

**Borough of Roosevelt  
33 N. Rochdale Avenue  
Roosevelt, NJ 08555**

**Mayor and Council Regular Meeting Minutes of May 22, 2017**

Mayor Ellentuck opened the meeting at 7:01 p.m. and read the Open Public Meetings Act statement which stated, “Adequate notice of this meeting, as required by Chapter 231, P.L. 1975, has been provided by a public notice on January 3, 2017, which was posted on the former Bulletin Board at the Roosevelt Post Office, on the Bulletin Board in the Roosevelt Post Office and in the Borough Hall. The notice was published in The Times and Asbury Park Press.”

Roll Call:

	<b>PRESENT</b>	<b>ABSENT</b>
<i>Councilmember Bonna</i>	✓	
<i>Councilmember Hamilton</i>	✓	
<i>Councilmember Lipoti</i>	✓	
<i>Councilmember Malkin</i>	✓	
<i>Councilmember Ticktin</i>	✓	
<i>Councilmember Trammell</i>	✓	
<i>Mayor Ellentuck</i>	✓	

Also in attendance: Richard Shaklee, Borough Attorney, Kathleen Hart, Borough Clerk, Kelly Tyers, Deputy Clerk

**MAYOR’S REPORT:**

- Councilmember Hamilton questioned at the last meeting when the video cameras were installed. They were installed prior to Councilmember Hamilton's last term as Councilperson. They were here during Hurricane Sandy.
- Attended a regionalization meeting with County OEM, County Fire Marshall, and Director of Public Works. Freeholder Arnone and Millstone Twp. Fire Commissioner Dave Markunas were not able to attend. Discussed a push to regionalize, especially in the panhandle areas. If other surrounding towns join, the larger the assessed evaluation, hence the amount per \$100 goes down. Councilmember Trammell asked if that has any affect on the contract we just signed with Millstone. Mayor Ellentuck stated that before the fifth year if more towns join in, then that would bring in an increase tax base and therefore, should be a decreased cost to us.
- Union Beach Fire Department very grateful for the donation of fire equipment.
- Received quotes for a new recording system. The systems are now computer based, hence more expensive. Councilmember Trammell will do additional research and advise the Council.
- Notice to Bidders for Liquor License was advertised today and will again be advertised on May 29th with bid opening on June 28, 2017.

**APPROVAL OF MINUTES: April 12, 2017 - Regular Meeting Minutes**

On a motion by Councilmember Ticktin to approve the April 12, 2017 Regular Meeting Minutes, second by Councilmember Lipoti.

**Roll Call:**

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: None

Mayor Ellentuck said beginning May 8, 2017 audio tapes of the Council meetings will be posted on the Borough website, under Recording.

**APPROVAL OF MINUTES: April 20, 2017 - Special Meeting Minutes**

On a motion by Councilmember Ticktin to approve the April 20, 2017 Special Meeting Minutes, second by Councilmember Lipoti.

**Roll Call:**

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**PUBLIC COMMENT FOR CONSENT AGENDA:**

Robert Kragen, 7 School Lane:

- Refuting Resolution 17-79 to Deny Request for Waiver of Water/Sewer Overage Charges In The Amount Of \$72.00 for 7 School Lane. Stated it was a bad meter and called Toby who came out with KTK, changed out meter, opened pit and found some water in the pit. He asked Toby to email the Borough and advise them that this is a bad meter and shouldn't pay for the overage charge.
- Stated that the meter and bill are faulty. The bill should never have occurred.
- Questioned charges of \$425 from KTK for excavation; need to see bill.
- Would like this issue postponed until witnesses are called - Toby & KTK.
- Stated that he spoke to Toby a few minutes ago and Toby agreed that in fact, the flooding had nothing to do with what he did years ago and there would have been higher water bills all along.
- Would like this resolution taken off under Consent Agenda and discussed separately.

Maureen Parrott - 2 Tamara Drive:

- Questioned Resolution 17-75 Authorizing Code Red Agreement Renewal and would like to know if Code Red is required by law.
- Currently not signed up for Code Red, feels this is completely unnecessary and could save the town \$7,500 over 3 years.
- Would like this resolution taken off under Consent Agenda and discussed separately.

**CONSENT AGENDA:**

Mayor Ellentuck removed Resolution 17-75 and Resolution 17-79 from the Consent Agenda to be discussed separately.

Resolution 17-71: Declaring Results of the March 28, 2017 Special Election

- Resolution 17-72: Declaring Results of the April 25, 2017 Special Election
- Resolution 17-73: Resolution Setting Fees for a Recreational Summer Camp
- Resolution 17-74: Resolution to Set Reimbursement Guidelines for Recreation Activity: July 4<sup>th</sup> Celebration
- Resolution 17-76: Payment of Bills
- Resolution 17-77: Authorizing Temporary Emergency Appropriations: #5
- Resolution 17-78: Resolution, Setting Reimbursement Guidelines for Recreation Activity Music Nite

Councilmember Ticktin made a motion to approve the Consent Agenda without Resolution 17-75 and Resolution 17-79, second by Councilmember Malkin.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: None

**OTHER RESOLUTIONS:**

Resolution 17-75: Authorizing Code Red Agreement Renewal

Comments:

Councilmember Hamilton asked how many people are signed up for Code Red and how do residents get notified. Mayor Ellentuck stated that there is over 600 residents (approximately 80%) signed up and notification is by email, phone, text or all three ways.

Councilmember Bonna stated that it is a good thing to have notification regarding snow, water breaks, sewage problems and emergencies.

Councilmember Bonna made a motion to approve Resolution 17-75, second by Councilmember Ticktin.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: None

Resolution 17-79: Resolution to Deny Request for Waiver of Water/Sewer Overage Charges In The Amount Of \$72.00 for 7 School Lane

Comments:

Councilmember Lipoti stated that Toby has had several discussion regarding 7 School Lane water meter. There is a 10 year warranty on the water meters and they were changed out over 10 years ago. However, Toby feels very strongly about this and will forward to the Council an email from Toby, who puts forth the facts of the case. Councilmember Lipoti asked council members if they would like to delay voting until they receive a copy of the email to review. Some of the facts are: damaged was caused by repeatedly opening and shutting the valve and draining the water from the house into the pit. The meter is not designed as a submersible and it had been submersible for some time. The cost of excavation and replacing the meter came to over \$900. Toby felt the repeated manipulation of the valve led to a crack that led to the water problem in the pit. All requests for waiver of overage charges comes in front of the Council for approval. Toby requested denial of this waiver as it is was not justified.

Councilmember Hamilton said this meter is 10 years old and it was going to be replaced anyhow. Did Toby say this meter failed because the homeowner tampered with it in a way that stripped the threads and damaged it maliciously? Would like to get more information.

Councilmember Ticktin said this seems to be a different issue whether there was some tampering or destruction of property, which should be dealt differently than an overage charge.

Councilmember Hamilton made a motion to **Table** Resolution 17-79, second by Councilmember Ticktin.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
NAYS: None  
ABSTAIN: None  
ABSENT: None

## **ORDINANCES:**

**2017-003 SECOND READING AND PUBLIC HEARING**  
CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA. 40A:4-45.14)

Comments:

Mayor Ellentuck asked for a draft copy of the budget and wants the budget to be done in accordance with the statutory laws. Councilmember stated that George Lang, CFO, is fine tuning it and was waiting for additional numbers. He would like to have one more meeting with the Finance Committee. The CFO would like to a have a Special Meeting to introduce the Budget next Tuesday and then adopted 28 days later. The Council discussed the needs to review the budget prior to introduction. Councilmember Malkin will contact the CFO to send a draft of the budget to the Council.

Mayor Ellentuck opens the public comment at 7:44 p.m.

Maureen Parrott, 2 Tamara Drive:

- How can you know you are going to exceed the budget if you don't have a budget yet?

- Agrees with Mayor that the budget needs to be done timely.
- Wants any changes to the budget done in public not behind the scene; put draft budget on website prior to introduction.

Mayor Ellentuck closed the public portion at 7:48 p.m.

Councilmember Hamilton made a motion to adopt Ordinance 2017-003, second by Councilmember Ticktin.

Roll Call:

AYES: Bonna, Hamilton, Lipoti, Malkin, Ticktin, Trammell  
 NAYS: None  
 ABSTAIN: None  
 ABSENT: None

#### **2017-004 INTRODUCTION AND FIRST READING**

AN ORDINANCE OF THE BOROUGH OF ROOSEVELT AMENDING AND SUPPLEMENTING CHAPTER 7 “VEHICLES AND TRAFFIC”, SECTION 7-10 REGARDING PARKING ON HOMESTEAD LANE

Comments:

Mayor Ellentuck stated this No Parking Zone is in front of the synagogue to the walkway in front, 50' to the right and 50' to the left. Borough Attorney, Richard Shaklee, stated that penalties/fines are up to \$1,250 (statutory fees).

Councilmember Ticktin made a motion to introduce Ordinance 2017-004, second by Councilmember Ticktin.

Roll Call:

AYES: Bonna, Lipoti, Malkin, Ticktin, Trammell  
 NAYS: None  
 ABSTAIN: Hamilton  
 ABSENT: None

Public Hearing to be held on June 12, 2017 at 7:00 p.m. at the Borough of Roosevelt, 33 N. Rochdale Avenue, Roosevelt, NJ 08555

#### **REPORTS OF COMMITTEE CHAIRS:**

Councilmember Michael Hamilton, Public Works:

- Town wide litter pick up was May 21, 2017; approximately 21 people showed up and was very successful.
- Three organizations were involved; which can qualify for a \$500 grant. The Roosevelt Education Foundation and The Bulletin applied.
- June 5, 2017 is scheduled for branch pick up. Please put branches out at the curbside. A Code Red will be sent out to remind residents.
- Roof Project Update at Borough Hall; Asked Ana to get a few more quotes broken down by: Borough Hall section only; 1st Aid section only; entire roof as one project.

- Smoke detectors are old and hardwired into the system and need to be replaced. Need carbon monoxide detectors too.
- Shared Service Agreement with County that runs through 2018. They can do catch basin cleaning, plowing and salting of roads, street sweeping.
- Reaching out to surrounding towns for shared service for Public Works.

Councilmember Michael Ticktin, Community Dev/Code/Senior Rep.:

- Received a report from the Bureau of Rooming and Boarding House Standards concerning the property on Homestead Lane. They investigated and reported that it is a single household and not a boarding house. If it is a rooming or boarding house, they have jurisdiction with very serious enforcement.
- Garage redevelopment continues to shows interest and understands they would need to bring water/sewer to the property and be responsible for security.
- May 29th is the 80th anniversary of the establishment of the Borough of the Jersey Homestead.
- June 10<sup>th</sup> is RPS 6<sup>th</sup> grade graduation.

Councilmember Lipoti said she attended a recycling forum. Learned that Goodwill has certified and refurbished medical equipment that can be bought or rented. They will pick up or deliver.

Councilmember Stacey Bonna, Administration/Environmental Rep.:

- Green Challenge - urge residents to take the pledge to mulch grass clippings and leaves for recycling. Help Roosevelt get Sustainable NJ points for the Bronze certification. Need to document. Any questions, contact Eitan or Councilmember Bonna.
- June 3rd - Invasive Species Committee is hosting a Butterfly Planting at the Pocket Park off of Spruce and County Route 571.
- Should receive the first draft of the Forestry Plan at the next Environment Commission meeting.

Kelly Tyers, Public Works:

- Bear has been spotted three times; stay away from any cubs.

Mayor Ellentuck:

- Met with the medical marijuana group and they are proceeding with gas station. Plan to knock down and put module building and a green house. Need to bring conceptual plan to Council along with engineer and attorney to explain the plan. Council would review and present to Planning Board. They would have armed guards and it would be a secured facility.

Richard Shaklee, Borough Attorney: No Report

Councilmember Peggy Malkin, Finance/Planning Board Rep.:

- No update on the Planning Board.
- Paid a bill tonight for KTK for \$1,500. Implore the Council to find other vendors.

Mayor Ellentuck asked Councilmember Malkin for a list of other similar companies showing their hourly rates and then compare the rate to KTK's.

Councilmember Malkin read her Finance report (see attached).

Mayor Ellentuck responded to the Finance report by stating that he requested the meeting of the professionals, not Mr. Shaklee and any discussion of this matter will take place in closed session.

Councilmember Hamilton asked the Borough Attorney on his opinion as there is no litigation brought to the Borough at this time and to give us some advice on this matter and feels this is a public matter and should not be done behind the scenes.

Councilmember Malkin stated that the Mayor held a secret meeting and didn't inform the other council members or Finance Chair. If we didn't scrutinize the bills we would never had known that this meeting took place.

Richard Shaklee, Borough Attorney, stated that this needs to be discussed in closed session, potential anticipated litigation.

The Council continued to have a contentious discussion.

Councilmember Jill Lipoti, Utilities:

- Discussed the letter from the DEP regarding Capacity Insurance Program, effective May 15, 2017 (see attached).
- We are now required to do what R3M was doing in their study. The bond would have covered the reports required now how are we going to pay for this?

Mayor Ellentuck said that the bond was to pay for engineering study for Infiltration and Inflow. The bond was defeated and two weeks later the DEP sent this letter.

Councilmember Hamilton said he doesn't see it that way. The bond was to pay for unapproved and unauthorized invoices totaling \$100,000; not to pay for the study.

Councilmember Lipoti asked should we pass another bond now to pay for this DEP requirement.

Councilmember Trammel stated we have six months to get our act together then.

Councilmember Malkin and Hamilton would like R3M to come to a meeting, present the work they did through December 31, 2016 and that we are not going to pay them.

Council continued their discussion regarding R3M billing and the study.

Councilmember Joe Trammell, Envi, Health & Safety: No Report. Would like to have a closed session to discuss R3M matter further.

Councilmember Bonna requested a short recess at 9:00 a.m.

Council came back in session at 9:14 p.m.

**REPORTS OF BOROUGH OFFICIALS: None**

**OLD BUSINESS: None**

**NEW BUSINESS: None**

Mayor Ellentuck stated we will go right to public comment and then end the meeting. He will schedule another meeting, with the Auditor and Accountant in attendance, to continue discussion regarding the initial meeting that took place about 2 weeks ago.

**PUBLIC COMMENT:**

**Mayor opened the public comment at 9:15 p.m.**

Maureen Parrott, 2 Tamara Drive:

- I did not threaten to sue Roosevelt and doesn't make threats that she doesn't follow through on.

Deb Lenart, 5 Elm Court:

- Has the Council consider the residential house next to the potential site of the marijuana dispensary.
- Questioned what actions are being taking about the 1st Aid Squad building and are we in compliance with PEOSHA as we are on a time line? Council does not move on issues in a timely manner.
- Where are we going to get the money for this DEP requirements and how to fix this problem.

Mayor Ellentuck said we are waiting on engineering reports. Councilmember Hamilton is making sure we are doing all the requirements and doing it right, including PEOSHA.

Gary Shyner, 46 Lake Drive:

- What disciplinary action was taken regarding an incident a couple of months ago between an employee and himself?
- Questioned why Council has to go into Closed Session as he feels everything should be discussed in open session.

Mayor Ellentuck stated that action was taken by the Administration Committee and can't be discussed in public per OPRA. Borough Attorney, Richard Shaklee, will discuss further with the Administration Committee.

Robert Kragen, 7 School Lane:

- Questioned Mayor's personal and business life.

Mayor Ellentuck responded strongly that his businesses have no bearing on any Borough matter.

**CLOSED SESSION: None**

**ADJOURNMENT:**

Mayor Ellentuck asked for a motion to adjourn.

Councilmember Trammell moved to adjourn at 9:35 p.m., Councilmember Bonna second. All ayes.



Respectfully Submitted,

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Kathleen Hart, Borough Clerk

Adopted Date: July 10, 2017

**Report of Peggy Malkin, Finance Committee Chair, to Roosevelt Borough Council at May 22, 2017, Council Meeting to be attached to the minutes and placed on the Borough's website.**

I believe that I have a duty to report to the Council and the public the following information regarding three bills totaling \$100,034 submitted to the Borough for payment by R3M Engineering for engineering fees regarding the water/sewer system during 2016, which fees were beyond the \$55,000 appropriated by the Borough Council for water/sewer engineering costs for 2016.

On the agenda tonight is a resolution to accept the results of the April 25<sup>th</sup>, 2017, referendum at which the voters did not ratify the \$142,500 bond passed by the 2016 Council on December 27, 2016. This bond would have paid the outstanding unappropriated 2016 engineering bills totaling \$100,034. In my view, a primary reason for rejecting this bond was that New Jersey law renders these bills void because they exceeded the sum appropriated for water/sewer engineering. In any event, the voters refused to ratify borrowing funds to pay these unappropriated engineering fees.

On or about November 8, 2016, the Borough Clerk informed me, as Chair of the Finance Committee, that R3M Engineering had billed the Borough on November 3, 2016, for engineering work at a cost of \$55,048, which sum was in excess of the water/sewer engineering fees appropriated by the Council for 2016. The next day I spoke with Chief Financial Officer George Lang who confirmed that the bill had come in and that there was no appropriation to pay it.

The CFO and the Borough Clerk, however, failed to inform me, the Finance Committee, and the Council at any time prior to the referendum that R3M had submitted two additional bills for engineering fees during 2016 beyond the amount appropriated. These bills are dated December 8, 2016, in the sum of \$18,544.50 for work performed from October 29, 2016, through November 25, 2016; and dated January 9, 2017, in the sum of \$26,441.50 for work performed from November 26, 2016, through December 31, 2016.

This month, while reviewing a bill submitted by the Borough Attorney, two members of the Finance Committee noted billing entries for emails related to a meeting to discuss the R3M bills. As a result of the inquiry from Council member Hamilton, the Borough Attorney revealed that in the first week of May, he had organized a meeting in Freehold, which was also attended by Mayor Ellentuck, CFO George Lang, Auditor Gerry Stankewicz, and Councilman Michael Ticktin. Council member Hamilton will read the Borough Attorney's synopsis of this meeting into the record. Although I am the Chair of the Finance Committee, I was not informed of this meeting or that a plan for payment of the unappropriated engineering fees was being considered by the Borough's financial professionals.

I am concerned that the Borough Attorney, the CFO and the Auditor evaded the Finance Committee, met secretly with the Mayor and one Council member, withheld information

from the Finance Committee, and devised a secret plan to pay unappropriated engineering fees after the public refused to ratify a bond designed to pay these fees.

I am concerned that these professionals are acting contrary to the will of the voters expressed at the April 25, 2017, referendum.

I am concerned that the use of money from an unrelated bond to pay these engineering fees is improper because the unrelated bond was passed by the Borough Council to pay other costs, and use of bond money to pay fees for which the bond was not passed undermines the will of the Council in passing the bond and deprives the voters of the statutory opportunity to petition for a referendum on such bond.

I am concerned that these professionals may be acting contrary to the interest of the Borough and its taxpayers in seeking to pay unappropriated engineering fees which may have been rendered void by operation of law. See N.J.S.A. 40A:4-57, which provides:

No officer, board, body or commission shall, during any fiscal year, expend any money (except to pay notes, bonds or interest thereon), incur any liability, or enter into any contract which by its terms involves the expenditure of money for any purpose for which no appropriation is provided, or in excess of the amount appropriated for such purpose. Any contract made in violation hereof shall be null and void, and no moneys shall be paid thereon.

I am concerned about potential criminal liability. See N.J.S.A. 2C:30-4 which provides:

A . . . member of a county or municipal governing body . . . commits a crime of the fourth degree if he purposely and knowingly:

- a. Disburses, orders or votes for the disbursement of public moneys, in excess of the appropriation for that office, division, department, institution, board or body; or
- b. Incurs obligations in excess of the appropriation and limit of expenditure provided for by law for that office, division, department, institution, board or body.

Finally, I am troubled that, despite a request for a legal analysis concerning these statutes as they apply to the unappropriated engineering fees, the Borough Attorney has failed to provide any legal analysis to the Council.

cc: J. Lapota  
T. Moore



RECEIVED ON 5/18/2017

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DLJ

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Quality

Municipal Finance & Construction Element

Bureau of Environmental, Engineering & Permitting

Mail Code 401-03D

PO Box 420

Trenton, NJ 08625-0420

Phone 609-633-1170

Fax 609-633-8165

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

May 15, 2017

Dear Permittee:

Re: Notice of Amendments to the Capacity Assurance Program (CAP)

Take notice that the New Jersey Department of Environmental Protection has adopted amendments to the NJPDES rules (N.J.A.C. 7:14A) at N.J.A.C. 7:14A-22.16, Capacity Assurance Program, effective May 15, 2017.

The purpose of the CAP rule at N.J.A.C. 7:14A-22.16 is to establish a mechanism for ensuring that treatment works, which includes both the treatment plant and the associated conveyance system(s), will avoid hydraulic overloads that could result in violation(s) of NJPDES permit discharge limits or unpermitted discharges. These amendments to the CAP rule increase the CAP threshold from 80 percent of permitted flow (based on a 3-month consecutive average using committed flow) to 95 percent of permitted flow (based on reported flows, from monthly DMRs, over 12 consecutive months). They also expand the regulatory requirements which include that a more detailed assessment of the treatment works be performed and a more detailed evaluation of alternative measures be performed that would maximize conveyance and treatment of existing flows, reduce or maintain existing flows below permitted flow, and/or increase the capacity of the treatment works. In addition, the amendments require the identification and justification for selected measures; the establishment of an implementation schedule; the description of the finance mechanism and certification that the chosen alternative will be implemented (refer to attached checklist).

A Capacity Analysis Report (CAR), which shall include the above-mentioned items, shall be due 180 days from the last month of a 12-month period that the treatment plant reaches or exceeds 95 percent of its permitted flow, or 180 days from notification from the Department (in cases dealing with wet weather events or conveyance system issues). As required under the existing rule, the amended rule requires a completed WQM-007 Form to be submitted to the Department on a quarterly basis when the threshold has been triggered. The rule also clarifies the Department's authority in relation to the Water Pollution Control Act and in regards to its ability to stopping the issuance of Treatment Works Approvals (FWAs) if a CAR is not submitted that meets the requirements of the rule or if capacity assurance measures established through the CAR are not implemented; expands the regulatory requirements to require that the owner or operator of a wastewater conveyance system submit a CAR when requested by the Department;

**CAPACITY ANALYSIS REPORT CHECKLIST**  
**(N.J.A.C. 7:14A-22.16(c))**

- 1) An assessment of the treatment works, including:
  - i) Dry weather treatment capacity at the plant;
  - ii) Wet weather treatment capacity at the plant;
  - iii) Sources and extent of inflow and infiltration;
  - iv) Amount of flow for connections for which TWAs have been issued but are not yet in operation, and projected flows to accommodate growth within the service area over the next 20 year period;
  - v) Current operation and maintenance practices that maximize conveyance and treatment;
  - vi) Planned improvements to the treatment works;
  - vii) Pending applications for NJPDES permits and treatment works approvals related to the capacity of the treatment works; and
  - viii) Compliance status, including NJPDES permit violations and known sanitary sewer overflows.
  
- 2) An evaluation of alternative measures that would maximize conveyance and treatment of existing flows, reduce or maintain existing flows below permitted flow at the treatment plant and ensure adequate conveyance capacity, and/or increase the capacity of the treatment works. This evaluation shall include, at a minimum:
  - i) A review of current and proposed water conservation measures to reduce flow;
  - ii) Strategies to reduce infiltration;
  - iii) Strategies to reduce inflow from sanitary sewer lines, including disconnection of roof leaders, sump pumps, and other sources of inflow, and redirect the inflow to storm sewer lines to the extent feasible;
  - iv) Strategies to maximize current conveyance and treatment capacity including changes to current operation and maintenance practices or increases in permitted flow at the treatment plant; and
  - v) Capital improvements to expand existing conveyance or treatment capacity.
  
- 3) The identification of and justification for the measure(s) selected based on the evaluation of alternatives described at 2) above.
  
- 4) An implementation schedule for the selected alternative(s), including any necessary continued assessment of infiltration and inflow and changes to rules, ordinances, and sewer use agreements of the permittee, participating municipalities, and/or sewage authorities. The implementation schedule shall provide for the revision of relevant operation and maintenance and asset management plans to incorporate the selected alternative(s).
  
- 5) A description of the mechanisms to be used to finance the selected alternative(s); and
  
- 6) A certification signed in accordance with N.J.A.C. 7:14A-4.9 that the selected alternative(s) will be undertaken in accordance with the implementation schedule.

- > The CAR shall be submitted to the Department within 180 days after the last day of the final month of the 12-consecutive-month period.
- > A completed WQM007 Form shall be submitted to the Department beginning the last day of the month following the date the threshold is met, and on a quarterly basis thereafter.

Both items shall be sent to the following address:

NJ DEP, Division of Water Quality  
Bureau of Environmental, Engineering & Permitting  
Mail Code: 401-03D, PO Box 420  
Trenton, New Jersey 08625-042  
Attention: Tracy Shevlin (TWA Program)