



# Mayor and Common Council Borough of Flemington

April 26, 2021

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Online during COVID-19 Emergency

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## I. Call to Order (6:30 PM)

## II. Executive Session (6:30 PM)

1. RESOLUTION 2021-95: ENTERING INTO EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE REGARDING THE COURTHOUSE SQUARE PROJECT

## III. Regular Meeting

Flag Salute

Roll Call:

Betsy Driver	Mayor
Caitlin Giles-McCormick	Council President
Jessica Hand	Council Member
Malik Johnston	Council Member
Jeremy Long	Council Vice President
Christopher Runion	Council Member
Kimberly Tilly	Council Member

1. OEM Report
2. Mayor's Report
3. Council Members' Reports
  - Council President Giles-McCormick
  - Council Member Hand
  - Council Member Johnston
  - Council Vice President Long
  - Council Member Runion
  - Council Member Tilly
4. Public Comments - Session I (up to 3 minutes each, for a maximum of 30 minutes)
5. Approval of Minutes
  - Motion To: **Approve Minutes: April 12, 2021 Regular Council Meeting**
  - 1. Motion To: **Approve Minutes: April 12, 2021 exec. session I**
  - 2. Motion To: **Approve Minutes: April 12, 2021 exec. session II**

## 6. Consent Agenda

1. RESOLUTION 2021-96: DECLARING APRIL 30 AS ARBOR DAY IN THE BOROUGH OF FLEMINGTON
2. RESOLUTION 2021-97: RECOGNIZING MAY AS MENTAL HEALTH AWARENESS MONTH

### Regular Agenda ( Start)

This meeting is being held in conformance with the Open Public Meetings Act.

1. ORDINANCE 2021-9: SECOND READING: ORDINANCE TO AMEND CHAPTER 21 OF THE CODE OF THE BOROUGH OF FLEMINGTON ENTITLED "STORMWATER MANAGEMENT"
2. ORDINANCE 2021-11: SECOND READING: AN ORDINANCE AMENDING CHAPTER 11 TITLED UTILITIES IN THE CODE OF THE BOROUGH OF FLEMINGTON
3. ORDINANCE 2021-10: SECOND READING: CALENDAR YEAR 2021 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)
4. RESOLUTION 2021-98: AUTHORIZING THE MAYOR TO SIGN DOCUMENTS FOR SUBMISSION TO THE STATE DEP REGARDING THE BOROUGH-OWNED PROPERTY AT 144 MAIN STREET, BLOCK 38, LOT 1.01
5. RESOLUTION 2021-99: APPOINTING OLIVIA BARRICK AS INTERIM MUNICIPAL COURT ADMINISTRATOR
6. RESOLUTION 2021-100: APPOINTING BOROUGH RESIDENT MATT HENLEY TO A VACANT POSITION ON THE SHADE TREE COMMISSION
7. RESOLUTION 2021-101: APPOINTING SSP ARCHITECTS THE ARCHITECT FOR DESIGN SERVICES FOR THE FLEMINGTON BOROUGH PROJECT ENTITLED "FLEMINGTON PUBLIC LIBRARY INTERIOR IMPROVEMENTS"
8. RESOLUTION 2021-102: STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION URBAN PARKS INITIATIVE ENABLING RESOLUTION
9. RESOLUTION 2021-103: AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO CONGRESSMAN MALINOWSKI'S "COMMUNITY FUNDING PROGRAM" FOR DEVELOPMENT OF POTABLE WATER WELLS WITHIN THE BOROUGH OF FLEMINGTON
10. RESOLUTION 2021-104: RESOLUTION TO RETROACTIVELY CORRECT AND AMEND RESOLUTION 2014-44 TO CORRECT A SCRIVENER'S ERROR REGARDING THE INCLUSION OF BLOCK 22 LOT 12 IN THE DESIGNATION OF CERTAIN AREAS AS AN AREA IN NEED OF REDEVELOPMENT
11. RESOLUTION 2021-105: DECONTAMINATION AT 144 MAIN ST.

- 8. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)
- 9. Attorney's Report
- 10. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$42,791.36**

Executive Session for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

Adjournment

Motion To: **Adjourn**

**Mayor and Common Council**38 Park Avenue  
Flemington, NJ 08822Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie GrazianoInitiator: Sallie Graziano  
Sponsors:**SCHEDULED****RESOLUTION 2021-95**

DOC ID: 3476

**Entering into Executive Session for the Purpose of Obtaining  
Legal Advice Regarding the Courthouse Square Project**

WHEREAS, the Common Council of the Borough of Flemington desires to obtain legal advice on matters related to the Courthouse Square Project; and

WHEREAS, due to ongoing litigation the Borough is involved with, an executive session for this discussion is justified under N.J.S.A. 10:4-12 (7), which cites:

pending or anticipated litigation or contract negotiation other than in subsection B. (4) herein in which the public body is, or may become, a party, or matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer; and

WHEREAS, a date cannot yet be given for when the minutes from the executive session may be made public, given the ongoing lawsuits and their unknown duration;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington go into executive session for the above-started purpose.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

**SCHEDULED**

Initiator: Sallie Graziano  
Sponsors: Council Member Christopher Runion

**RESOLUTION 2021-96**

DOC ID: 3475

**Declaring April 30 as Arbor Day in the Borough of Flemington**

**Whereas**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**Whereas**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**Whereas**, Arbor Day is now observed throughout the nation and the world; and

**Whereas**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

**Whereas**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

**Whereas**, trees in our borough increase property values, enhance the economic vitality of business areas, and beautify our community; and

**Whereas**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**Now, Therefore, Be It Resolved** that the Mayor and Council of the Borough of Flemington declare April 30 as Arbor Day in the Borough of Flemington; and

**Be It Further Resolved** that the Mayor and Council encourage all residents to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-97**

DOC ID: 3477

**Recognizing May as Mental Health Awareness Month**

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, with effective treatment, people with mental health conditions can recover and lead full, productive lives; and

WHEREAS, all citizens share the burden of mental health problems and have a responsibility to promote mental health awareness and support prevention efforts; and

WHEREAS, the John Santos Charitable Organization works to promote awareness of mental health issues such as depression and suicide, including hosting suicide loss grief support groups at Safe Harbor Center, 171 Main St. (second floor) in Flemington; and

WHEREAS, the John Santos Charitable Organization intends to tie red ribbons of hope on trees along Main Street one week during the month of May, to bring awareness to mental health support efforts;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that May be recognized as Mental Health Awareness Month in Flemington; and

BE IT FURTHER RESOLVED that the Mayor and Council support the John Santos Charitable Organization's efforts to raised awareness about mental health problems.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**TABLED****ORDINANCE 2021-9**

DOC ID: 3464

## **Second Reading: Ordinance to Amend Chapter 21 of the Code of the Borough of Flemington Entitled “Stormwater Management”**

FLEMINGTON BOROUGH, HUNTERDON COUNTY

WHEREAS, the Borough of Flemington, at its regular meeting of March 8, 2021 adopted a revised Stormwater Control Ordinance to align with the updated Stormwater Management Rules at N.J.A.C. 7:8; and

WHEREAS, it has been brought to the attention of the Borough of Flemington by the Hunterdon County Department of Planning and Land Use that some minor amendments are required in the Borough’s ordinance.

NOW THEREFORE BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY THAT CHAPTER 21 OF THE CODE OF THE BOROUGH OF FLEMINGTON, ENTITLED, “STORMWATER MANAGEMENT” IS AMENDED AS FOLLOWS:

1. Section 21.4. “Design and Performance Standards for Stormwater Management Measures” shall be amended by deleting the first sentence of subparagraph M. in its entirety and replacing it with the following sentence, “Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Hunterdon County Clerk’s Office.”
  
2. Section 21.4 “Design and Performance Standards for Stormwater Management Measures” shall be further amended by deleting the entirety of subparagraph N and replacing it with the following, “N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to §21.4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Hunterdon County Clerk’s Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
  
3. Section 21.9, “Requirements for a Site Development Stormwater Plan” shall be amended by deleting subparagraph (3) in its entirety and replacing it with the following, “3. The applicant shall submit 25 copies of the materials listed in the checklist for site development stormwater plans in accordance with §21.9.C of this ordinance.

4. Section 21.11, "Penalties" shall be deleted in its entirety and replaced by the following, Section 21.11, "Penalties" Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the maximum penalties permitted by law.

5. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

7. This Ordinance shall take effect upon final passage, publication, and filing, all in accordance with the law.

Introduced: April 12, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**HISTORY:**

04/12/21      Governing Body      INTRODUCED      Next: 04/26/21

Mayor Driver stated that in its review of the newly adopted stormwater control ordinance, the County Planning Board asked that penalties be included. This adds a penalty section. The public hearing will be held at the 4/26 Council meeting.

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Rebecca Newman  
Sponsors:

**TABLED**

**ORDINANCE 2021-11**

DOC ID: 3452

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**Second Reading: an Ordinance Amending Chapter 11 Titled  
Utilities in the Code of the Borough of Flemington**

BE IT ORDAINED that Chapter 11 titled Utilities in the Code of the Borough of Flemington be amended as shown in the attached document.

Introduced: April 12, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**HISTORY:**

04/12/21      Governing Body      INTRODUCED      Next: 04/26/21

Mayor Driver said a utilities ordinances is usually introduced every year, to raise rates to keep up with the cost of living. This wasn't done last year. Along with rate changes, it refines some language regarding hydrants. The public hearing will be at the 4/26 meeting.

**BOROUGH OF FLEMINGTON  
ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE AMENDING CHAPTER 11 “UTILITIES” OF THE BOROUGH OF FLEMINGTON CODE TO PROVIDE FOR THE CONNECTION AND USE OF THE MUNICIPAL WATER AND SEWAGE SYSTEM OF THE BOROUGH AND THE ASSESSMENT OF FEES THEREFOR**

**WHEREAS**, the Borough of Flemington (“Borough”) owns and operates a sanitary sewerage system for the collection of wastewater for transmission to sewerage treatment facilities of the Raritan Township Municipal Utilities Authority and for ultimate discharge to the Waters of the State; and

**WHEREAS**, the Borough owns and operates a potable water system for the transmission and supply of water to the users in the Borough; and

**WHEREAS**, the Borough has expended substantial public funds to construct, operate, maintain renew, replace and improve the municipal water and sewerage system consisting of water and sewer lines mains, works, connections and other real and personal property and appurtenances for the transmission and supply of potable water and the collection and disposal, in a sanitary manner, of any wastewater, including residential and/or non-residential wastewater, originating within the Borough; and

**WHEREAS**, the maintenance of the municipal water and sewerage systems in proper functioning condition, and the repair and replacement of the same as needed, foster public health and safety in the Borough; and

**WHEREAS**, the statutes and regulations of the State of New Jersey, including N.J.S.A. 40A:26A-1 et seq., and N.J.S.A. 40A:31-1 et seq. authorize the establishment and alteration of rates, rentals and other charges to be charged to users of the municipal water and sewerage systems; and

**WHEREAS**, the statutes and regulations of the State of New Jersey, including N.J.S.A. 40A:31-11 as well as other applicable laws, provide for the connection of properties lying within the Borough to the municipal water supply system and the authority to assess a connection charge therefor calculated in accordance with the aforesaid statute, for the purpose of recovering from new connectors, and connectors that materially increase the level of use and impose a greater demand on the sewerage system, a fair payment towards the cost of the system heretofore paid for by the current and prior connectors; and

**WHEREAS**, the statutes and regulations of the State of New Jersey, including N.J.S.A. 40A:26A-11 as well as other applicable laws, provide for the mandatory connection of properties lying within the Borough to the municipal sewerage system and the authority to assess a connection charge therefor calculated in accordance with the aforesaid statute, for the purpose of recovering from new connectors, and connectors that materially increase the level of use and impose a greater demand on the sewerage system, a fair payment towards the cost of the system heretofore paid for by the current and prior connectors; and

**WHEREAS**, additionally, due to changes in the law governing the assessment of connection fees a N.J.S.A. 40A:26A-11.1, N.J.S.A. 40A:26A-11.2, N.J.S.A. 40A:26A-11.3, N.J.S.A. 40A:31-11, N.J.S.A. 40A:31-11.1, N.J.S.A. 40A:31-11.2, and N.J.S.A. 40A:31-11.3, it has become necessary that the Borough revise and amend Chapter 11 of the Code of the Borough of Flemington entitled “Utilities.”

Attachment: Utilities Ordinance (311213x9DC53) (2021-11 : Second Read: an Ordinance Amending Chapter 11 Titled Utilities)

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Flemington in the County of Hunterdon, and State of New Jersey as follows:

*STATEMENT OF PURPOSE: Ordinance regulating the use of the municipal water and sewage systems, and the establishment of rates, rentals, charges and connection fees therefore, pursuant to N.J.S.A. 40A:26-1 et seq. and N.J.S.A. 40A:31-10 et seq.*

**Section 1. Chapter 11 “Utilities”** of the Code of the Borough of Flemington (“Code”) is hereby amended in its entirety, as follows:

**§ 11-1 WATER USE.**

**§ 11-1.1 Regulations.**

**[Ord. No. 2012-11; Ord. No. 2015-6; amended 4-22-2019 by Ord. No. 2019-9]**

1. The following regulations shall be considered a part of the contract with every person who uses water and the fact of using water shall be considered as expressing assent on the part of the user to be bound thereby:

- a. All applications for the use of water shall be made by the owner or owners representative of the property on Flemington Water & Sewer Allocation Form A furnished by the Water Department and shall state fully all uses to which the water is to be applied, and should it subsequently be required for other purposes, notice shall be given by the owner before any change is made.
- b. A supply of water for building or other special purposes shall be separately applied for.
- c. "Service connection" shall mean a pipe or pipes connected to the main and extending into privately or publicly owned property or premises for supplying Borough water thereto.
- d. "Tapping" or "making a tap" shall mean the physical act of breaking into a main to install a service connection.
- e. "Water service tap installation" shall mean the curb box and the portion of the service connection which connects the curb box to the water main and lies generally within the street right-of-way.
- f. "User service line" shall mean the length of pipe, lying generally outside of the street right-of-way which connects the curb box to the building to be served with water, and shall include a water meter installed in an underground pit, as directed by and to the specifications of the Borough of Flemington Water Department. Installation of meters in any building shall be performed only when, and as permitted by, the Water Department, upon the Department's determination that the meter installation in an underground pit is not feasible. The user or property owner shall be responsible for installation of the user service line, except that water meters on all user service lines not exceeding a two-inch diameter shall be provided and installed by the Water Department.
- g. Where a tap for a service connection to any water main is required, application shall be made either by the property owner or by the licensed plumber contracting or doing the plumbing work a blank Flemington Water & Sewer Allocation Form A will be furnished by the Water Department, and the

Attachment: Utilities Ordinance (311213x9DC53) (2021-11 : Second Read: an Ordinance Amending Chapter 11 Titled Utilities)

applicant shall pay a connection charge consisting of two separate fees: a service connection fee, and a water tap installation fee.

- h. “Private Fire Hydrant” shall mean a fire hydrant located on privately owned property which is serviced by a private water main supplied by the Borough’s Water supply.
- i. “Fire Suppression Service” shall mean piping extending from the water supply main in the street to the premises for purposes of fire protection or fire sprinklers.
- j. “Private water main” shall mean a water main not owned by the Borough of Flemington supplying water to privately owned property, including but not limited to industrial, residential, corporate, office complexes, etc. which are connected through a private water main.
- k. The service connection fee shall be as indicated in § 11.1.2, Fees, and shall be computed in the following manner to represent a fair payment toward the cost of the system:
  - (a) The amount representing all debt service, including but not limited to sinking funds, reserve funds, the principal and interest on bonds, and the amount of any loans and interest thereon, paid by the Borough of Flemington to defray the capital cost of developing the system as of the end of the immediately preceding fiscal year of the Borough shall be added to all capital expenditures made by the Borough not funded by a bond ordinance or debt for the development of the system as of the end of the immediately preceding fiscal year.
  - (b) Any gifts, contributions or subsidies to the Borough of Flemington received from, and not reimbursed or reimbursable to any federal, state, county or municipal government or agency or any private person, and that portion of amounts paid to the Borough of Flemington by a public entity under a fully executed water service agreement which is not repaid to the public entity by the Borough of Flemington, shall then be subtracted.
  - (c) The remainder shall be divided by the total number of service units served by the Borough of Flemington at the end of the immediately preceding fiscal year of the Borough, and the results shall then be apportioned to each new connector according to the number of service units attributed to that connector. In attributing service units to each connector, the estimated average daily flow of water for the connector shall be divided by the average daily flow of water to the average single-family residence in the authority’s district and rounded to the next highest service unit, to produce the number of service units to be attributed. The number of service units is thereafter multiplied by the connection fee for water connection, per §11.1.2, Water Connection Fee, to establish the connection fee. The flow from a multi-unit building may be aggregated for the purpose of determining a connection fee.
  - (d) Fire line connection fee. There shall be imposed for each fire line connected to the Borough water main the sum set forth in §11.1.2.
  - (e) Additional Connection Fee for Material Increase in Water Usage
    - i. For a property connected to the water system for less than 20 years, the Borough shall charge

an additional connection fee for an addition, alteration, or change in use that materially increases the level of use and imposes a greater demand on the water system, but does not involve a new physical connection of the property to the water system.

ii. The connection fee authorized by subsection (i) of this section shall be equal to the amount by which the increased use and demand on the water system exceeds the use and demand that existed prior to such addition, alteration, or change in use.

iii. Nothing in this section shall be construed to preclude the Borough from charging a new or additional connection or tapping fee for any new or additional connection of a property to the water system, or for any increase in the size of an existing connection or for any new construction or additional service units connected to the water system that materially increases the level of use or demand on the water system.

iv. As used in this section, “materially increases” means any increase in the number of service units; or any other change which increases the level of use or demand on the sewerage system by 14 percent or more over the highest actual annual use and demand that existed during the prior 10-year period immediately preceding the addition, alteration, or change in use; provided, however, that, if the property has been connected to the water system for less than 10 years, the average level of use and demand shall be calculated based on the actual period of connection.

(f) Credits

i. The Borough shall provide a credit applicable toward a connection fee to be charged for a reconnection of a disconnected property that was previously connected to the water system, provided that:

- (a) the property has been connected to the water system for at least 20 years; and
- (b) service charges have been paid for the property in at least one of the last five years.

ii. The credit required under subsection (i) of this section shall be calculated as follows:

(a) If the reconnection does not require any new physical connection or does not increase the nature or size of the service or the number of services units, or does not expand the use of the water system, the credit shall be equal in amount to the new connection fee.

(b) If the reconnection requires a new physical connection, increases the nature or size of the service or the number of service units, or expands the use of the water system, the credit shall be equal in amount to any connection fee previously paid for the property, and the Borough shall charge the difference between the credit and the connection fee for the new use or class.

(c) If no connection fee was ever paid for the property, but all service charges due and owing on the property have been paid for at least 20 years, the credit shall be equal in amount to the new connection fee; provided, however, that any charges due and owing pursuant to paragraph (b) of this subsection shall be paid.

(d) If no connection fee was ever paid for a disconnected property that is to be reconnected and which was previously connected to the water system for at least 20 years and all service charges due and owing on the property have not been paid for at least 20 years, the Borough shall charge, in

addition to any charges due and owing pursuant to sub-section (b), a connection fee equal to the lesser of:

(i) 20 percent of the service charges that would have been paid based upon the usage for the last full year that the property was connected to the water system for the period from the date of the disconnection from the water system to the date of the new connection; or

(ii) the new connection fee.

iii. A credit shall not be allowed under this section for a property that has been disconnected from the water system for more than five years.

iv. As used in this section, “disconnected property” means a property that has been physically disconnected from the water system or a property not physically disconnected but to which service has been discontinued without payments being made. A “disconnected property” shall not include a property that has been temporarily disconnected from the water system or to which service has been discontinued without payments being made for less than 12 consecutive months and is being reconnected as it existed, prior to the temporary disconnection or discontinuance of service.

(g) Affordable Housing Projects

i. With respect to the construction of affordable housing projects, including any affordable housing units in inclusionary projects, a 50% reduction in the connection fee shall be applied to new connections to the Borough water system. This reduction shall only apply to affordable housing units and shall not apply to market rate housing.

ii. For units previously connected to the Borough's system that were demolished or refurbished to allow for new affordable housing units and for which a connection fee was previously paid, a credit against the connection fee to be assessed for connection with the water system shall be applicable to any affordable housing units, including affordable housing units in inclusionary projects. The credit shall be the connection fee previously assessed and paid for connection with the water system for units previously connected to the Borough's system.

iii. The connection fee assessable against an affordable housing owner, for units previously connected to the Borough's system that were demolished or refurbished to allow for new affordable housing units, including affordable housing units in inclusionary projects, shall be the lesser of the reduced rate provided for in subsection (i) of this section, or the current non-reduced rate applicable to other types of housing developments minus the credit provided under subsection (ii) of this section for units for which a connection fee or tapping fee was previously paid, provided that said affordable housing owner can establish the connection fee or tapping fee was previously assessed and paid for connection with the system. If the same cannot be established, the reduced rate provided for in subsection (i) of this section shall be assessed.

(h) The service connection fee shall be recomputed at the end of each fiscal year by the Borough of Flemington, after a public hearing is held, and shall be indicated in § 11.1.2, Fees. The revised connection fee shall be imposed upon those who subsequently connect in that fiscal year to the system.

(i) The foregoing notwithstanding, the Borough of Flemington shall not impose any charges or fees in excess of the cost of water actually used for any sprinkler system required to be installed in any

residential health care facility pursuant to the Health Care Facilities Planning Act, P.L. 1971, c. 130 (N.J.S.A 26:2H-1 et seq.) and regulations promulgated thereunder or in any rooming or boarding house pursuant to the Rooming and Boarding House Act of 1979, P.L. 1979, c. 496 (N.J.S.A 55:13B-1 et al. and regulations promulgated thereunder. The Borough of Flemington shall not impose fees or charge for any fire protection system to a residential customer served by a water service line of two inches or less in diameter.

- (j) In accordance with N.J.S.A. 40A:31-12, the combination of the water service connection fee and water service charges shall be such that the revenues of water supply facilities shall be adequate to pay the expense of operation and maintenance of the water supply facilities, including improvements, extensions, enlargements and replacements to water supply facilities, reserves, insurance, principal and interest on any bonds, and to maintain such reserves or sinking funds therefor as may be required under the bond covenants or any contracts, or as may be deemed necessary or desirable.
  - (k) It shall be the responsibility of the person making application for a water connection permit to provide sufficient information for the Borough to determine the number of service units or credits. Cost incurred by the Borough, including its professionals, in determining the connection fee shall also be the responsibility of the person making application for a connection through the establishment of an escrow account.
2. Water service initial connection or change in size connection.
- (a) The service initial connection fee shall be as indicated in § 11.1.2, Fees. The change in use connection fee shall be calculated in accord with § 11-1.1(f).
  - (b) Water service taps shall be performed under the supervision of the Water Department Superintendent or his agent. It shall be the owner's or applicant's responsibility to hire a private contractor to perform the installation at the owner's or applicant's expense.
  - (1) The owner or applicant shall be responsible for reasonable inspection fees, and shall post with the Borough of Flemington an initial inspection escrow in the amount set forth in § 11.1.2, Fees. The owner or applicant shall be advised of any anticipated shortage in escrow account of inspection fees, and shall post and pay such fees in escrow and as determined by the Water Department before any further inspection shall be conducted or final approval granted.
  - (2) Where a road opening permit is required by local municipal ordinance, owner or applicant shall be responsible to secure the road opening permit.
  - (c) No water service connection or user service line shall be installed unless it conforms to specifications promulgated by the Water Department. A copy of such specifications shall be kept on file with the Water Department and shall be open to inspection by any person interested. The installation shall be done by a plumber qualified to do plumbing work under municipal regulations.
- i. Type K copper lines shall be used for all service lines from the meter to the curb box if said lines do not

exceed 1 1/4 inches in diameter. Larger diameter service lines shall be Class 52 ductile iron pipe.

- ii. Any run of copper water line 1 1/4 inches in diameter or less and less than 100 feet in length shall be one continuous run without couplings unless otherwise approved, in writing, by the Water Superintendent.
- (d) The service initial connection or change in size connection fee shall be due and payable upon the filing of an application for a water connection permit with the Borough of Flemington Water Department on such forms and subject to such information, documentation and data as may be required by the Water Department. Any extra inspection costs shall be due and payable prior to the water service being activated.
- (e) If the Water Supervisor or his designee determine that a water department employee shall be present during the installation of a water line, the property owner shall be billed for such services in accordance with the collective bargaining agreement in place at the time services are rendered. These costs shall be due and payable prior to the water service being activated.

§ 11-1.2 Fees.

[Ord. No. 2012-11; Ord. No. 2015-6; Ord. No. 2015-18; Ord. No. 2016-14; amended 8-27-2018 by Ord. No. 2018-16; 4-22-2019 by Ord. No. 2019-9]

The following annual charges, rentals and rates are hereby fixed to be charged to all customers, both private, commercial and governmental:

a. Meter service.

Meter Size (inches)	Per Quarter	Per Year
5/8	\$64.50	\$258.00
3/4 short	\$64.50	\$258.00
3/4	\$103.75	\$415.00
1	\$158.25	\$633.00
1 1/2	\$261.00	\$1044.00
2	\$356.25	\$1,425.00
3	\$648.00	\$2592.00
4	\$1133.25	\$4533.00
6	\$1945.00	\$7780.00

b. Additional use charges.

- 1. From zero to 5,000 gallons used during quarter: \$2.88 per 1,000 gallons.
- 2. From 5,001 to 19,000 gallons used during quarter: \$5.95 per 1,000 gallons.

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- 3. From 19,001 to 49,000 gallons used during quarter: \$7.15 per 1,000 gallons.
  - 4. From 49,001 to 99,000 gallons used during quarter: \$8.05 per 1,000 gallons.
  - 5. From 99,001 to 599,000 gallons used during quarter: \$9.00 per 1,000 gallons.
  - 6. From 599,001 to 999,000 gallons used during quarter: \$10.20 per 1,000 gallons.
  - 7. From 999,001 and above gallons used during the quarter: \$10.50 per 1,000 gallons.
- c. Fire service.

Fire Service	Annual Charge
Fire Suppression, three inches	\$690.00
Fire Suppression, four inches	\$1500.00
Fire Suppression, six inches	\$2040.00
Fire Suppression, eight inches	\$3878.00
Standby tank connection, two inches	\$246.00
Standby tank connection, three inches	\$336.00
Standby tank connection, four inches	\$366.00
Standby tank connection, six inches	\$516.00
Standby tank connection eight inches and up	\$792.00

An approved detector check valve shall be installed in each fire service connection by applicant. Initial filling of standby tanks and each subsequent filling of standby tanks shall be charged at the same rate as meter service charges. An activated detector check valve shall indicate at least a tank filling and the user shall be charged accordingly.

- d. Permit fees.

Permit Fee	Rate	Off-Hours Rate
Turning water on		\$200.00
Turning water off		\$200.00
Turning water off for non payment	\$75	
Turning water back after non payment	\$75	\$200
Testing of meter		
Remove meter	\$75.00	\$200.00
Special meter reading	\$60.00	\$200.00
Water Connection Fee	\$5,473.00	
Hydrant flow test per scheduled site visit:	\$275.00	Initial hydrant, \$100 Each additional hydrant

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e. Allocation Form Fees.

Allocation Form A Fee	Rate
Live extensions review	\$500
Water reservation small project	\$250
Water reservation large project	\$1,500

f. Will Serve Fees.

Will Serve Fee	Will Serve Extension Fee
Will serve letter small project	\$100
Will serve letter large project	\$250
	\$50
	\$125

g. Field Service Charges.

[Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2017-7]

**Field Service Charges**

In the event that the Borough needs to make a repair to a leak for a customer or for a contractor the following fees will apply.

a. Equipment Hourly Rates:

1. Backhoe: \$100.00
2. Dump truck: \$75.00
3. Service truck: \$75.00
4. All parts: materials shall be billed at cost plus an administration fee, which fee shall be based upon the time expended at the rates established in the collective bargaining agreement in place at the time services are rendered.

Labor shall be as follows: The current rate in which the Collective Bargaining Agreement stipulate including time and a half for all non-regular business hours.

h. All senior citizens, disabled persons or surviving spouses that meet the requirements set forth in N.J.S.A. 54:4-8.40 et seq, shall qualify for a 10% reduction on the meter service charges outlined in section a.

**§ 11-1.3 Water Meter Requirements.**

[Ord. No. 2013-12; Ord. No. 2015-6; Ord. No. 2017-7; amended 4-22-2019 by Ord. No. 2019-9]

All water must be metered. The Water Department will furnish all meters.

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All water meters must be accompanied by a radio read meter reading device located on the outside of the building in a location agreed upon by the property owner and the Water Department.

- a. No one but an authorized employee of the Water Department shall turn any valves or curb stop connecting a user's property to the water mains.
- b. The property owner must at all times protect the water meter from frost and from hot water, or any other detrimental use or condition that may harm the meter. The property owner shall be held responsible for the repair and upkeep of the meter and for damage resulting from his neglect. The property owner shall be held responsible for the repair and upkeep of the plumbing pipes and valves connected to the meter said pipes and valves must be kept in such a condition as to facilitate the removal and or the replacement of the meter without threat of damage to the pipes and valves.
- c. The water meter and remote meter reading device shall be installed and shall remain in a location that is readily accessible to the Water Department and which has been approved by the Water Department. Absent special circumstances, the water meter is to be located as close to the entrance of the water line into the building as possible. The water meter and remote meter reading device may not be blocked or covered up.
- d. The location of the water meter and the remote reading device may not be changed without written permission from the Water Department.
- e. The Water Department may shut off the water supply of any customer found to be in noncompliance of any section of § 11-1.3. Whenever the valve or curb stop has been shut off for noncompliance, turnoff and turn on charges as specified in § 11-1.2d shall apply.
- f. The Borough of Flemington can require a property owner to install a meter in either a pit (if less than 1 1/4") or in an above-ground enclosure ("hot box") when necessary to ensure proper tracking of water use. Such requirement will be conveyed to the property owner by the Borough in writing by certified and regular mail.
  1. The property owner is responsible for all costs associated with the installation and construction of the meter and meter pit or hot box, including any fees required for a road opening permit.
  2. Water meters must be installed by a properly licensed plumber and meter pits and hot boxes must be installed / constructed by a properly licensed contractor. The property owner will have an opportunity to hire its own contractor(s) to install a meter pit or hot box under the direction of the Water Department and Borough Engineer.
  3. If the property owner fails to install meter in a meter pit or hot box within 90 days from receipt of the written initial request, the Borough of Flemington may either:
    - (a) install the meter. The cost of such installation shall be based upon rates established in accordance with the collective bargaining agreement in place at the time services are rendered, calculated to

the nearest quarter of an hour, and shall be charged against the property serviced by said meter, and shall remain a lien and be collected in the same manner as the water rent; and/or

(b) Discontinue and shut off the water services without further notice until the required installations are made by the property owner in accordance with this section.

**§ 11-1.4 Billings; Delinquent Accounts.**

**[Ord. 2-1965, SS 6 & 7; Ord. 1-1979, SS 6—8; Ord. 3-1990, SS 1, 2; Ord. 9-1992, S 1; Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2016-14]**

- a. The rentals and charges for water shall be billed quarterly. Bills shall become due on the date due shown on the bill. Should any bill or part thereof rendered for rental and charged for water remain unpaid for a period of ten days, said bill or part thereof shall be considered delinquent and subject to payment of interest at the prevailing rate fixed for interest on delinquent real estate taxes from the due date until such time as the bill is paid in full. Rental charges for water shall be a lien upon the premises connected until paid and be collectible, together with interest, costs and penalties in the same manner provided by law for the collection of taxes upon real estate.
- b. All meters and billing shall be listed in the office of the Flemington Water Department under the name of the property owner and he is responsible for payment of same.
- c. Once an account becomes delinquent in an amount in excess of \$50.00 for a period of 90 days the water department shall shut off the water supply. Whenever the valve or curb stop has been shut off for non-payment, turn off and turn on charges as specified in § 11-1.2d shall apply in addition to the full amount of the delinquent bill plus interest.
- d. A delinquency notice will be sent to a delinquent account owner once an account becomes delinquent for thirty days warning the customer of the pending shut off and the date shut off will occur.
- e. A door knocker will be hung once a delinquent account reaches 60 days past due notifying the account owner of the date the water service will be turned off.
- f. Payment must be made to the utility clerk via cash or certified check clearing all delinquent balance and interest 24 hours prior to the pending shut off date.

**§ 11-2 NEW CONNECTIONS.**

**§ 11-2.1 Building Connection Required.**

**[Ord. 3-1968, S 1; Ord. 17-1995, S 5; Ord. 2008-6; Ord. No. 2015-6]**

The construction or drilling of a private water supply system for human consumption, irrigation or any other purposes whatsoever shall be prohibited after August 1, 1995, provided that any private residences having an already approved private water supply system shall not be required to connect to the public water supply system within the Borough.

**§ 11-2.2 Alteration of Private Water System.**

**[Ord. 3-1968, S 2; Ord. 17-1995, S 5; Ord. 2008-6; Ord. No. 2015-6]**

- a. Where a resident having a private water supply system serving the residence connects to the public water supply system of the Borough, the private system shall be capped off and sealed in accordance with applicable State and local regulations and shall not thereafter be used for any purposes whatsoever.
- b. However, nonresidential users who connect to the public water supply system may continue use of a previously approved private water system, but (i) only for purposes of irrigation or other purposes not connected with human consumption or use and (ii) only if the owner or users have installed and the water department has approved a reduced pressure zone back flow preventive device as provided under the regulations adopted pursuant to this New Jersey Safe Drinking Water Act, N.J.A.C. 7:10-10.1 et seq.

**§ 11-2.3 Connection Required for Occupancy Permit.**

**[Ord. 3-1968, S 3; Ord. 17-1995, S 5; Ord. 2008-6; Ord. No. 2015-6]**

No certificate of occupancy shall be issued for any new construction having a human water supply system until the new construction has been connected to the Borough water supply system for the purposes of supplying water for human consumption or any other purpose and all connection fees and all other fees associated with the connection are paid in full.

**§ 11-2.4 Leaks in Water Lines.**

**[Ord. 2008-6; Ord. No. 2015-6]**

- a. After the water department has notified the property owner or user of a leak in the line, by regular or certified mail, the owner or user has one (1) week from the date of notification to make repairs. After one (1) week, water service will be shut off until repairs are made. Fees for this service are outlined in section 11.1.2 Fees section d.
- b. For purposes of paragraph a above, property owners or users shall be responsible for the water line from the right-of-way line of the street or the curb stop, whichever is nearest to the water main in the street.
- c. If the Water Supervisor or his designee determine a water department employee shall be present during the repair of a water line, the property owner shall be billed for this service and costs shall be due and payable within 30 days or service will be disconnected.

**§ 11-2.5 Line extensions.**

**[Added 4-22-2019 by Ord. No. 2019-9]**

- a. All water main line extensions shall be made at the expense of the applicant therefor, except as hereinafter set forth, after determination by the Mayor and Council through the Public Work Committee that the Water Department has adequate distribution capacity and pressure to service the same and that the same can be accomplished in accordance with the Master Water Plan design for future expansion and, otherwise, that the same is in the best interests of the existing customers of the Water Department. The applicant shall submit five copies of a water utility plan, plus a review fee of \$500 to the Water Department for said waterline extension. After approval by the Water Department, the terms and conditions of such extension as agreed upon shall be formalized in a written agreement between the applicant and the Borough. The applicant shall be responsible for the costs of all engineering and legal

fees incurred by the Borough to review the water utility plan and prepare the written agreement. In the event that the engineering and legal costs are less than the review fee, the balance shall be returned to the applicant.

- b. No water main line extension agreement shall provide for any refund to the installer thereof for all or any part of the cost thereof based upon taps thereto or usage therefrom, and no contribution to the cost thereof shall be made by the Borough except as provided in § 11.1.1c and except as provided by the following:
  - 1. Nothing herein contained is intended to limit the right of the Borough to make water main line extensions as a local improvement and assess the costs thereof against properties benefited thereby in accordance with N.J.S.A. 40A:31-13 and 14 where the application of such method of improvement shall be deemed fair, equitable and impartial as among all persons similarly circumstanced.
  - 2. Nothing herein contained is intended to limit the right of the Borough to make water main line extensions, with the cost thereof to be allocated or paid in whole or in part by a method other than a otherwise set forth in this subsection based upon supervening public interest, or to modify an established pattern of allocating the cost of water main line extensions where altered circumstances reasonably so dictate.

**§ 11-2.6 Water reservation application and contract.**  
**[Added 4-22-2019 by Ord. No. 2019-9]**

- a. Applicability. Any applicant, with the consent of the property owner, within the service area of the Borough of Flemington water system, may apply to the Borough of Flemington Water Department for water reservation. An application for water reservation is required for any proposed project that will require the construction of a new water main extension for the service or any project that will generate an increase in demand, as determined in accordance with N.J.A.C. 7:10-12. If necessary, the applicant shall be responsible to extend the Borough's water main to the property and to construct other water system improvements as may be necessary to reliably serve the proposed development in accordance with the Borough's standards and any applicable water service agreement and any reasonable standard established by the Water Department's consulting engineer.
- b. Definitions. As used in this section, the following terms shall have the meanings indicated:

**BOROUGH OF FLEMINGTON WATER SYSTEM SERVICE AREA**

Shall be depicted on the water service area map maintained and periodically updated by the Borough of Flemington Water Department, showing all existing properties served, limits of existing water distribution system infrastructure, and surrounded by a service area boundary.

**LARGE WATER PROJECT**

Any project not fitting the definition of a "small water project" for which the water reservation requested is greater than 1,000 gallons per day or requires water system extension permits from the New Jersey Department of Environmental Protection.

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**PUBLIC WORKS COMMITTEE**

Shall refer to two members of the governing body appointed by the Mayor whose responsibility shall be the supervision, management and control of the Flemington Water Department. Any decision of the Public Works Committee is subject to the review and approval of the Mayor and Council of the Borough of Flemington.

**QUARTERLY LETTER OF WATER AVAILABILITY**

The letter published by the Borough of Flemington Water Department which defines the amount of water available at the time of publication of the letter. Developers are advised that such quarterly letter of water availability is subject to the progress and volume of water reservation applications by other applicants as well as the variable nature of existing system demands and that they pursue their land use development and regulatory approvals needed to secure eligibility for water reservation application at their own risk. The Borough cannot and does not guaranty that the quantities of water set forth in the quarterly letter of water availability will exist in the future but will make its best efforts to produce those quantities subject to regulation and oversight by the New Jersey Department of Environment Protection (DEP), regulations of the water availability and other factors.

**SMALL WATER PROJECT**

Any project for which the water reservation amount requested is less than 1,000 gallons per day.

**WATER RESERVATION**

The binding commitment of the Flemington Water Department to provide potable water service in sufficient quality and quantity to a proposed project in accordance with applicable water system regulations and standards. Project-specific conditions may require the formulation and execution of a project-specific agreement addressing water supply and infrastructure improvements beyond that established by the water reservation ("water agreements"). A water reservation is valid for one year and can be renewed in accordance with the review and renewal procedures set forth herein.

**WILL SERVE LETTERS**

The ability for the Flemington Water Department to provide a nonbinding, written confirmation of water availability for a particular project located within the Flemington Water Department's service area. Said approval will only be provided if there is currently adequate capacity in the Borough's water supply systems based on a firm capacity calculation as defined by the NJDEP in N.J.A.C. 7:10-11.6(a), using peak daily demand as defined herein and prescribed under N.J.A.C. 7:10-11.4(a)(7), as well as sufficient water allocation established by the NJDEP in its water allocation permits issued to the Borough of Flemington Water Department. The receipt of a will serve letter by an applicant does not preclude an applicant from applying for water reservation as indicated above.

- c. Application. The application for water reservation shall be on the forms prescribed by the Water Department, which shall include but not be limited to the following:
  - 1. The name and address of the applicant;
  - 2. The address of the property and the tax lot and block designation;

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3. A description of the existing use of the property;
  4. A description of the proposed use of the property and/or the type of building(s) to be constructed thereon;
  5. An approved preliminary and/or final subdivision plan, site plan and/or any necessary variance approval, general development plan, zoning permit or redevelopment plan of the proposed project indicating the number of proposed lots and the proposed uses on each lot.
  6. Proof of submission to the Council on Affordable Housing requesting substantive certification and/or an approved letter from the Council on Affordable Housing which provides substantive certification for municipally funded affordable housing projects, or a court-ordered final judgment of response as it relates to affordable housing within the municipality in question;
  7. An estimate of the average daily water usage required by the proposed use of the property;
  8. An estimate of the dates of anticipated water service connection and water meter installation to the Borough's water system;
  9. An agreement by the applicant to abide by and accept all of the provisions of this chapter and such rules and regulations as may be promulgated by the Borough; and
  10. Any additional information as may be required by the Water Department or its consulting engineer to assist in the processing of said application.
- d. Application priority.
1. All applications for water reservation will be reviewed for completeness and, once deemed complete, assigned a water reservation number and forwarded for review based upon the order in which they were received by the Water Department Clerk. The priority in terms of allocating capacity shall be based upon the order in which water reservation applications are approved by the Public Works Committee with the exception of affordable housing projects that are fully funded by the municipality and can provide proof of submission to the Council on Affordable Housing requesting substantive certification and/or written confirmation from the New Jersey Council on Affordable Housing (COAH) that their project has received substantive certification and/or a court-ordered final judgment of repose as it relates to affordable housing within the municipality in question. Projects that fall under this category shall receive priority and, if their application for water reservation is deemed complete, shall have their water immediately reserved so long as the other conditions in this section have been met. In the event a municipality has its substantive certification rescinded by COAH, or should it abandon the approved project, it will relinquish its rights to its approved water reservation, and said allocation will be available for future applicants.
  2. Unless explicitly listed in this section or required by state or federal law, no other factors shall determine the priority of a water reservation.

- e. Time limit.
1. From the date of issue, an approved water reservation shall require a contract prepared by the Borough of Flemington to be fully executed by and between the Borough and the applicant that, among other things, shall incorporate all the terms and conditions of this section. No approval of a water reservation shall be effective in the absence of the aforementioned fully executed contract. An approved water reservation shall be valid for a period of one year. Within 60 days of the expiration of the water reservation, the Water consulting engineer shall conduct a review of the water reservation and may request supplemental information from the applicant in order to establish the validity and currency of the water reservation. Applicants must maintain their eligibility for water reservation by conforming to the conditions of their applicable land use approvals, obtaining regulatory approvals and documenting the efforts taken to advance the proposed project. To extend the validity period of the approved water reservation, developers must establish that they have acted diligently and taken all reasonable steps to advance the development of the proposed project. They must demonstrate they have diligently pursued any required land use approvals, secured or diligently pursued any other necessary approvals from other agencies and acquired all necessary rights-of-way or easements. Developers may be required to show evidence they have met these goals to preserve their water reservation.
  2. The water reservation shall be void unless water service is actually extended to the subject property during the time period which the water reservation is valid. The water reservation may be renewed for longer periods at the discretion of the Public Works Committee to coincide with the expiration date of or an extension granted for a permit issued by NJDEP to construct/modify/operate public waterworks facilities relating to the subject project. The applicant must apply to the Public Works Committee for any such extensions in writing.
  3. In the event that the water service connection is not completed within the period set forth above, the water reservation shall expire if not renewed, and any portion of the water reservation for which connections have not been made will revert to the Borough for use in addressing other water reservation applications.
- f. Water reservation fee. A water reservation fee in an amount to be determined in accordance with the rules and regulations of the Water Department shall be paid to the Water Department at the time of application and at each renewal. Nonpayment of the water reservation fee will result in termination of the water reservation.
- g. Transfer of water reservations. Transfer of an approved water reservation is prohibited, with the exception of affordable housing projects located within the same municipality, provided that all interested parties consent. A water reservation within the Borough's water supply system shall not be traded, sold or otherwise reallocated by an applicant, unless the property identified in the water reservation is sold to a new owner, in which case the water reservation will run with the land to the extent necessary to affect the intent of the water reservation. Water reservations for any project on specific parcels of land shall not be assignable to any other project. In the event that a project is abandoned or the construction of the same does not utilize the entire water reservation granted to it, the unused allocation shall revert to the Borough and shall become available for water reservation in

accordance with the procedures set forth in this subsection. Should the scope of a project change and additional water allocation is required, the incremental increase in allocation requested shall be treated as a new water reservation application.

- h. Small project water reservation applications and contract.
  - 1. Application fee. An application fee, as provided in § 11.1.2, shall be submitted upon the filing of the application. Said fee shall be used by the Borough to cover the administrative costs associated with the review of the application.
  - 2. Application review. Applications for water reservation as defined above shall be reviewed by the Water Superintendent and/or Water Engineer, who in turn will provide a recommendation to the Public Works Committee. A water reservation, if approved by the Public Works Committee, shall be issued upon receipt of a fully executed contract prepared by the Borough of Flemington by and between the Borough and the applicant that, among other things, shall incorporate all the terms and conditions of this section. No water reservation shall be approved unless the Water Superintendent and/or Water Engineer determines that there is currently adequate capacity in the Borough's water supply systems based on a firm capacity calculation as defined by the NJDEP in N.J.A.C. 7:10-11.6(a), using a peak daily demand as defined herein and prescribed under N.J.A.C. 7:10-11.4(a)(7), as well as sufficient water allocation established by the NJDEP in its water allocation permits issued to the Borough of Flemington Water Department. No approval of a water reservation shall be effective in the absence of the aforementioned fully executed contract.
  - 3. Application determination. The Public Works Committee shall approve or deny the application within 30 business days of receipt of a complete application. The Borough reserves the right to extend the time for the rendering of the aforesaid decision for a period not to exceed five business days if additional time is required for processing said application. The failure of the Borough to render a decision within the aforesaid time period shall constitute a denial of the application without prejudice.
  - 4. Monthly report. The Water Superintendent or Engineer will prepare and submit a monthly report to the Water Department indicating the number and total estimated usage of approved small project water reservation applications.
- i. Requests for will serve letters for small projects.
  - 1. Request fee. A will serve letter request fee, as provided in § 11.1.2, shall be submitted upon the filing of the application. Said fee shall be used by the Borough to cover the professional and administrative cost associated with the review of the request.
  - 2. Request review. Requests for will serve letters as defined above shall be reviewed by the Water Superintendent and/or water engineer, who in turn will provide a recommendation to the Public Works Committee. A will serve letter shall be issued, provided that a determination is made that there is currently adequate capacity in the Borough's water supply systems based on a firm capacity calculation as defined by the NJDEP in N.J.A.C. 7:10-11.6(a), using a peak daily demand as defined herein and

prescribed under N.J.A.C. 7:10-11.4(a)(7), as well as sufficient water allocation established by the NJDEP in its water allocation permits issued to the Borough of Flemington Water Department.

3. Review determination. The Public Works Committee shall approve or deny the request within 30 business days of receipt of a complete application. The Borough reserves the right to extend the time for the rendering of the aforesaid decision for a period not to exceed five business days if additional time is required for processing said application. The failure of the Borough to render a decision within the aforesaid time period shall constitute a denial of the request without prejudice.
4. Expiration of will serve letter.
  - (a) All will serve letters will expire 90 days after the date of issuance by the Flemington Water Department. Upon expiration, the applicant relinquishes its rights to its approved "will serve," and said allocation will be available for future applicants.
  - (b) Upon written request by the applicant prior to the aforementioned expiration date, applicants can request said approval be extended. Applicants will be eligible for no more than three additional ninety-day extensions should they be requested. Under no circumstances will an applicant be granted additional extensions other than what is previously indicated above. Upon expiration of the requested extension(s) the applicant relinquishes its rights to its approved "will serve," and said allocation will be available for future applicants.
5. Extension request fee. A will serve letter extension request fee, as provided in § 11.1.2, shall be submitted upon the filing of the extension request. Said fee shall be used by the Borough to cover the professional and administrative costs associated with the review of the request.
- j. Large project water reservation applications and contract.
  1. Application fee. An application fee, as provided in § 11.1.2, shall be submitted upon the filing of the application. Said fee shall be used by the Borough to cover the administrative and professional consulting costs associated with the review of the application.
  2. Application review. Applications for water reservation for large projects shall require the approval of the Public Works Committee. The Public Works Committee's consulting engineer shall prepare and submit a report to the Public Works Committee concerning the nature of the allocation, the status of any required NJDEP applications, an evaluation of any required system improvements necessary to serve the project as well as an updated analysis of the water system's firm capacity and peak daily demand. Specifically, the Water consulting engineer shall evaluate the application against the Water Utility's available firm capacity and allocation limits as prescribed by regulations found at N.J.A.C. 7:10 and N.J.A.C. 7:19. The report shall also address technical details of the proposed project's service connection and water-related improvements, including but not limited to materials, equipment regulations, easements, metering, etc. Applications will be recommended for approval when no physical, technical, financial or regulatory constraints prevent service to the proposed project.

3. Application determination.
  - (a) The Public Works Committee shall approve or deny the application by resolution within 60 days of receipt of a complete application. The Public Works Committee reserves the right to extend the time for the rendering of the aforesaid decision for a period not to exceed 30 days if additional time is required for processing said application. The failure of the Borough to render a decision within the aforesaid time period shall constitute a denial of the application without prejudice.
  - (b) If an application is approved by the Public Works Committee, a formal resolution will be prepared by the Municipal Attorney authorizing the water reservation to the applicant. The resolution may contain such terms and conditions as are reasonably necessary to guarantee compliance with all federal, state county and local statutes, rules, and regulations. In addition, the applicant shall be required to enter into a contract prepared by the Borough of Flemington to be fully executed by and between the Borough and the applicant that, among other things, shall incorporate all the terms and conditions of this Ordinance. No approval of a water reservation shall be effective in the absence of the aforementioned fully executed contract.
- k. Requests for "will serve" letters for large projects.
  1. Request fee. A will serve letter request fee, as provided in § 11.1.2, of \$250 shall be submitted upon the filing of the application. Said fee shall be used by the Borough to cover the professional and administrative costs associated with the review of the request.
  2. Request review. Requests for will serve letters as defined above shall be reviewed by the water engineer, who in turn will provide a recommendation to the Public Works Committee. A will serve letter shall be issued, provided that a determination is made that there is currently adequate capacity in the Borough's water supply systems based on a firm capacity calculation as defined by the NJDEP in N.J.A.C. 7:10-11.6(a), using a peak daily demand as defined herein and prescribed under N.J.A.C. 7:10-11.4(a)(7), as well as sufficient water allocation established by the NJDEP in its water allocation permit issued to the Borough of Flemington Water Department.
  3. Review determination. The Public Works Committee shall approve or deny the request within 60 business days of receipt of a request. The Borough reserves the right to extend the time for the rendering of the aforesaid decision for a period not to exceed 30 business days if additional time is required for processing said application. The failure of the Borough to render a decision within the aforesaid time period shall constitute a denial of the request without prejudice.
  4. Expiration of will serve letter.
    - (a) All will serve letters will expire 90 days after the date of issuance by the Flemington Water Department. Upon expiration, the applicant relinquishes its rights to its approved "will serve," and said allocation will be available for future applicants.
    - (b) Upon written request by the applicant prior to the aforementioned expiration date, applicants can request

said approval be extended. Applicants will be eligible for no more than three additional ninety-day extensions should they be requested. Under no circumstances will an applicant be granted additional extensions other than what is previously indicated above. Upon expiration of the requested extension(s) the applicant relinquishes its rights to its approved "will serve," and said allocation will be available for future applicants.

- 5. Extension request fee. A will serve letter extension request fee, as provided in § 11.1.2, shall be submitted upon the filing of the extension request. Said fee shall be used by the Borough to cover the professional and administrative costs associated with the review of the request.

**§ 11-3 EMERGENCY WATER USE RESTRICTIONS.**

**§ 11-3.1 Purpose; Intent.**

[Ord. 2008-6; Ord. No. 2015-6, Prior ordinance history includes portions of Ordinance Nos. 27-1993, 14-997 and 17-1999]

Protracted periods of high temperatures and limited rainfall may cause excessive demands upon public and private water systems in the Borough of Flemington. A temporary lack of sufficient water capacity may result in a lowering of the normal water levels of the sources of water supply to the Flemington Water Department. Excessive demands upon private water systems in the Borough may result in a lowering of the normal water levels of the sources of water supply to the Flemington Water Department. The excessive use of water during the spring, summer and fall months caused by sprinkling of lawns, filling of swimming pools, car washing and other similar use not related to the use of water for domestic and sanitary purposes and fire protection may cause a serious reduction in adequate pressure in the water distribution systems of the Flemington Water Department. In the interest of the health, safety and welfare of the inhabitants of the Borough of Flemington and those residents of Raritan Township supplied with water by the Flemington Water Department, it is necessary to take all reasonable precautions and measures promptly to conserve water and maintain such water pressure as is necessary for sanitary, domestic and firefighting purposes.

**§ 11-3.2 Authorization to Declare Emergency.**

[Ord. 2008-6; Ord. No. 2015-6]

In case of an emergency where the available supply of water becomes dangerously low, the Borough Council of the Borough of Flemington is hereby authorized to declare by resolution, the existence of a water emergency. The resolution (hereinafter referred to as the "declaration") adopted by the Borough Council shall state that an emergency exists requiring the implementation of measures for the conservation of water for domestic, sanitary and fire protection purposes. The declaration of emergency shall specify whether the emergency is one requiring full curtailment or partial curtailment of nonessential water usage as defined in §§ 11-3.3 and 11-3.4, respectively.

**§ 11-3.3 Full Curtailment of Nonessential Water Use.**

[Ord. 2008-6; Ord. No. 2015-6]

Full curtailment of nonessential "water use" shall mean an absolute prohibition of the use of water from private wells and the Flemington Water Department system for:

- a. The sprinkling, watering or irrigation of shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens, vegetables, flowers or any other vegetation;

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- b. The washing of automobiles, trucks, trailers, or any other type of mobile equipment, except in commercial car wash establishments;
- c. The washing of sidewalks, walkways, driveways, porches and other outdoor surfaces;
- d. The washing of the outside of dwellings; the washing of the inside and outside of office buildings;
- e. The washing and cleaning of any business or industrial equipment and machinery;
- f. The operation of any ornamental fountain or other structure making a similar use of water; and
- g. The filling of swimming and wading pools except bona fide public and club pools.

**§ 11-3.4 Partial Curtailment of Nonessential Water Use.**  
**[Ord. 2008-6; Ord. No. 2015-6]**

Partial curtailment of nonessential water use shall mean the prohibition of the use of water from private wells and the Flemington Water Department system for all uses described in paragraphs a through g of § 11-3.4, except that such uses are permitted in accordance with the following zone schedule:

- a. Zone 1: All properties west of Main Street, North Main Street and South Main Street:

Tuesday night from 7:00 p.m. to Wednesday morning at 7:00 a.m.; and, Friday night from 7:00 p.m. to Saturday morning at 7:00 a.m.

- b. Zone 2: All properties east of Main Street, North Main Street and South Main Street:

Wednesday night from 7:00 p.m. to Thursday morning at 7:00 a.m.; and,

Saturday night from 7:00 p.m. to Sunday morning at 7:00 a.m.

The occurrence of a holiday on a permitted day in a particular zone or on nonpermitted days shall not affect the schedule established herein.

**§ 11-3.5 Publication and Posting of Declaration.**  
**[Ord. 2008-6; Ord. No. 2015-6]**

Immediately following the passage of any emergency declaration hereinabove described, copies of the declaration shall be published in a newspaper circulated in the Borough of Flemington and posted in Borough Hall.

**§ 11-3.6 Effect of Declaration.**  
**[Ord. 2008-6; Ord. No. 2015-6]**

The declaration of any emergency shall be conclusive of the fact of the existence of such emergency and shall be binding upon all persons upon the filing of the same in the office of the Borough Clerk and the publication and posting thereof as provided in § 11-3.5.

**§ 11-3.7 Termination of Declaration.**  
**[Ord. 2008-6; Ord. No. 2015-6]**

The declaration of emergency shall continue in full force and effect, except as amended, until terminated by a resolution of termination adopted by the Borough Council. Immediately following the passage of any resolution of termination, copies thereof shall be published in a newspaper circulated in the Borough of Flemington and posted in Borough Hall.

**§ 11-3.8 Inspections.**

**[Ord. 2008-6; Ord. No. 2015-6]**

During a declared water emergency, all premises receiving water from private wells and from the Flemington Water Department system shall be subject to inspection between sunrise and sunset by Flemington Water Department employees or any other person duly authorized and appointed by the Borough Council to perform inspections to oversee compliance during the water emergency. It shall be a violation of this subsection for any person to hinder, obstruct, delay, resist or prevent any such inspection as is described herein. Nothing herein shall be deemed to limit the power of the police department of the Borough of Flemington to conduct a search of any premises at any time when it has probable cause to believe that a violation of this section has been committed.

**§ 11-3.9 Use of Water During Emergency to Be a Violation.**

**[Ord. 2008-6; Ord. No. 2015-6]**

It shall be a violation of this section for any person to use water from a private well or the Flemington Water Department system at any time during a water emergency in a manner prohibited by any declaration issued pursuant to this section. The Water Superintendent, Public Works Supervisor, or their designee shall request the Flemington Borough Police, the Code Enforcement Official or Employee of the Flemington Water Department to issue (1) written warning to the property owner. If the property owner fails to comply the property owner shall be fined \$1,000.00 per occurrence.

**§ 11-3.10 Continuing Use Deemed Health Hazard; Notice of Violation; Abatement of Hazard.**

**[Ord. 2008-6; Ord. No. 2015-6]**

In the event that there is on any premises a continuing usage of water from a private well or the Flemington Water Department system by any person in a manner prohibited by any declaration issued pursuant to this section, such continuing usage is hereby declared to be a health hazard. The owner, occupant and/or operator of the premises whereon the violation is occurring shall be served with written notice of the violation by the delivery to any such owner, occupant and/or operator or the agent or employee of any of the same actually on the premises. If no such person is present, the notice shall be posted on the premises. If, after the passage of one hour from the delivery or posting of such notice, the health hazard has not been abated, any employee of the Borough of Flemington or Flemington Water Department is hereby authorized to enter upon the premises to abate the health hazard. Thereafter, the Borough of Flemington or the Flemington Water Department, as the case may be, shall assess the costs of such abatement against the owner, operator and/or occupant of the premises.

**§ 11-3.11 Violations.**

**[Ord. 2008-6; Ord. No. 2015-6; amended 4-22-2019 by Ord. No. 2019-9]**

The Public Works Director of the Borough of Flemington, the Water Superintendent or their designee shall have the authority to enforce the provisions of this chapter by the discontinuance of water service for failure

to pay any amount owing within 30 days after the date the amount is due and payable while under an Emergency Water Curtailment order, if written notice of the proposed discontinuance of service and of the reasons therefor has been given, within at least 10 days prior to the date of discontinuance, to the owner of record of the property in accordance with N.J.S.A. 40A:31-13. In the event that notice is provided by mail the notice requirements shall be satisfied if the mailing is made to the last known address of the owner of record and is postmarked at least 10 days prior to the date of discontinuance. If water service is discontinued for a violation of this chapter, the fee to have the service resumed shall be equal to the fees as provided in § 11.1.2 for non-payment.

**§ 11-3.12 Separate Violations.**

**[Ord. 2008-6; Ord. No. 2015-6]**

Each and every day in which a violation of any provision of this section exists shall constitute a separate violation.

**§ 11-3.13 Severability.**

**[Ord. 2008-6; Ord. No. 2015-6]**

If any subsection or paragraph of this section is declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such subsection or paragraph shall, to the extent that it is not unconstitutional, invalid or inoperative, remain in full force and effect, and no such determination shall be deemed to invalidate the remaining subsections or paragraphs of this section.

**§ 11-3.14 Field Service Charges.**

**[Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2017-7]**

In the event that the Borough needs to make a repair to a leak for a customer or for a contractor the fee established at § 11.1.2 will apply.

**§ 11-3.15 Line Stopping Fee.**

**[Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2017-7]**

If a contractor breaks or damages a Borough water main and/or halts water service to any home or business or to a private water service that causes detriment to the entire Borough Water system, the Borough Water Department or a qualified contractor hired by the Borough Water Department, shall repair the break and bill the contractor or responsible party causing the break for the cost of these repairs, plus an administration fee which fee shall be based upon the time expended at rates established in the collective bargaining agreement in place at the time services are rendered.

**§ 11-3.16 Inspections and Calibrations.**

**[Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2017-7]**

- a. Inspections on Sale of Property: The Borough shall have the right to enter homes and/or businesses to inspect for meters that may have been altered or damaged and to verify that all meters are up to date and read outs are accurate. Fee \$30.00/inspection.

- b. Calibrations: With appointment, the Flemington Water Department can enter a building to calibrate a water meter. If access is not granted, water service will be shut off. § 11-3.17 Irrigation Charges.

**[Ord. 2008-6; Ord. No. 2015-6; Ord. No. 2016-14; Ord. No. 2017-7; amended 4-22-2019 by Ord. No. 2019-9]**

Irrigation Definition: Anyone that has a buried lawn water device shall be required to have a separate meter and shall be charged at the following rate:

- a. From 0 to 5,000 gallons used during quarter: \$5.00 per 1,000 gallons.
- b. From 5,001 to 19,000 gallons used during quarter: \$6.50 per 1,000 gallons.
- c. From 19,001 to 49,000 gallons used during quarter: \$8.00 per 1,000 gallons.
- d. From 49,001 to 99,000 gallons used during quarter: \$8.75 per 1,000 gallons.
- e. From 99,001 to 599,000 gallons used during quarter: \$9.50 per 1,000 gallons.
- f. From 599,001 to 999,000 gallons used during quarter: \$10.25 per 1,000 gallons.
- g. From 999,001 and above gallons used during the quarter: \$10.75 per 1,000 gallons.

**§ 11-3A OUTDOOR LANDSCAPE WATER CONSERVATION.**

**§ 11-3A.1 Outdoor Landscape Water Use Restrictions.**

Restrictions on outdoor landscape water use apply to all customers of the Flemington Water Department unless expressly exempted in § 11-3A.5. Exemptions. Such water use shall conform to the following outdoor landscape water use restrictions:

- a. Lawn watering with a hose or hose-end sprinkler.
  1. Such watering may be performed on Tuesdays and Thursdays only, between the hours of 6:00 a.m. and 9:00 a.m. or between 5:00 p.m. and 8:00 p.m.;
  2. The watering of any single area shall not exceed 30 minutes per day;
  3. Flowers, shrubs and vegetables may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle;
  4. No hose or hose-end watering shall be permitted when it is raining.
- b. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller (this includes all systems that do not have a "SMART" controller as defined in § 11-3A.1c).
  1. Such water may be performed only on Tuesdays and Thursdays, between the hours of 6:00 a.m. and 9:00 a.m., or between 5:00 p.m. and 8:00 p.m.;

2. Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone  
Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 30 minutes per zone.
- c. Irrigation with systems equipped with a SMART controller.
  1. To qualify for this provision, the SMART controller must have met the minimum requirements of IA SWAT protocol testing. Lists of climate-based and sensor based controllers that have successfully completed the protocol testing can be found at <http://www.irrigation.org/SWAT/Industry/ia-tested.asp>.
  2. The property owner must register the SMART controller with the municipality, which shall then issue the property owner a yard placard that must be displayed to signify that the property is irrigated with a SMART controller.
  3. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to N.J.S.A. 45:5AA-3.
    - (a) The SMART controller must be programmed to irrigate on Tuesdays and Thursdays only, between the hours of 6:00 a.m. and 9:00 a.m., or 5:00 p.m. and 8:00 p.m.;
    - (b) Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
    - (c) The SMART controller programming data shall be posted at the controller;
    - (d) The WaterSense Partner must make a minimum of two site visits after the initial programming to adjust and fine-tune the irrigation schedule.
- d. Irrigation systems programmed and monitored by an irrigation manager.
  1. The property owner must designate a qualified person as the irrigation manager and register that person and his/her defining qualifications with the municipality, which shall then issue the property owner a yard placard that the owner must display signifying that the property is irrigated by an irrigation manager.
  2. The irrigation manager must be an EPA WaterSense Partner or show evidence of successfully completing one of the approved courses listed below:
    - (a) Rutgers University Continuing Education Course, Irrigation Systems: Scheduling;
    - (b) Irrigation Association's online course, Landscape Irrigation Scheduling;
    - (c) A comparable course offered by a recognized continuing education facility or professional association.
  3. A property-specific irrigation program shall be developed by the irrigation manager based on plant variety, soil type, exposure, slope, precipitation rate, and irrigation efficiency.

4. Weekly adjustments shall be made to the irrigation schedule based on current evapotranspiration (ET rates or weather conditions).
  5. If it is found that an irrigation manager does not follow any of the terms prescribed in this subsection they may be disqualified from acting as a properties irrigation manager.
- e. Provisions applicable to all automatic irrigation systems.
1. Such systems shall be equipped with an operational automatic rain sensor device that disables the system when a predetermined amount of rainfall has occurred. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when 1/4 inch of rain has fallen.
  2. Any work performed on a system as a result of any inspection made by the homeowner or a professional must be in compliance with the Landscape Irrigation Contractor Certification Act of 1991 (N.J.S.A. 45:5AA-3).
  3. Flowers and shrubs irrigated with drip or micro irrigation may be watered on Tuesdays and Thursday only, between the hours of 6:00 a.m. and 9:00 a.m. or 5:00 p.m. and 8:00 p.m.
- f. All new irrigation systems must comply with the following:
1. The system must be installed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to N.J.S.A. 45:5AA-3.
  2. New Jersey Irrigation Best Management Design Practices, as listed below, must be followed, which require:
    - (a) Designing a system that insures sufficient operating pressure at the sprinkler head;
    - (b) Dividing irrigated areas into hydro-zones of turf and plants with similar water requirements;
    - (c) Creating zoning systems according to exposure;
    - (d) Considering the soil type so the sprinkler irrigation precipitation rate is compatible with the soil infiltration rate or dividing the zone runtimes into multiple short cycles;
    - (e) Providing separate control of sloped areas;
    - (f) Preventing sprinkler heads from overthrowing onto driveways, roads, and sidewalks;
    - (g) Providing for separate irrigation for parkway strips between curbs and sidewalks that minimize overthrow onto walks, pavement, and other impervious surfaces;
    - (h) Using pressure regulating technology as necessary to ensure sprinkler heads operate within the manufacturer's recommended range. The pressure regulation may be:

- (1) A pressure regulation device at the point of connection;
  - (2) Pressure regulation at each remote control valve;
  - (3) Pressure regulation at the sprinkler head;
  - (4) A combination of the above.
  - (i) Irrigating all flowers and shrubs with drip and/or micro-irrigation;
  - (j) Including check valves in low sprinkler heads to prevent low-point drainage;
  - (k) Having a pressure regulating device and wye strainer on each drip/micro control valve.
3. The system must have a SMART controller capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system only to replenish the water as needed while minimizing excess water use.
- (a) The SMART controller must have undergone SWAT testing and be listed on the Irrigation Association website [www.swatirrigation.org](http://www.swatirrigation.org);
  - (b) The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to N.J.S.A. 45:5AA-3.
- (1) Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
  - (2) The SMART controller programming data shall be posted at the controller;
  - (3) The WaterSense partner must make a minimum of two site visits after the initial programming to adjust and fine-tune the irrigation schedule.
- g. Upon a Declaration of Water Emergency by the Borough governing body, additional restrictions may be imposed and shall supersede the restrictions in this section.
- h. State of New Jersey requirements shall supersede those identified in this section in all cases in which the State requirement is more stringent.

§ 11-3A.2 **Violations.**

- a. Violations of § 11-3A include knowingly or recklessly watering or irrigating or permitting irrigation on lawn or landscape on owned, leased, or managed property that results in the following:
  1. Watering during any form of precipitation;
  2. Water leaking from any irrigation equipment;
  3. Water puddling on landscape or impervious surfaces;

4. Water run-off from irrigated property;
  5. Irrigating on days not permitted in this section;
  6. Irrigating at hours not permitted in this section.
- b. Violators of these guidelines and requirements are subject to fines and penalties as described in § 11-3A.4, Penalties.
  - c. All water users in the Borough of Flemington are responsible for preventing the above-referenced violations.

**§ 11-3A.3 Enforcement of Water Conservation Guidelines.**

The water use restrictions and automatic rain sensor requirement imposed pursuant to this section shall be enforced by Flemington Water Department staff. Whenever a staff member shall find a violation of the water use restrictions such authorized official shall issue a written warning and explain the penalties for a second and third offense, as provided in § 11-3A.4. The staff member shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses that have been warned upon a first offense. The staff member is hereby empowered to write summons for the violation of the water use restrictions imposed pursuant to this section.

**§ 11-3A.4 Penalties.**

After a warning for a first offense in accordance with § 11-3A.3 above, any person or business that thereafter violates the water use restrictions imposed pursuant to this section shall be subject to the penalty provision provided in § 11-3, Emergency Water Use Restrictions.

**§ 11-3A.5 Exemptions.**

The restrictions outlined in § 11-3A do not apply to the following:

- a. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the section. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- b. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the section.
- c. Outdoor irrigation necessary for one day only where treatment with an application of chemicals requires immediate watering to preserve an existing landscape or to establish a new landscape, which shall be scheduled through the Flemington Water Department.
- d. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting, which shall be scheduled through the Flemington Water Department.
- e. Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (N.J.S.A. 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness, which shall be scheduled through the

Flemington Water Department.

§ 11-3B (**RESERVED**)

§ 11-4 **SEWER FEES AND RULES AND REGULATIONS.**

Prior ordinances codified in this § 11-4 include Ordinance Nos. 2-1973, 4-1973, 5-1973, 6-1973, 2-1974, 8-1979, 29-1979, 2-1982, 2-1986, 4-1988. Ord. No. 2017-7 deleted material previously codified in subsection 11-3B.1 through 11-3B.16. Prior history includes Ord. No. 2012-7. This § 11-4 as adopted by Ordinance No 2-1989 became effective January 1, 1989.

§ 11-4.1 **Definitions.**

Definitions of words and phrases as used in this section shall be as follows:

- a. A sewer rental unit sometimes hereinafter referred to as "unit," shall be considered to be the equivalent of a flow of 300 gallons of effluent per day.
- b. The word employee used herein, shall include proprietors and part-time employees.
- c. B.O.D. denoting biochemical oxygen demand, shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under laboratory procedure in five days at 20 degrees C expressed in parts per million, ppm, by weight.
- d. R.T.M.U.A- shall mean Raritan Township Municipal Utilities Authority.
- e. The words sanitary sewer utility system shall mean the Borough of Flemington Sewer Utility System.
- f. The word Borough shall mean Borough of Flemington.
- g. The word meter shall mean a device which measures and indicates a flow rate of sewerage or water.

§ 11-4.2 **Prohibitions.**

[Ord. 14-1997, S 2]

- a. Prohibitions.
  1. Within the service area, it shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property, any human or animal excrement, garbage, or other objectionable waste.
  2. Within the service area, it shall be unlawful to construct or maintain any privy, privy vault, septic tank cesspool, package plant, or other facility intended for, or used for, the disposal of sewage or wastewater.
- b. Connection and use of public sewers required.
  1. The owners of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, situated within the service area and abutting on any street, alley or right-of-way in which there is now located, or may, in the future be located, a public sanitary sewer of the Borough of



sentences, for purposes of calculating the connection fee, the equivalent units for commercial or professional establishments (including government offices) as described in § 11-4.4a,7, shall be the quotient of one-tenth of the gross square footage divided by 300, and rounded to the next highest equivalent unit. For purposes of calculating the connection fee or age restricted housing units the equivalent units shall be the quotient of the anticipated wastewater flow, as calculated in accordance with New Jersey Department of Environmental Protection (NJDEP) flow criteria, divided by 300, and rounded to the next highest equivalent unit. The anticipated wastewater flow shall be the product of the number of each type of unit times the appropriate flow criteria. The number of equivalent units is thereafter multiplied by the connection fee for sewer connection to establish the connection fee.

d. The flow from a multi-unit building may be aggregated for the purpose of determining a connection fee.

e. Additional Connection Fee for Material Increase

- i. For a property connected to the sewerage system for less than 20 years, the Borough shall charge an additional connection fee for an addition, alteration, or change in use that materially increases the level of use and imposes a greater demand on the sewerage system, but does not involve a new physical connection of the property to the sewerage system.
- ii. The connection fee authorized by subsection (i) of this section shall be equal to the amount by which the increased use and demand on the sewerage system exceeds the use and demand that existed prior to such addition, alteration, or change in use.
- iii. Nothing in this section shall be construed to preclude the Borough from charging a new or additional connection or tapping fee for any new or additional connection of property to the sewerage system, or for any increase in the size of an existing connection or for any new construction of additional service units connected to the sewerage system that materially increases the level of use or demand on the sewerage system.
- iv. As used in this section, “materially increases” means any increase in the number of service units; or any other change which increases the level of use or demand on the sewerage system by 15 percent or more over the highest actual annual use and demand that existed during the prior 10-year period immediately preceding the addition, alteration, or change in use; provided, however, that, if the property has been connected to the sewerage system for less than 10 years, the average level of use and demand shall be calculated based on the actual period of connection.

f. Credits

- i. The Borough shall provide a credit applicable toward a connection fee to be charged for a reconnection of a disconnected property that was previously connected to the sewerage system, provided that:
  - (a) the property has been connected to the sewerage system for at least 20 years and

(b) service charges have been paid for the property in at least one of the last five years.

ii. The credit required under subsection (i) of this section shall be calculated as follows:

(a) If the reconnection does not require any new physical connection or does not increase the nature or size of the service or the number of service units, or does not expand the use of the sewerage system, the credit shall be equal in amount to the new connection fee.

(b) If the reconnection requires a new physical connection, increases the nature or size of the service or the number of service units, or expands the use of the sewerage system, the credit shall be equal in amount to any connection fee previously paid for the property, and the Borough shall charge the difference between the credit and the connection fee for the new use or class.

(c) If no connection fee was ever paid for the property, but all service charges due and owing on the property have been paid for at least 20 years, the credit shall be equal in amount to the new connection fee; provided, however, that any charges due and owing pursuant to paragraph (b) of this subsection shall be paid.

(d) If no connection fee was ever paid for a disconnected property that is to be reconnected and which was previously connected to the sewerage system for at least 20 years and all service charges due and owing on the property have not been paid for at least 20 years, the Borough shall charge, in addition to any charges due and owing pursuant to sub-section (b), a connection fee equal to the lesser of:

(i) 20 percent of the service charges that would have been paid based upon the usage for the last full year that the property was connected to the sewerage system for the period from the date of the disconnection from the sewerage system to the date of the new connection; or

(ii) the new connection fee.

iii. A credit shall not be allowed under this section for a property that has been disconnected from the sewerage system for more than five years.

iv. As used in this section, “disconnected property” means a property that has been physically disconnected from the sewerage system or a property not physically disconnected but to which service has been discontinued without payments being made. A “disconnected property” shall not include a property that has been temporarily disconnected from the sewerage system or to which service has been discontinued without payments being made for less than 12 consecutive months and is being reconnected as it existed, prior to the temporary disconnection or discontinuance of service.

g. Affordable Housing Projects

i. With respect to the construction of affordable housing projects, including any affordable housing units in inclusionary projects, a 50% reduction in the connection

fee shall be applied to new connections to the Borough sewerage system. This reduction shall only apply to affordable housing units and shall not apply to market rate housing.

- ii. For units previously connected to the Borough's system that were demolished or refurbished to allow for new affordable housing units and for which a connection fee was previously paid, a credit against the connection fee to be assessed for connection with the sewerage system shall be applicable to any affordable housing units, including affordable housing units in inclusionary projects. The credit shall be the connection fee previously assessed and paid for connection with the sewerage system for unit previously connected to the Borough's system.
- iii. The connection fee assessable against an affordable housing owner, for units previously connected to the Borough's system that were demolished or refurbished to allow for new affordable housing units, including affordable housing units in inclusionary projects, shall be the lesser of the reduced rate provided for in subsection (i) of this section, or the current non-reduced rate applicable to other types of housing developments minus the credit provided under subsection (ii) of this section for units for which a connection fee or tapping fee was previously paid, provided that said affordable housing owner can establish the connection fee or tapping fee was previously assessed and paid for connection with the system. If the same cannot be established, the reduced rate provided for in subsection (i) of this section shall be assessed.
- h. It shall be the responsibility of the person making application for a sewer connection permit to provide sufficient information for the Borough to determine the number of equivalent units or credits that are proposed for connection. Costs incurred by the Borough, including its professionals, in determining the connection fee shall also be the responsibility of the person making application for a sewer connection through the establishment of an escrow account.

**§ 11-4.4 Sewer Charges.**

**[Ord. No. 2013-4; Ord. No. 2015-7; Ord. No. 2016-14; amended 4-22-2019 by Ord. No. 2019-9]**

- a. Sewer charges shall be made by the Borough of Flemington Sewer Utility System to the owners of real property upon which buildings stand in the Borough at the sanitary sewer rental or as outlined in the chart below:

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Annual fee per unit	450.00	465.00	480.00	495.00	510.00	525.00
Usage per 1,000 gal	2.50	2.65	2.80	2.95	3.10	3.25

All rates to be in effect on Jan 15 of the above year.

- 1. Single family dwelling 1 unit

Attachment: Utilities Ordinance (311213x9DC53) (2021-11 : Second Read: an Ordinance Amending Chapter 11 Titled Utilities)

2.	Multiple family dwellings (2 or more) per dwelling	1 unit
3.	Boarder's room in a single or multi-family residential dwelling, per room	1/2 unit
4.	Boarding house, per person	1/2 unit
5.	Hotel or motel, per room	1/2 unit
6.	Restaurant with bar	5 units Plus 1 unit for every 10 seats
7.	Commercial or professional establishment (including government offices):	
	With 3 or less employees	1 unit
	4 to 8 employees	2 units
	9 to 12 employees	3 units
	13 to 16 employees	4 units
	Each additional 4 employees over 16	1 unit
8.	Laundromat, per washing machine	1 1/4 units
9.	Church	1 unit
10.	Church with kitchen	2 units
11.	Schools	1/12 unit Per student plus 1 unit for each 4 employees
12.	Automatic-drive-through car wash	10 units
13.	Manual self-service car wash, per bay	2 units
14.	Service station	1 1/4 units
15.	Tavern	5 units
16.	Club	1 unit
17.	Club with bar	5 units
18.	Restaurant, per 10 seats	1 unit
19.	Movie theater, per seat	1/70 unit
20.	Professional office with residential dwelling	1 unit
21.	Industrial user, per 4 employees (or metered and sampling basis)	1 unit
22.	Jail	40 units
23.	Fairgrounds	60 units
24.	Public restrooms (or metered and sampling basis)	7 units

If the above schedule results in a fractional unit for the project, the number of units shall be increased to the nearest whole unit.

Users with private wells shall pay the fixed cost for operations and capital costs of the Borough of Flemington Sewer Utility System, plus the calculated amount of 60,000 annual gallons of variable costs charges.

- b. All charges for service shall be billed quarterly in accordance with the schedule set up by the Borough of Flemington Sewer Utility System, copies of which are available at the Office of the Sewer Utility System, Borough Hall, 38 Park Avenue, Flemington New Jersey. Such sewer charges are based upon estimated annual operating and capital costs due and owing to R.T.M.U.A. and the operation and capital costs of the Borough of Flemington Sewer Utility System, and may be increased a maximum of two percent per year hereafter.
- c. Should any bill or part thereof rendered for sewer usage remain unpaid for a period of ten days, said bill

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or part thereof shall be considered delinquent and subject to payment of interest at the prevailing rate fixed for interest on delinquent real estate taxes from the due date until such time as the bill is paid in full. Charges for use of sewers shall be a lien upon the premises connected until paid and be collectible together with interest, costs and penalties in the same manner provided by law for the collection of taxes upon real estate.

- d. Where premises or a building are occupied by more than one use set forth in § 11-4.4 hereof, or by a combination of such uses, the charge will be determined by applying the aforesaid rates to each use.
- e. With respect to charges for properties which shall be connected for the first time with the sewer utility system from and after the effective date of this section, the charge for the first quarterly billing period shall be a percentage of the fixed cost charge hereinabove set forth, equal to the percentage of the quarterly period remaining after such connection. The following quarterly bill will include the variable charge based on the actual water usage during the initial connection quarter.
- f. All senior citizens, disabled persons or surviving spouses that meet the requirements set forth in N.J.S.A. 54:4-8.40 et seq., shall qualify for a 10% reduction on the annual fee per unit outlined in section a.

#### § 11-4.5 Right of Inspection.

[Ord. 2-1989, S 4.; Ord. 14-1997, S 1]

The officers, agents and employees of the Borough of Flemington, the Borough of Flemington Sewer Utility System and the R.T.M.U.A. shall have unrestricted access at reasonable hours to all premises served by the Borough of Flemington Sewer Utility System to inspect the collection system and to see that the requirements regarding the use of the customer's sewer connection are being observed. Additionally, any owner of property which discharges industrial waste into the sewer utility system shall, at the owner's expense, provide suitable facilities to enable samples of such wastes to be collected for analysis and further permit the authorized representatives above-named to collect such samples from users within the Borough.

#### § 11-4.6 Damage to Property.

[Ord. 2-1989, S 5; Ord. 14-1997, S 1]

Any damage to pipes, manholes, treatment facilities, appurtenances or any other property of the Borough, the Borough of Flemington Sewer Utility System or R.T.M.U.A. caused by the carelessness or neglect or noncompliance with any applicable rule or regulation herein or otherwise established pursuant to law shall be paid for by the customer, upon demand, upon presentation of a bill therefor.

#### § 11-4.7 Prohibited Discharge.

Under no circumstances will any of the following be discharged, directly or indirectly, into the sanitary sewer utility system:

- a. Stream, storm, roof, surface, subsurface or other water.
- b. Any toxic substances, such as gasoline, benzene, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas.
- c. Any liquid having a temperature higher than 150 degrees F.

- d. Any liquid containing more than 100 ppm of fat, oil or grease, or matter containing any ashes, cinders sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or paunch manure.
- e. Any solid or viscous substance capable of causing obstructions or other interference with the proper operation of the sewage treatment plant or sewage collector system.
- f. Any liquid having a pH as determined by the engineers for the Borough, the sewer utility system or R.T.M.U.A. lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel, or material which would be harmful to the treatment of sewage.
- g. Ground garbage, except the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- h. Water produced from any air conditioner or air cooling process, device or machine.
- i. Any liquid from a restaurant or commercial food handling establishment which does not have properly installed and functioning grease interceptors as provided by Chapter VI of the National Standard Plumbing Code.

#### § 11-4.8 **Right to Install Meters.**

The Borough of Flemington Sewer Utility System reserves the right, if, in its opinion, it is deemed desirable to require the installation of meters on any premises or buildings in the Borough for measuring or determining the volume of water and sewage and to bill for sewer service based on flow reflected by such meter, as opposed to billing on the unit charge set forth in § 11-4.4 hereof.

#### § 11-4.9 **Grease Interceptors.**

Every restaurant and commercial food handling establishment in the Borough shall install and keep in proper operating condition grease interceptors provided for in Chapter VI of the National Standard Plumbing Code; a copy of which is on file in the Office of the Borough Clerk, 38 Park Avenue, Flemington, New Jersey.

#### § 11-4.10 **Assumption of Contractual and Financial Rights and Responsibilities.**

- a. The Borough of Flemington Sewer Utility System assumes the obligation to perform all actions required to be performed by the Borough, including the obligation to pay all sums when and if required to be paid by the Borough as set forth in the following contracts:
  1. Contract between R.T.M.U.A. and the Borough dated ~~April 8, 1970, September 15, 1977 and February 26, 1988~~ copies August 27, 2013 of which ~~are~~ is on file in the office of the Borough Clerk and available for inspection;
  2. Contract between Insituform-Metropolitan and the Borough dated August 17, 1988 in the amount of \$804,422.75 for investigation and rehabilitation of portions of the sewer utility system; and
  3. All other contracts not herein specifically set forth presently existing to which the Borough is party, the subject matters of which pertain exclusively to the construction, operation and maintenance of the sewer

utility system.

The Borough of Flemington Sewer Utility System shall succeed to all of the Borough's rights and privilege set forth in the above contracts.

- b. The Borough of Flemington Sewer Utility System assumes the obligation to pay on behalf of the Borough all sums appropriated pursuant to the following bond ordinances including, but not limited to principal and interest on bonds and bond anticipation notes, when and if issued, expenses permitted in N.J.S.A. 40A:2-20 etc.:
1. Ordinance 5-1988 entitled "Bond Ordinance Providing for the Investigation and Rehabilitation of Sewer Pipe and Diameter Pipe of the Sewer System in the Borough of Flemington, County of Hunterdon, State of New Jersey, Appropriating \$900,000.00. Therefor and Authorizing the Issuance of \$855,000.00 Bonds or Notes of the Borough for Financing Part of the Cost Thereof," introduced March 14, 1988 and adopted March 28, 1988, a copy of which is on file and available for inspection in the office of the Borough Clerk; and
  2. Ordinances 11-1988 entitled "Bond Ordinance Amending Ordinance No. 5-1988 Providing for the Investigation and Rehabilitation of Sewer Pipe and Diameter Pipe of the Sewer System in the Borough of Flemington, County of Hunterdon, State of New Jersey, in Order to Increase this Appropriation Therefor to \$970,000.00 and to Increase the Amount of Bonds or Notes Authorized to \$921,500.00 introduced July 18, 1988, adopted August 8, 1988, a copy of which is on file and available for inspection in the office of the Borough Clerk.

The Borough of Flemington Sewer Utility System shall succeed to all the Borough's rights to receive any and all grants from the United States Environmental Protection Agency, or other source for the construction and/or rehabilitation of wastewater treatment works.

- c. The Borough of Flemington Sewer Utility System assumes the obligation to comply with the terms of a certain administrative consent order entered into between the Borough and the Division of Water Resources, Department of Environmental Protection dated July 14, 1988, and for the associated fine and penalties that may be assessed thereunder for noncompliance.

## § 11-5 SANITARY SEWER UTILITY.

### § 11-5.1 Establishment of Sanitary Sewer Utility.

A municipal sanitary sewer utility is hereby established within the Borough of Flemington in the County of Hunterdon and the State of New Jersey for the regulation and use of sewers and the sewerage treatment plant to ensure the proper operation and the protection and preservation of the system, to fix the amount of charge therefor and to provide rules and regulations therefor. Such system, including any treatment plant, pumping stations and appurtenant structures, works and fixtures relating thereto and all extensions and improvement thereof, situate within and without the Borough of Flemington and constructed or acquired at public expense by the Borough of Flemington, shall hereafter be operated, constructed, maintained, managed and controlled by the Borough of Flemington as a publicly owned sewer utility and shall, for accounting purposes, be a separate entity having its own borrowing capacity, its own separate accounts and its own separate property whether real, personal or mixed, within the meaning of N.J.S.A. 40A:4-33, N.J.S.A. 40A:4-62 and N.J.S.A.

40:63-1 et seq., the amendments thereof and supplements thereto, and all other provisions of other law applicable.

**§ 11-5.2 Title of System.**

The sanitary sewer utility system for the Borough of Flemington shall be known as the "Borough of Flemington Sewer Utility System."

**§ 11-5.3 Definition of Sewer System.**

The sewer system to be operated, constructed, maintained, managed and controlled as a publicly owned sewer utility shall consist of all pipes, conduits, manholes, siphons, pumping and ejecting facilities, force mains, treatment plants and other appurtenances installed on public roads or other public property, rights-of-way, easements or private property by consent of the owner, within and without the boundaries of the Borough of Flemington, owned and maintained by the Borough of Flemington, or its authorized agents, for the express purpose of collecting wastewater. It also includes any such system installed by any private person or public agency within the boundaries of the Borough of Flemington where the provisions of this section are applicable by reason of the valid consent of the owner or operator of said system, or any such system installed or maintained beyond the boundaries of the Borough of Flemington where the provisions of this section are applicable by reason of the valid consent of the owner or operator of said system, or any such system installed or maintained beyond the boundaries of the Borough of Flemington where the provisions of this section are applicable by reason of the valid consent of the municipality in which such system is situated

**§ 11-5.4 Sewer Utility Fund.**

All monies derived from the operation of the Borough of Flemington Sewer Utility System and any other monies applicable to its support shall be segregated by the Borough and kept in a separate fund which shall be known as the "Borough of Flemington Sewer Utility Fund" and, except as provided in N.J.S.A. 40A:4-35 shall be applied only to the payment of the operating and upkeep costs of the system, capital costs of the system, and the interest and debt redemption charges of any indebtedness now or hereafter incurred by the Borough of Flemington Sewer Utility System. Monies held in the separate fund shall be treated by the officers of the Borough as monies held in trust for the Borough of Flemington Sewer Utility System, and no banking institution accepting any such fund shall divert the monies to any other purpose.

**§ 11-5.5 Management and Operation of Sewer Utility.**

- a. The management and affairs of the sewer utility system shall be conducted by the Mayor and Borough Council of the Borough of Flemington, which may make such rules and regulations not inconsistent with this section as it shall, from time to time, deem necessary.
- b. The Mayor shall appoint either a sewer utility commissioner or sewer utility system committee which shall oversee the day to day operation of the sewer utility system and be a line of communication between personnel employed by such utility and the Mayor and Borough Council. If the Mayor elects to appoint a committee instead of a sole commissioner, such committee shall consist of three members. The commissioners and committee members, as the case may be, shall be members of the governing body and shall serve for terms of one year commencing January 1 and expiring one year thereafter on December 31. The term of office of the commissioner and committee members, as the case may be, for 1989 shall commence on date of appointment and shall expire on December 31, 1989. All sewer utility

commissioners and committee members shall serve without compensation over and above the compensation to which they are entitled as members of the governing body.

- c. The Mayor shall appoint such full or part-time employees as he shall deem necessary for the proper administration of the business of said sewer utility system.
- d. The salary of all full or part-time employees of the sewer utility system shall be in such amount as shall be, from time to time, fixed by ordinance of the Mayor and Borough Council.
- e. All authorized employees or agents of the Borough and Borough sewer utility system shall have the right to enter any buildings or premises, at reasonable hours, for the purpose of, but not limited to inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewerage works and to carry out any and all other provisions of this section, or subsequent ordinances, rules and regulations adopted by the Mayor and Borough Council for the administration and operation of the sewer utility system.

## § 11-6 PRETREATMENT RULES AND REGULATIONS AS TO FOOD ESTABLISHMENTS.

### § 11-6.1 Definition.

#### **FOOD ESTABLISHMENT**

Shall mean any business or other entity that sells, processes, manufactures, makes or otherwise deals in or with and empties into the sewer system food, food by-products, and/or other animal products.

### § 11-6.2 Prohibited Wastes.

The following solid or viscous wastes which will or may cause obstruction to the flow in the sewer lines, or otherwise interfere with the proper operation of the treatment of sewage are prohibited from entering the sewer system; any liquid containing oils, fats, wax, or grease (whether emulsified or not) in excess of 100 mg/l of solvent soluble materials, or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees F (zero degrees and 65 degrees C); improperly shredded garbage animal guts or tissues, bones, hides, entrails, feathers, spent grains or hops, milk or milk by-products, waste paper and such similar substances as may be designated by the Flemington Borough Sewer Utility.

### § 11-6.3 Installation.

All food establishments shall install such grease traps, filters or other pretreatment facilities and operating procedures designed to prevent such above specified materials from entering the sewer system. A detail of the plan for such grease traps, filters, etc., shall be supplied to the sewerage utility along with an outline of the establishment's operating procedures to prevent entry into the sewer system. Such installation, plans and procedures shall be approved by the sewer utility. In order to identify those traps, filters, etc. which may be malfunctioning or are of a capacity or design inadequate to properly intercept the waste discharged, each food establishment subject to this section shall, at the owner's expense, install a monitoring point(s) on the premises. The monitoring point(s) shall consist of cleanouts extended to be flush with the existing grade at a point on the premises as near to the sanitary sewer main as possible. Access to the monitoring point(s) shall be kept reasonably open to the plumbing subcode official or the sewer utility or its agents. Should a food establishment feel that it should be exempt from some or all of the requirements of this section, they may apply in person or in writing to the sewer utility. The sewer utility may, for good cause shown, waive some or all of the requirements here set forth. Such waiver shall apply only to the then owner and shall be in effect

only so long as the then existing use and/or procedures continue and only so long as there is no evidence that prohibited wastes are entering the sewer system.

**§ 11-6.4 Maintenance.**

All food establishments shall maintain such traps, filters, etc., in proper working order and they shall perform the necessary operating procedures on a continuous basis. Removal of trapped wastes shall be only by licensed haulers. Each food establishment shall maintain a written record of trap maintenance for a period of three years. All such records shall be readily available for inspection by the Borough at all times.

**§ 11-6.5 Inspections.**

The plumbing subcode official, sewer utility, its agents or employees, may inspect such filters, traps, etc., and such operating procedures to insure that they are properly installed, maintained, cleaned out and to insure that the operating procedures are being implemented.

**§ 11-6.6 Cleanout.**

In the event it shall be necessary to clean out, repair and/or replace any sewer line due to failure to install and/or maintain such traps, filters, and/or procedures, the cost of same shall be paid by the owner of such property. In addition, should it become necessary for the Borough to clean out such traps or filters the cost of the same shall be paid by the owner of such property. Failure to pay shall result in the cost of same being added to the sewer bill.

**§ 11-6.7 New Establishments.**

All new food establishments shall install and have approved such traps, filters, etc. prior to commencing business.

**§ 11-6.8 Existing Establishments.**

Within 90 days after receipt of notice, all food establishments as of the date of the adoption of this section shall provide the plumbing subcode official with details as to existing traps, filters, pretreatment facilities and operating procedures. Upon review and/or inspection by the plumbing subcode official, said food establishments shall within six months install and implement such traps, filters, pretreatment facilities and/or operating procedures as determined by the plumbing subcode official in order to comply with this section.

**§ 11-6.9 Use of Bacteria Products.**

Bacteria products used in the maintenance of grease traps, grease interceptors or other pretreatment device shall be preapproved by the Borough and by the Raritan Township Municipal Utilities Authority (RTMUA). The owners or managers of food establishments that wish to use such products must obtain written approval from the Borough and the RTMUA. Each site wishing to use a product must obtain separate approval. As a minimum, a Material Safety Data Sheet (MSDS) must be submitted to the Borough and the RTMUA for approval of the product prior to beginning treatment. The MSDS, or other information submitted, must identify all active and inactive ingredients of the product.

**§ 11-6.10 Inspection Fees.**

An annual inspection fee of \$50.00 shall be charged and payable to the Borough of Flemington. In the event a reinspection is necessary, a fee of \$35.00 shall be charged and payable to the Borough of Flemington for each reinspection.

**§ 11-6.11 Penalties.**

In the event of a failure to provide plans, failure to install and maintain, and/or a failure to comply with operating procedures, or the refusal to allow inspection, the sewer utility may, upon 30 days' notice to

comply, impose such surcharge upon the sewer bill as is reasonably estimated to cover any existing or anticipated added costs due to such failure. Further, in the event of such noncompliance, the sewer utility may, upon 60 days' notice, terminate sewer service by the severance of sewer connection and such shall not be restored until proof of elimination of such noncompliance is supplied. In addition, the sewer utility may seek imposition of a court ordered penalty of up to \$250.00 per day for each day the offense continues.

§ 11-7 **SUMP PUMPS.**

§ 11-7.1 **Connection to Sanitary Sewer System Prohibited.**

No sump pump or other device which discharges drainage resulting from rainwater, springs, wells, or other ground water shall be connected to the Borough of Flemington sanitary sewer system.

§ 11-7.2 **Sump Pump Certificates.**

Prior to the sale of any property located in the Borough of Flemington the seller thereof shall obtain from the Borough of Flemington's Director of Public Works or his/her designee, a certificate stating that no sump pump or other device which discharges drainage resulting from rain water, spring, wells or other ground water or prohibited discharge as defined under § 11-4.7 is connected to the sanitary sewer system in violation of § 11-7.1. If the seller fails to comply with this or any subsection of this section, the seller and the new owner after the sale will be jointly and severally responsible for said compliance and all resulting penalties.

§ 11-7.3 **Application for Certificate; Procedures; Fee.**

Certificates of sump pump compliance shall be in accordance with the following procedures:

a. Application; Fee.

Applications for certificates of sump pump compliance shall be filed with the Borough of Flemington Director of Public Works by the seller of the property at least ten days prior to the change in ownership. Applications shall be submitted on the forms supplied by the Borough of Flemington Director of Public Works and shall be accompanied by a fee in the amount of \$25.00.

b. Inspection.

1. Upon receipt of a completed application, the Borough of Flemington Director of Public Works or his/her designee shall conduct an inspection of the property to determine compliance with the standard set forth in § 11-7.2.
2. The Director of Public Works or his/her designee shall inspect each non-owner occupied residential property, each commercial property and each property with five or more dwelling units to determine compliance with this section. Thereafter, the director of public works or his/her designee shall inspect on a schedule to be determined by the director of public works or his/her designee the property at least once every two years, except that any such property that was sold and received a certificate in compliance with this section during any such two-year period does not have to be inspected during that two-year period. The fees shall be in accordance with § 11-7.3a.
3. If a violation is discovered during the inspection, the property owner shall be mailed a notice within three business days of the inspection that clearly describes the violation.

§ 11-7.4 **Penalties.**

In the event of a failure to comply with any subsection of this section, including but not limited a failure to provide plans, comply with the operating procedures, or to timely obtain a sump pump certificate, or the refusal to allow inspection, the sewer utility may, upon 30 days written notice to comply, seek imposition of a court ordered penalty of up to \$250.00 per day for each day the offense continues.

§ 11-8 **CROSS CONNECTION CONTROL.**

§ 11-8.1 **Purpose.**

- a. To protect the public potable water supply served by the Borough of Flemington Water Department from the possibility of contamination or pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system.
- b. To promote the elimination or control of existing cross-connections, actual or potential, between its customer's in-plant potable water system, and non-potable systems.
- c. To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all potable water systems by cross-connection.

§ 11-8.2 **Authority.**

- a. The Federal Safe Drinking Water Act of 1974, revised 1996, and the statutes of the State of New Jersey N.J.A.C. 7:10, the water purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.
- b. Borough of Flemington Ordinances, adopted.

§ 11-8.3 **Responsibility.**

- a. The water department licensed operator shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of the water department licensed operator, an approved backflow device is required at the city's water service connection to any customer's premises, the licensed operator, or his delegated agent, shall give notice in writing to said customer to install an approved backflow prevention device at each service connection to his premises. The customer shall, within 90 days install such approved device, or devices, at his own expense, and failure or refusal, or inability on the part of the customer to install said device or device within 90 days, shall constitute a ground for discontinuing water service to the premises until such device or devices have been properly installed.

§ 11-8.4 **Definitions.**

- a. Approved shall mean accepted by, the water department licensed operator as meeting an applicable specification stated or cited in this regulation, or as suitable for the proposed use.
- b. Auxiliary water supply shall mean any water supply, on or available, to the premises other than the purveyor's approved public potable water supply.

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- c. Backflow shall mean the flow of water or other liquids, mixtures or substances, under positive or reduced pressure in the distribution pipes of a potable water supply from any source other than its intended source.
- d. Backflow Preventer shall mean a device or means designed to prevent backflow or back-siphonage. Most commonly categorized as air gap, reduced pressure principle device, double check valve assembly, pressure vacuum breaker, atmospheric vacuum breaker, hose bibb vacuum breaker, residential dual check, double check with intermediate atmospheric vent, and barometric loop.
1. Air gap shall mean a physical separation sufficient to prevent backflow between the free-flowing discharge end of the potable water system and any other system. Physically defined as a distance equal to twice the diameter of the supply side pipe diameter but never less than one inch.
  2. Atmospheric vacuum breaker shall mean a device which prevents back-siphonage by creating an atmospheric vent when there is either a negative pressure or sub-atmospheric pressure in a water system.
  3. Barometric loop shall mean a fabricated piping arrangement rising at least 35 feet at its topmost point above the highest fixture it supplies. It is utilized in water supply systems to protect against back-siphonage.
  4. Double check valve assembly shall mean an assembly of two independently operating spring loaded check valves with tightly closing shut off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve.
  5. Double check valve with intermediate atmospheric vent shall mean a device having two spring loaded check valves separated by an atmospheric vent chamber.
  6. Hose bibb vacuum breaker shall mean a device which is permanently attached to a hose bibb and which acts as an atmospheric vacuum breaker.
  7. Pressure vacuum breaker shall mean a device containing one or two independently operated spring loaded check valves and an independently operated spring loaded air inlet valve located on the discharge side of the check or checks. Device includes tightly closing shut-off valves on each side of the check valves and properly located test cocks for the testing of the check valve(s).
  8. Reduced pressure principle backflow preventer shall mean an assembly consisting of two independently operating approved check valves with an automatically operating differential relief valve located between the two check valves, tightly closing shut-off valves on each side of the check valves plus properly located test cocks for the testing of the check valves and the relief valve.
  9. Residential dual check shall mean an assembly of two spring loaded, independently operating check valves without tightly closing shut-off valves and test cocks. Generally employed immediately downstream of the water meter to act as a containment device.
- e. Backpressure shall mean a condition in which the owner's system pressure is greater than the supplier's

system pressure.

- f. Back-siphonage shall mean the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.
- g. NJDEP shall mean the State of New Jersey Department of Environmental Protection Water Supply Administration.
- h. Containment shall mean a method of backflow prevention which requires a backflow prevention preventer at the water service entrance.
- i. Contaminant shall mean a substance that will impair the quality of the water to a degree that it creates a serious health hazard to the public leading to poisoning or the spread of disease.
- j. Cross-connection shall mean any actual or potential connection between the public water supply and a source of contamination or pollution.
- k. Borough shall mean the Borough of Flemington.
- l. Fixture isolation shall mean a method of backflow prevention in which a backflow preventer is located to correct a cross connection at an in-plant location rather than at a water service entrance.
- m. Owner shall mean any person who has legal title to, or license to operate or inhabit in, a property upon which a cross-connection inspection is to be made or upon which a cross-connection is present.
- n. Person shall mean any individual, partnership, company, public or private corporation, political subdivision or agency of the State of New Jersey, agency or instrumentality of the United States or any other legal entity.
- o. Permit shall mean a document issued by the Borough which allows the use of a backflow preventer.
- p. Pollutant shall mean a foreign substance, that if permitted to get into the public water system, will degrade its quality so as to constitute a moderate hazard, or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably effect such water for domestic use.
- q. Water service entrance shall mean that point in the owner's water system beyond the sanitary control of the Borough; generally considered to be the outlet end of the water meter and always before any unprotected branch.
- r. Licensed operator shall mean the water department licensed operator, or his delegated representative in charge of the Borough of Flemington Water Department, is invested with the authority and responsibility for the implementation of a cross-connection control program and for the enforcement of the provisions of the section.

§ 11-8.5 **Administration.**

- a. The Borough will operate a cross-connection control program, to include the keeping of necessary records, which fulfills the requirements of the NJDEP's Cross-Connection Regulations and is approved by the NJDEP.
- b. The owner shall allow his property to be inspected for possible cross-connections and shall follow the provisions of the Borough's program and the NJDEP's Regulations if a cross-connection is permitted.
- c. If the Borough requires that the public supply be protected by containment, the owner shall be responsible for water quality beyond the outlet end of the containment device and should utilize fixture outlet protection for that purpose. He may utilize public health officials, or their delegated representatives, to assist him in the survey of his facilities and to assist him in the selection of proper fixture outlet devices, and the proper installation of these devices.

§ 11-8.6 **Requirements.**

- a. Borough.
  1. On new installations, the Borough will provide on-site evaluation and/or inspection of plans in order to determine the type of backflow preventer, if any, that will be required, will issue permit, and perform inspection as required. Initial and subsequent periodic testing of backflow preventers shall be the sole responsibility of the owner.
  2. For premises existing prior to the start of this program, the Borough will perform evaluations and inspections of plans and/or premises and inform the owner by letter of any corrective action deemed necessary, the method of achieving the correction, and the time allowed for the correction to be made. Ordinarily, 90 days will be allowed, however, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
  3. The Borough will not allow any cross-connection to remain unless it is protected by an approved backflow preventer for which a permit has been issued and which will be regularly tested to insure satisfactory operation.
  4. The Borough shall inform the owner by letter, of any failure to comply, by the time of the first reinspection. The Borough will allow an additional 15 days for the correction. In the event the owner fails to comply with the necessary correction by the time of the second re-inspection, the Borough will inform the owner by letter, that the water service to the owner's premises will be terminated within a period not to exceed five days. In the event that the owner informs the Borough of extenuating circumstances as to why the correction has not been made, a time extension may be granted by the Borough but in no case will exceed an additional 30 days.
  5. If the Borough determines at any time that a serious threat to the public health exists, the water service will be terminated immediately.
  6. The Borough shall have on file, a list of private contractors who are certified backflow device testers

The owner of the building or property will pay all charges for these tests.

7. The Borough will begin initial premises inspections to determine the nature of existing or potential hazards, following the approval of this program by the NJDEP, during the calendar year 2005. Initial focus will be on high hazard industries and commercial premises.
- b. Owner.
    1. The owner shall be responsible for the elimination or protection of all cross-connections on his premises.
    2. The owner, after having been informed by a letter from the Borough, shall at his expense, install, maintain, and test, or have tested, any and all backflow preventers on his premises.
    3. The owner shall correct any malfunction of the backflow preventer which is revealed by periodic testing.
    4. The owner shall inform the Borough of any proposed or modified cross-connections and also any existing cross-connections of which the owner is aware but has not been found by the Borough.
    5. The owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners who cannot shut down operation for testing of the device(s) must supply additional devices, installed in a parallel arrangement as necessary to allow testing to take place.
    6. The owner shall install backflow preventers in a manner approved by the Borough.
    7. The owner shall install only backflow preventers approved by the Borough or the NJDEP.
    8. Any owner having a private well or other private water source must have a permit if the well or source is cross-connected to the Borough's system. Permission to cross-connect may be denied by the Borough. The owner may be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the Borough's system.
    9. In the event the owner installs plumbing to provide potable water for domestic purposes which is on the Borough's side of the backflow preventer, such plumbing must have its own backflow preventer installed.
    10. The owner shall be responsible for the payment of all fees for permits, annual or quarterly device testing, as required by the installation type, retesting in the case that the device fails to operate correctly, and second reinspections for noncompliance with Borough or NJDEP requirements.

**§ 11-8.7 Degree of Hazard.**

The Borough recognizes the threat to the public water system arising from cross-connections. All threats will be classified by degree of hazard and will require the installation of approved reduced pressure principal

backflow prevention devices, double check valves or pressure vacuum breakers.

**§ 11-8.8 Permits.**

The Borough shall not permit a cross-connection within the public water supply system unless it is considered necessary and that it cannot be eliminated.

- a. Cross-connection permits that are required for each backflow prevention device are obtained from the Borough. A fee will be charged for the initial permit and for the renewal of each permit thereafter. Fees are listed under § **11-1.2**
- b. Permits shall be renewed every year and are nontransferable. Permits are subject to revocation and become immediately revoked if the owner should so change the type of cross-connection or degree of hazard associated with the service.
- c. A permit is not required when fixture isolation is achieved with the utilization of a non-testable backflow preventer.

**§ 11-8.9 Existing In-Use Backflow Prevention Devices.**

Any existing backflow preventer shall be allowed by the Borough to continue in service unless the degree of hazard is such as to supercede the effectiveness of the present backflow preventer, or result in an unreasonable risk to the public health. Where the degree of hazard has increased, as in the case of a residential installation converting to a business establishment, any existing backflow preventer must be upgraded to a reduced pressure principle device, or a reduced pressure principal device must be installed in the event that no backflow device was present.

**§ 11-8.10 Periodic Testing.**

- a. All backflow devices shall be tested and inspected at least annually.
- b. The Borough shall be notified at least 48 hours prior to testing. Borough personnel, if deemed necessary by the Borough, shall witness testing.
- c. The testing shall be conducted during the Borough's regular business hours. Exceptions to this, when at the request of the owner, may require additional charges to cover the increased costs to the Borough.
- d. Any backflow preventer which fails during a periodic test will be repaired or replaced. When repairs are necessary, upon completion of the repair the device will be retested at owners expense to insure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. In other situations, a compliance date of not more than 30 days after the test date will be established. The owner is responsible for spare parts, repair tools, or replacement device. Parallel installation of two devices is an effective means of the owner insuring the uninterrupted water service during testing or repair of devices and is strongly recommended when the owner desires such continuity.
- e. Backflow prevention devices will be tested more frequently than specified in paragraph a above, in cases where there is a history of test failures and the Borough feels that due to the degree of hazard involved, additional testing is warranted. Cost of the additional tests will be born by the owner.

§ 11-8.11 **Records and Reports.**

- a. Records. The Borough will initiate and maintain the following:
1. Master files on customer cross-connection tests and/or inspections.
  2. Master files on cross-connection permits.
  3. Copies of permits and permit applications.
  4. Copies of lists and summaries supplied to the NJDEP.
- b. Reports.
1. The Borough will submit the following upon request to the NJDEP.
  2. Initial listing of low hazard cross-connections.
  3. Initial listing of high hazard cross-connections.
  4. Annual update lists of paragraphs 1 and 2 above.
  5. Annual summary of cross-connection inspections.

§ 11-8.12 **Fees and Charges.**

The Borough will publish a list of fees or charges for the following services or permits:

- a. Initial permit: \$100.00.
- b. Annual permit renewal: \$50.00.
- c. After-hours inspections or tests: \$200.00

Section 2. Conflicts and Severability

- a. Conflicts. All other ordinances, parts of ordinances, or other local requirements that are inconsistent or in conflict with this ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this ordinance apply.
- b. Severability. Notwithstanding that any provision of this Ordinance may be held invalid or unconstitutional by a court of competent jurisdiction; all remaining provisions of the Ordinance shall continue to be in full force and effect.

Section 3. All other provisions of the Code of the Borough of Flemington shall be unaffected and are hereby continued.

Section 4. This Ordinance shall take effect immediately after final passage and publication as provided by law.

ADOPTED ON FIRST READING  
DATED:

\_\_\_\_\_  
SALLIE GRAZIANO,  
Borough Clerk

ADOPTED ON SECOND READING  
DATED:

\_\_\_\_\_  
SALLIE GRAZIANO,  
Borough Clerk

APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021.

\_\_\_\_\_  
BETSY DRIVER  
Mayor

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**TABLED****ORDINANCE 2021-10**

DOC ID: 2925

## **Second Reading: Calendar Year 2021 Ordinance to Exceed the Municipal Budget Cost of Living Allowance and to Establish a Cap Bank When the COLA is Equal to or Less Than 2.5 Percent (N.J.S.A. 40A:4-45.14)**

Borough of Flemington  
County of Hunterdon

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

**WHEREAS**, the COLA for 2021 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Flemington in the County of Hunterdon finds it advisable and necessary to increase its 2021 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$119,929.15 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Flemington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2021 budget year, the final appropriations of the Borough of Flemington shall, in accordance with this ordinance and N. J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$167,900.81 and that the 2021 municipal budget for the Borough of Flemington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 12, 2021

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**CERTIFICATION**

I, Sallie Graziano, Municipal Clerk, hereby certify that this ordinance was duly introduced by the Borough of Flemington at a meeting held on April 12, 2021, and that a public hearing was held on \_\_\_\_\_, following which this ordinance was adopted by Borough Council at that same meeting. This ordinance has not been amended or repealed; it remains in full force and effect as of the date I have subscribed my signature.

\_\_\_\_\_  
Sallie Graziano, RMC, Municipal Clerk

**HISTORY:**

04/12/21

Governing Body

INTRODUCED

Next: 04/26/21

The public hearing will be at the 4/26 meeting.

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-98**

DOC ID: 3472

## **Authorizing the Mayor to Sign Documents for Submission to the State DEP Regarding the Borough-Owned Property at 144 Main Street, Block 38, Lot 1.01**

**WHEREAS**, 144 Main St., Block 38, Lot 1.01 ("Property") is owned by the Borough; and

**WHEREAS** oil tanks were discovered on the Property after the Borough purchased it; and

**WHEREAS**, both tanks were removed and area around the oil heat tank area was cleaned up by Simple Tank Services, LLC; and

**WHEREAS**, in order to secure approval from the DEP that the heating oil tank has been properly removed and cleaned up, Simple Tank Services, LLC of Plainfield, NJ was engaged to remove and validate that the removal and any necessary soil or other contaminated areas were properly inspected and processed; and

**WHEREAS**, upon removal and remediation of an underground heating oil tank from the Property by Simple Tank Services, it prepared the attached Unregulated Heating Oil Tank (UHOT) System report ("UHOT Report") for submission to the DEP documenting the action it took and the certification to the DEP that the tank was property removed and any necessary remediation was done; and

**WHEREAS** submission of the UHOT Report requires signature of the Owner of the Property; and

**WHEREAS** the Mayor is the proper official on behalf of the Borough to execute said report based on the information contained therein prepared by Simple Tank Services, LLC.

**NOW, THEREFORE, BE IT RESOLVED** by the Council and Mayor of the Borough of Flemington, County of Hunterdon, that the Mayor is authorized to sign the attached UHOT Report for submission to the DEP regarding the property at 144 Main Street.

**BE IT FURTHER RESOLVED** that the Borough is relying on the information submitted by Simple Tank Services, LLC of Plainfield, NJ in authorizing the Mayor's signature on the referenced report.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_

Betsy Driver, Mayor

---

Sallie Graziano, Borough Clerk

**ATTACHMENTS:**

UHOT Report



New Jersey Department of Environmental Protection  
Site Remediation Program

UNREGULATED HEATING OIL TANK (UHOT) SYSTEM  
REMEDICATION FORM

Date Stamp  
(For Department use only)

SECTION A. SITE LOCATION

Incident Number/Communication Center Number: 21-01-28-1636-55  
Site Name: Borough of Flemington Commercial Site  
Street Address: 144 Main Street  
Municipality: Flemington (Township, Borough or City)  
County: Hunterdon Zip Code: 08822  
Program Interest (PI) Number(s): \_\_\_\_\_  
Municipal Block(s) and Lot(s):  
Block # 38 Lot(s) # 1.01 Block # \_\_\_\_\_ Lot(s) # \_\_\_\_\_  
Block # \_\_\_\_\_ Lot(s) # \_\_\_\_\_ Block # \_\_\_\_\_ Lot(s) # \_\_\_\_\_

SECTION B. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION MAILING INFORMATION

Full Name of the Person Responsible for  
Conducting the Remediation/UHOT Owner: Borough of Flemington, C/O Betsy Driver, Mayor  
Mailing Address: 38 Park Avenue  
City: Flemington State: NJ Zip Code: 08822  
Email Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

SECTION C. ENVIRONMENTAL PROFESSIONAL

The environmental professional is a:  
 Certified Subsurface Evaluator ..... UST Cert # 237107  
 Licensed Site Remediation Professional (LSRP) ..... LSRP License # \_\_\_\_\_  
First Name: Jose Last Name: Villalta  
Firm Name: Simple Tank Services LLC Firm UST Cert # (if applicable) US792505  
Mailing Address: 717 North Avenue  
City: Plainfield State: NJ Zip Code: 07062  
Email Address: ed@simpletankservices.com  
Telephone Number: (908) 245-0220

SECTION D. REASON FOR SUBMISSION (Check all that apply)

	Fee
<input checked="" type="checkbox"/> Submission of a Remedial Action Report .....	\$400.00
<input type="checkbox"/> Re-issuance of NFA with Amended Form .....	\$100.00
<input type="checkbox"/> On Scene Coordinator Request for a Discharge to Surface Water Proposal.....	\$400.00

**Note:** To apply for a Permit-by-Rule (PBR) for a discharge to ground water, submit the "Discharge to Ground Water Permit By Rule Authorization Request Form" to the NJDEP. The form can be found at: <http://www.nj.gov/dep/srp/srra/forms>. Do not submit this form for a PBR proposal.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

**SECTION E. SITE CONDITIONS**

Does an Immediate Environmental Concern (IEC) condition exist at the site? .....  Yes  No  
See NJDEP IEC guidance at: <http://www.nj.gov/dep/srp/guidance/index.html#iec>.

**Current Use:**

Industrial  Undeveloped  Residential  Commercial  Other vacant service station

**Special Conditions:** (Check all that apply):

- Ground water contamination has exceeded a Ground Water Remediation Standard (GWRS) and a potable well (on site or off site) is located within 100 feet of the contamination.
- Ground water contamination has migrated beyond the property boundaries of the owner of the tank.
- A vapor intrusion investigation was conducted.
- A release from the tank resulted in a discharge to surface water and/or wetland.
- Residual contamination remains and supporting information is included.
- Remediation was conducted to a *site specific* impact to ground water remediation standard.
- The remediation of the soil and/or ground water is proposed or implemented with an On Scene Coordinator Request for a Discharge to Surface Water Proposal or a Permit-by-Rule Discharge to Ground Water Proposal.
- IEC condition was identified and has been addressed.

**SECTION F. SITE SPECIFIC INFORMATION**

Attach a map to this form providing tank/discharge location(s), the locations of all relevant buildings, sample location(s) and depth(s), sample results, and the location(s) of all potable wells within 100 feet of the UHOT (on and off site).

**Tank Information** (list each tank separately)

Type of tank (above or underground)	Size of tank (gallons)	Type of heating oil (#2, 4, 6 or kerosene)
UST	550	2 oil

- The discharge was to: (check all that apply)
  - Soil  Ground Water  Surface Water  Ecologically Sensitive Natural Resource (ENSR) Area
  - Other (specify): \_\_\_\_\_
- How was the discharge identified? (check all that apply)
  - Sample Analysis  Olfactory  Visual  Record/Loss of Product
  - Other (specify) \_\_\_\_\_
- Were any of the following conditions present? (check all that apply.)
  - Soil Staining  Distressed or Dead Vegetation  Product Entering Storm Sewer
  - Off-site Migration of contamination  Product Entering Basement  Product Observed on Surface Water
  - Other (specify) \_\_\_\_\_

**SECTION G. SOILS**

- Were soil samples collected consistent with N.J.A.C. 7:26E and the NJDEP's most recent Field Sampling Procedures Manual? .....  Yes  No
- Were soil samples biased toward the most contaminated areas using field instruments and/or visual and olfactory observations? .....  Yes  No  
How was this accomplished? Use of photo-ionization detector

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

- 3. Was the vertical and horizontal extent of soil contamination delineated prior to remediation? .....  Yes  No
- 4. Fully describe the method of soil remediation  
Contaminated soils removed and disposed at approved facility,  
Soil samples confirm success of remedial efforts.
- 5. What was the depth of the tank bottom? ..... 6.0 ..... feet
- 6. What was the maximum depth of soil remediation? ..... 8.0 ..... feet
- 7. Was contaminated soil removed from the site? .....  Yes  No  
If "Yes," How much soil was removed? 23.17 .....  tons or  cubic yards  
To what facility was it taken? Clean Earth of Carteret, NJ  
Date(s) soil was removed: 1/28/21
- 8. If soil was reused on site, was sampling conducted consistent with NJDEP's rules and regulations and the Alternative and Clean Fill Guidance Document at ([http://www.nj.gov/dep/srp/guidance/index.html#fill\\_srp](http://www.nj.gov/dep/srp/guidance/index.html#fill_srp))? .....  Yes  No
- 9. Were the analytical results for all soil post excavation/remediation samples below the NJDEP's most stringent Soil Remediation Standards and Screening Levels? .....  Yes  No

**SECTION H. GROUND WATER**

- 1. What is the approximate depth to the saturated zone (seasonally high water table)? ..... 4.0 ..... feet  
How was this determined? Encountered during course of soil remediation
- 2. What is the approximate depth to bedrock? (if applicable) ..... >10.0 ..... feet  
How was this determined? Two (2) feet test pit was extended below the excavation
- 3. Was ground water present in the excavation? .....  Yes  No  
If "Yes," was a sheen observed on ground water? .....  Yes  No
- 4. Was a ground water investigation conducted consistent with N.J.A.C. 7:26E? .....  Yes  No  N/A
- 5. Were all ground water samples collected consistent with N.J.A.C. 7:26E and the NJDEP's most recent Field Sampling Procedures Manual? .....  Yes  No  N/A  
Include all monitoring well permit numbers: \_\_\_\_\_
- 6. Was any contamination detected in the ground water above the applicable ground water remediation standards, N.J.A.C. 7:26D-2? .....  Yes  No  N/A
- 7. Was the vertical and horizontal extent of ground water contamination delineated? .....  Yes  No  N/A
- 8. Is a potable well located on the site? .....  Yes  No  
If "Yes," what is the distance from the UHOT contamination to the private potable well? ..... \_\_\_\_\_ feet
- 9. Are there any potable wells located within 100 feet of the UHOT (on or off the site)? .....  Yes  No  
If "Yes," what is the distance from the UHOT contamination to the private potable well? ..... \_\_\_\_\_ feet
- 10. Fully describe the method of ground water remediation (if applicable):  
Groundwater was encountered at a depth of four (4.0) feet below surface grade. The site is currently under LSRP oversight. There are monitoring wells present at the site. Their investigation is ongoing.
- 11. Was contaminated ground water removed from the site? .....  Yes  No  
What volume was removed? \_\_\_\_\_ gallons  
To what facility was it taken? \_\_\_\_\_  
Date(s) taken: \_\_\_\_\_

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

- 12. Does the ground water contamination extend beyond the property boundary?.....  Yes  No
- 13. Are there two rounds of confirmatory sampling that indicate the ground water contaminant concentrations are below the applicable ground water remediation standards, N.J.A.C. 7:26D-2? .....  Yes  No  N/A

**SECTION I. REMEDIATION REQUIREMENTS**

- 1. Was the site restored in accordance with the NJDEP's rules and regulations? .....  Yes  No
- 2. Were there impacts to surface water or other sensitive environmental resources? .....  Yes  No
- 3. Was the Remedial Action Report prepared in accordance with the NJDEP's rules and regulations?.....  Yes  No
- 4. Total cost of the remediation (both RI and RA costs):..... \$ 10,622.00
- 5. Date remediation was completed: 01/28/21

**SECTION J. LABORATORY QUALITY ASSURANCE INFORMATION**

- 1. Was the laboratory certified to perform the required tests? .....  Yes  No
- 2. Are the Chain of Custody form(s) included in the QA/QC package? .....  Yes  No
- 3. Are signed Laboratory Deliverables Checklist and Non-Conformance Summaries included in the QA/QC package? .....  Yes  No
- 4. If problems are identified in the Laboratory Deliverables Checklist and Non-Conformance summaries is a statement of data usability included? .....  Yes  No
- 5. Were holding times met for all analyses? .....  Yes  No
- 6. Are RLs below Soil and Ground Water Remediation Standards? .....  Yes  No
- 7. Is a Laboratory Sample Summary included in the QA/QC package? .....  Yes  No
- 8. Is the QA/QC package (reduced deliverables) included?.....  Yes  No
- 9. Is the Electronic data package for reduced data deliverables included? .....  Yes  No

**SECTION K. REMEDIAL ACTION REPORT CHECKLIST:**

Include the following items in the Remedial Action Report:

- USGS Topographic map of the area .....  Included
- Sample Results Summary Tables .....  Included
- Scaled site map with tank, soil sample and monitor well location(s) with analytical results and location of a potable well(s) and north arrow .....  Included
- Laboratory quality assurance information required in Section J. above .....  Included
- Tank Contents Disposal Receipt (fully executed manifest) .....  Included
- Tank Disposal Certificate/Receipt.....  Included  N/A
- Contaminated Soil Disposal Receipt (fully executed manifest) .....  Included  N/A
- Documentation that Fill was "certified clean" .....  Included  N/A
- Contaminated Ground Water Disposal Receipt (fully executed manifest) .....  Included  N/A
- Copies of all local permits associated with the tank removal/remediation .....  Included  N/A

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

**SECTION L. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION**

Full Legal Name of the Person Responsible  
for Conducting the Remediation/UHOT Owner: Borough of Flemington

Representative First Name: Betsy Representative Last Name: Driver

Title: Mayor

Phone Number: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

Mailing Address: 38 Park Avenue

City/Town: Flemington State: NJ Zip Code: 08822

Email Address: \_\_\_\_\_

*I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.*

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

**SECTION M. SUBSURFACE EVALUATOR UHOT REPORT CERTIFICATION FORM****Certification by the Subsurface Evaluator:**

*I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I may be committing a crime if I make a written false statement, which I do not believe to be true, accurate and complete. I hereby certify that the area of concern being remediated was remediated consistent with the Technical Requirements for Site Remediation, N.J.A.C. 7:26E. In addition, I certify that I have provided direct on-site supervision of the remediation. Moreover, I understand that should I discover evidence of a discharge of a hazardous substance, I will provide written notice to the owner of the unregulated heating oil tank system as to that discovery and to the Department pursuant to the Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C-1.7. I am also aware that if I knowingly direct or authorize the violation of any statute, I can be personally liable for the penalties.*

Name: Jose Villalta UST Cert. No.: 237107  
 Firm: Simple Tank Services LLC Firm's UST Cert. Number: US792505  
 Firm Address: 717 North Avenue  
 City/Town: Plainfield State: NJ Zip Code: 07062  
 Phone Number: (908) 245-0220 Ext: \_\_\_\_\_ Fax: (908) 245-0330  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**No Changes in Contact Information Since Last Submission**

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice  
 Site Remediation Program  
 NJ Department of Environmental Protection  
 401-05H  
 PO Box 420  
 Trenton, NJ 08625-0420

**SECTION M. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT**

LSRP ID Number: \_\_\_\_\_  
 First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Ext: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

This statement shall be signed by the LSRP who is submitting this notification in accordance with SRRA Section 16 d. and Section 30 b.2.

*I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey. As the Licensed Site Remediation Professional of record for this remediation, I:*

**[SELECT ONE OR BOTH OF THE FOLLOWING AS APPLICABLE]:**

- directly oversaw and supervised all of the referenced remediation, and/or*
- personally reviewed and accepted all of the referenced remediation presented herein.*

*I believe that the information contained herein, and including all attached documents, is true, accurate and complete.*

*It is my independent professional judgment and opinion that the remediation conducted at this site, as reflected in this submission to the Department, conforms to, and is consistent with, the remediation requirements in N.J.S.A. 58:10C-14.*

*My conduct and decisions in this matter were made upon the exercise of reasonable care and diligence, and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals practicing in good standing, in accordance with N.J.S.A. 58:10C-16, in the State of New Jersey at the time I performed these professional services.*

*I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.*

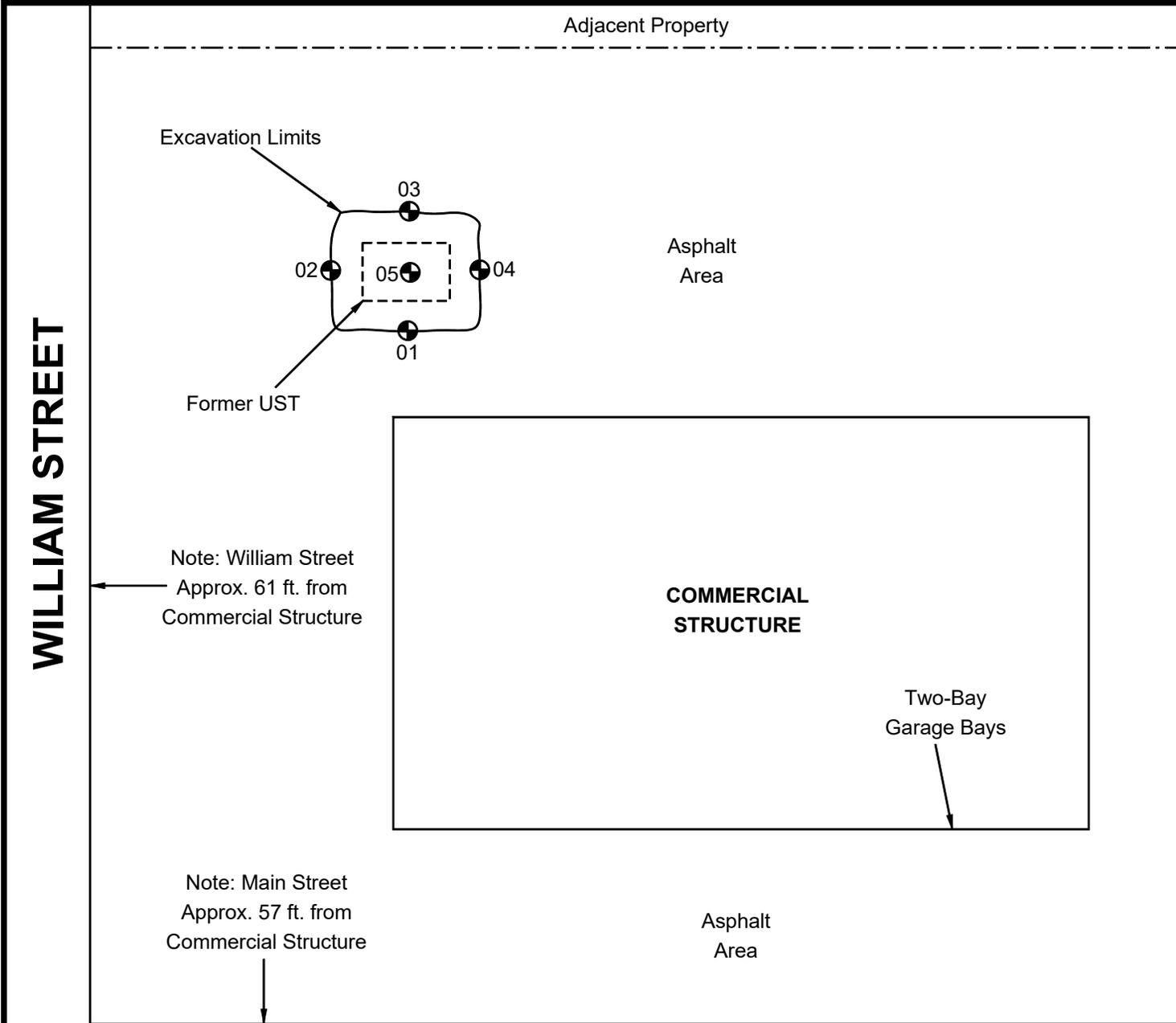
LSRP Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 LSRP Name/Title: \_\_\_\_\_  
 Company Name: \_\_\_\_\_

**No Changes in Contact Information Since Last Submission**

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice  
 Site Remediation Program  
 NJ Department of Environmental Protection  
 401-05H  
 PO Box 420  
 Trenton, NJ 08625-0420

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)



**General Notes**

**SAMPLE RESULTS**

Sample No.	Depth	EPH
01	7.5'-8.0'	ND
02	7.5'-8.0'	ND
03	7.5'-8.0'	ND
04	7.5'-8.0'	ND
05	8.0'-8.5'	ND

**Notes:**  
All results in mg/kg  
ND=Not Detected

SOIL SAMPLE LOCATION

**PROJECT NAME/ADDRESS**

SUBJECT PROPERTY  
144 MAIN STREET  
FLEMINGTON, N.J.

**FIGURE II**

**SITE PLOT PLAN WITH SAMPLING LOCATIONS**

Drawn By: JEV	Date APR 21'
Scale 1"=10'	Drawing No. 144MainFIGII

**MAIN STREET**

**SIMPLE TANK SERVICES LLC**  
717 North Avenue  
Plainfield, N.J. 07062  
Phone (908) 245-0220 Fax (908) 245-0330

SCALE (ft.)  
0 5 10

North arrow pointing up.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP

# **UNDERGROUND STORAGE TANK REMEDIAL ACTION REPORT**

Borough of Flemington Commercial Site  
144 Main Street  
Flemington, Hunterdon County, New Jersey 08822  
Block 38 Lot 1.01  
NJDEP Case No. 21-01-28-1636-55

**PREPARED FOR:**

Borough of Flemington  
C/O Betsy Driver, Mayor  
38 Park Avenue  
Flemington, N.J. 08822

**PREPARED BY:**

Simple Tank Services LLC  
717 North Avenue  
Plainfield, N.J. 07062

**Simple Tank Project No. 20-711**

April 9, 2021

# UNDERGROUND STORAGE TANK REMEDIAL ACTION REPORT

Borough of Flemington Commercial Site  
144 Main Street  
Flemington, Hunterdon County, New Jersey 08822

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4.0	GROUNDWATER INVESTIGATION .....	2
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6.0	POST-REMEDATION SOIL SAMPLING ANALYSES .....	2
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### ATTACHMENTS

Attachment 1	Municipal Permit for UST Closure/Modification
Attachment 2	Liquid Waste Disposal Documentation
Attachment 3	Tank Recycling/Disposal Documentation
Attachment 4	Contaminated Soil Disposal Documentation
Attachment 5	Backfill Weight Ticket(s) and/or Clean Soil Certification
Attachment 6	Laboratory Results & QA/QC Documentation

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## 1.0 INTRODUCTION

### 1.1 *Site Location and Legal Description*

The subject property is located at 144 Main Street, Flemington, Hunterdon County, New Jersey. The site, a former service station, is currently owned by the Borough of Flemington and is currently vacant. The surrounding area is comprised of both residential and commercial properties. The property's legal description is Block 38 and Lot 1.01. The site's latitude is approximately North 40°30.480' and its longitude is approximately West 74°51.509'. The subject property lies approximately 179 feet above mean sea level. The property is located on the Flemington, N.J. Quadrangle U.S.G.S. Map. See Figure I. Public water and city sewer service the subject property.

### 1.2 *Project Overview*

The project involved the removal of one (1) 550-gallon (6 feet by 4 feet) No. 2 Heating Oil Underground Storage Tank (UST). Simple Tank Services LLC (NJDEP License No. US792505), of Plainfield, NJ, was retained for decommissioning of the UST, the excavation and disposal of contaminated soils, and subsurface evaluation activities as detailed in this report. Jose E. Villalta, Simple Tank Services' acting subsurface evaluator, provided remedial project oversight, performed the required soil sampling, and has authored this report, which specifically addresses the UST removal, remedial action, and soil sampling activities.

## 2.0 UST DECOMMISSIONING

Simple Tank Services, prior to decommissioning the tank, secured a permit from the local municipality. See Attachment 1. In accordance with all applicable federal, state, and local rules, regulations, procedures, and guidelines, the UST was decommissioned on January 28, 2021. The UST was located in the rear portion of the commercial structure under an asphalt surface.

The overburden soils were removed and temporarily stockpiled. The top of the UST was approximately two (2.0) feet below surface grade at the time of excavation. The UST was observed to contain liquid. The liquid waste, tank bottoms, and sludge was removed via vacuum truck, then transported, and disposed in accordance with applicable regulations. The liquid disposal manifest is provided in Attachment 2. The tank was ventilated and cut for access using non-sparking tools. Technicians then entered the tank and scraped all residues from its walls and floor. Afterwards, the complete tank interior was decontaminated with a biodegradable degreaser and pumped dry. Next, the tank was wiped dry with absorbent pads. The vent, suction, and return lines were purged and removed. The tank and associated lines, once clean, were transported to a scrap metal facility for recycling. Attachment 3 provides the tank recycling documentation.

After extraction of the tank from the subsurface with the utilization of an excavator, the UST was visually inspected. Several small holes were observed after its exterior was made free of adhering soils. Petroleum odors and impacted soils were observed in the excavation after removing the tank. The NJDEP spill hotline was notified and, subsequently, Case No. 21-01-28-1636-55 was assigned. The appurtenant piping was removed. Soil removal activities were then immediately initiated. See Section 3.0 on the following page.

### **3.0 REMEDIAL ACTIVITIES**

Simple Tank Services was onsite to conduct the remedial investigation associated with the UST the same day it was removed. No basement exists at the site. Simple Tank Services personnel excavated contaminated soils from the former UST excavation. Upon inspection, the contamination was limited to the immediate vicinity of the tank excavation. As contaminated soils were removed, visual and olfactory methods were utilized to establish clean zones. A total of 23.17 tons of low-level contaminated soils were excavated. The impacted excavated soils were characterized, loaded, and transported to an approved recycling facility. See Attachment 4 for the contaminated soil disposal documentation. The excavation measured approximately ten (10.0) feet by eight (8.0) feet and terminated at eight (8.0) feet below surface grade and appeared to be vertically clean. See Figure II.

Prior to sampling, the soils in the excavation were inspected and appeared to be clean and odor free of oil. The evaluation consisted of visually inspecting and examining soils for odors, staining and free product, and screening soils for organic vapors. Field-testing included the utilization of a photo-ionization organic vapor detector (PID). A total of five (5) soil samples were obtained to document the success of the remedial efforts. Four of the soil samples were taken from the sidewall locations of the excavation at the six-inch interval from seven and one-half (7.5) to eight (8.0) feet below surface grade. The bottom-center sample was taken at eight (8.0) to eight and one-half (8.5) feet below surface grade. Neither petroleum odors nor soil staining were observed at and beyond this depth.

### **4.0 GROUNDWATER INVESTIGATION**

Groundwater was encountered at a depth of four (4.0) feet below surface grade. The site is currently under LSRP oversight. There are monitoring wells present at the site. Their investigation is ongoing.

### **5.0 BACKFILLING DETAILS**

The excavation was backfilled with certified clean fill. Copies of the weight ticket and clean fill certification are provided in Attachment 5. Overburden soil was utilized to bring the excavation to surface grade.

### **6.0 POST-REMEDIATION SOIL SAMPLING ANALYSES**

IAL Laboratories, of Randolph, NJ, was retained to analyze the soil samples for Extractable Petroleum Hydrocarbons (EPH). Each of the samples were prepared for Base Neutral Organics (BN+15) analysis contingent upon EPH concentrations in excess of 1,000 mg/kg. All post-remediation soil samples were collected, maintained, and transported in accordance with standard quality assurance/quality control (QA/QC) protocol. The enclosed laboratory results show that none of the post-remedial soil samples contained EPH concentrations in excess of the NJDEP action level of 1,000 mg/kg. Therefore, no further action is required. See Attachment 6 for laboratory results and QA/QC documentation.

## 7.0 RESULTS

The post-remediation soil sampling results are presented below in Table I. The results indicate EPH concentrations for all samples well below regulatory action levels. Full horizontal and vertical delineation of all contaminants has been conducted. Further soil removal is not warranted.

—Table I—  
**Post-Remediation Soil Sample Results**

Field Sample ID	01	02	03	04	05
Date Collected	1/28/21	1/28/21	1/28/21	1/28/21	1/28/21
Laboratory ID	00663-001	00663-002	00663-003	00663-004	00663-005
Depth	7.5'-8.0'	7.5'-8.0'	7.5'-8.0'	7.5'-8.0'	8.0'-8.5'
Location	Sidewall	Sidewall	Sidewall	Sidewall	Bottom
Units	mg/kg	mg/kg	mg/kg	mg/kg	mg/kg
Result	ND	ND	ND	ND	ND
RDCSCC	1,000	1,000	1,000	1,000	1,000

*Notes:*  
 RDCSCC=Residential Direct Contact Soil Cleanup Criteria  
 mg/kg=Parts Per Million  
 ND=Not Detected

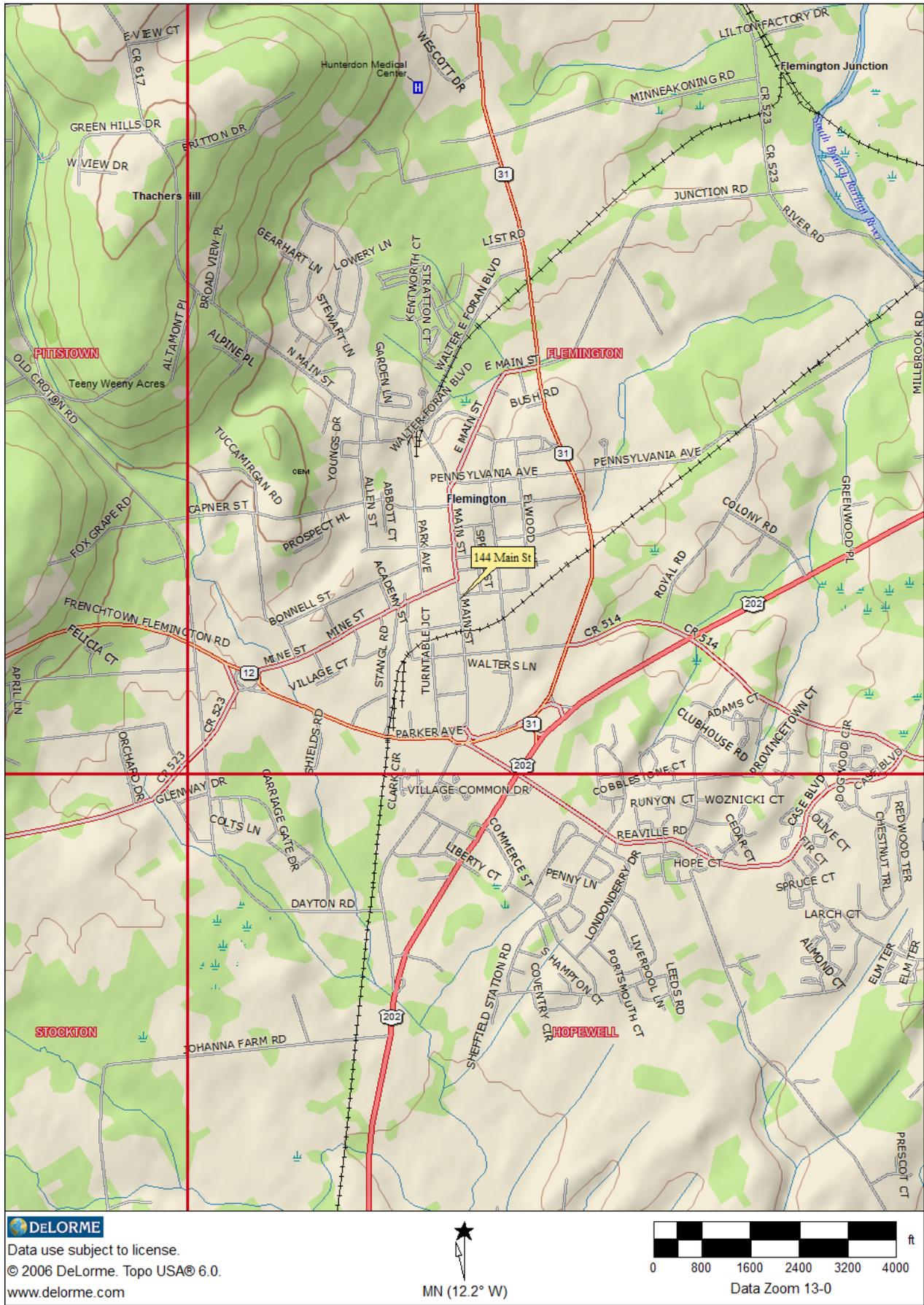
## 8.0 CONCLUSION AND RECOMMENDATION

Based on the field observations and analytical results of the post-remediation soil sampling, no further action is necessary at this commercial site with respects to the heating oil tank only. Simple Tank Services LLC is requesting, therefore, a letter from the Department stating that no further action is required onsite. The associated “Covenant Not to Sue” shall be agreed to, signed, and submitted to the Department immediately upon our receipt of same.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

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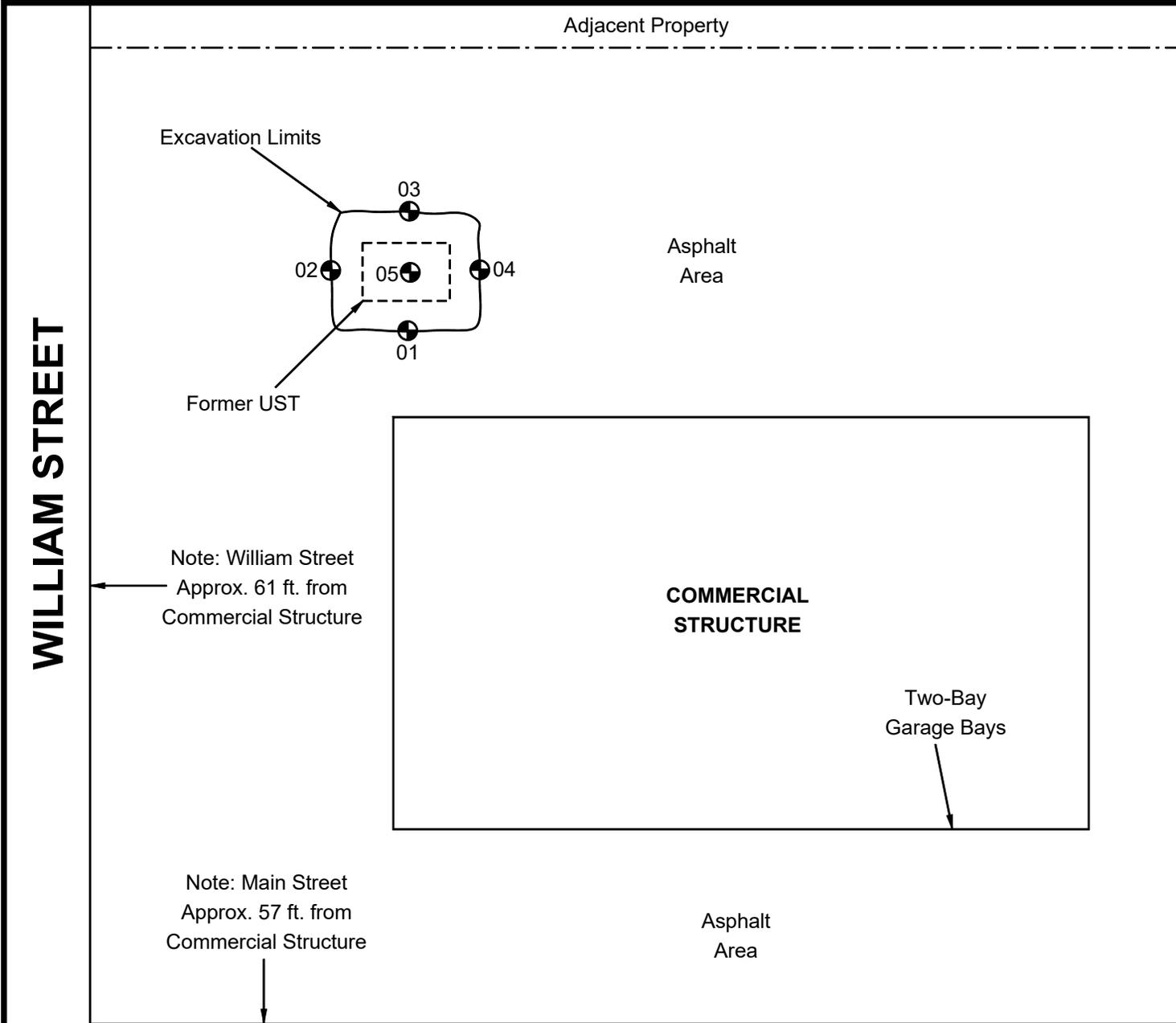
# FIGURES



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Source: U.S.G.S. Topographic Map - Flemington, N.J.  
**Simple Tank Services LLC**  
 717 North Avenue  
 Plainfield, N.J. 07062

**FIGURE I**  
**Subject Property**  
**144 Main Street**  
 Flemington, NJ  
 Packet Pg. 77



**General Notes**

**SAMPLE RESULTS**

Sample No.	Depth	EPH
01	7.5'-8.0'	ND
02	7.5'-8.0'	ND
03	7.5'-8.0'	ND
04	7.5'-8.0'	ND
05	8.0'-8.5'	ND

**Notes:**  
All results in mg/kg  
ND=Not Detected

SOIL SAMPLE LOCATION

**PROJECT NAME/ADDRESS**

SUBJECT PROPERTY  
144 MAIN STREET  
FLEMINGTON, N.J.

**FIGURE II**

**SITE PLOT PLAN WITH SAMPLING LOCATIONS**

Drawn By: JEV	Date APR 21'
------------------	-----------------

Scale 1"=10'	Drawing No. 144MainFIGII
-----------------	-----------------------------

<p><b>MAIN STREET</b></p>		<p>SCALE (ft.)</p>	<p><b>SIMPLE TANK SERVICES LLC</b></p>
			<p>717 North Avenue Plainfield, N.J. 07062 Phone (908) 245-0220 Fax (908) 245-0330</p>

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP

---

# PHOTOGRAPHIC DOCUMENTATION

**Photo I**



Subject Site - 144 Main Street, Flemington, Hunterdon County, N.J.

**Photo II**



Subject Tank - One (1) 550-Gallon #2 Heating Oil UST

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

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# ATTACHMENT 1

**Municipal Permit for UST Closure/Modification**



# FIRE PROTECTION SUBCODE TECHNICAL SECTION



Attachment: RAR Final Draft 20-711 (2021-98) : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.

Inspector's Name: *J. Inspectors*

9:00 - 12:00

Date Issued: 1/21/21  
Permit #: 21/007

A. IDENTIFICATION—APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS, NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000.

C. CERTIFICATION IN LIEU OF OATH  
I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Owner in Fee: *Baro of Fleming for Ph. 177 North Ave., Plainfield, NJ 07062*  
Tel: *915 622-8501* e-mail: *same*

Print name here: *Baro of Fleming*  
Signature: *[Signature]*

Address: *same*  
Contractor: *same*  
Address: *same*

D. TECHNICAL SITE DATA  
DESCRIPTION OF WORK: *Renovation*  
Method of Alarm/Suppression System Supervision: *U.S.T. 691*

Fire Protection Equipment, NJ Div of Fire Safety Permit No. \_\_\_\_\_  
Fire Protection Equipment, NJ Div of Fire Safety Installer No. \_\_\_\_\_  
Fire Alarm Contractor No. \_\_\_\_\_  
Home Improvement Contractor Registration No. or Exemption Reason \_\_\_\_\_  
Federal Emp. ID No. \_\_\_\_\_ FAX: \_\_\_\_\_

Flammable/Combustible Tanks  
Alarm Systems  
[ ] System  
[ ] 110v Interconnected  
[ ] CO Detectors/110v  
Alarm Devices (i.e., smoke, heat, pulls, water/flow)  
Supervisory Devices (i.e., tampers, low/high air)  
Signaling Devices (i.e., horns/strobes, bells)  
Other Devices \_\_\_\_\_

B. FIRE PROTECTION CHARACTERISTICS  
Use Group: Present \_\_\_\_\_ Proposed \_\_\_\_\_  
Constr. Class: Present \_\_\_\_\_ Proposed \_\_\_\_\_  
Heating System: [ ] New OR [ ] Modification to Existing  
OR [ ] Conversion OR [ ] Replacement  
Fuel Type: [ ] Gas [ ] Oil [ ] Electric [ ] Solar  
[ ] Other \_\_\_\_\_

Suppression Systems  
Fire Pump \_\_\_\_\_ GPM Type \_\_\_\_\_  
Dry Pipe/Alarm Valves \_\_\_\_\_  
Pre-action Valves \_\_\_\_\_  
Sprinkler Heads (Dry and Wet)  
Standpipes  
Pre-engineered Systems  
Wet Chemical \_\_\_\_\_  
Dry Chemical \_\_\_\_\_  
CO<sub>2</sub> Suppression \_\_\_\_\_  
Foam Suppression \_\_\_\_\_  
FM200 Suppression \_\_\_\_\_  
Other \_\_\_\_\_

Location: \_\_\_\_\_  
Total Cost of Fire Protection Work \$ *2000*

Supervisory Devices (i.e., tampers, low/high air)  
Signaling Devices (i.e., horns/strobes, bells)  
Other Devices \_\_\_\_\_  
TOTAL \_\_\_\_\_  
FEE (Office Use Only) \$ \_\_\_\_\_

JOB SUMMARY (Office Use Only)  
PLAN REVIEW  
[ ] No Plans Required  
[ ] Partial - Under-slab Utilities Approved  
Date: \_\_\_\_\_ Approved by: \_\_\_\_\_  
[ ] Fire Protection Plans Approved  
Date: \_\_\_\_\_ Approved by: \_\_\_\_\_  
Joint Plan Review Required:  
[ ] Bldg. [ ] Elec. [ ] Plumb. [ ] Elev.  
SUBCODE APPROVAL for PERMIT  
Date: \_\_\_\_\_ Approved by: \_\_\_\_\_  
SUBCODE APPROVAL for CERTIFICATE  
[ ] CO [ ] CCO [ ] CA  
Date: \_\_\_\_\_ Approved by: \_\_\_\_\_

Administrative Surcharge \$ \_\_\_\_\_  
Minimum Fee \$ \_\_\_\_\_  
State Permit Surcharge Fee \$ \_\_\_\_\_  
TOTAL FEE \$ \_\_\_\_\_

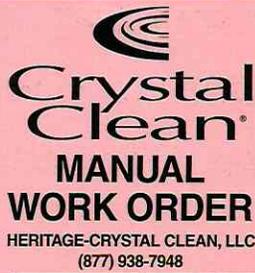
INSPECTIONS		Dates (Month/Day)	
Type:	Failure	Failure	Approval
Alarm System			Initial
Suppression Sys.			
Standpipe			
Fire Pump			
Pre-Eng. System			
Mechanical			
Smoke Control			
TCO			
Flam/Combust Tanks			
Fireplace Venting			
Final			
Other			

Reorder at: ucc.allegramarmora.com • 609-390-1400  
Allegra Marketing, Print & Mail - Marmora, NJ

---

# ATTACHMENT 2

## Liquid Waste Disposal Documentation



EMP ID #	SVC WK	WORK ORDER #	SVC REQ	AGRMT #	PURCHASE ORDER #	3.7.4.a
CCMS CUST. ID #	ROUTE		FEDERAL EPA ID #			
GEN. STATUS	STATE EPA ID #	COMMENTS				
CCMS WO#:		EMERGENCY 800-424-9300				

<b>CUSTOMER/SHIPPER:</b> SIMPLY TANK 717 NORTH AVE PLAINFIELD NJ	<b>DESTINATION:</b> Heritage Crystal Clean, LLC 849 Fairmount Avenue Elizabeth, NJ 07201 Phone Number: 201-455-0042
<b>Contact Name:</b>	

**CARRIER:** HERITAGE-CRYSTAL CLEAN, LLC    **EPA ID #:** ILR 000 130 062    **Phone Number:** (877) 938-7948

BILL OF LADING				
16 GAL. DRUMS	30 GAL. DRUMS	55 GAL. DRUMS	PROPER SHIPPING NAME	TOTAL
	TANK		NON-DOT Regulated Oily water	

This is to certify that the above-named materials are properly classified, described, packaged, marked and labeled and are in proper condition for transport according to the applicable regulations of the Department of Transportation, as required. I also certify that neither hazardous waste, nor PCBs have been mixed with the used oil and/or parts cleaner solvent (if applicable).

Per [Signature] Customer/Shipper    Date \_\_\_\_\_    Per [Signature] HCC/Carrier    Date \_\_\_\_\_

**SUMMARY OF CHARGES**  
**TODAY'S SERVICE**

WS #	PROD. CODE	DESCRIPTION	RTD. GALS.	UNIT	SI	NEXT SVC.	LOCATION COMMENTS	UNIT PRICE	QTY.	TOTAL CHARGE
		306 Oily water								
								TAX		
								SERVICE SUBTOTAL		

**PRODUCTS**

<b>PRODUCT DESCRIPTION:</b>	<b>UNIT PRICE</b>	<b>QTY.</b>	<b>CHARGE</b>

PRODUCT SALES TAX  
SUBTOTAL PRODUCT & TAX

<b>MACHINE INSPECTION</b>	<b>SERVICE/PRODUCTS CHARGE SUMMARY</b>
Cleanliness G P Lamp Assembly G P Drum Condition G P Fusible Link Installed G P Lid Unobstructed G P Properly Grounded G P Local Phone # affixed G P Decals in Place G P	CUSTOMER HEREBY VERIFIES THAT THE ABOVE SERVICES WERE PERFORMED AND THAT SAID SERVICES AND THE CHARGES THEREFORE ARE HEREBY ACCEPTED. CUSTOMER ALSO HEREBY REAFFIRMS THE ACCURACY AND COMPLETENESS OF ALL INFORMATION CONTAINED IN THIS WORK ORDER AND ALL DOCUMENTATION PREVIOUSLY SUBMITTED TO HCC. THIS WORK ORDER IS DEEMED PART OF THE SERVICE AGREEMENT BETWEEN HERITAGE-CRYSTAL CLEAN, LLC AND THE CERTIFICATIONS CONTAINED THEREIN CONCERNING THE MATERIALS TO BE HANDLED AND THE SERVICES TO BE PROVIDED ARE INCORPORATED HEREIN BY REFERENCE AND DEEMED PART HEREOF AND SAID CERTIFICATIONS ARE DEEMED REMADE FOR THE SERVICES COVERED BY THIS WORK ORDER. PER <u>[Signature]</u> DATE _____
	TODAY'S SERVICE
	PRODUCT & TAX
	TOTAL AMOUNT DUE
	TOTAL REMITTANCE
	CHECK NUMBER

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

---

# ATTACHMENT 3

## Tank Recycling/Disposal Documentation

DATE RECEIVED

*1/22/21*

**DEPENDABLE IRON & METAL CO., INC.**  
P.O. BOX 1012 • RAHWAY, N.J. 07065

SCALE RECEIVING TICKET NO.

**137392**

CORNER OF RODGERS ST. & LEESVILLE AVE. • RAHWAY, N.J. (732) 382-7715

VENDOR NAME		VENDOR NUMBER		INVENTORY CODE	
PRODUCT DESCRIPTION					
PRODUCT NUMBER					
GROSS LBS.					
TARE LBS.					
NET LBS.					
DEDUCTIONS					
GROSS TONS					
UNIT PRICE		PER		PER	
\$ AMOUNT		TERMS*		TERMS*	
SELLERS' SIGNATURE FOR CASH RECEIVED					
*TERMS:		C = CASH	CK = CHECK	P = PAYABLE	O = OPEN
					<b>GRAND TOTAL</b>

*S*  
*task*  
*14640*  
*13700*  
*880*

*86*

*[Signature]*

*86*

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

---

# ATTACHMENT 4

## Contaminated Soil Disposal Documentation

Clean Earth of Carteret  
24 Middlesex Ave

Ticket: 2423547

Carteret, NJ 07008

Date Time Sca

Ph: Fax:

In: 01/28/2021 13:55:10 CEO

Out: 01/28/2021 13:55:10 CEO

Manifest: 2148802  
Vehicle: 07M&M5  
Decal:

Lbs Tn  
Gross: 83480.00 41.74  
Tare: 37140.00 18.57  
Net: 46340.00 23.17

Customer: SIMPLE TANK SERVICES  
Generator: Skylar Bird  
Address: 144 Main St  
FLEMINGTON, NJ 08822

Carrier:  
Profile #: 213072164  
Job: Skylar Bird/144 Main St  
Address: 144 Main St  
FLEMINGTON, NJ 08822

Material: Recyclable soil/rock/material

Facility: Clean Earth of Carteret  
Barry Gibson

Driver:  
Comment:

CLEAN EARTH INTERNAL

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)



Manifest # 214880

GLOBAL JOB NUMBER: 1002645

FACILITY APPROVAL NUMBER: 213072164

Please Check One:

- Clean Earth of Carteret, Clean Earth of Maryland, Clean Earth of New Castle, Clean Earth of Greater Washin, Clean Earth of Philadelphia, Clean Earth of North Jersey, Clean Earth of Southeast Pennsylvania, Other

Non-Hazardous Material Manifest

(Type or Print Clearly)

Table with 3 columns: Generator's Name & Site Address, Gross Weight, Tare Weight, Generator's Phone, Net Weight.

DESCRIPTION OF MATERIAL/SAMPLE ID AND LOCATION

GENERATOR'S CERTIFICATION/AUTHORIZED AGENT - Incomplete and/or unsigned manifests will cause the load to be delayed and/or rejected.

I hereby certify that the above named material does not contain free liquid as defined by 40 CFR Part 260.10 or any applicable state law, is not a hazardous waste as defined by 40 CFR Part 261 or any applicable state law, is not a DOT hazardous substance as defined by 49 CFR Part 172 or any applicable state law, has been fully and accurately described above, classified, packaged and is in proper condition for transportation according to all applicable state and federal regulations.

Name, Title, Signature, Date and Time fields.

TRANSPORTER

Company, Address, Driver, Phone Number, Truck # and License Plate, SW Haulers Permit #.

I hereby certify that the above named material was picked up at the site listed above.

Driver Signature, Date and Time.

DESTINATION

I hereby certify that the above named material was delivered without incident to the facility noted above.

Driver Signature, Date and Time.

I hereby certify that the above named material has been accepted at the above referenced facility.

Authorized Signature, Date and Time.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

---

# ATTACHMENT 5

**Backfill Weight Ticket(s) and/or Clean Soil Certification**

DISPATCH  
CONCRETE (877) 322-4300  
STONE (908) 322-7840  
ASPHALT (888) 322-2231

FANWOOD CRUSHED STONE CO.

DIVISION OF WELDON MATERIALS, INC.  
OFFICE-141 CENTRAL AVE., WESTFIELD, N.J.  
(908)233-4444

Ready Mixed Concrete, Sand, Crushed Stone, Black Top

524408

For Safety Data info go to [www.weldonmat.com/sds](http://www.weldonmat.com/sds)

MANUAL WEIGHTS  
TICKET NO.

280692

TRUCK NO.

0

TRUCKER NAME:  
SIMPLE TANKS TR

DATE  
01/27/21  
TIME

CUSTOMER:  
100/126  
SIMPLE TANK SERVICES

JOB:  
SIMPLE TANK SERVICES

P.O. NO.

ZONE:  
ROSELLE

PRODUCT CODE	PRODUCT	AMOUNT	UNIT PRICE	EXTEN
dga	NJDOT DGA/TYPE 5A	GROSS WGT. 39.46 TARE WGT. 13.98 NET WGT. 25.48	16.750	426

LOADS: ACCUM. AMOUNT 25.48 TONS

LOCATION WHERE WEIGHED:

WEIGHMASTER NAME:

REC'D BY & AGREE TO ALL TERMS (FRONT & BACK): DRIVER NAME:

FORM FS - 131



2

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

**WELDON MATERIALS, INC.****TECHNICAL SERVICES**

141 CENTRAL AVENUE, WESTFIELD, NJ 07090

(908) 233-4444 ext. 2288. FAX (908) 233-4215

email: ra@weldonmat.com

March 25, 2021

**SIMPLE TANK SERVICES Fax: email**  
**Attn: Teddy Slack**

**Reference: 144 Main St, Flemington, NJ 08822**

**Ticket Numbers: 280692**

**Purchase Date: 01/27/2021**

**Material: NJDOT DGA/TYPE 5A**

**To whom it may concern:**

We certify that the aggregate purchased for the project in reference is produced by Fanwood Crushed Stone Company established and mining since 1907, from sources of virgin basalt indigenous to the region. This aggregate is free from contamination and has not been subject to a discharged hazardous substance at any time; when produced, and stockpiled at our quarry in Watchung, New Jersey.

**Our Quarry is located at:**

**# 1 New Providence Road**  
**Watchung, NJ**  
**Somerset County**  
**Block #: 76.01, Lots #: 4, 5, 20, 25, 26, 27, and 28**  
**Mine Certificate #: 004485**

**Sincerely,**



**RICARDO AROCHA**  
**TECHNICAL SERVICES**

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

---

# ATTACHMENT 6

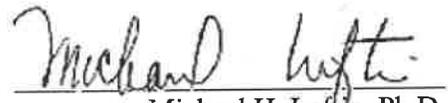
## Laboratory Results & QA/QC Documentation



**ANALYTICAL DATA REPORT**

<p>Simple Tank Services  717 North Ave  Plainfield, NJ 07062</p> <p>Project Name: <b>20-711</b>  IAL Case Number: <b>E21-00663</b></p>
--

These data have been reviewed and accepted by:

  
Michael H. Leftin, Ph.D.  
Laboratory Director

**This report shall not be reproduced, except in its entirety, without the written consent of Integrated Analytical Laboratories, LLC. The test results included in this report relate only to the samples analyzed. The results reported herein conform to the most current TNI standards and the laboratory's Quality Assurance Manual, where applicable, unless otherwise noted in the body of the report.**

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

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**Sample Summary**

**IAL Case No.**  
**E21-00663**

**Client** Simple Tank Services

**Project** 20-711

**Received On** 1/29/2021@17:30

<u>Lab ID</u>	<u>Client Sample ID</u>	<u>Depth Top/Bottom</u>	<u>Sampling Time</u>	<u>Matrix</u>	<u># of Container</u>
00663-001	01	/8.0	1/28/2021@12:05	Soil	1
00663-002	02	/8.0	1/28/2021@12:07	Soil	1
00663-003	03	/8.0	1/28/2021@12:09	Soil	1
00663-004	04	/8.0	1/28/2021@12:11	Soil	1
00663-005	05	/8.0	1/28/2021@12:13	Soil	1

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**DATA QUALIFIERS AND FLAGS**

- B** Indicates the analyte found in the associated method blank and in the sample due to potential lab contamination.
- C** Indicates analyte is a common laboratory contaminant.
- D** Indicates analyte was reported from diluted analysis.
- E** Identifies a compound concentration that exceeds the upper level of the calibration range of the instrument
- J** Indicates an estimated value either when the concentration in the sample is less than the RL or for qualification of TICs
- M** Indicates matrix interference
- N** Presumptive evidence of a compound from the use of GC/MS library search.
- T** Sample analyzed outside of holding time
- X** Indicates samples analyzed for total and dissolved metals differ at  $\leq 20\%$  RPD.
- Y** Indicates DO depletion in the BOD blank is  $>0.20$ ppm
- Z** Indicates internal standard failure. Sample results are either biased high or biased low.
- \$** Value outside NJDEP DKQP Limits
- \*** Result outside of QC limits

**PROJECT NOTES**

- All results for soils, solids, and sludges are reported on a dry-weight basis except where noted
- All test results and QC are compliant with TNI or other applicable state agency requirements/guidance unless otherwise notated in the case narrative and/or project information page.
- The case narrative for this SDG should be consulted to determine any non-conformances.
- Any samples with 15-minute or "analyze immediately" holding times (e.g. pH, Dissolved Oxygen, Sulfite, etc.) which are analyzed in the laboratory are considered out of holding time.
- IAL is a NELAP/TNI certified laboratory (TNI ID# TNI01284). IAL retains certification in Connecticut (PH-0699), New Jersey (14751), New York (11402), and Pennsylvania (68-00773).
- Certification is not required to perform analyses in the following states: AL, CO, DE, GA, HI, ID, IN, KY, MD, MI, MS, MO, MT, NE, NM, SD and TN. IAL can perform all analyses, except Drinking Water, within its scope of capabilities in these states.

**ACRONYMS AND ABBREVIATIONS**

<b>CFU</b>	Colony Forming Unit	<b>ND</b>	Indicates analyte was analyzed for but not detected at MDL or RL (only if MDL is not used)
<b>CCB</b>	Continuing Calibration Blank	<b>NTU</b>	Nephelometric Turbidity Units
<b>CCV</b>	Continuing Calibration Verification	<b>ppb</b>	Parts per billion. Reported as $\mu\text{g/L}$ or $\mu\text{g/kg}$
<b>DF</b>	Dilution Factor	<b>ppm</b>	Parts per million. Reported as $\text{mg/L}$ , $\mu\text{g/mL}$ or $\text{mg/kg}$
<b>DL</b>	Attached as a suffix to a diluted sample	<b>QC</b>	Quality Control
<b>DUP</b>	Duplicate	<b>% Rec</b>	Percent Recovery
<b>ICB</b>	Initial Calibration Blank	<b>RL</b>	Reporting Limit. The RL is typically determined by the concentration of the lowest standard in the calibration curve
<b>ICC</b>	Initial Calibration Curve		
<b>ICV</b>	Initial Calibration Verification		
<b>kg</b>	kilogram	<b>RPD</b>	Relative Percent Difference
<b>L</b>	Liter	<b>RSD</b>	Relative Standard Deviation
<b>LCS</b>	Laboratory Control Sample	<b>RT</b>	Retention Time
<b>LCSD</b>	Laboratory Control Sample Duplicate	<b>SU</b>	Standard Units
<b>MDL</b>	Method Detection Limit as determined according to 40 CFR Part 136 Appendix B	<b>TIC</b>	Tentatively Identified Compound AKA Library Search Compounds
<b>MF</b>	Membrane Filter	<b>TNI</b>	The NELAC (National Environmental Laboratory Accreditation Council) Institute
<b>mg</b>	milligram (1000mg = 1g)		
<b><math>\mu\text{g}</math></b>	microgram (1000 $\mu\text{g}$ = 1mg)		
<b>ml</b>	milliliter (1000ml = 1L)	<b>TNTC</b>	Too numerous to count
<b><math>\mu\text{l}</math></b>	microliter (1000 $\mu\text{l}$ = 1ml)	<b>*</b>	When attached to a compound name, indicates this analyte was analyzed by Method SW-846 8270 SIM
<b><math>\mu\text{mhos}</math></b>	Conductivity units - resistance expressed in ohms		
<b>MPN</b>	Most Probable Number	<b>^</b>	When attached to a compound name, indicates this analyte was analyzed by Method SW-846 8011 or EPA 504.1
<b>MS</b>	Matrix Spike		
<b>MSD</b>	Matrix Spike Duplicate		
<b>NA</b>	Not applicable	<b>&lt;</b>	Less than; In conjunction with a numerical value, indicates a concentration less than the RL or MDL
<b>NC</b>	Not calculated		

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SAMPLE DELIVERY GROUP CASE NARRATIVE  
(Conformance / Non-Conformance Summary)

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SAMPLE DELIVERY GROUP CASE NARRATIVE

SDG#: E21-00663

Integrated Analytical Laboratories, LLC. received five (5) samples\*\* from Simple Tank Services (IAL SDG# E21-00663, Project: 20-711) on January 29, 2021 for the analysis of :

( 5 ) NJ-EPH (DRO) Cat 1

\*\*Number of samples listed above may be greater than what is listed on the chain of custody. Any samples that require in-house filtration or splitting will be counted as separate samples.

Samples were received in good condition with documentation in order.  
Cooler temperature was acceptable at 4 ± 2 degree C.

NJ-EPH-DRO By Method 10.08 Rev 3	Batch: 210203-05	Matrix: Soil
----------------------------------	------------------	--------------

- QC**
- Calibration curve met QC criteria.
  - Surrogate percent recovery met QC criteria.
  - Method blank met QC criteria.
  - RPD between LCS/LCSD met QC criteria.
  - LCS/LCSD Percent Recovery met QC criteria.
  - MS Percent Recovery met QC criteria.
  - RPD between the Sample/Duplicate met QC criteria.
- E21-00663**
- All samples were received within holding time.
  - All samples were extracted within holding time.
  - All samples were analyzed within holding time.
  - Retention Time Shift met QC criteria.

Dilution Summary:

Sample ID	DF(s)	Dilution For
E21-00663-001	1	NA
E21-00663-002	1	NA
E21-00663-003	1	NA
E21-00663-004	1	NA
E21-00663-005	1	NA

A review of the QA/QC measures for the analysis of the sample(s) contained in this report has been performed by:

  
\_\_\_\_\_  
Reviewed by

\_\_\_\_\_  
2/8/2021  
Date

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**DATA OF KNOWN QUALITY CONFORMANCE/NON-CONFORMANCE  
SUMMARY QUESTIONNAIRE**

**Laboratory Name:** Integrated Analytical Laboratories

**Client:** Simple Tank Services

**Project Location:** 20-711

**IAL Project #:** E21-00663

**IAL Sample ID(s):** E21-00663-001 ~ -005

**Sampling Date(s):** 1/28/2021

**List of DKQP Method Used:**

NJ-EPH (DRO) Cat 1 by Method 10.08 Rev 3

**Notes:** For all questions to which the response was "No" (with the exception of question #7), additional information is provided in the case narrative. If the answer to question #1, #1A, or #1B is "No", the data package does not meet the requirements for "Data of Known Quality."

		YES	NO	N/A
1	For each analytical method referenced in this laboratory report package, were all specified QA/QC performance criteria followed, including the requirement to explain any criteria falling outside of acceptable guidelines, as specified in the NJDEP	X		
1A	Were the method specified handling, preservation, and holding time requirements met?	X		
1B	EPH Method: Was the EPH method conducted without significant modifications? (see Section 11.3 of respective DKQ methods)	X		
2	Were all samples received by the laboratory in a condition consistent with that described on the associated chain-of-custody document(s)?	X		
3	Were samples received at an appropriate temperature (4±2° C)?	X		
4	Were all QA/QC performance criteria specified in the NJDEP DKQP standards achieved?	X		
5A	Were reporting limits specified or referenced on the chain-of-custody or communicated to the laboratory prior to sample receipt?	X		
5B	Were these reporting limits met?	X		
6	For each analytical method referenced in this laboratory report package, were results reported for all constituents identified in the method-specific analyte lists presented in the DKQP documents and/or site-specific QAPP?	X		
7	Are project-specific matrix spikes and/or laboratory duplicates included in this data set?		X	

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RESULTS SUMMARY REPORT

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**SUMMARY REPORT**  
 Client: Simple Tank Services  
 Project: 20-711  
 Lab Case No.: E21-00663

Lab ID:	00663-001	00663-002	00663-003	00663-004					
Client ID:	01	02	03	04					
Depth:	/8.0	/8.0	/8.0	/8.0					
Matrix:	Soil	Soil	Soil	Soil					
Sampled Date	1/28/21	1/28/21	1/28/21	1/28/21					
PARAMETER(Units)	Conc	Q	MDL	Conc	Q	MDL	Conc	Q	MDL
<b>NJ-EPH-DRO (Units)</b>	<i>(ug/wipe)</i>		<i>(mg/Kg)</i>		<i>(mg/Kg)</i>		<i>(mg/Kg)</i>		
C9-C28	ND	24.3	ND	22.0	ND	21.9	ND	22.7	
C28-C40	ND	24.3	ND	22.0	ND	21.9	ND	22.7	
C9-C40 Total	ND	24.3	ND	22.0	ND	21.9	ND	22.7	

Lab ID:	00663-005		
Client ID:	05		
Depth:	/8.0		
Matrix:	Soil		
Sampled Date	1/28/21		
PARAMETER(Units)	Conc	Q	MDL
<b>NJ-EPH-DRO (Units)</b>	<i>(mg/Kg)</i>		
C9-C28	ND	21.3	
C28-C40	ND	21.3	
C9-C40 Total	ND	21.3	

ND = Analyzed for but Not Detected at the MDL

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ANALYTICAL RESULTS

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

INTEGRATED ANALYTICAL LABORATORIES

NJ-EPH-DRO

Lab ID: E21-00663-001  
 Client ID: 01/8.0  
 Date Received: 01/29/2021  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8620.D

GC Column: RTX-5  
 Sample wt/vol: 10.27g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: 20.0

Compound	Concentration	Q	RL	MDL
C9-C28	ND		60.9	24.3
C28-C40	ND		60.9	24.3
C9-C40 Total	ND		60.9	24.3

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INTEGRATED ANALYTICAL LABORATORIES

NJ-EPH-DRO

Lab ID: E21-00663-002  
 Client ID: 02/8.0  
 Date Received: 01/29/2021  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8621.D

GC Column: RTX-5  
 Sample wt/vol: 10.45g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: 13.2

Compound	Concentration	Q	RL	MDL
C9-C28	ND		55.1	22.0
C28-C40	ND		55.1	22.0
C9-C40 Total	ND		55.1	22.0

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INTEGRATED ANALYTICAL LABORATORIES

NJ-EPH-DRO

Lab ID: E21-00663-003  
 Client ID: 03/8.0  
 Date Received: 01/29/2021  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8622.D

GC Column: RTX-5  
 Sample wt/vol: 10.38g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: 11.9

Compound	Concentration	Q	RL	MDL
C9-C28	ND		54.7	21.9
C28-C40	ND		54.7	21.9
C9-C40 Total	ND		54.7	21.9

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INTEGRATED ANALYTICAL LABORATORIES

NJ-EPH-DRO

Lab ID: E21-00663-004  
 Client ID: 04/8.0  
 Date Received: 01/29/2021  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8623.D

GC Column: RTX-5  
 Sample wt/vol: 10.06g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: 12.4

Compound	Concentration	Q	RL	MDL
C9-C28	ND		56.7	22.7
C28-C40	ND		56.7	22.7
C9-C40 Total	ND		56.7	22.7

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INTEGRATED ANALYTICAL LABORATORIES  
 NJ-EPH-DRO

Lab ID: E21-00663-005  
 Client ID: 05/8.0  
 Date Received: 01/29/2021  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8624.D

GC Column: RTX-5  
 Sample wt/vol: 10.82g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: 13.3

Compound	Concentration	Q	RL	MDL
C9-C28	ND		53.3	21.3
C28-C40	ND		53.3	21.3
C9-C40 Total	ND		53.3	21.3

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DRO  
EXTRACTABLE PETROLEUM HYDROCARBON

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QC SUMMARY

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NJ-EPH-DRO SURROGATE PERCENT RECOVERY SUMMARY

Instrument ID: GC-Z

Column: RTX-5

Client ID	Lab Sample ID	Matrix	Date Analyzed	Time Analyzed	COD		OTP	
					% rec	#	% rec	#
NJ-EPH-D	BLKS210203-05	SOIL	02/04/2021	17:08	57		49	
NJ-EPH-D	LCSS210203-05	SOIL	02/04/2021	17:30	62		58	
NJ-EPH-D	LCSDS210203-05	SOIL	02/04/2021	17:52	66		62	
PR-6/7	E21-00660-006	SOIL	02/04/2021	18:14	69		50	
01/6.0	E21-00662-001	SOIL	02/04/2021	18:36	69		61	
02/6.0	E21-00662-002	SOIL	02/04/2021	18:58	58		50	
03/6.0	E21-00662-003	SOIL	02/04/2021	19:20	59		52	
04/6.0	E21-00662-004	SOIL	02/04/2021	19:43	62		54	
05/6.0	E21-00662-005	SOIL	02/04/2021	20:05	59		53	
06/6.0	E21-00662-006	SOIL	02/04/2021	20:27	60		52	
07/2.0	E21-00662-007	SOIL	02/04/2021	20:49	75		66	
01/8.0	E21-00663-001	SOIL	02/04/2021	21:11	62		54	
02/8.0	E21-00663-002	SOIL	02/04/2021	21:33	62		54	
03/8.0	E21-00663-003	SOIL	02/04/2021	21:55	60		53	
04/8.0	E21-00663-004	SOIL	02/04/2021	22:17	63		54	
05/8.0	E21-00663-005	SOIL	02/04/2021	22:39	89		78	
PR-1	E21-00636-019	SOIL	02/04/2021	23:01	68		60	
PR-2	E21-00657-001	SOIL	02/04/2021	23:23	69		61	
PR-3	E21-00657-002	SOIL	02/04/2021	23:45	67		58	
S-1	E21-00665-001	SOIL	02/05/2021	0:07	64		78	
S-2	E21-00665-002	SOIL	02/05/2021	0:29	78		105	
S-3	E21-00665-003	SOIL	02/05/2021	0:51	63		56	
S-4	E21-00665-004	SOIL	02/05/2021	1:13	78		160	*
01/6.0	E21-00662-001DUP	SOIL	02/05/2021	1:35	77		69	
NJ-EPH-D	E21-00662-001MS	SOIL	02/05/2021	1:57	52		50	

Surrogate QC Limits	Soil	Aqueous
OTP = o-Terphenyl	40 - 140	40 - 140
COD = 1-Chlorooctadecane	40 - 140	40 - 140

# Column to be used to flag recovery values  
 \* = Values outside of QC Limits  
 D = Surrogate diluted out  
 M = Matrix interference

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NJ-EPH-DRO LCS/LCSD ACCURACY REPORT

BS Lab Sample ID: LCSDS210203-05

GC Column: RTX-5

Date Extracted: 02/03/2021

Sample wt/vol 10.0g

Date Analyzed: 02/04/2021

Matrix-Units: Soil-mg/Kg

COMPOUND	SPIKE ADDED (mg/Kg)	SAMPLE CONC. (mg/Kg)	LCS CONC. (mg/Kg)	LCS % REC #	QC LIMITS REC
C9-C28	3000	0	1730	57.8	40 - 140

COMPOUND	SAMPLE CONC. (mg/Kg)	LCSD CONC. (mg/Kg)	LCSD % REC #		QC LIMITS REC	
			REC #	RPD #	RPD	REC
C9-C28	0	1910	63.6	9.55	25	40 - 140

# Column to be used to flag recovery and RPD values with an asterisk

\* = Values outside of QC Limits

NC = Non calculable

RPD: 0 out of 1 outside limits

Spike Recovery: 0 out of 2 outside limits

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NJ-EPH-DRO MS ACCURACY REPORT

MS Lab Sample ID E21-00662-001MS

GC Column: RTX-5

Date Extracted: 02/03/2021

Sample wt/vol 10.2g

Date Analyzed: 02/05/2021

Matrix-Units: Soil-mg/Kg

COMPOUND	SPIKE ADDED (mg/Kg)	SAMPLE CONC. (mg/Kg)	MS CONC. (mg/Kg)	MS % REC #	QC LIMITS REC
C9-C28	3000	0	1570	52.4	40 - 140

# Column to be used to flag recovery values with an asterisk

\* = Values outside of QC Limits

NC = Non calculable

Spike Recovery: 0 out of 1 outside limits

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INTEGRATED ANALYTICAL LABORATORIES  
 NJ-EPH-DRO DUPLICATE RESULTS SUMMARY

Client ID: 01/6.0	GC Column: RTX-5
Date Received: 01/29/2021	Matrix-Units: Soil-mg/Kg
Date Extracted: 02/03/2021	% Moisture: 5.70
Lab ID: E21-00662-001	Lab ID: E21-00662-001DUP
Sample wt/vol: 10.48g	Sample wt/vol: 10.51g
Date Analyzed: 02/04/2021	Date Analyzed: 02/05/2021
Aliphatics Sample Data File: Z8613.D	Aliphatics Sample Dup Data File: Z8632.D
Dilution Factor: 1	Dilution Factor: 1

Compound	Concentration	Sample Dup Conc	% RPD
C9-C28	ND	ND	NC
C28-C40	ND	ND	NC
C9-C40 Total	ND	ND	NC

	Aqueous	Soil/Sediment
Sample/Sample Duplicate PRECISION (% RPD)	50	50
NC -- Not Calculable		

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NJ-EPH-DRO METHOD BLANK SUMMARY

Lab File ID: Z8609.D

Instrument ID: GC-Z

Date Extracted: 02/03/2021

Matrix: SOIL

Date Analyzed: 02/04/2021

Time Analyzed: 17:08

THIS METHOD BLANK APPLIES TO THE FOLLOWING SAMPLES, LCS and LCSD, MS or MSD:

Client ID	Lab Sample ID	Date Analyzed	Time Analyzed
NJ-EPH-D	LCSS210203-05	02/04/2021	17:30
NJ-EPH-D	LCSDS210203-05	02/04/2021	17:52
PR-6/7	E21-00660-006	02/04/2021	18:14
01/6.0	E21-00662-001	02/04/2021	18:36
02/6.0	E21-00662-002	02/04/2021	18:58
03/6.0	E21-00662-003	02/04/2021	19:20
04/6.0	E21-00662-004	02/04/2021	19:43
05/6.0	E21-00662-005	02/04/2021	20:05
06/6.0	E21-00662-006	02/04/2021	20:27
07/2.0	E21-00662-007	02/04/2021	20:49
01/8.0	E21-00663-001	02/04/2021	21:11
02/8.0	E21-00663-002	02/04/2021	21:33
03/8.0	E21-00663-003	02/04/2021	21:55
04/8.0	E21-00663-004	02/04/2021	22:17
05/8.0	E21-00663-005	02/04/2021	22:39
PR-1	E21-00636-019	02/04/2021	23:01
PR-2	E21-00657-001	02/04/2021	23:23
PR-3	E21-00657-002	02/04/2021	23:45
S-1	E21-00665-001	02/05/2021	00:07
S-2	E21-00665-002	02/05/2021	00:29
S-3	E21-00665-003	02/05/2021	00:51
S-4	E21-00665-004	02/05/2021	01:13
01/6.0	E21-00662-001DUP	02/05/2021	01:35
NJ-EPH-D	E21-00662-001MS	02/05/2021	01:57

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DRO  
EXTRACTABLE PETROLEUM HYDROCARBON  
SAMPLE DATA

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8620.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 21:11  
 Operator : Chad  
 Sample : 01/8.0,E21-00663-001,S,10.27g,20.0.1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 14 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:56:52 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.178	11569606	62.202 ng
Spiked Amount 100.000		Recovery =	62.20%
23) S o-Terphenyl	6.478	13623137	53.916 ng
Spiked Amount 100.000		Recovery =	53.92%
Target Compounds			

(f)=RT Delta > 1/2 Window

(m)=manual int.



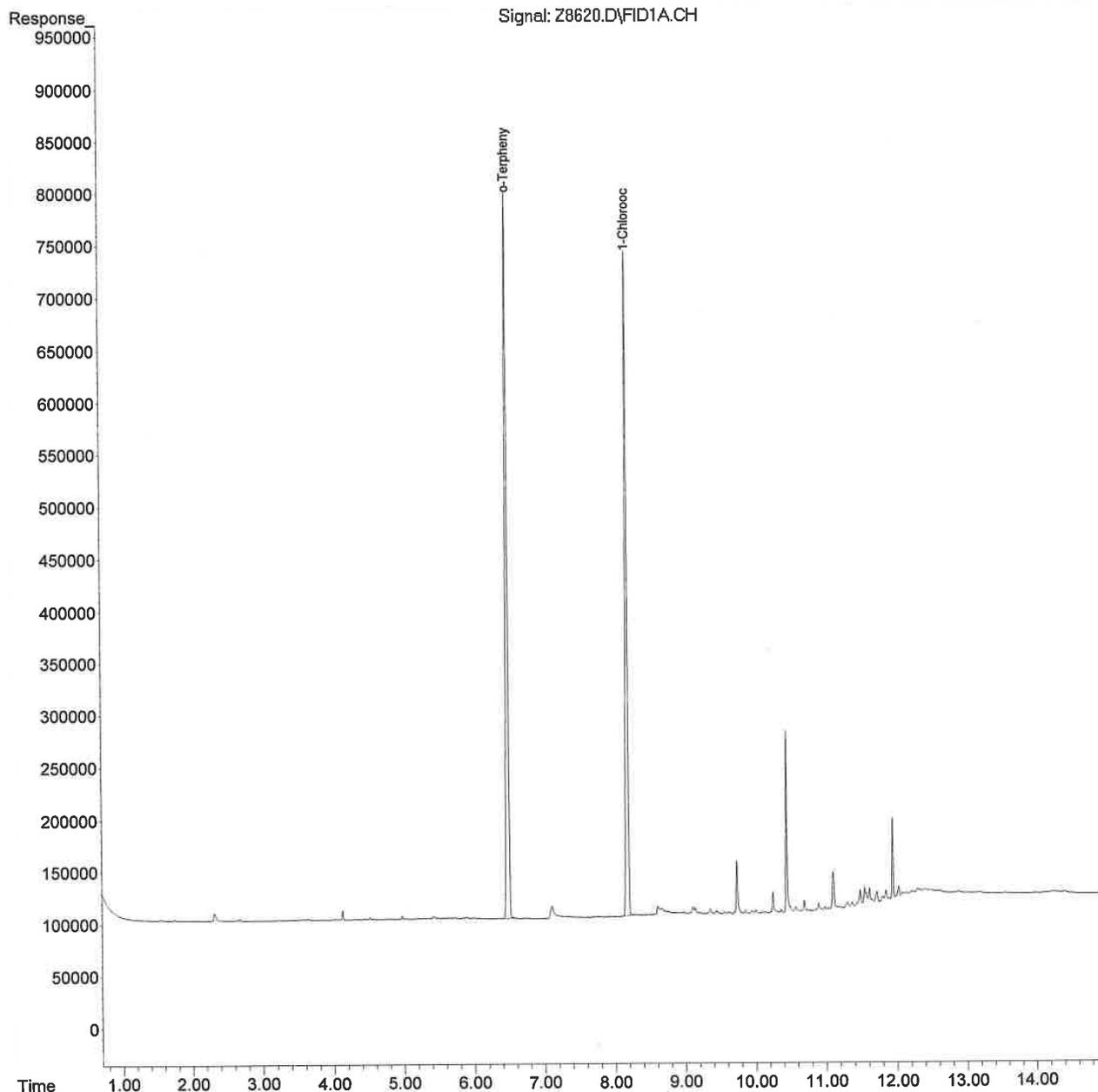
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8620.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 21:11  
Operator : Chad  
Sample : 01/8.0.E21-00663-001,S,10.27g,20.0,1  
Misc : 210203-05,02/03/21,01/29/21,1  
ALS Vial : 14 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 13:56:52 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8621.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 21:33  
 Operator : Chad  
 Sample : 02/8.0,E21-00663-002,S,10.45g,13.2,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 15 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:57:21 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.178	11547320	62.082 ng
Spiked Amount 100.000		Recovery =	62.08%
23) S o-Terphenyl	6.478	13682193	54.150 ng
Spiked Amount 100.000		Recovery =	54.15%

Target Compounds

(f)=RT Delta > 1/2 Window

(m)=manual int.

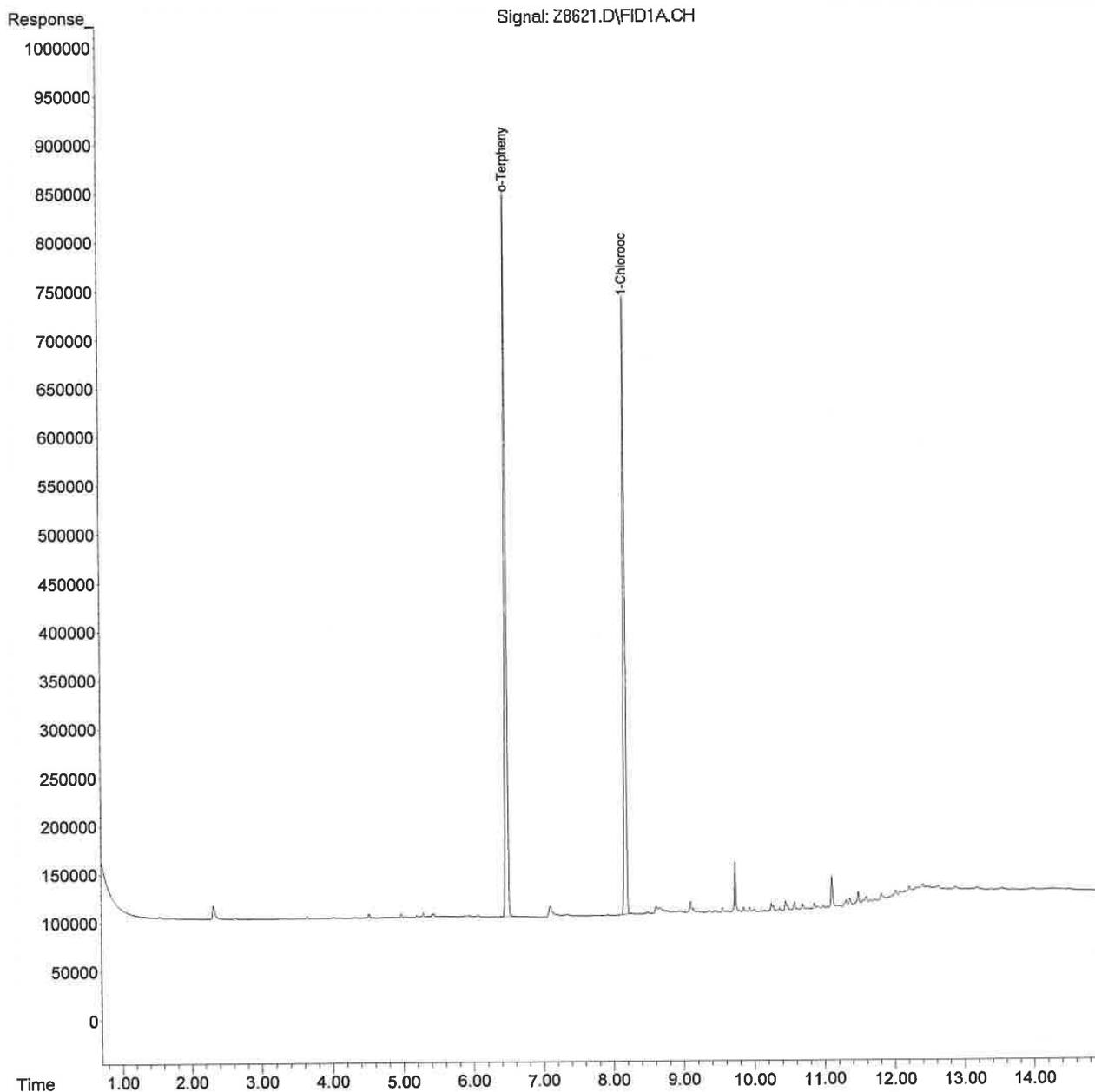
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8621.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 21:33  
Operator : Chad  
Sample : 02/8.0,E21-00663-002,S,10.45g,13.2,1  
Misc : 210203-05,02/03/21,01/29/21,1  
ALS Vial : 15 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 13:57:21 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8622.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 21:55  
 Operator : Chad  
 Sample : 03/8.0,E21-00663-003,S,10.38g,11.9,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 16 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:57:31 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.177	11151647	59.955 ng
Spiked Amount 100.000		Recovery =	59.96%
23) S o-Terphenyl	6.478	13406810	53.060 ng
Spiked Amount 100.000		Recovery =	53.06%

Target Compounds

(f)=RT Delta > 1/2 Window

(m)=manual int.



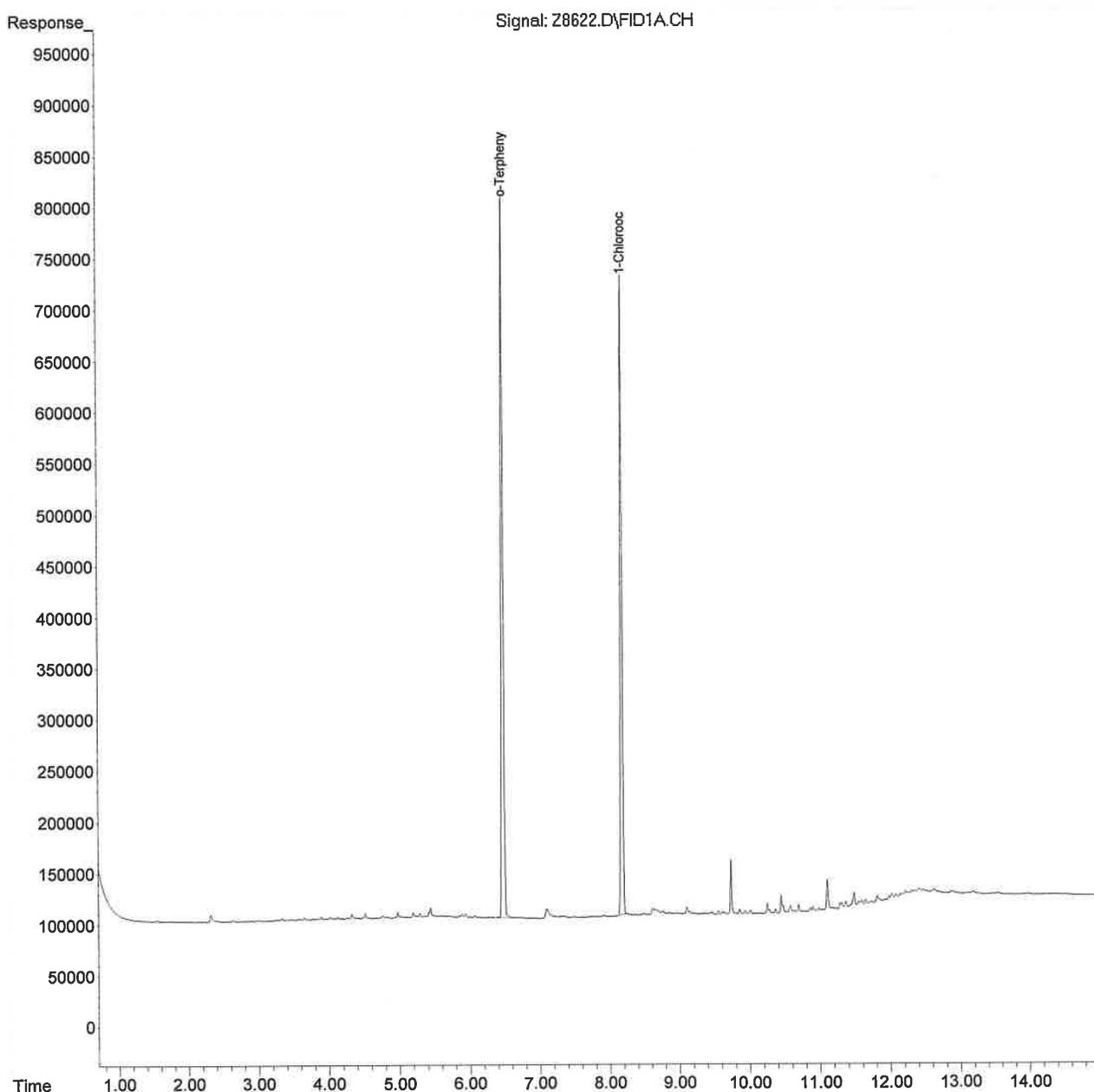
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8622.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 21:55  
 Operator : Chad  
 Sample : 03/8.0,E21-00663-003,S,10.38g,11.9,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 16 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:57:31 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8623.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 22:17  
 Operator : Chad  
 Sample : 04/8.0,E21-00663-004,S,10.06g,12.4,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 17 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:58:01 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.177	11660191	62.689 ng
Spiked Amount 100.000		Recovery =	62.69%
23) S o-Terphenyl	6.477	13631502	53.949 ng
Spiked Amount 100.000		Recovery =	53.95%

Target Compounds

(f)=RT Delta > 1/2 Window

(m)=manual int.

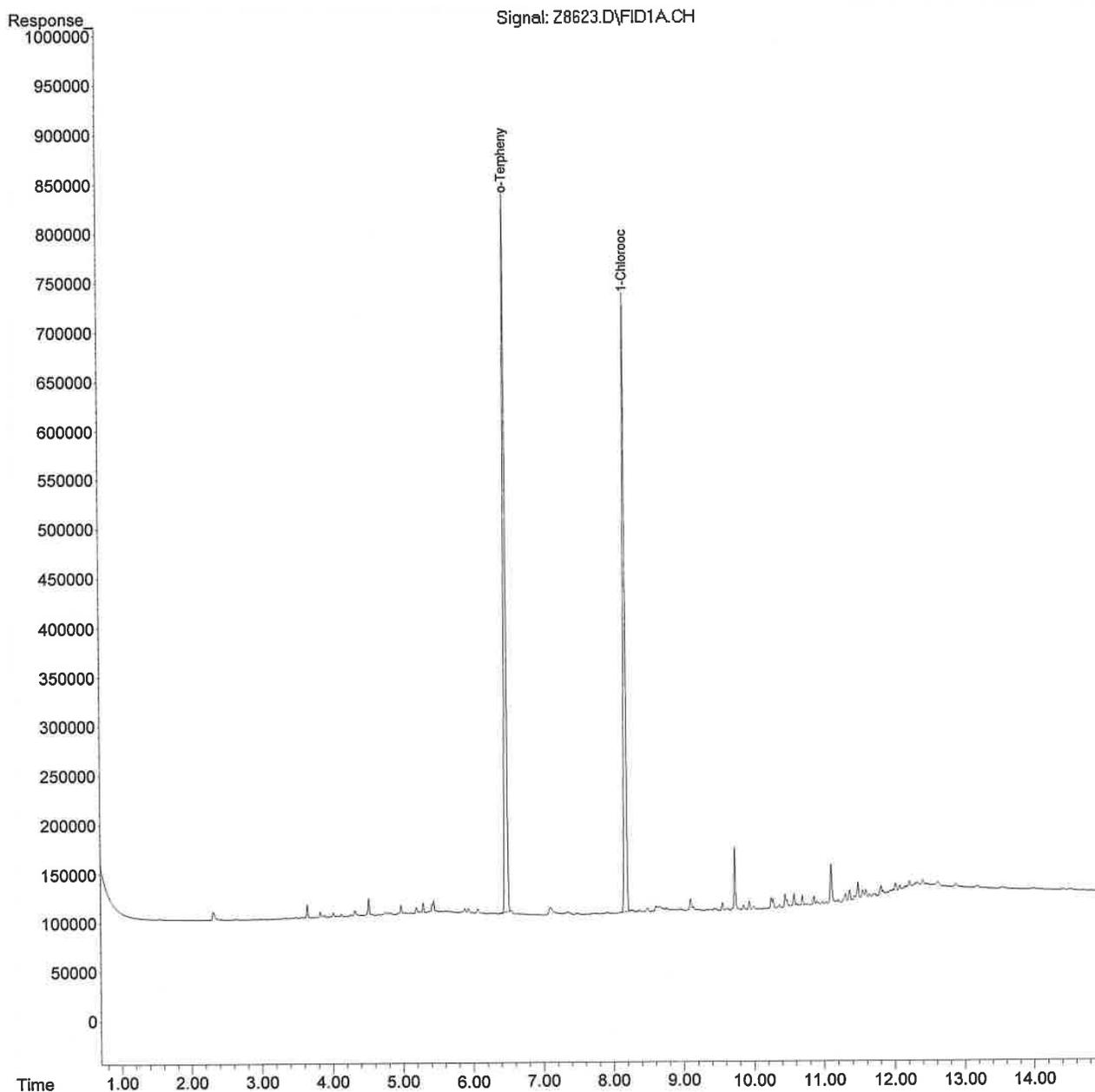
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8623.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 22:17  
 Operator : Chad  
 Sample : 04/8.0,E21-00663-004,S,10.06g,12.4,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 17 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:58:01 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8624.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 22:39  
 Operator : Chad  
 Sample : 05/8.0,E21-00663-005,S,10.82g,13.3,1  
 Misc : 210203-05,02/03/21,01/29/21.1  
 ALS Vial : 18 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 13:58:12 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
<b>System Monitoring Compounds</b>			
1) S 1-Chlorooctadecane	8.178	16562614	89.046 ng
Spiked Amount 100.000		Recovery =	89.05%
23) S o-Terphenyl	6.478	19787315	78.312 ng
Spiked Amount 100.000		Recovery =	78.31%
<b>Target Compounds</b>			

(f)=RT Delta > 1/2 Window (m)=manual int.

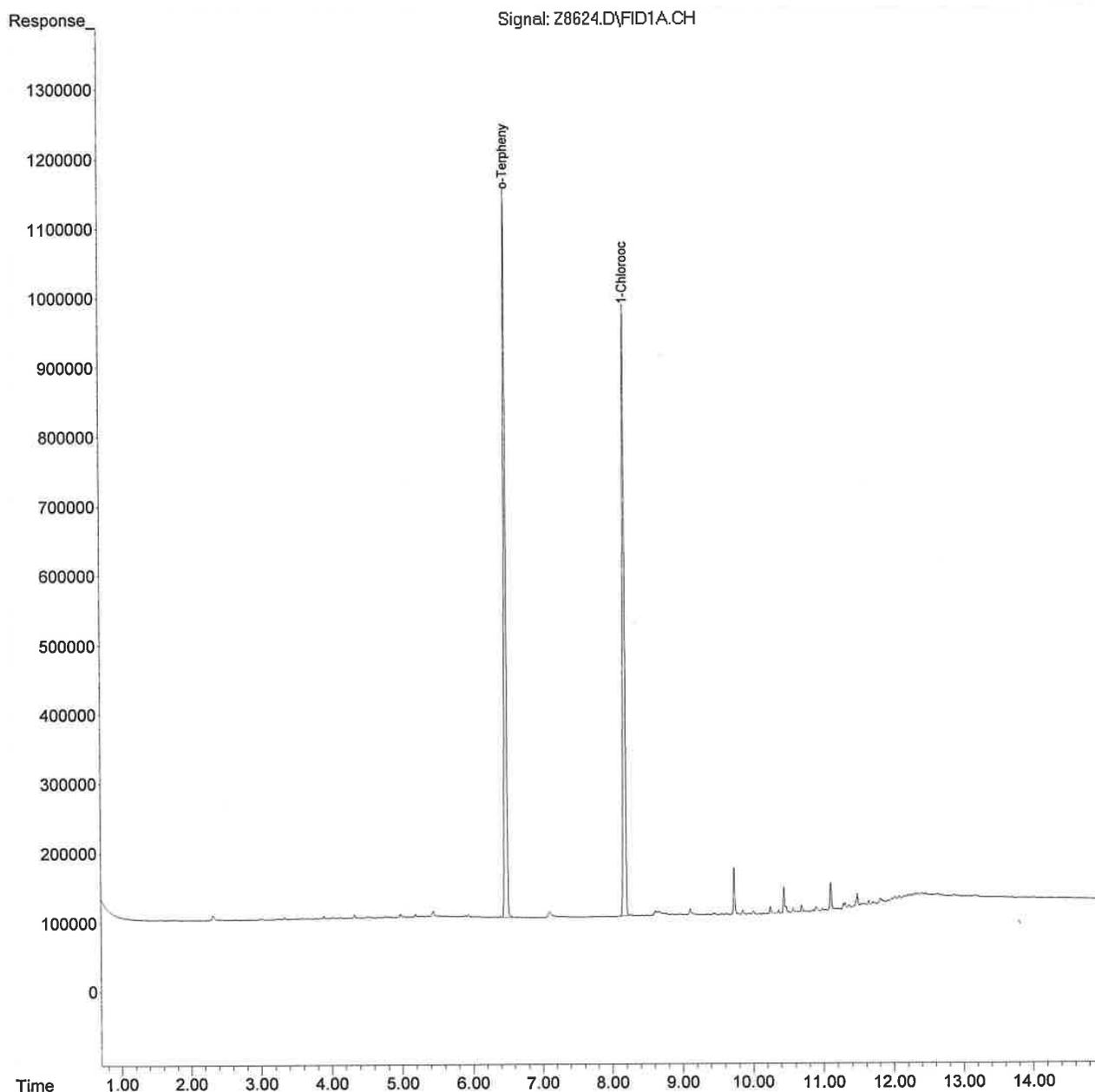
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8624.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 22:39  
Operator : Chad  
Sample : 05/8.0,E21-00663-005,S,10.82g,13.3,1  
Misc : 210203-05,02/03/21,01/29/21,1  
ALS Vial : 18 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 13:58:12 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

DRO  
EXTRACTABLE PETROLEUM HYDROCARBON  
STANDARDS

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NJ-EPH-DRO INITIAL CALIBRATION SUMMARY

Date Analyzed: 01/19/2021 Instrument ID: GC-Z  
 GC Column : RTX-5

Data File: Z8424.D Z8423.D Z8422.D Z8421.D Z8420.D

Compound	RT OF STANDARDS					MEAN RT	RT WINDOW	
	20	100	250	500	1000		FROM	TO
n-Nonane (C9)	0.89	0.90	0.90	0.90	0.91	0.90	0.82	0.97
n-Decane (C10)	1.54	1.54	1.55	1.55	1.56	1.55	1.47	1.62
n-Dodecane (C12)	2.90	2.90	2.91	2.92	2.93	2.91	2.83	2.98
n-Tetradecane (C14)	4.02	4.02	4.03	4.04	4.04	4.03	3.95	4.10
n-Hexadecane (C16)	4.98	4.99	4.99	5.00	5.01	4.99	4.91	5.07
n-Octadecane (C18)	5.90	5.90	5.91	5.92	5.93	5.91	5.83	5.99
n-Eicosane (C20)	7.51	7.52	7.54	7.56	7.58	7.54	7.46	7.62
n-Heneicosane (C21)	8.28	8.29	8.30	8.31	8.33	8.30	8.22	8.38
n-Docosane (C22)	8.77	8.77	8.78	8.79	8.80	8.78	8.69	8.87
n-Tetracosane (C24)	9.47	9.47	9.48	9.49	9.50	9.48	9.39	9.57
n-Hexacosane (C26)	10.02	10.02	10.02	10.03	10.04	10.03	9.94	10.12
n-Octacosane (C28)	10.48	10.48	10.49	10.49	10.50	10.49	10.40	10.58
n-Triacontane (C30)	10.90	10.90	10.91	10.91	10.92	10.91	10.81	11.01
n-Dotriacontane (C32)	11.29	11.29	11.29	11.30	11.31	11.30	11.20	11.40
n-Tetratriacontane (C34)	11.65	11.65	11.65	11.66	11.67	11.66	11.56	11.76
n-Hexatriacontane (C36)	11.98	11.99	11.99	12.00	12.01	11.99	11.84	12.14
n-Octatriacontane (C38)	12.30	12.31	12.31	12.32	12.33	12.31	12.16	12.46
n-Tetracontane (C40)	12.65	12.66	12.66	12.67	12.69	12.67	12.52	12.82
C9-C28	5.88	5.88	5.88	5.88	5.88	5.88	5.78	5.98
C28-C40	11.95	11.95	11.95	11.95	11.95	11.95	11.85	12.05
C9-C40	7.03	7.03	7.03	7.03	7.03	7.03	6.92	7.14

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NJ-EPH-DRO INITIAL CALIBRATION SUMMARY

Date Analyzed: 01/19/2021 Instrument ID: GC-Z  
 GC Column : RTX-5

Data File: Z8424.D Z8423.D Z8422.D Z8421.D Z8420.D

Compound	CALIBRATION FACTORS					MEAN	%RSD
	20	100	250	500	1000		
n-Nonane (C9)	263867	240352	291957	231770	235042	252598	10.03
n-Decane (C10)	267568	242558	295644	234370	235068	255042	10.35
n-Dodecane (C12)	265260	239380	291205	229106	228103	250611	10.85
n-Tetradecane (C14)	264413	234917	285948	225106	220144	246105	11.43
n-Hexadecane (C16)	264593	230298	278448	221134	212724	241439	11.84
n-Octadecane (C18)	268030	228439	272915	220194	209070	239729	12.07
n-Eicosane (C20)	264478	221934	261301	215258	202295	233053	12.08
n-Heneicosane (C21)	262506	218796	254420	209454	193666	227768	12.98
n-Docosane (C22)	259111	215132	248608	210000	197135	225997	11.74
n-Tetracosane (C24)	249677	207049	234591	203788	191915	217404	10.98
n-Hexacosane (C26)	239046	199274	221830	199029	187909	209418	9.86
n-Octacosane (C28)	228845	192757	211536	197212	187396	203549	8.23
n-Triacontane (C30)	218246	186923	204128	196794	187714	198761	6.53
n-Dotriacontane (C32)	203026	180992	198549	195554	187362	193096	4.59
n-Tetratriacontane (C34)	192888	177919	196445	194266	186870	189678	3.94
n-Hexatriacontane (C36)	192803	179877	200121	195807	189208	191563	4.00
n-Octatriacontane (C38)	189627	177349	198638	192373	186733	188944	4.15
n-Tetracontane (C40)	191860	178757	200790	193257	187557	190444	4.25
C9-C28	280073	227747	272575	221743	210489	242525	13.02
C28-C40	252246	190743	204248	197194	189160	206718	12.64
C9-C40	290794	219204	251440	214498	203898	235967	15.01

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8420.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 11:11  
 Operator : Chad  
 Sample : ALI\_L5\_IAS\_7345,1000\_PPM  
 Misc : ,NA,NA,1  
 ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:20:20 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:19:49 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.227	166188444	893.485 ng
Spiked Amount	100.000	Recovery	= 893.49%
23) S o-Terphenyl	6.544	221363312	876.084 ng
Spiked Amount	100.000	Recovery	= 876.08%
Target Compounds			
2) T n-Nonane (C9)	0.909	235042022	930.501 ng
3) T n-Decane (C10)	1.560	235067990	921.685 ng
4) T n-Dodecane (C12)	2.926	228103492	910.189 ng
5) T n-Tetradecane (C14)	4.045	220143805	894.510 ng
6) T n-Hexadecane (C16)	5.006	212723656	881.065 ng
7) T n-Octadecane (C18)	5.932	209069512	872.107 ng
8) T n-Eicosane (C20)	7.583	202295276	868.022 ng
9) T n-Heneicosane (C21)	8.326	193666300	850.277 ng
10) T n-Docosane (C22)	8.802	197134509	872.288 ng
11) T n-Tetracosane (C24)	9.498	191915489	882.759 ng
12) T n-Hexacosane (C26)	10.039	187908864	897.294 ng
13) T n-Octacosane (C28)	10.503	187395765	920.641 ng
14) T n-Triacontane (C30)	10.923	187713545	944.419 ng
15) T n-Dotriacontane (C32)	11.309	187362116	970.303 ng
16) T n-Tetracontane (C34)	11.669	186869784	985.197 ng
17) T n-Hexatriacontane (C36)	12.007	189207773	987.705 ng
18) T n-Octatriacontane (C38)	12.327	186733295	988.145 ng
19) T n-Tetracontane (C40)	12.690	187556921	984.839 ng
20) H C9-C28	5.875	2525871332	10414.875 ng
21) H C28-C40	11.950	1134957720	5490.369 ng
22) H C9-C40	7.025	3670158503	15553.700 ng

(f)=RT Delta &gt; 1/2 Window

(m)=manual int.

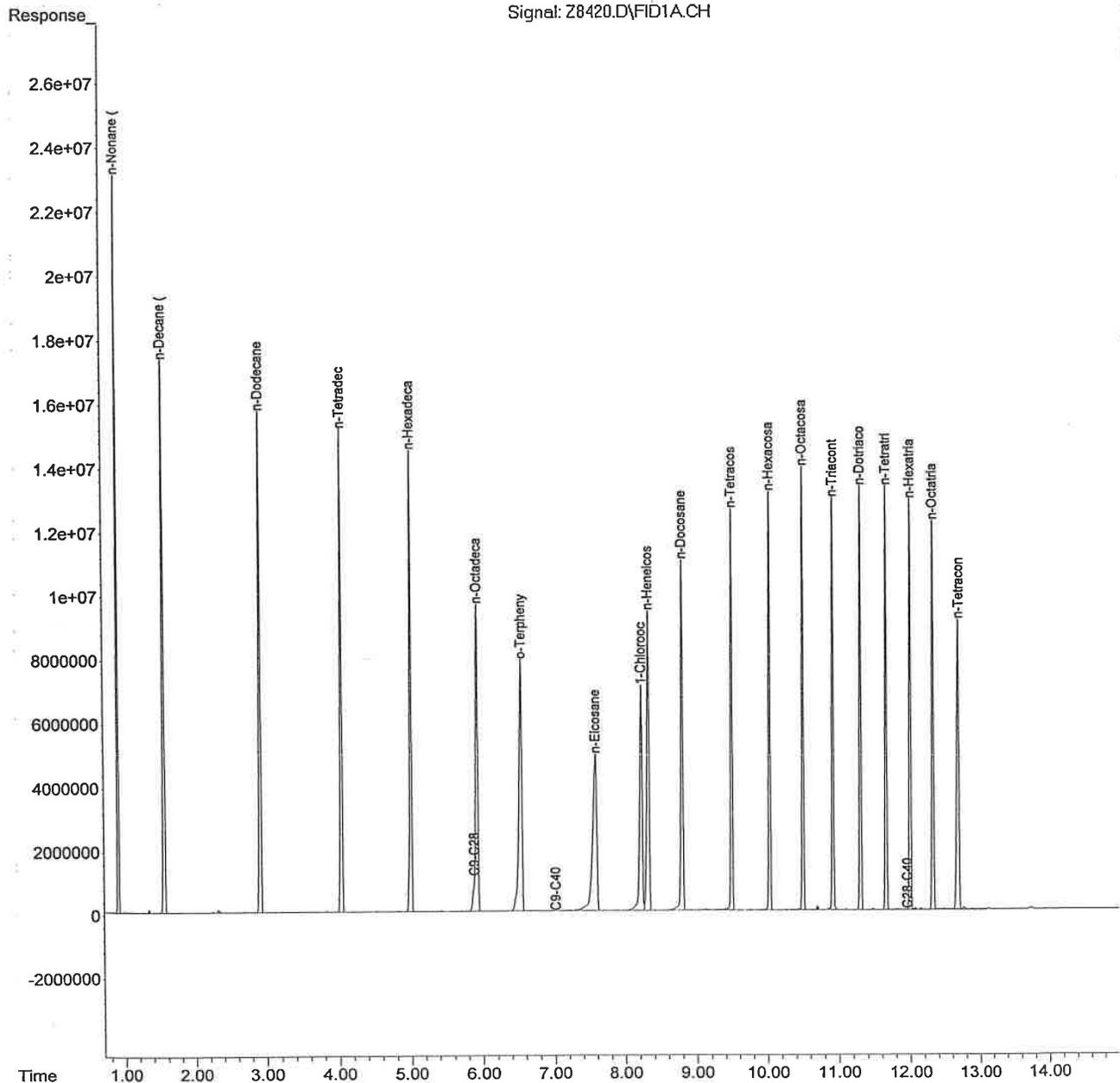
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8420.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 11:11  
Operator : Chad  
Sample : ALI\_L5\_IAS\_7345.1000\_PPM  
Misc : ,NA,NA,1  
ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:20:20 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:19:49 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8421.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 11:33  
 Operator : Chad  
 Sample : ALI\_L4\_IAS\_7346.500\_PPM  
 Misc : ,NA,NA.1  
 ALS Vial : 3 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:20:22 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:19:49 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.211	86915845	467.289 ng
Spiked Amount	100.000	Recovery	= 467.29%
23) S o-Terphenyl	6.523	116368364	460.548 ng
Spiked Amount	100.000	Recovery	= 460.55%
Target Compounds			
2) T n-Nonane (C9)	0.901	115884825	458.773 ng
3) T n-Decane (C10)	1.550	117184926	459.474 ng
4) T n-Dodecane (C12)	2.916	114553495	457.097 ng
5) T n-Tetradecane (C14)	4.035	112553265	457.338 ng
6) T n-Hexadecane (C16)	4.998	110566926	457.949 ng
7) T n-Octadecane (C18)	5.918	110096649	459.254 ng
8) T n-Eicosane (C20)	7.559	107629002	461.822 ng
9) T n-Heneicosane (C21)	8.309	104727077	459.796 ng
10) T n-Docosane (C22)	8.789	104999580	464.606 ng
11) T n-Tetracosane (C24)	9.487	101894054	468.685 ng
12) T n-Hexacosane (C26)	10.029	99514290	475.196 ng
13) T n-Octacosane (C28)	10.494	98606108	484.434 ng
14) T n-Triacontane (C30)	10.913	98397000	495.052 ng
15) T n-Dotriacontane (C32)	11.300	97776762	506.362 ng
16) T n-Tetraatriacontane (C34)	11.660	97133206	512.097 ng
17) T n-Hexatriacontane (C36)	11.997	97903556	511.077 ng
18) T n-Octatriacontane (C38)	12.316	96186706	508.995 ng
19) T n-Tetracontane (C40)	12.675	96628336	507.384 ng
20) H C9-C28	5.875	1330455135	5485.839 ng
21) H C28-C40	11.950	591581821	2861.783 ng
22) H C9-C40	7.025	1930481123	8181.152 ng

(f)=RT Delta &gt; 1/2 Window

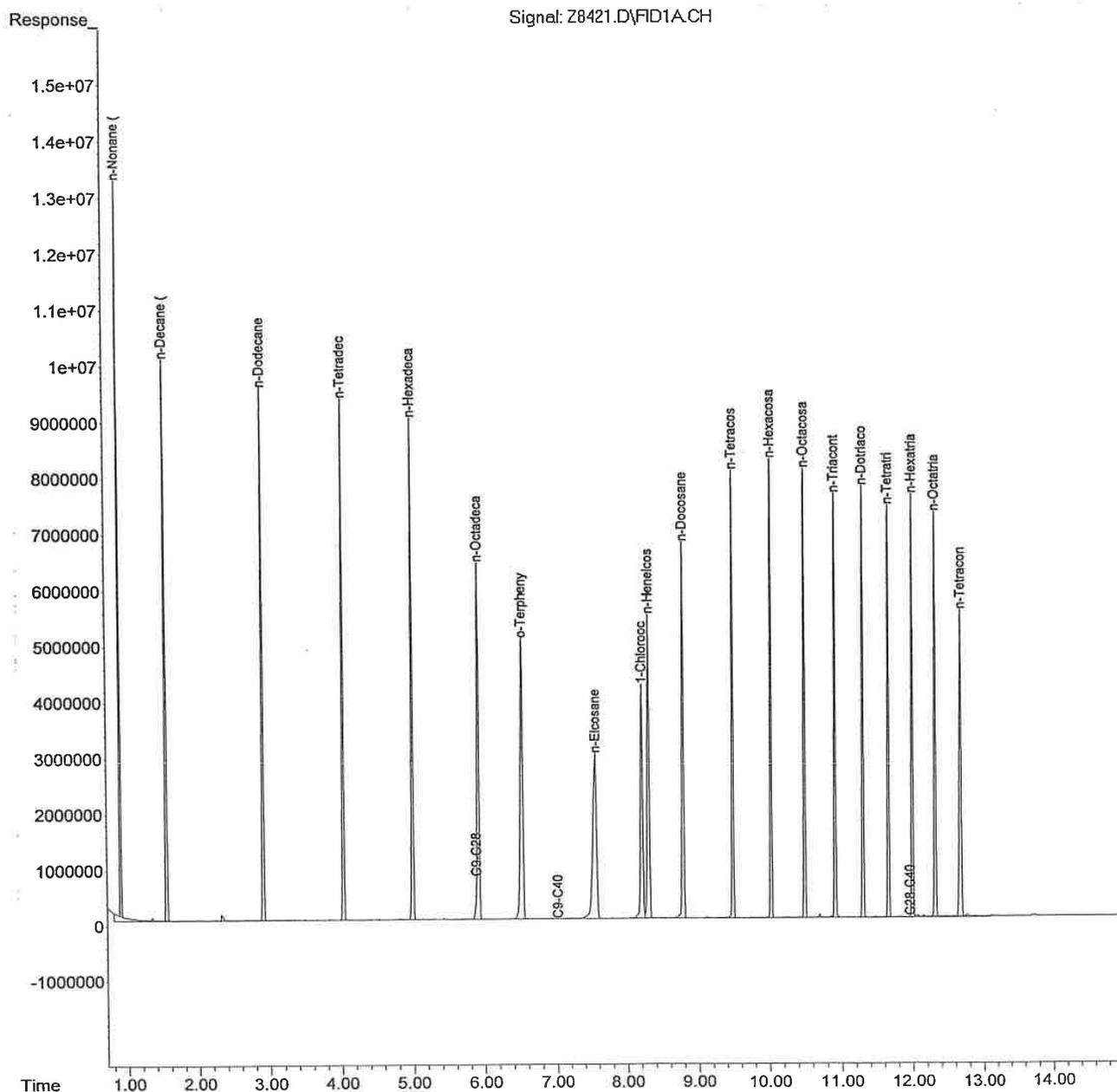
(m)=manual int.

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8421.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 11:33  
Operator : Chad  
Sample : ALI\_L4\_IAS\_7346,500\_PPM  
Misc : ,NA,NA,1  
ALS Vial : 3 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:20:22 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:19:49 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8422.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 11:55  
 Operator : Chad  
 Sample : ALI\_L3\_IAS\_7347.250\_PPM  
 Misc : ,NA,NA,1  
 ALS Vial : 4 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:20:24 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:19:49 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.199	51355436	276.104 ng
Spiked Amount	100.000	Recovery	= 276.10%
23) S o-Terphenyl	6.512	71663851	283.622 ng
Spiked Amount	100.000	Recovery	= 283.62%
Target Compounds			
2) T n-Nonane (C9)	0.900	72989319	288.955 ng
3) T n-Decane (C10)	1.545	73911093	289.800 ng
4) T n-Dodecane (C12)	2.911	72801241	290.495 ng
5) T n-Tetradecane (C14)	4.030	71486857	290.472 ng
6) T n-Hexadecane (C16)	4.992	69611898	288.321 ng
7) T n-Octadecane (C18)	5.912	68228683	284.607 ng
8) T n-Eicosane (C20)	7.539	65325207	280.302 ng
9) T n-Heneicosane (C21)	8.300	63604925	279.253 ng
10) T n-Docosane (C22)	8.782	62152143	275.013 ng
11) T n-Tetracosane (C24)	9.482	58647686	269.764 ng
12) T n-Hexacosane (C26)	10.024	55457587	264.818 ng
13) T n-Octacosane (C28)	10.489	52884129	259.810 ng
14) T n-Triacontane (C30)	10.907	51032027	256.751 ng
15) T n-Dotriacontane (C32)	11.293	49637285	257.060 ng
16) T n-Tetraatriacontane (C34)	11.653	49111207	258.919 ng
17) T n-Hexatriacontane (C36)	11.991	50030232	261.168 ng
18) T n-Octatriacontane (C38)	12.310	49659579	262.786 ng
19) T n-Tetracontane (C40)	12.665	50197452	263.581 ng
20) H C9-C28	5.875	817725203	3371.710 ng
21) H C28-C40	11.950	306371588	1482.076 ng
22) H C9-C40	7.025	1131481308	4795.085 ng

(f)=RT Delta &gt; 1/2 Window

(m)=manual int.

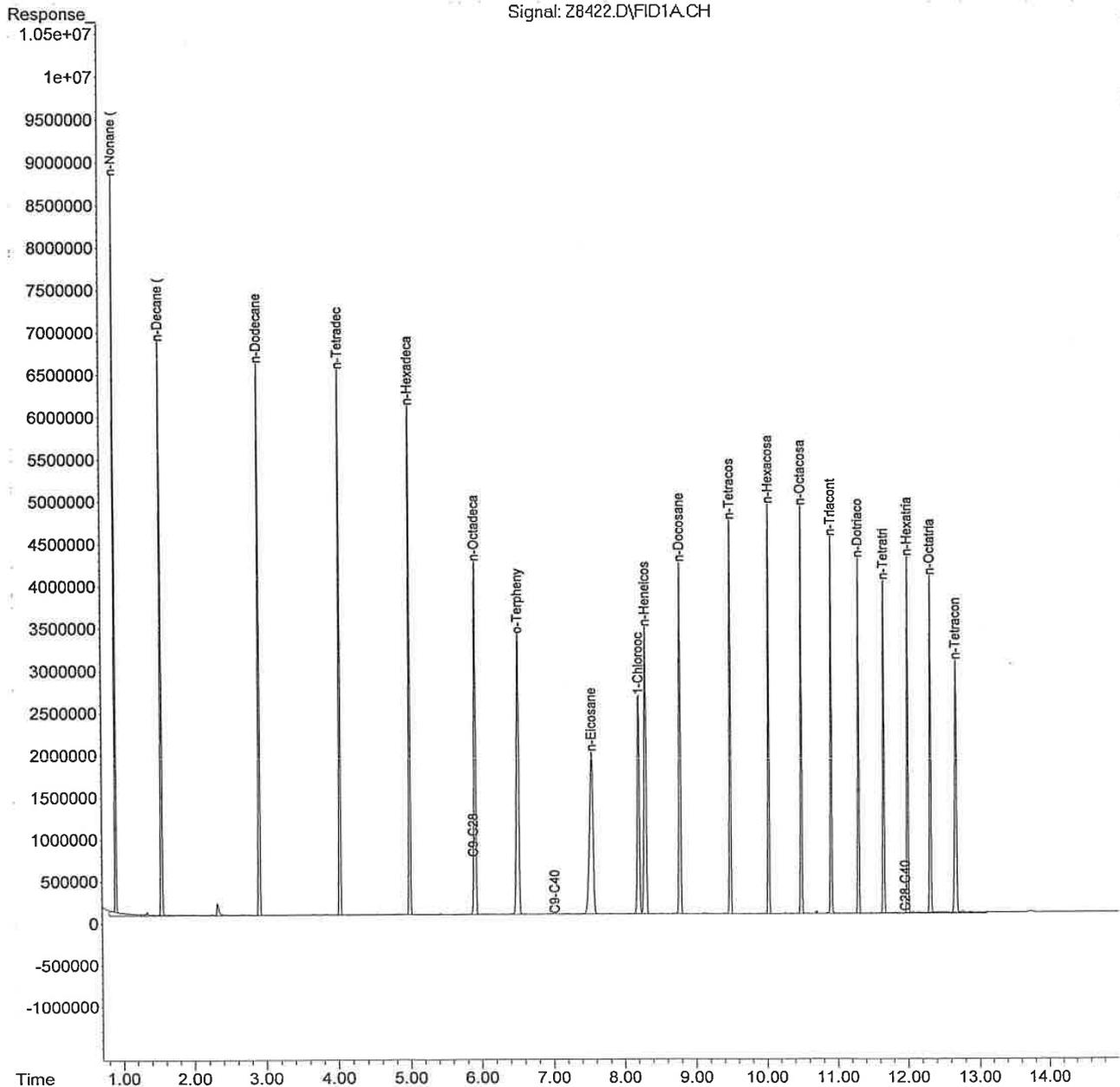
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8422.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 11:55  
Operator : Chad  
Sample : ALI\_L3\_IAS\_7347,250\_PPM  
Misc : ,NA,NA,1  
ALS Vial : 4 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:20:24 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:19:49 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8423.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 12:17  
 Operator : Chad  
 Sample : ALI\_L2\_IAS\_7348,100\_PPM  
 Misc : ,NA,NA.1  
 ALS Vial : 5 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:20:26 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:19:49 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.190	17605809	94.655 ng
Spiked Amount 100.000		Recovery =	94.66%
23) S o-Terphenyl	6.495	24156000	95.602 ng
Spiked Amount 100.000		Recovery =	95.60%
Target Compounds			
2) T n-Nonane (C9)	0.896	24035161	95.152 ng
3) T n-Decane (C10)	1.539	24255799	95.105 ng
4) T n-Dodecane (C12)	2.904	23938034	95.519 ng
5) T n-Tetradecane (C14)	4.023	23491677	95.454 ng
6) T n-Hexadecane (C16)	4.985	23029811	95.386 ng
7) T n-Octadecane (C18)	5.902	22843883	95.290 ng
8) T n-Eicosane (C20)	7.519	22193387	95.229 ng
9) T n-Heneicosane (C21)	8.288	21879638	96.061 ng
10) T n-Docosane (C22)	8.774	21513246	95.193 ng
11) T n-Tetracosane (C24)	9.475	20704884	95.237 ng
12) T n-Hexacosane (C26)	10.018	19927353	95.156 ng
13) T n-Octacosane (C28)	10.484	19275662	94.698 ng
14) T n-Triacontane (C30)	10.902	18692316	94.044 ng
15) T n-Dotriacontane (C32)	11.287	18099157	93.731 ng
16) T n-Tetratriacontane (C34)	11.649	17791874	93.801 ng
17) T n-Hexatriacontane (C36)	11.985	17987744	93.900 ng
18) T n-Octatriacontane (C38)	12.305	17734922	93.849 ng
19) T n-Tetracontane (C40)	12.658	17875740	93.863 ng
20) H C9-C28	5.875	273296427	1126.878 ng
21) H C28-C40	11.950	114445756	553.632 ng
22) H C9-C40	7.025	394568475	1672.135 ng

(f)=RT Delta &gt; 1/2 Window

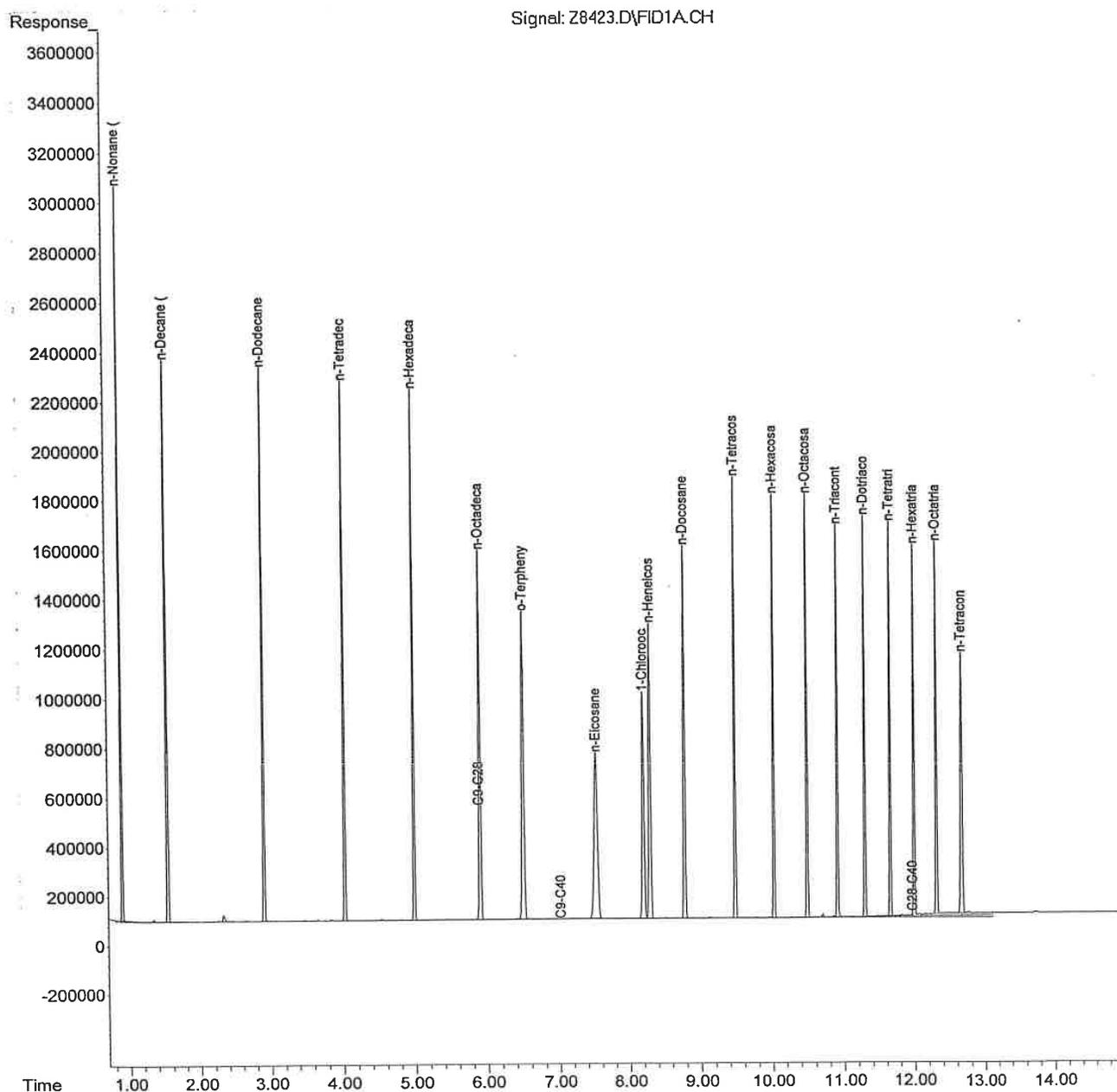
(m)=manual int.

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8423.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 12:17  
Operator : Chad  
Sample : ALI\_L2\_IAS\_7348,100\_PPM  
Misc : .NA.NA.1  
ALS Vial : 5 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:20:26 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:19:49 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8424.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 12:39  
 Operator : Chad  
 Sample : ALI\_L1\_IAS\_7349,20\_PPM  
 Misc : .NA.NA.1  
 ALS Vial : 6 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:21:49 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:19:49 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.187	4170035	22.420 ng
Spiked Amount 100.000		Recovery =	22.42%
23) S o-Terphenyl	6.489	5621051	22.246 ng
Spiked Amount 100.000		Recovery =	22.25%
Target Compounds			
2) T n-Nonane (C9)	0.895	5277327	20.892 ng
3) T n-Decane (C10)	1.538	5351365	20.982 ng
4) T n-Dodecane (C12)	2.902	5305190	21.169 ng
5) T n-Tetradecane (C14)	4.021	5288254	21.488 ng
6) T n-Hexadecane (C16)	4.983	5291856	21.918 ng
7) T n-Octadecane (C18)	5.897	5360590	22.361 ng
8) T n-Eicosane (C20)	7.512	5289562	22.697 ng
9) T n-Heneicosane (C21)	8.283	5250118	23.050 ng
10) T n-Docosane (C22)	8.771	5182214	22.930 ng
11) T n-Tetracosane (C24)	9.472	4993544	22.969 ng
12) T n-Hexacosane (C26)	10.017	4780910	22.830 ng
13) T n-Octacosane (C28)	10.481	4576903	22.485 ng
14) T n-Triacontane (C30)	10.901	4364906	21.961 ng
15) T n-Dotriacontane (C32)	11.286	4060514	21.028 ng
16) T n-Tetratriacontane (C34)	11.645	3857758	20.339 ng
17) T n-Hexatriacontane (C36)	11.983	3856047	20.129 ng
18) T n-Octatriacontane (C38)	12.303	3792545	20.069 ng
19) T n-Tetracontane (C40)	12.654	3837203	20.149 ng
20) H C9-C28	5.875	67217509	277.157 ng
21) H C28-C40	11.950	30269454	146.429 ng
22) H C9-C40	7.025	104685807	443.646 ng

(f)=RT Delta &gt; 1/2 Window

(m)=manual int.

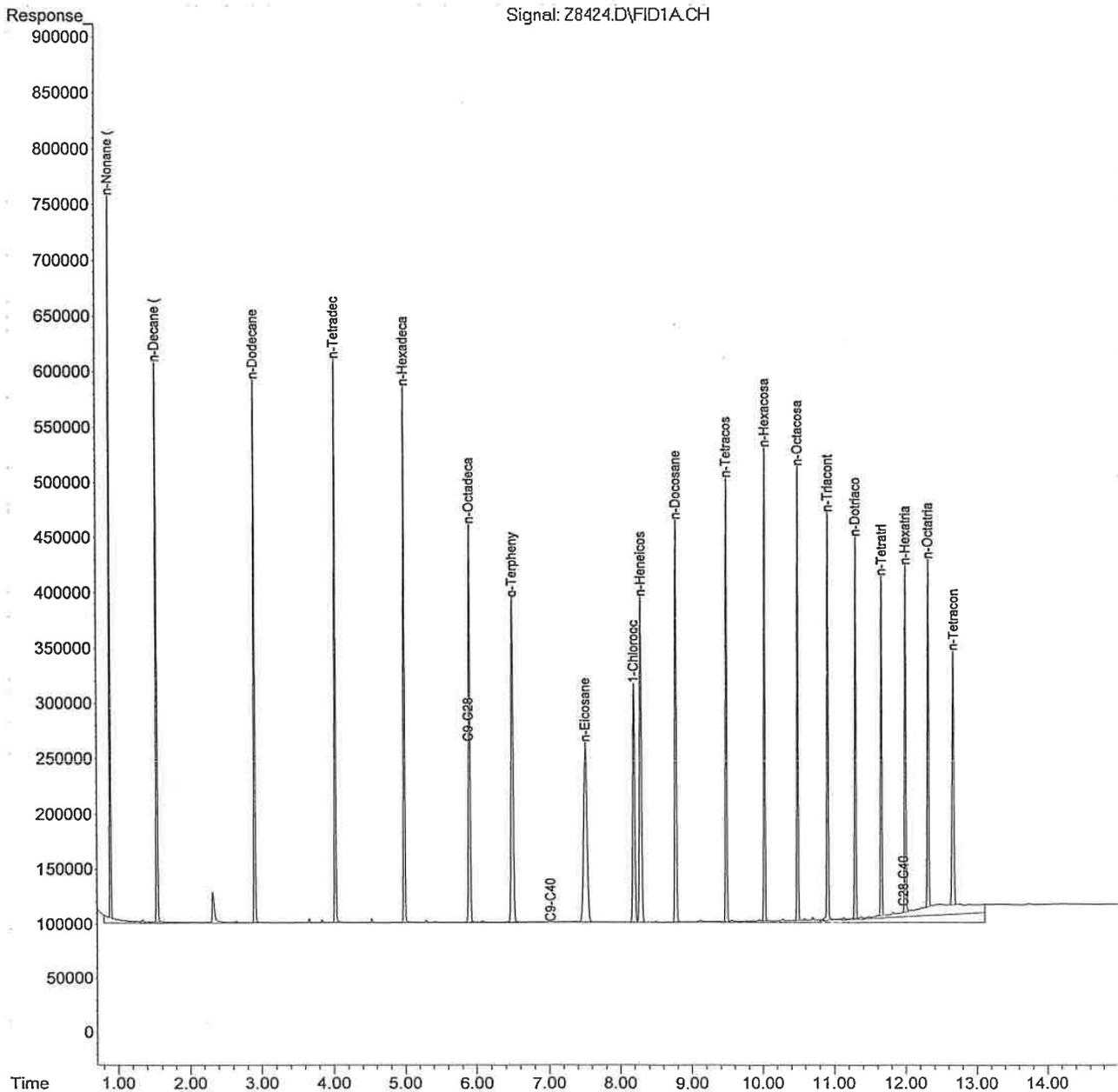
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8424.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 12:39  
Operator : Chad  
Sample : ALI\_L1\_IAS\_7349.20\_PPM  
Misc : .NA.NA.1  
ALS Vial : 6 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:21:49 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:19:49 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NJ-EPH-DRO CALIBRATION VERIFICATION SUMMARY

Date/Time Analyzed: 01/19/2021 Instrument ID: GC-Z  
 Data File: Z8425.D GC Column : RTX-5

Compound	RT	RT WI NDOW		Avg CF	CC CF	%D
		FROM	TO			
n-Nonane (C9)	0.90	0.82	0.97	252598	252460	0.05
n-Decane (C10)	1.54	1.47	1.62	255042	254979	0.02
n-Dodecane (C12)	2.91	2.83	2.98	250611	252060	0.58
n-Tetradecane (C14)	4.03	3.95	4.10	246105	247033	0.38
n-Hexadecane (C16)	4.99	4.91	5.07	241439	240354	0.45
n-Octadecane (C18)	5.91	5.83	5.99	239729	236624	1.30
n-Eicosane (C20)	7.54	7.46	7.62	233053	228139	2.11
n-Heneicosane (C21)	8.30	8.22	8.38	227768	223886	1.70
n-Docosane (C22)	8.78	8.69	8.87	225997	220068	2.62
n-Tetracosane (C24)	9.48	9.39	9.57	217404	210391	3.23
n-Hexacosane (C26)	10.02	9.94	10.12	209418	201714	3.68
n-Octacosane (C28)	10.49	10.40	10.58	203549	195185	4.11
n-Triacontane (C30)	10.91	10.81	11.01	198761	190545	4.13
n-Dotriacontane (C32)	11.29	11.20	11.40	193096	186792	3.26
n-Tetratriacontane (C34)	11.65	11.56	11.76	189678	185192	2.36
n-Hexatriacontane (C36)	11.99	11.84	12.14	191563	188104	1.81
n-Octatriacontane (C38)	12.31	12.16	12.46	188944	186375	1.36
n-Tetracontane (C40)	12.66	12.52	12.82	190444	187966	1.30
C9-C28	5.88	5.78	5.98	242525	235034	3.09
C28-C40	11.95	11.85	12.05	206718	191493	7.37
C9-C40	7.03	6.92	7.14	235967	222093	5.88

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
 Data File : Z8425.D  
 Signal(s) : FID1A.CH  
 Acq On : 19 Jan 2021 13:02  
 Operator : Chad  
 Sample : ALI\_C\_IAS\_7347.250\_PPM  
 Misc : ,NA,NA,1  
 ALS Vial : 7 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Jan 19 15:22:47 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
<b>System Monitoring Compounds</b>			
1) S 1-Chlorooctadecane	8.198	45144499	242.712 ng
Spiked Amount	100.000	Recovery	= 242.71%
23) S o-Terphenyl	6.508	62418824	247.033 ng
Spiked Amount	100.000	Recovery	= 247.03%
<b>Target Compounds</b>			
2) T n-Nonane (C9)	0.898	63114991	249.864 ng
3) T n-Decane (C10)	1.544	63744689	249.938 ng
4) T n-Dodecane (C12)	2.909	63014867	251.445 ng
5) T n-Tetradecane (C14)	4.029	61758151	250.942 ng
6) T n-Hexadecane (C16)	4.991	60088448	248.876 ng
7) T n-Octadecane (C18)	5.908	59155913	246.761 ng
8) T n-Eicosane (C20)	7.537	57034812	244.729 ng
9) T n-Heneicosane (C21)	8.297	55971470	245.738 ng
10) T n-Docosane (C22)	8.781	55017056	243.441 ng
11) T n-Tetracosane (C24)	9.481	52597787	241.936 ng
12) T n-Hexacosane (C26)	10.024	50428391	240.803 ng
13) T n-Octacosane (C28)	10.489	48796273	239.727 ng
14) T n-Triacontane (C30)	10.908	47636211	239.666 ng
15) T n-Dotriacontane (C32)	11.292	46698140	241.838 ng
16) T n-Tetratriacontane (C34)	11.651	46297980	244.088 ng
17) T n-Hexatriacontane (C36)	11.990	47026049	245.486 ng
18) T n-Octatriacontane (C38)	12.310	46593812	246.601 ng
19) T n-Tetracontane (C40)	12.664	46991478	246.747 ng
20) H C9-C28	5.875	705102937	2907.337 ng
21) H C28-C40	11.950	287239065	1389.522 ng
22) H C9-C40	7.025	999417037	4235.412 ng

(f)=RT Delta > 1/2 Window

(m)=manual int.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

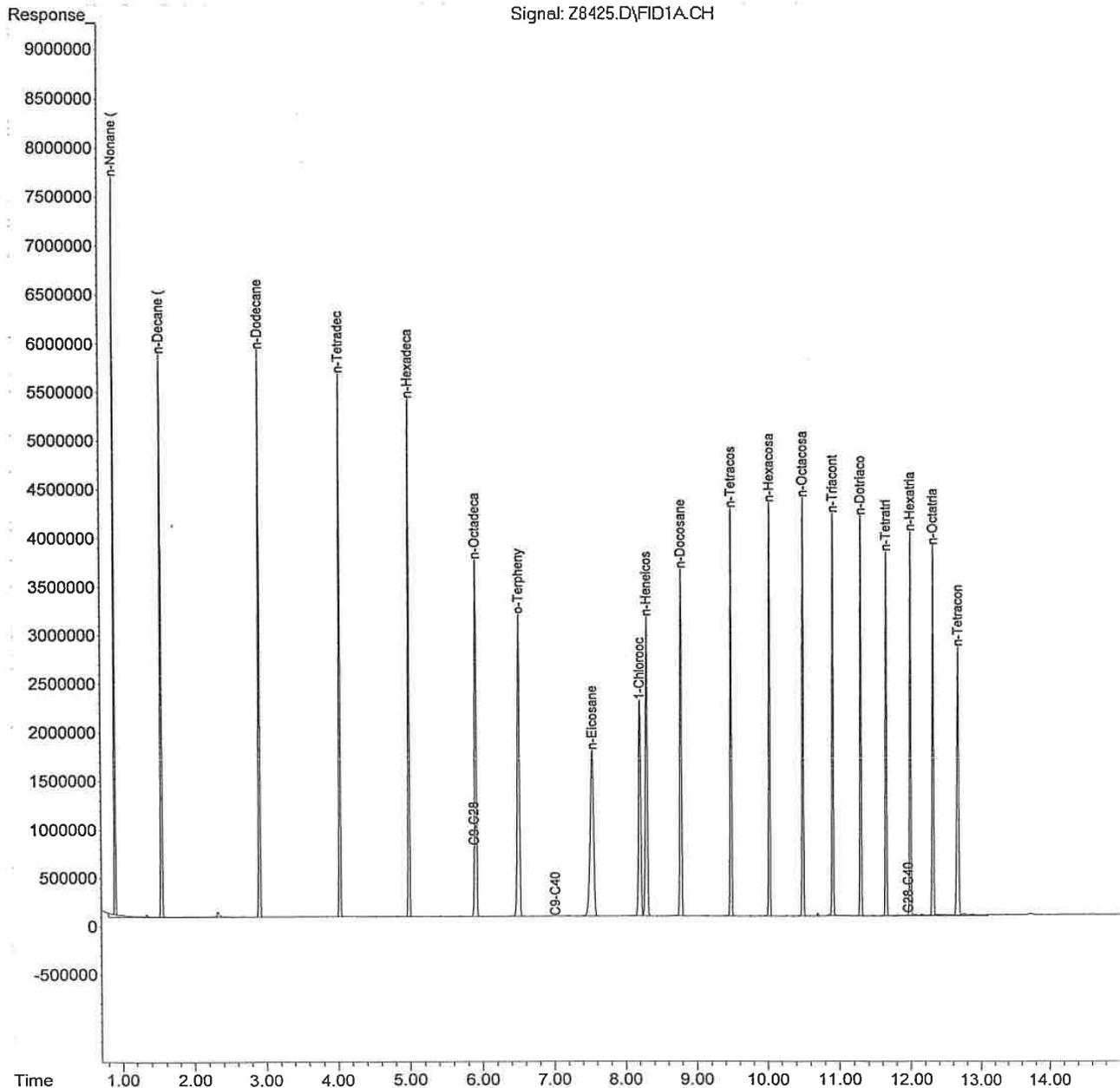
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\01-19-21\  
Data File : Z8425.D  
Signal(s) : FID1A.CH  
Acq On : 19 Jan 2021 13:02  
Operator : Chad  
Sample : ALI\_C\_IAS\_7347,250\_PPM  
Misc : .NA,NA,1  
ALS Vial : 7 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Jan 19 15:22:47 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NJ-EPH-DRO CALIBRATION VERIFICATION SUMMARY

Date/Time Analyzed: 02/04/2021 Instrument ID: GC-Z  
 Data File: Z8608.D GC Column: RTX-5

Compound	RT	RT WINDOW		Avg CF	CC CF	%D
		FROM	TO			
n-Nonane (C9)	0.89	0.82	0.97	252598	229840	9.01
n-Decane (C10)	1.54	1.47	1.62	255042	238705	6.41
n-Dodecane (C12)	2.90	2.83	2.98	250611	241241	3.74
n-Tetradecane (C14)	4.02	3.95	4.10	246105	241438	1.90
n-Hexadecane (C16)	4.99	4.91	5.07	241439	240668	0.32
n-Octadecane (C18)	5.90	5.83	5.99	239729	242762	1.26
n-Eicosane (C20)	7.52	7.46	7.62	233053	239930	2.95
n-Heneicosane (C21)	8.29	8.22	8.38	227768	236079	3.65
n-Docosane (C22)	8.77	8.69	8.87	225997	238390	5.48
n-Tetracosane (C24)	9.48	9.39	9.57	217404	231605	6.53
n-Hexacosane (C26)	10.02	9.94	10.12	209418	226855	8.33
n-Octacosane (C28)	10.48	10.40	10.58	203549	224387	10.24
n-Triacontane (C30)	10.90	10.81	11.01	198761	221997	11.69
n-Dotriacontane (C32)	11.29	11.20	11.40	193096	215199	11.45
n-Tetracontane (C34)	11.65	11.56	11.76	189678	204372	7.75
n-Hexatriacontane (C36)	11.99	11.84	12.14	191563	195964	2.30
n-Octatriacontane (C38)	12.31	12.16	12.46	188944	186828	1.12
n-Tetracontane (C40)	12.66	12.52	12.82	190444	187200	1.70
C9-C28	5.88	5.78	5.98	242525	242620	0.04
C28-C40	11.95	11.85	12.05	206718	207725	0.49
C9-C40	7.03	6.92	7.14	235967	234487	0.63

The response ratio of C28/C20 = 0.94

The response ratio of C30/C20 = 0.93

The response ratio of C28/C20 should be > or equal 0.8

The response ratio of C30/C20 should be > or equal 0.8

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NJ-EPH-DRO CALIBRATION VERIFICATION SUMMARY

Date/Time Analyzed: 02/05/2021 Instrument ID: GC-Z  
 Data File: Z8634.D GC Column : RTX-5

Compound	RT	RT WI NDOW		Avg CF	CC CF	%D
		FROM	TO			
n-Nonane (C9)	0.89	0.82	0.97	252598	238316	5.65
n-Decane (C10)	1.54	1.47	1.62	255042	247586	2.92
n-Dodecane (C12)	2.90	2.83	2.98	250611	248108	1.00
n-Tetradecane (C14)	4.02	3.95	4.10	246105	245471	0.26
n-Hexadecane (C16)	4.98	4.91	5.07	241439	241938	0.21
n-Octadecane (C18)	5.90	5.83	5.99	239729	241284	0.65
n-Eicosane (C20)	7.52	7.46	7.62	233053	235804	1.18
n-Heneicosane (C21)	8.28	8.22	8.38	227768	231200	1.51
n-Docosane (C22)	8.77	8.69	8.87	225997	230092	1.81
n-Tetracosane (C24)	9.47	9.39	9.57	217404	220961	1.64
n-Hexacosane (C26)	10.02	9.94	10.12	209418	214292	2.33
n-Octacosane (C28)	10.48	10.40	10.58	203549	209634	2.99
n-Triacontane (C30)	10.90	10.81	11.01	198761	205041	3.16
n-Dotriacontane (C32)	11.29	11.20	11.40	193096	198469	2.78
n-Tetratriacontane (C34)	11.65	11.56	11.76	189678	192685	1.59
n-Hexatriacontane (C36)	11.98	11.84	12.14	191563	191810	0.13
n-Octatriacontane (C38)	12.30	12.16	12.46	188944	188146	0.42
n-Tetracontane (C40)	12.66	12.52	12.82	190444	189140	0.68
C9-C28	5.88	5.78	5.98	242525	242149	0.16
C28-C40	11.95	11.85	12.05	206718	198879	3.79
C9-C40	7.03	6.92	7.14	235967	230362	2.38

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8608.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 14:46  
 Operator : Chad  
 Sample : ALI\_C\_IAS\_7347.250\_PPM  
 Misc : .NA.NA.1  
 ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 04 15:15:17 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.191	48369557	260.051 ng
Spiked Amount	100.000	Recovery	= 260.05%
23) S o-Terphenyl	6.497	64096841	253.674 ng
Spiked Amount	100.000	Recovery	= 253.67%
Target Compounds			
2) T n-Nonane (C9)	0.891	57460125	227.477 ng
3) T n-Decane (C10)	1.536	59676275	233.986 ng
4) T n-Dodecane (C12)	2.903	60310244	240.653 ng
5) T n-Tetradecane (C14)	4.023	60359527	245.259 ng
6) T n-Hexadecane (C16)	4.985	60166879	249.201 ng
7) T n-Octadecane (C18)	5.901	60690508	253.163 ng
8) T n-Eicosane (C20)	7.518	59982392	257.376 ng
9) T n-Heneicosane (C21)	8.287	59019797	259.122 ng
10) T n-Docosane (C22)	8.774	59597455	263.709 ng
11) T n-Tetracosane (C24)	9.475	57901243	266.330 ng
12) T n-Hexacosane (C26)	10.019	56713672	270.816 ng
13) T n-Octacosane (C28)	10.484	56096776	275.593 ng
14) T n-Triacontane (C30)	10.903	55499344	279.227 ng
15) T n-Dotriacontane (C32)	11.289	53799691	278.616 ng
16) T n-Tetratriacontane (C34)	11.649	51093033	269.368 ng
17) T n-Hexatriacontane (C36)	11.986	48990921	255.743 ng
18) T n-Octatriacontane (C38)	12.306	46707042	247.200 ng
19) T n-Tetracontane (C40)	12.661	46800063	245.742 ng
20) H C9-C28	5.875	727860507	3001.173 ng
21) H C28-C40	11.950	311587924	1507.310 ng
22) H C9-C40	7.025	1055187757	4471.762 ng

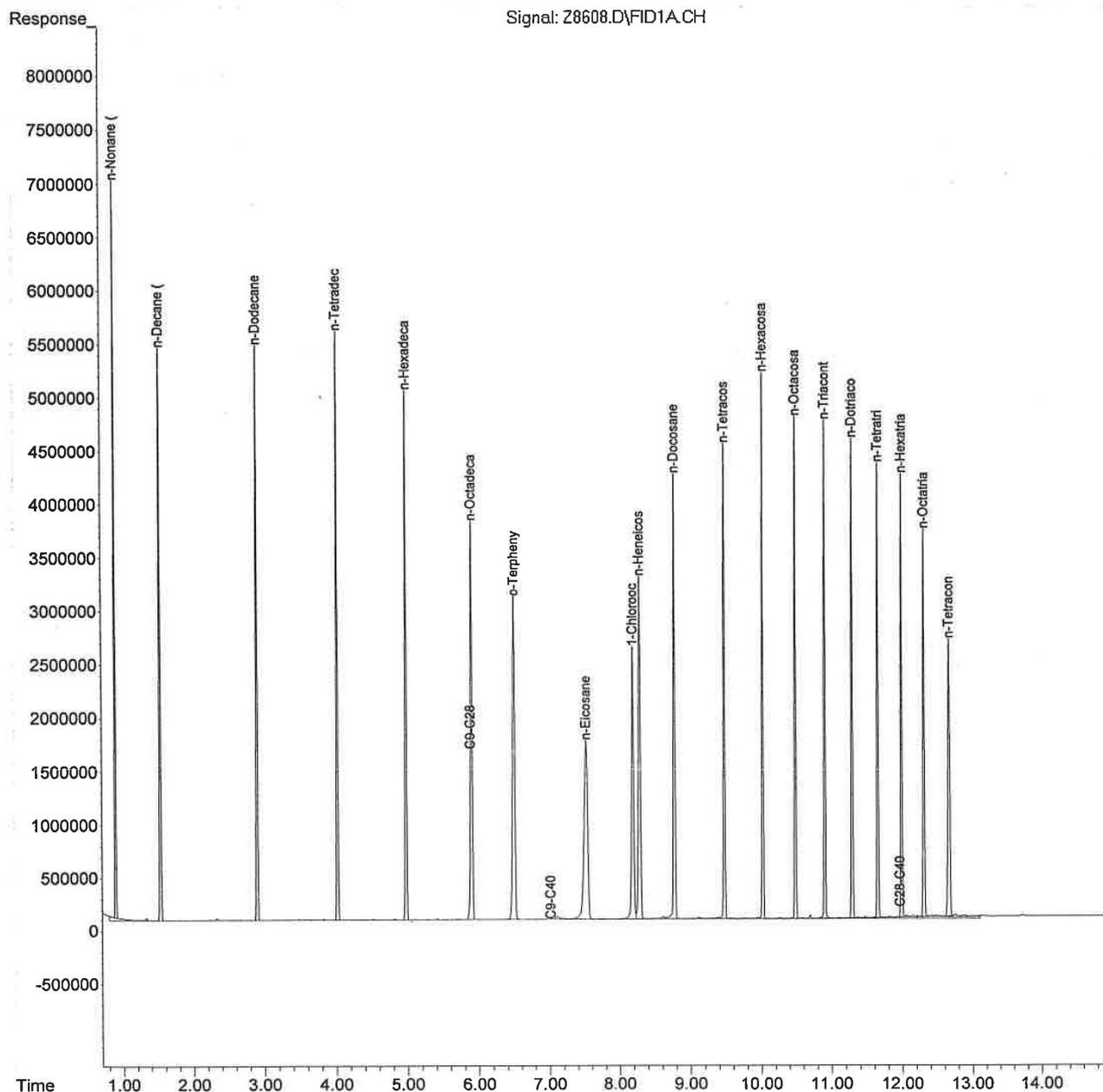
(f)=RT Delta &gt; 1/2 Window

(m)=manual int.

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8608.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 14:46  
Operator : Chad  
Sample : ALI\_C\_IAS\_7347.250\_PPM  
Misc : ,NA,NA,1  
ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 04 15:15:17 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

## INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8634.D  
 Signal(s) : FID1A.CH  
 Acq On : 05 Feb 2021 2:19  
 Operator : Chad  
 Sample : ALI\_C\_IAS\_7347,250\_PPM  
 Misc : ,NA,NA.1  
 ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 09:22:14 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.186	46965169	252.500 ng
Spiked Amount	100.000	Recovery	= 252.50%
23) S o-Terphenyl	6.492	63098779	249.724 ng
Spiked Amount	100.000	Recovery	= 249.72%
Target Compounds			
2) T n-Nonane (C9)	0.893	59579127	235.866 ng
3) T n-Decane (C10)	1.536	61896493	242.692 ng
4) T n-Dodecane (C12)	2.901	62027040	247.503 ng
5) T n-Tetradecane (C14)	4.020	61367807	249.356 ng
6) T n-Hexadecane (C16)	4.983	60484594	250.517 ng
7) T n-Octadecane (C18)	5.899	60321035	251.622 ng
8) T n-Eicosane (C20)	7.515	58950941	252.951 ng
9) T n-Heneicosane (C21)	8.283	57799929	253.766 ng
10) T n-Docosane (C22)	8.770	57523072	254.530 ng
11) T n-Tetracosane (C24)	9.473	55240212	254.090 ng
12) T n-Hexacosane (C26)	10.017	53572969	255.819 ng
13) T n-Octacosane (C28)	10.483	52408436	257.473 ng
14) T n-Triacontane (C30)	10.900	51260263	257.899 ng
15) T n-Dotriacontane (C32)	11.286	49617185	256.956 ng
16) T n-Tetratriacontane (C34)	11.646	48171205	253.964 ng
17) T n-Hexatriacontane (C36)	11.984	47952609	250.323 ng
18) T n-Octatriacontane (C38)	12.303	47036647	248.945 ng
19) T n-Tetracontane (C40)	12.656	47284866	248.287 ng
20) H C9-C28	5.875	726446814	2995.344 ng
21) H C28-C40	11.950	298319399	1443.123 ng
22) H C9-C40	7.025	1036626758	4393.102 ng

(f)=RT Delta &gt; 1/2 Window

(m)=manual int.

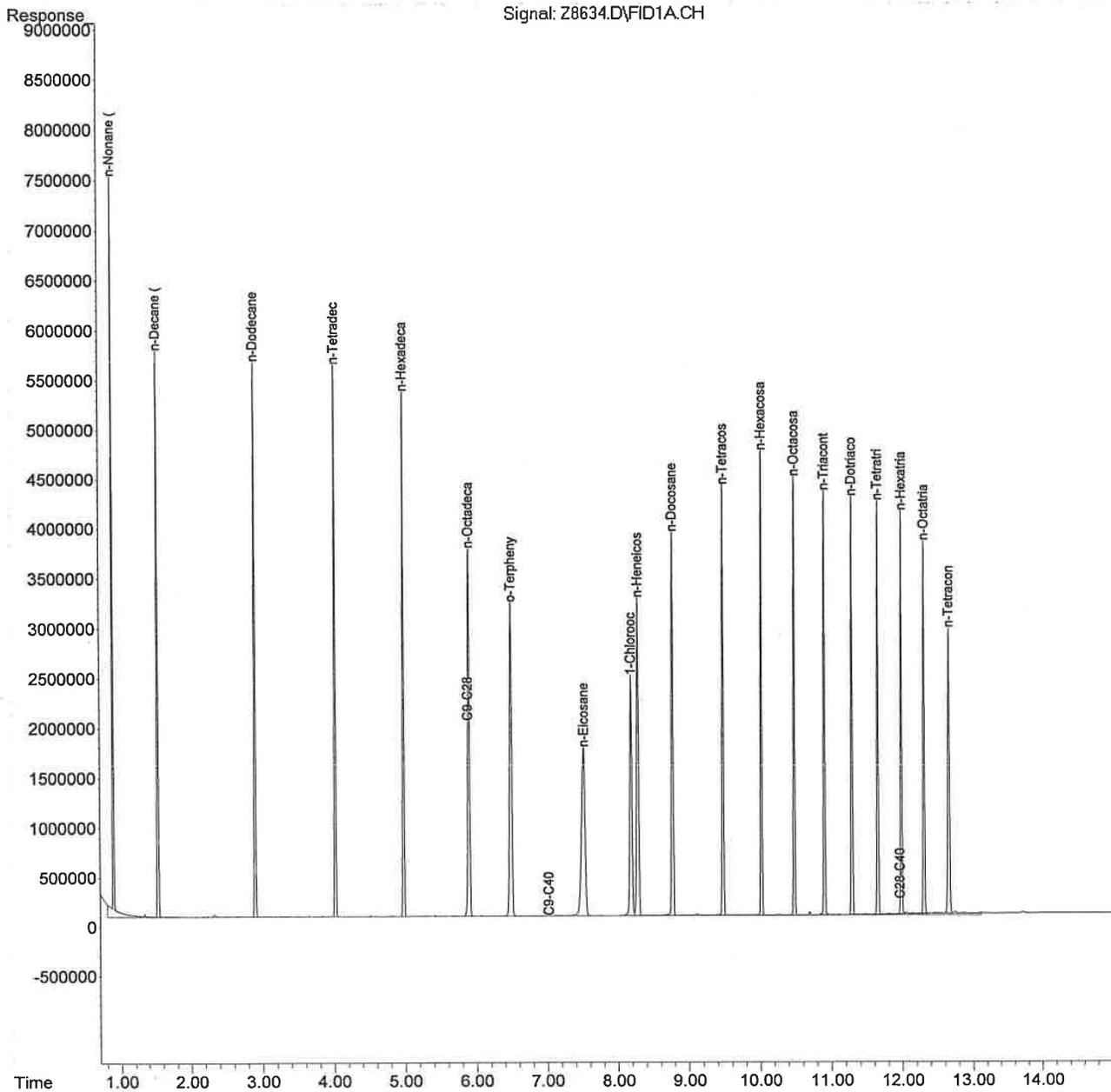
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8634.D  
Signal(s) : FID1A.CH  
Acq On : 05 Feb 2021 2:19  
Operator : Chad  
Sample : ALI\_C\_IAS\_7347,250\_PPM  
Misc : ,NA,NA,1  
ALS Vial : 2 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 09:22:14 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



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DRO  
EXTRACTABLE PETROLEUM HYDROCARBON  
RAW QC DATA

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3.7.4.a

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8610.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 17:30  
 Operator : Chad  
 Sample : NJ-EPH-D,LCSS210203-05,S,10.0g,0.1  
 Misc : 210203-05,02/03/21,NA,1  
 ALS Vial : 4 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 09:23:17 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.178	11544583	62.068 ng m
Spiked Amount 100.000		Recovery =	62.07%
23) S o-Terphenyl	6.479	14644193	57.957 ng m
Spiked Amount 100.000		Recovery =	57.96%
Target Compounds			
20) H C9-C28	5.875	420498599	1733.833 ng

(f)=RT Delta > 1/2 Window

(m)=manual int.



Page: 1

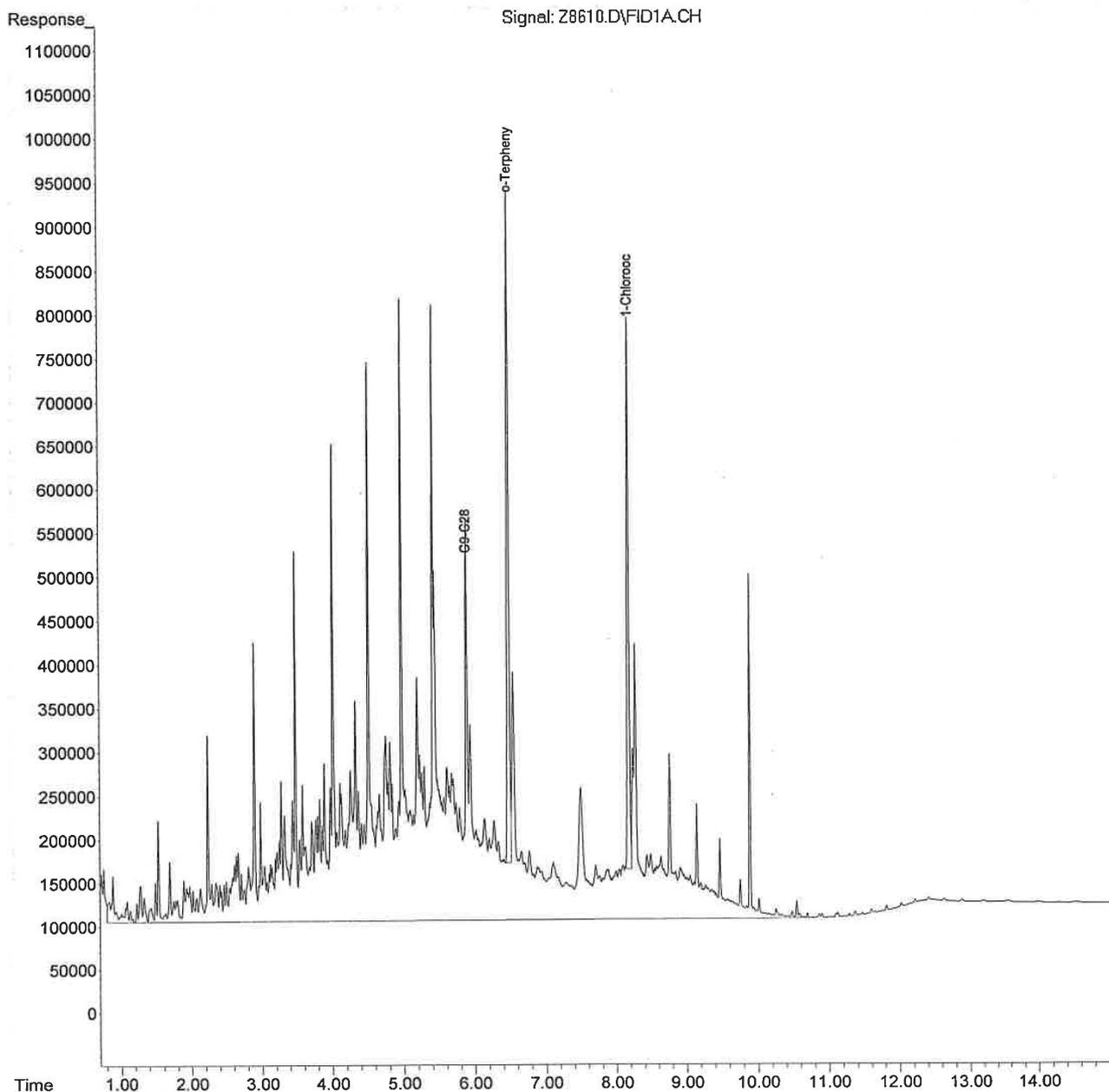
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8610.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 17:30  
Operator : Chad  
Sample : NJ-EPH-D,LCSS210203-05,S,10.0g,0.1  
Misc : 210203-05,02/03/21,NA,1  
ALS Vial : 4 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 09:23:17 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



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INTEGRATED ANALYTICAL LABORATORIES, LLC

3.7.4.a

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8611.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 17:52  
 Operator : Chad  
 Sample : NJ-EPH-D,LCSDS210203-05,S,10.0g,0.1  
 Misc : 210203-05,02/03/21,NA,1  
 ALS Vial : 5 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 09:23:36 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.179	12282267	66.034 ng m <i>CS</i>
Spiked Amount 100.000		Recovery =	66.03%
23) S o-Terphenyl	6.480	15741597	62.300 ng m <i>CS</i>
Spiked Amount 100.000		Recovery =	62.30%
Target Compounds			
20) H C9-C28	5.875	462685864	1907.783 ng

(f)=RT Delta > 1/2 Window

(m)=manual int.

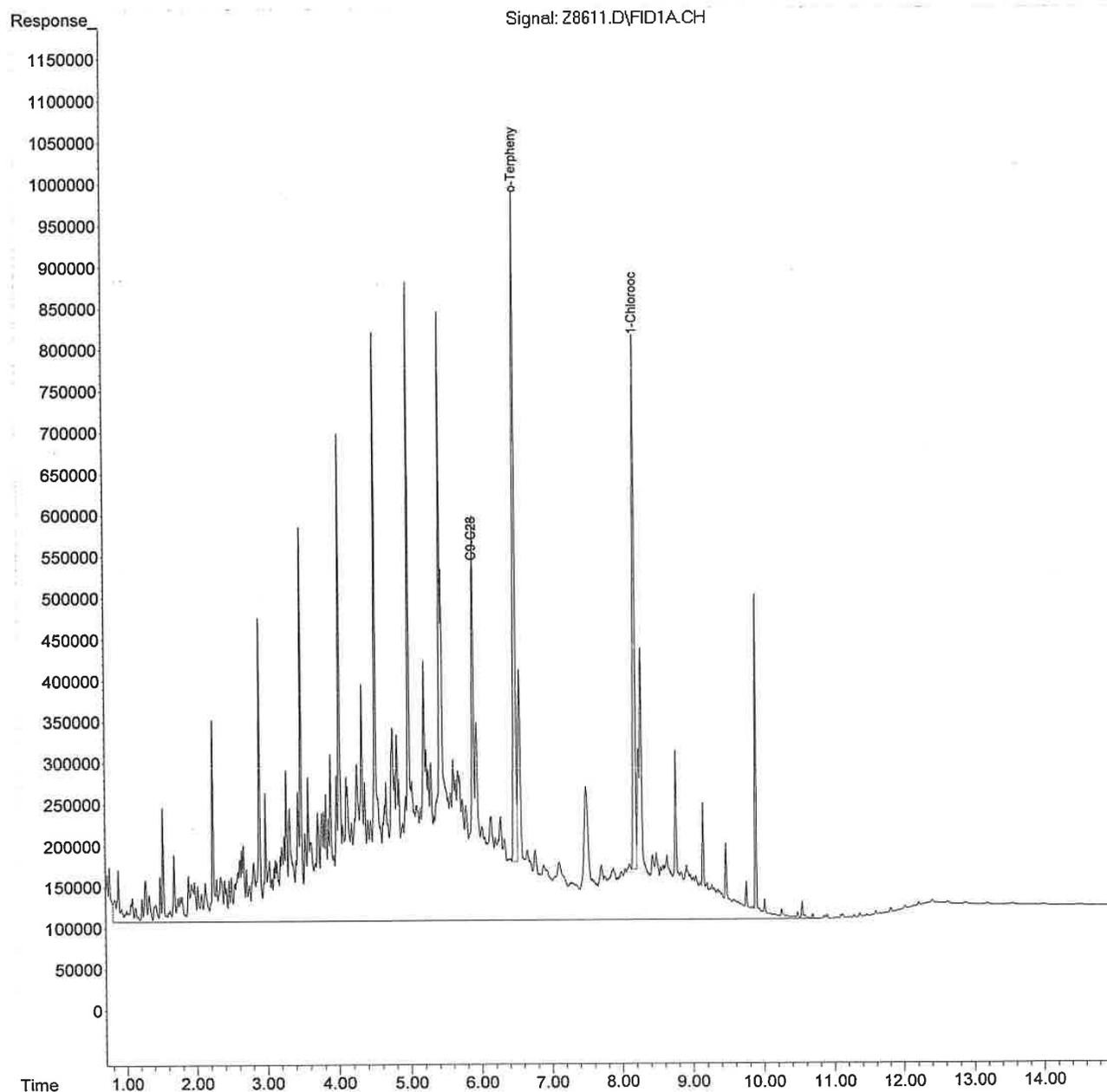
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8611.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 17:52  
Operator : Chad  
Sample : NJ-EPH-D,LCSDS210203-05,S,10.0g,0.1  
Misc : 210203-05,02/03/21,NA,1  
ALS Vial : 5 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 09:23:36 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



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INTEGRATED ANALYTICAL LABORATORIES, LLC

3.7.4.a

Quantitation Report (Q1 Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8633.D  
 Signal(s) : FID1A.CH  
 Acq On : 05 Feb 2021 1:57  
 Operator : Chad  
 Sample : NJ-EPH-D,E21-00662-001MS,S,10.2g,5.70.1  
 Misc : 210203-05,02/03/21,NA,1  
 ALS Vial : 27 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 14:04:37 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.176	9645656	51.858 ng
Spiked Amount 100.000		Recovery =	51.86%
23) S o-Terphenyl	6.478	12697425	50.252 ng
Spiked Amount 100.000		Recovery =	50.25%
Target Compounds			
20) H C9-C28	5.875	380895089	1570.537 ng

(f)=RT Delta > 1/2 Window

(m)=manual int.

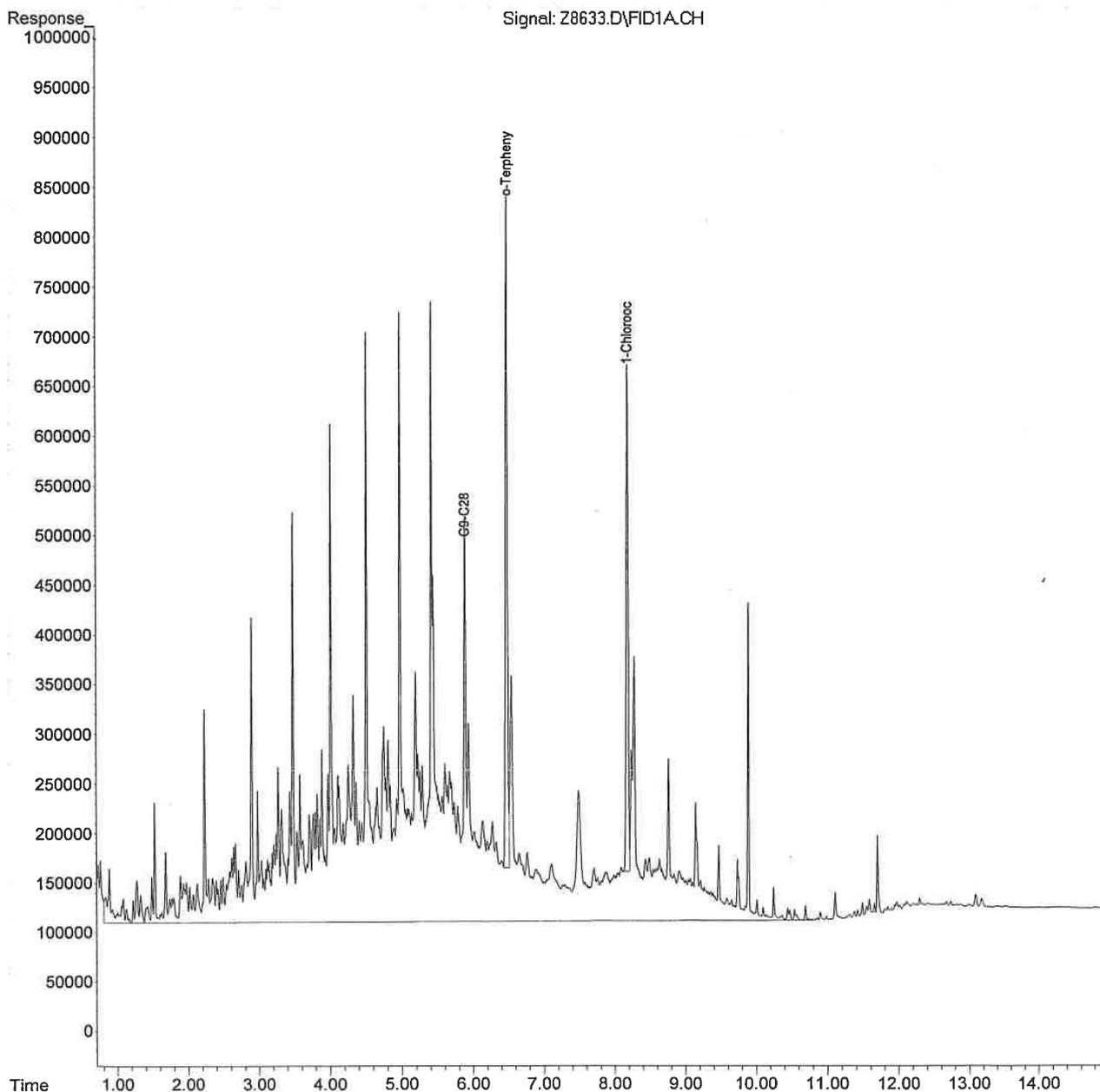
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8633.D  
Signal(s) : FID1A.CH  
Acq On : 05 Feb 2021 1:57  
Operator : Chad  
Sample : NJ-EPH-D,E21-00662-001MS,S,10.2g,5.70,1  
Misc : 210203-05,02/03/21,NA,1  
ALS Vial : 27 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 14:04:37 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



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INTEGRATED ANALYTICAL LABORATORIES, LLC

3.7.4.a

Quantitation Report (QI Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8613.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 18:36  
Operator : Chad  
Sample : 01/6.0,E21-00662-001,S.10.48g,5.70.1  
Misc : 210203-05.02/03/21,01/29/21.1  
ALS Vial : 7 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 13:50:23 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.178	12904999	69.382 ng
Spiked Amount 100.000		Recovery =	69.38%
23) S o-Terphenyl	6.479	15530937	61.466 ng
Spiked Amount 100.000		Recovery =	61.47%
Target Compounds			

(f)=RT Delta > 1/2 Window

(m)=manual int.

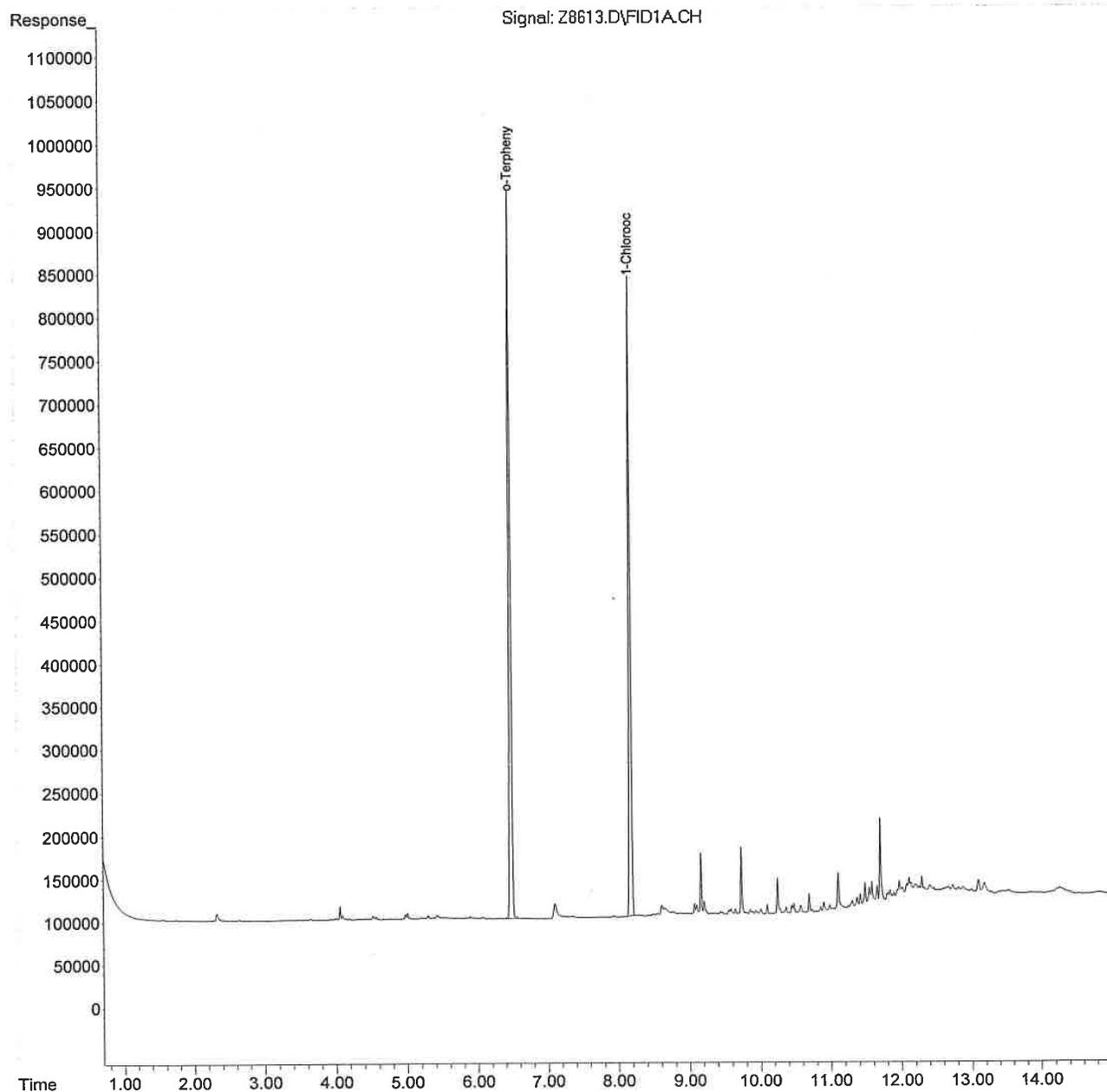
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8613.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 18:36  
Operator : Chad  
Sample : 01/6.0,E21-00662-001,S,10.48g,5.70,1  
Misc : 210203-05,02/03/21,01/29/21,1  
ALS Vial : 7 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 13:50:23 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8632.D  
 Signal(s) : FID1A.CH  
 Acq On : 05 Feb 2021 1:35  
 Operator : Chad  
 Sample : 01/6.0,E21-00662-001DUP.S,10.51g,5.70,1  
 Misc : 210203-05,02/03/21,01/29/21,1  
 ALS Vial : 26 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 14:04:17 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.175	14332624	77.057 ng
Spiked Amount 100.000		Recovery =	77.06%
23) S o-Terphenyl	6.477	17437088	69.010 ng
Spiked Amount 100.000		Recovery =	69.01%
Target Compounds			

(f)=RT Delta > 1/2 Window

(m)=manual int.

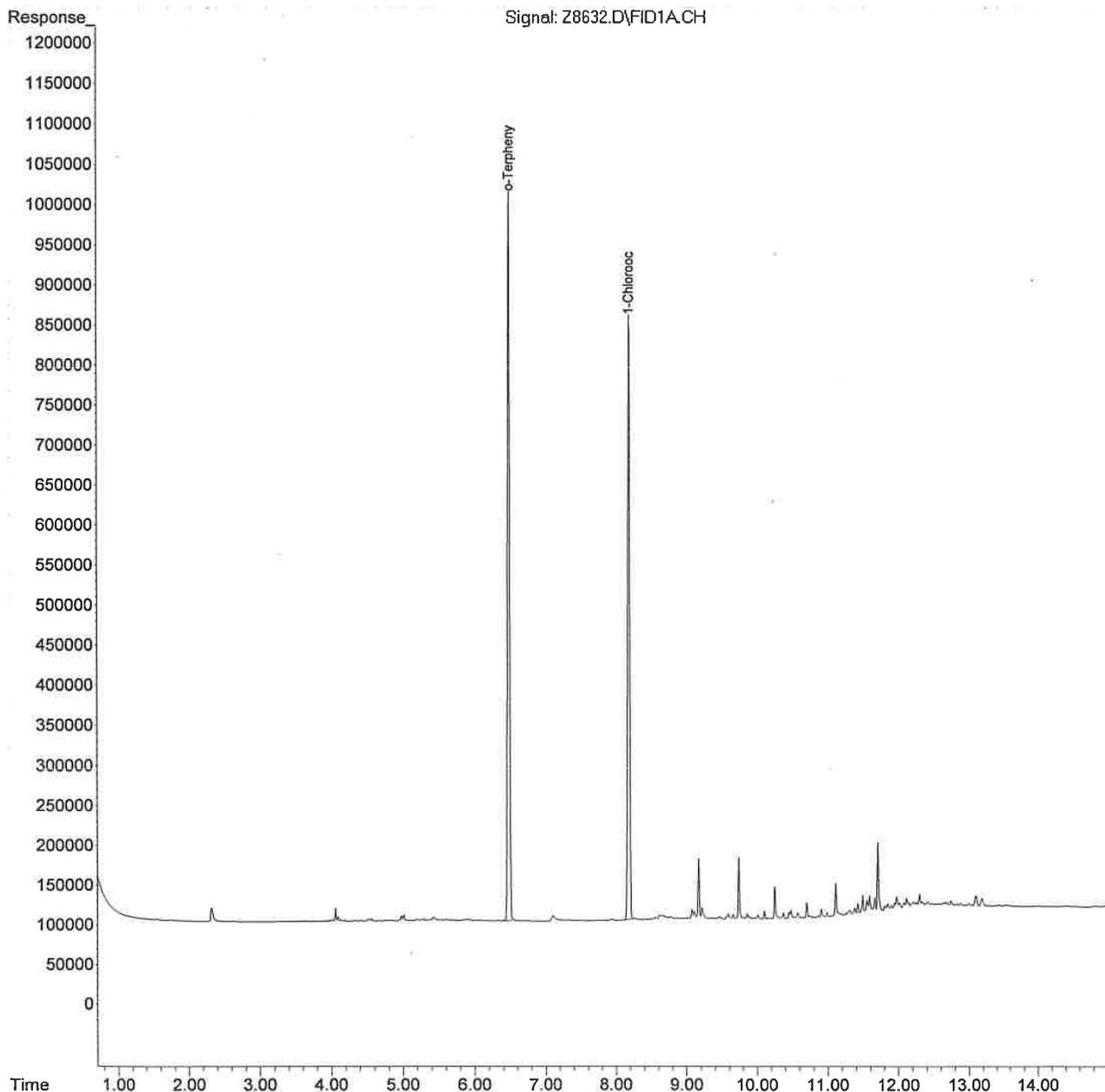
Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8632.D  
Signal(s) : FID1A.CH  
Acq On : 05 Feb 2021 1:35  
Operator : Chad  
Sample : 01/6.0,E21-00662-001DUP,S,10.51g,5.70,1  
Misc : 210203-05,02/03/21,01/29/21,1  
ALS Vial : 26 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 14:04:17 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

INTEGRATED ANALYTICAL LABORATORIES

NJ-EPH-DRO

Lab ID: BLKS210203-05  
 Client ID: NJ-EPH-D  
 Date Received: NA  
 Date Extracted: 02/03/2021  
 Date Analyzed: 02/04/2021  
 Data File: Z8609.D

GC Column: RTX-5  
 Sample wt/vol: 10.0g  
 Matrix-Units: Soil-mg/Kg  
 Dilution Factor: 1  
 % Moisture: NA

Compound	Concentration	Q	RL	MDL
C9-C28	ND		50.0	20.0
C28-C40	ND		50.0	20.0
C9-C40 Total	ND		50.0	20.0

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
 Data File : Z8609.D  
 Signal(s) : FID1A.CH  
 Acq On : 04 Feb 2021 17:08  
 Operator : Chad  
 Sample : NJ-EPH-D,BLKS210203-05,S,10.0g,0.1  
 Misc : 210203-05,02/03/21,NA,1  
 ALS Vial : 3 Sample Multiplier: 1

Integration File: autoint1.e  
 Quant Time: Feb 05 09:22:54 2021  
 Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
 Quant Title :  
 QLast Update : Tue Jan 19 15:22:25 2021  
 Response via : Initial Calibration  
 Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
 Signal Phase :  
 Signal Info :

Compound	R.T.	Response	Conc Units
System Monitoring Compounds			
1) S 1-Chlorooctadecane	8.178	10666281	57.345 ng
Spiked Amount 100.000		Recovery =	57.34%
23) S o-Terphenyl	6.477	12385963	49.020 ng
Spiked Amount 100.000		Recovery =	49.02%
Target Compounds			

(f)=RT Delta > 1/2 Window

(m)=manual int.

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

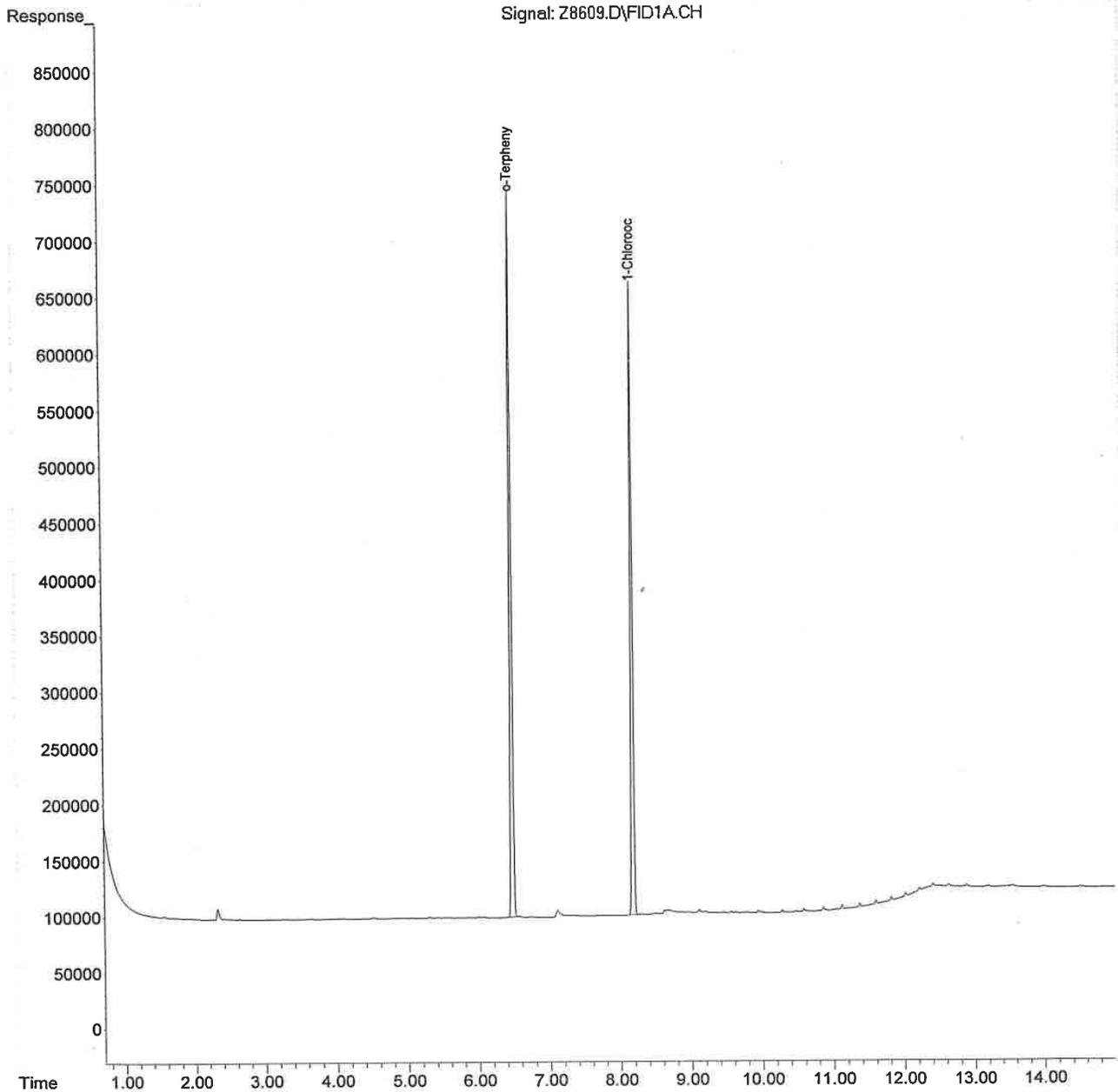
INTEGRATED ANALYTICAL LABORATORIES, LLC

Quantitation Report (QT Reviewed)

Data Path : C:\msdchem\1\data\02-04-21\  
Data File : Z8609.D  
Signal(s) : FID1A.CH  
Acq On : 04 Feb 2021 17:08  
Operator : Chad  
Sample : NJ-EPH-D,BLKS210203-05,S,10.0g,0.1  
Misc : 210203-05,02/03/21,NA,1  
ALS Vial : 3 Sample Multiplier: 1

Integration File: autoint1.e  
Quant Time: Feb 05 09:22:54 2021  
Quant Method : C:\msdchem\1\methods\ZEPH0119.M  
Quant Title :  
QLast Update : Tue Jan 19 15:22:25 2021  
Response via : Initial Calibration  
Integrator: ChemStation 6890 Scale Mode: Large solvent peaks clipped

Volume Inj. :  
Signal Phase :  
Signal Info :



Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

SAMPLE TRACKING

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

# Chain of Custody Record

Contact Us: 973-361-4252  
Web: www.lalonline.com

Customer Information		Reporting Information		Deliverables		EDDs		Concentrations Expected:			
Company: <u>Single Tax</u> Address: <u>77 North Ave</u> Telephone #: <u>(908) 965-0220</u> Project Manager: <u>Felley Selek</u> Email Address(es):		Check here if same as "Customer Information" REPORT TO: Address: Attn: INVOICE TO: Address: Attn: PO # Quote # Sampled by: <u>Joe Evillata</u>		24 hr - 100%... 48 hr - 75%... 72 hr - 50%... 96 hr - 35%... 5 day - 25%... 6-9 day - 10%...		NJ, CT, PA Results Only (Level I) Reduced (Level II/III) Regulatory/ Full (Level IV)		NY ASP Category A ASP Category B*		Low Med High	
Project Name: <u>#20-711</u> Project Location (State): <u>Fluorington NJ</u> Bottle Order #:		Sample Matrix DW - Drinking Water WW - Waste Water S - Soil SED - Sediment SW - Surface Water LIQ - Liquid (specify) M - Multiphase		Turn-Around Time (TAT) Standard (10 business days) Rush/date needed (only, if pre-approved)** <u>72 HRS</u>		New Jersey GWQS GWEL (TOGS Table 5) SRS Ecological DW SPLP		New York AWQS (TOGS Table 1) GWEL (TOGS Table 5) Part 375-6.8(a) - Unrestricted Part 375-6.8(b) - Restricted CP-51 Table 2 or 3 (selection required) Other States / Criteria Pennsylvania Act 2 CT RCSA 22a-133k1-k3 TSCA PCBs		Known Hazard: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
"Report to" / "Invoice To" same as above Completed by IAL: Field Sampling Equipment Rental		ANALYTICAL PARAMETERS (please note if contingent) EPH BPHS Hdr BPHS Hdr BPHS Hdr BPHS Hdr BPHS Hdr		TAT for PHC, if other than 2 weeks: NJ EPH-DRO - Category 1 NJ EPH-C40 - Category 2 NJ EPH-Fractionated - Cat 2 DRO-8015		Regulatory Requirement Describe:		Describe:		Describe:	
Samples previously analyzed by IAL? YES / NO		Depth (ft only) <u>0.0</u> <u>0.0</u> <u>0.0</u> <u>0.0</u>		Date <u>1/28/21</u> <u>1/28/21</u> <u>1/28/21</u> <u>1/28/21</u> <u>1/28/21</u>		Matrix S S S S		# containers 1 2 3 4 5		IAL #	
Please print legibly and fill out completely. Samples cannot be processed and the turnaround time (TAT) will not start until any ambiguities have been resolved. TAT starts the following day if samples rec'd at lab ≥ 5PM. BY EXECUTING THIS COC, THE CLIENT HAS READ AND AGREES TO BE BOUND BY IAL'S TERMS & CONDITIONS (found on rear of pink copy).		Carrier (check one): <input type="checkbox"/> IAL Courier <input type="checkbox"/> Client Courier <input type="checkbox"/> FedEx/UPS***		Container Code: A = Amber Glass B = Plastic C = Vial D = Glass E = EnCore T = Terracore		Preservative Code: 1 = None 2 = HCl 3 = HNO3 4 = MeOH 5 = NaOH 6 = H2SO4 7 = Other		Preservative (use code) Container Type (use code)		Special Instructions/QC Requirements & Comments: # cheating oil	
IAL Form 11/2019 LAB COPIES - WHITE & YELLOW; CLIENT COPY - PINK		Relinquished by (Signature and Company) Date Time		Relinquished by (Signature and Company) Date Time		Received by (Signature and Company) Date Time		Cooler Temp: <u>4</u> °C		SDG #: <u>0663</u> FOR LAB USE ONLY	
Tracking #:		Certification Ids: TNI (TNI01284); CT (PH-0699); NJ (14751); NY (11402); PA (68-00773).		PAGE: <u>1</u> of <u>1</u>		PAGE: <u>1</u> of <u>1</u>		PAGE: <u>1</u> of <u>1</u>		PAGE: <u>1</u> of <u>1</u>	

Feb 05, 2021 @ 04:23



PROJECT INFORMATION

**E21-00663: 20-711**

To: Teddy Slack  
 Simple Tank Services  
 Fax:  
 EMail: info@simpletankservices.com;ed@simpletankservices.com; tiffany@simpletankservices.com

**Report To**

Simple Tank Services  
 717 North Ave  
 Plainfield, NJ 07062  
 Attn: Teddy Slack

**Bill To**

Simple Tank Services  
 717 North Ave  
 Plainfield, NJ 07062  
 Attn: Teddy Slack

Report Format	P.O. #	Received At Lab	PHC Due	Verbal Due	Hardcopy Due
Reduced		Jan 29, 2021 @ 17:30	Feb 4, 2021	Feb 16, 2021	Feb 23, 2021 *

\* Any *Conditional or Hold* status will delay final hardcopy report sent date.

**Diskette Req.** Not Required

**Criteria Requirement:** NJ IGW

Lab ID	Client Sample ID	Depth	Sampling Time	Matrix	Unit	Field pH/Temp
00663-001	01	/8.0	01/28/21@12:05	Soil	ug/wipe	
00663-002	02	/8.0	01/28/21@12:07	Soil	mg/Kg (ppm)	
00663-003	03	/8.0	01/28/21@12:09	Soil	mg/Kg (ppm)	
00663-004	04	/8.0	01/28/21@12:11	Soil	mg/Kg (ppm)	
00663-005	05	/8.0	01/28/21@12:13	Soil	mg/Kg (ppm)	

Sample #	Test	Status	Analytical Method	TAT	Holding Time Expires
001	SPLP BN	Cancel	1312/8270E	STD/2 WKS	2/11/2021
	Naphthalene + 2-Methylnaphthalene	Cancel	8270E	STD/2 WKS	2/11/2021
	NJ-EPH (DRO) Cat 1	Analyze	Method 10.08 Rev 3	RUSH 72 HRS	2/11/2021
	Weight of soil for SPLP SVOC and/or Metals Leachate	Cancel	1312	STD/2 WKS	2/11/2021
	Final pH of SPLP SVOC and/or Metals Leachate	Cancel	9040C	STD/2 WKS	2/11/2021
	SPLP SVOC and/or Metals Leachate volume	Cancel	1312	STD/2 WKS	2/11/2021
002	Naphthalene + 2-Methylnaphthalene	Cancel	8270E	STD/2 WKS	2/11/2021
	SPLP BN	Cancel	1312/8270E	STD/2 WKS	2/11/2021
	NJ-EPH (DRO) Cat 1	Analyze	Method 10.08 Rev 3	RUSH 72 HRS	2/11/2021
	Final pH of SPLP SVOC and/or Metals Leachate	Cancel	9040C	STD/2 WKS	2/11/2021
	Weight of soil for SPLP SVOC and/or Metals Leachate	Cancel	1312	STD/2 WKS	2/11/2021
	SPLP SVOC and/or Metals Leachate volume	Cancel	1312	STD/2 WKS	2/11/2021
003	SPLP BN	Cancel	1312/8270E	STD/2 WKS	2/11/2021
	Naphthalene + 2-Methylnaphthalene	Cancel	8270E	STD/2 WKS	2/11/2021

\* No Cert = IAL does not hold certification for this test/method

273 Franklin Road  
 Randolph, NJ 07869  
 Phone: 973 361 4252  
 www.ialonline.com



IAL is a NELAP accredited lab (TNI01284) and maintains certification in Connecticut (PH-0699), New Jersey (14751), New York (11402), and Pennsylvania (68-00773).

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

Feb 05, 2021 @ 04:23



**PROJECT INFORMATION**

**E21-00663: 20-711**

Sample #	Test	Status	Analytical Method	TAT	Holding Time Expires
	NJ-EPH (DRO) Cat 1	Analyze	Method 10.08 Rev 3	RUSH 72 HRS	2/11/2021
	Weight of soil for SPLP SVOC and/or Metals Leachate	Cancel	1312	STD/2 WKS	2/11/2021
	Final pH of SPLP SVOC and/or Metals Leachate	Cancel	9040C	STD/2 WKS	2/11/2021
	SPLP SVOC and/or Metals Leachate volume	Cancel	1312	STD/2 WKS	2/11/2021
004	SPLP BN	Cancel	1312/8270E	STD/2 WKS	2/11/2021
	Naphthalene + 2-Methylnaphthalene	Cancel	8270E	STD/2 WKS	2/11/2021
	NJ-EPH (DRO) Cat 1	Analyze	Method 10.08 Rev 3	RUSH 72 HRS	2/11/2021
	SPLP SVOC and/or Metals Leachate volume	Cancel	1312	STD/2 WKS	2/11/2021
	Final pH of SPLP SVOC and/or Metals Leachate	Cancel	9040C	STD/2 WKS	2/11/2021
	Weight of soil for SPLP SVOC and/or Metals Leachate	Cancel	1312	STD/2 WKS	2/11/2021
005	Naphthalene + 2-Methylnaphthalene	Cancel	8270E	STD/2 WKS	2/11/2021
	SPLP BN	Cancel	1312/8270E	STD/2 WKS	2/11/2021
	NJ-EPH (DRO) Cat 1	Analyze	Method 10.08 Rev 3	RUSH 72 HRS	2/11/2021
	Final pH of SPLP SVOC and/or Metals Leachate	Cancel	9040C	STD/2 WKS	2/11/2021
	SPLP SVOC and/or Metals Leachate volume	Cancel	1312	STD/2 WKS	2/11/2021
	Weight of soil for SPLP SVOC and/or Metals Leachate	Cancel	1312	STD/2 WKS	2/11/2021

**Project Notes:**

**REV 1 taken by thomas on 02/05/2021 04:22**

As per Teddy Slack, cancel Naphthalene + 2-Methylnaphthalene for sample # 1,2,3,4,5,SPLP BN for sample # 1,2,3,4,5,Final pH of SPLP SVOC and/or Metals Leachate for sample # 1,2,3,4,5,SPLP SVOC and/or Metals Leachate volume for sample # 1,2,3,4,5,Weight of soil for SPLP SVOC and/or Metals Leachate for sample # 1,2,3,4,5

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Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

SAMPLE RECEIPT VERIFICATION

CASE NO: E 21 00663

CLIENT: Simple Tank

COOLER TEMPERATURE: 2° - 6°C: [checked] ( See Chain of Custody)

Comments

COC: COMPLETE / INCOMPLETE

KEY

- [checked] = YES/NA
[x] = NO

- VOA received: [ ] Encore [ ] IGW - Methanol
[ ] Terra Core [ ] No Preservative

- [checked] Bottles Intact
[checked] no-Missing Bottles
[checked] no-Extra Bottles
[checked] Sufficient Sample Volume
[checked] no-headspace/bubbles in VO's
[checked] Labels intact/correct
[checked] pH Check (exclude VO's)
[checked] Correct bottles/preservative
[checked] Sufficient Holding/Prep Time
[ ] Multiphasic Sample
[ ] Sample to be Subcontracted
[checked] Chain of Custody is Clear

1 All samples with "Analyze Immediately" holding times will be analyzed by this laboratory past the holding time. This includes but is not limited to the following tests: pH, Temperature, Free Residual Chlorine, Total Residual Chlorine, Dissolved Oxygen, Sulfite.

ADDITIONAL COMMENTS:

SAMPLE(S) VERIFIED BY: INITIAL AS DATE 1/29/21
CORRECTIVE ACTION REQUIRED: YES [ ] NO [checked]

If COC is NOT clear, STOP until you get client to authorize/clarify work.

CLIENT NOTIFIED: YES [ ] Date/ Time: NO [ ]

PROJECT CONTACT:
SUBCONTRACTED LAB:
DATE SHIPPED:

ADDITIONAL COMMENTS:

VERIFIED/TAKEN BY: INITIAL [signature] DATE 2-2-21

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

### Laboratory Custody Chronicle

*IAL Case No.*

**E21-00663**

*Client* Simple Tank Services

*Project* 20-711

*Received On* 1/29/2021@17:30

**Department: GC**

			<u>Prep. Date</u>	<u>Analyst</u>	<u>Analysis Date</u>	<u>Analyst</u>
NJ-EPH (DRO) Cat 1	00663-001	Soil	2/ 3/21	Archimede	2/ 4/21	Chad
"	-002	"	2/ 3/21	Archimede	2/ 4/21	Chad
"	-003	"	2/ 3/21	Archimede	2/ 4/21	Chad
"	-004	"	2/ 3/21	Archimede	2/ 4/21	Chad
"	-005	"	2/ 3/21	Archimede	2/ 4/21	Chad

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

NOTE: All soil, sediment, sludge, and solid samples are reported on a dry-weight basis.

*Integrated Analytical Labs ~ 273 Franklin Road, Randolph, NJ 07869 ~ (973) 361-4252*

LAST PAGE OF DOCUMENT

Attachment: RAR Final Draft 20-711 (2021-98 : Authorizing Mayor to Sign Documents to Submit to DEP About 144 Main St.)

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-99**

DOC ID: 3478

## **Appointing Olivia Barrick as Interim Municipal Court Administrator**

BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON

WHEREAS, Susan Fleming, Court Administrator, is retiring effective May 1, 2021; and

WHEREAS, the position of Court Administrator needs to be filled; and

WHEREAS, the Borough accepted applications and a five-person panel comprised of Borough and Court officials interviewed several candidates; and

WHEREAS, pursuant to the recommendation of the interview panel, Assignment Judge Thomas Miller met with candidate Olivia Barrick and has approved her selection as recommended by the panel; and

WHEREAS, Ms. Barrick is currently considered an interim Municipal Court Administrator pursuant to N.J.S.A. 2B:12-11(e) since she does not hold a municipal court administrator certificate; and

WHEREAS, the statute allows the governing body to appoint a person as a Municipal Court Administrator who is not a certified Municipal Court Administrator on an interim basis, for a period not to exceed one year commencing on the date of the appointment; and

WHEREAS, the statute further states, "Any person so appointed may, in consultation with the judge of the municipal court, be reappointed as a municipal court administrator, on an interim basis, for two subsequent one-year terms. The municipal court administrator appointed on an interim basis may be reappointed for a fourth and, if necessary, a fifth additional one-year term, provided the municipal court administrator is currently enrolled in the certification program and needs additional time to complete that program."

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that Olivia Barrick be appointed as the interim Court Administrator for Flemington Municipal Court effective May 10, 2021 through May 9, 2022, at an annual salary of \$55,000.00.

BE IT FURTHER RESOLVED that Ms. Barrick's salary be increased by \$2,000 upon proof

of completion of her certification as a court administrator.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-100**

DOC ID: 3479

## Appointing Borough Resident Matt Henley to a Vacant Position on the Shade Tree Commission

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**WHEREAS** the Flemington Shade Tree Commission has a vacant regular seat; and

**WHEREAS** Borough resident Matt Henley would like to join the commission; and

**WHEREAS** the Shade Tree Commission has recommended Mr. Henley's appointment;

**THEREFORE BE IT RESOLVED** that Borough resident Matt Henley is appointed to a regular seat on the Shade Tree Commission, which term expires on December 21, 2022.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, RMC, Municipal Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-101**

DOC ID: 3480

## **Appointing SSP Architects the Architect for Design Services for the Flemington Borough Project Entitled "Flemington Public Library Interior Improvements"**

**WHEREAS**, the Borough of Flemington Public Library is in need of improvements to the Library's Basement, First Floor and Second Floor; and

**WHEREAS**, The Borough of Flemington consulted with SSP Architects to identify these areas and provide a cost estimate for Design Bidding and Construction Services for Survey, Detailed Plans and Specifications Bid Documents and Construction Observation for the proposed work; and

**WHEREAS**, SSP Architects has provided a detailed breakdown for these services as noted in the attached proposal; and

**WHEREAS**, the Borough wishes to retain SSP Architects to serve as "Project Architect" for the design services as noted in the attached proposal.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Flemington, Hunterdon County, State of New Jersey, that:

1. SSP Architects is hereby authorized to serve as Project Architects for the purpose of completing the Design Bidding and Construction Services for the Borough of Flemington Library as noted in its proposal dated April 19, 2021; and
2. Payment for the service contemplated herein is not to exceed \$92,500.00
3. Payment for these services shall be made from the Library Bequest.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**CERTIFICATION**

I, Sallie Graziano, Municipal Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Flemington Borough Council at the Council meeting held on Monday, April 26, 2021.

Resolution 2021-101

Meeting of April 26, 2021

---

Sallie Graziano, RMC  
Municipal Clerk

---

Date of Certification

**Mayor and Common Council**38 Park Avenue  
Flemington, NJ 08822Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie GrazianoInitiator: Sallie Graziano  
Sponsors:**SCHEDULED****RESOLUTION 2021-102**

DOC ID: 3481

**State of New Jersey Department of Environmental Protection  
Urban Parks Initiative Enabling Resolution****Flemington Borough, Hunterdon County**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), is providing grants through the Urban Parks initiative; and

WHEREAS, the Borough of Flemington desires to further the public interest by obtaining grant funding in the amount of \$500,000.00 from the State to fund the following project: Tuccamirgin Park Recreation Improvements at a cost of \$500,000.00;

NOW, THEREFORE, the governing body resolves that Robert Martucci, P.E. or the successor to the office of Borough Engineer is hereby authorized to:

- (a) make application for such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above-named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Urban Parks initiative, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with applicable policies and laws, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Flemington:

1. That the Borough Engineer of the above-named body is hereby authorized to execute an agreement and any amendment thereto with the State known as Tuccamirgin Park Recreation Improvements;
2. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
4. That this resolution shall take effect immediately.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**CERTIFICATION**

I, Sallie Graziano do hereby certify that the foregoing is a true copy of a resolution adopted by the Council of the Borough of Flemington at a meeting held on the 26<sup>th</sup> day of April, 2021.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 26th day of April 2021.

---

Sallie Graziano, RMC, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED****RESOLUTION 2021-103**

DOC ID: 3482

## **Authorizing Submission of a Grant Application to Congressman Malinowski’s “Community Funding Program” for Development of Potable Water Wells Within the Borough of Flemington**

**Flemington Borough, Hunterdon County**

**WHEREAS**, the Borough Water Department in the Borough of Flemington currently has requests for new water service connections from Redevelopment Projects; and

**WHEREAS**, there exists a need for construction of potable water wells within the Borough of Flemington’s Water and Sewer Service area in order to maintain sustainability and resiliency to the system; and

**WHEREAS**, the Borough Engineer has determined the amount of the funds needed to design, permit and construct these wells; and

**WHEREAS**, the total project cost for these improvements is anticipated to be \$4,500,000.00 and the Borough intends submit an application for a grant to Congressman Malinowski’s “Community Funding Grant Program” for the funding; and

**WHEREAS**, the Borough Engineer has prepared a Grant Application for submission to the Congressman’s Program; and

**WHEREAS**, the Borough of Flemington Council must authorize the filing of the “Community Funding Grant Program” application.

**NOW, THEREFORE, BE IT RESOLVED** by the Flemington Borough Common Council that:

1. The Borough of Flemington Council approves submission of the complete grant application for the Community Funding Grant Program; and
2. The Mayor and Clerk are hereby authorized to sign the application package on behalf of the Borough of Flemington and to undertake any and all action necessary to submit the same.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_

Betsy Driver, Mayor

---

Sallie Graziano, Clerk

**Mayor and Common Council**38 Park Avenue  
Flemington, NJ 08822Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie GrazianoInitiator: Sallie Graziano  
Sponsors:**SCHEDULED****RESOLUTION 2021-104**

DOC ID: 3474

## **Resolution to Retroactively Correct and Amend Resolution 2014-44 to Correct a Scrivener's Error Regarding the Inclusion of Block 22 Lot 12 in the Designation of Certain Areas as an Area in Need of Redevelopment**

**WHEREAS**, pursuant to Resolution 2013-132, adopted August 12, 2013, the Council of the Borough of Flemington ("Council") directed the Planning Board of the Borough of Flemington to undertake a preliminary investigation to determine whether the following parcels of property located south of the Union Hotel qualify as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"):

<u>Block</u>	<u>Lot</u>
22	5, 6, 7, 8, 9, 10 and 12
23	1 and 7

(the "Study Area"); and

**WHEREAS**, the Planning Board retained the services of Clark Caton Hintz, a professional planning and architectural firm ("CCH") to assist in conducting the necessary investigation and analysis to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the Redevelopment Law; and

**WHEREAS**, CCH conducted such investigation and prepared a report of its investigation entitled "Preliminary Investigation For An Area In Need of Redevelopment," dated November 26, 2013 (the "Redevelopment Investigation Report"), and

**WHEREAS**, the Redevelopment Investigation Report concluded that the Study Area exhibited conditions which conformed with several of the redevelopment criterion under Section 5 of the Redevelopment Law; and

**WHEREAS**, the Planning Board held a duly noticed public hearing regarding the preliminary investigation of the Study Area on December 16, 2013 at which time it heard a presentation by Carl E. Hintz, ASLA, CLA, PP, AICP of CCH ("Hintz") with regard to the Redevelopment Investigation Report, as well as comments from members of the public in attendance relative thereto; and

**WHEREAS**, at the conclusion of the meeting on December 16, 2013, the Board voted to confirm the Redevelopment Investigation Report of CCH and to recommend that the Study Area be declared an area in need of redevelopment; and

**WHEREAS**, on January 28, 2014, the Planning Board adopted Resolution PB 2014-5 which correctly recommended that the Study Area previously defined within Council Resolution 2013-132, the Redevelopment Investigation Report and testimony from Hintz as Block 22, Lots 5, 6, 7, 8, 9, 10 and 12 and Block 23, Lots 1 and 7, be declared an area in need of redevelopment, but incorrectly referenced Block 22, Lot 12, as Block 22, Lot 2 therein; and

**WHEREAS**, on February 10, 2014 the Council reviewed the Resolution of the Planning Board and accepted the Board's recommendations and adopted Resolution 2014-44 designating the Study Area as an area in need of redevelopment, but, similar to the Planning Board, incorrectly referenced Block 22, Lot 12 as Block 22, Lot 2, therein; and

**WHEREAS**, on April 13, 2021, the Planning Board reviewed its Resolution PB 2014-5 and adopted Resolution PB- 2021-07 which found the inclusion of Block 22, Lot 2 rather than Block 22, Lot 12 to be a scrivener's error and retroactively amended Resolution PB 2014-5 to correctly designate the Study Area by removing all references to Block 22, Lot 2 and replacing them with references to Block 22, Lot 12.

**WHEREAS**, the Council has reviewed Council Resolution 2013-132, the Redevelopment Investigation Report, and the minutes of the Planning Board's December 16, 2013 meeting, which include the testimony of Hintz, all of which refer to and recommend the inclusion of Block 22, Lot 12 in the Study Area and none of which ever mention Block 22, Lot 2, as well as Resolution PB 2021-07 which retroactively amended Resolution PB 2014-5 to correctly designate the Study Area by removing all references to Block 22, Lot 2 and replacing them with references to Block 22, Lot 12; and; and

**WHEREAS**, based upon its review of the above, it is clear that Council Resolution 2014-44 inadvertently referenced Block 22, Lot 2 as opposed to Block 22, Lot 12 as being part of the Study Area and that it was the intention of the Council to designate the entirety of the Study Area as contained in Council Resolution 2013-132, the Redevelopment Investigation Report and the testimony of Hintz, all of which recommended Block 22, Lot 12 and not Block 22, Lot 2, be deemed an area in need of redevelopment; and

**WHEREAS**, as a result, the Council hereby concludes that the omission of Block 22, Lot 12 and the inclusion of Block 22, Lot 2 in Council Resolution 2014-44 was a scrivener's error and desires to retroactively amend Council Resolution 2014-44 to correct the same.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Flemington that Resolution 2014-44 be and is hereby retroactively amended to correctly designate the Study Area by removing all references to Block 22, Lot 2 and replacing them with references to Block 22, Lot 12, which change is deemed to be a correction of a scrivener's error so that Resolution 2014-44 accurately reflect the intention of the Council to designate Block 22, Lot 12 as an area in need of redevelopment in accordance with Council Resolution 2013-132, the Redevelopment Investigation Report, the testimony of Hintz and the minutes from the December 16, 2013 Planning Board meeting and Resolution PB 2021-07.

Adopted: April 26, 2021

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**CLERK'S CERTIFICATION:**

I hereby certify that the above Resolution is a true copy of the Resolution adopted by the Council of the Borough of Flemington on April 26, 2021.

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

\_\_\_\_\_  
Date of certification

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/26/21 07:30 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2021-105**

DOC ID: 3483

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**Decontamination at 144 Main St.**