</u>	<u>\$66.00</u>	<u>> 10,000 gal</u>	<u>\$4.09</u>

@ - Eligibility for these reduced rates requires an Annual Qualification Process.

- The Sewer Cost Per Customer is \$4,931.24. The Sewer Differential Rate of \$64.89 is the Cost Per Customer amount financed for 40 years at 4.375%.

Interest is charged monthly on the unpaid principal balance at the Annual Rate of 18 percent.

Town of Hackettstown: Buildings and Facilities exempt from charges.



SCHEDULE OF DIAMOND HILL SEWER SERVICE CHARGES

Effective May 1, 2007

SEWER UTILITY - Service	QUARTERLY MINIMUM CHARGE	GALLONS ALLOWED MINIMUM	COST / 1,000 GAL EXCESS OF MINIMUM
Diamond Hill - Single Family #	121.41 (includes \$65.41 Differential Rate)	N/A	N/A
Diamond Hill - Low Income Senior / Disabled Single Family * #	107.41 (includes \$65.41 Differential Rate)	N/A	N/A

* - Eligibility for these reduced charges requires an Annual Qualification Process.

- The Sewer Cost Per Customer is \$4,931.24. The Sewer Differential Rate of \$65.41 is the Cost Per Customer amount financed for 40 years at 4.375 percent.

Interest is charged on unpaid principal balance at the Annual Rate of 18 percent.