

## From the Office of the Mayor

Please find attached an article from the Daily Record dated February 24, 2008 concerning the RVRSA that will directly impact your sewer bill. I am urging all taxpayers to contact the Governor's Office and your local officials to encourage them to do something to stop the effect this will have on the tax payers of Morris County. I have listed the contact information for each of your legislators.

Office of the Governor  
PO Box 001  
Trenton, NJ 08625  
609-292-6000

Senator Richard Codey(D)  
449 Mount Pleasant Avenue  
West Orange, New Jersey 07052

Assemblyman Joseph Roberts(D)  
Brooklawn Shopping Plaza  
Route 130/Browning Road  
Brooklawn, NJ 08030  
[asmroberts@njleg.org](mailto:asmroberts@njleg.org)

# Daily Record

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## Sewer pact pullout would cost Morris towns \$3M annually

MICHAEL DAIGLE DAILY RECORD

Jersey City wants out of the Rockaway Valley Regional Sewerage Authority, claiming that its annual payments are an "unfair burden" to the city's residents.

If Jersey City were allowed to pull out, sewer users in the nine Morris County towns that are RVRSA members would have to assume nearly \$3 million in additional annual costs.

The city has been trying for at least the past 18 months to change its financial arrangement with the local sewer authority, even though the city was a founding RVRSA member and its efforts to clean up the Rockaway River date back to the early 1900s when it opened a reservoir fed by the river.

So far, Jersey City's efforts have failed. The RVRSA board of trustees does not have the legal status to change the agreement, said Joseph Maraziti Jr., the RVRSA's attorney. Only the nine municipal members can approve Jersey City's request -- because the agreement between them and Jersey City predates the RVRSA -- and they have refused to do so. Previous attempts by the city to change the agreement ended up in court.

"This is a matter that may be subject to litigation, so our comments are limited," Jennifer Morrill, press spokeswoman for Jersey City, responded when asked about the issue last week.

"The Jersey City Municipal Utilities Authority asked the Rockaway Valley Sewage Authority's board about a year ago to consider a scenario in which Jersey City gradually released itself from the Sewage Authority. That was rejected by the authority's board and currently the city is exploring all of its options," Morrill said.

Time apparently hasn't taken the sting out of the city's request.

"This is a tremendous cost. Can you imagine? They want to renege on the agreement, but they'll gladly take our water," Wharton Mayor William Chegwidzen said last week.

Wharton would be required to pay an additional \$253,000, if Jersey City were allowed to leave the authority.

In letters to the member towns and the RVRSA board of trustees, Daniel Becht, executive director of the Jersey City Municipal Utilities Authority, has been saying that the city would like to reduce its financial obligation to the RVRSA over a five-year period.

"Jersey City contributes no pollution to the Rockaway River and virtually no sewerage to the RVRSA to treat. Neither JCMUA or Jersey City receives any benefit remotely equal to this \$2.6 million exaction," Becht said in a November 2006 letter to RVRSA Executive Director Edward Ho.

"The sizable payments by JCMUA to RVRSA are an unfair burden on JCMUA's customers, the citizens of Jersey City. This money could be better spent on projects for the Jersey City water system," Becht wrote.

Under the 1984 court-approved amendment to the 1971 agreement that formed the regional sewer authority, Jersey City pays an annual fee based on 4.5 million gallons of daily flow to the plant -- equal to 40 percent of the authority's annual budget -- which in 2007 was \$7.134 million.

Last year, Jersey's City's share of the RVRSA budget was \$2.87 million.

Dover Mayor James Dodd said losing that "would have a huge impact."

Dover would be obligated to pick up nearly \$1 million more in annual sewer fees if Jersey City were allowed to withdraw. Dover pays nearly 3 percent of the RVRSA annual cost, the largest percentage of the nine Morris members.

If the change were approved, Denville would be obligated for an additional \$457,000 in sewer fees, Rockaway Township \$363,000 more, and Rockaway an additional \$340,000.

A bill filed in the state Senate last June by then-Sen. Joseph V. Doria, D-Bayonne, would have allowed changes in a regional sewer agreement that would have benefited Jersey City.

The bill, S-2813, said that if a municipality is not contributing "to the pollution of any waterway located upstream of, or contiguous to" municipalities that are served by or created a regional sewer authority, that municipality shall not be charged a "substantially disproportionate" share of the total operating or capital costs of a sewer plant.

Died last year

The bill died last year after Doria left the Senate when he was nominated as commissioner of the state Department of Community Affairs, a post he now holds. A replacement bill has not been filed in this legislative session.

The RVRSA was created in 1971 to assume "the supervision, operation, maintenance, complete control and complete responsibility" of an existing sewer plant built by Jersey City, according to the 1971 court-approved agreement signed by representatives of all nine Morris members and Jersey City.

That agreement was forged after Jersey City was sued by the state Department of Health for the poor quality of water in its reservoir, and in turn Jersey City sued nine towns along the Rockaway River, whose watershed feeds the reservoir, said Maraziti.

The RVRSA members are Boonton, Boonton Township, Denville, Dover, Randolph, Rockaway, Rockaway Township, Victory Gardens, Wharton and Jersey City. Mine Hill is a customer. Jersey City's reservoir and the RVRSA sewer plant both are in Parsippany,

Jersey City has been a part of cleaning up the water in the Rockaway River since the turn of the 20th century, Maraziti said.

"It started back at turn of the century when Jersey City developed the reservoir known as the Boonton Reservoir," Maraziti said. The reservoir opened in 1903.

No treatment

At the time there was no water or sewer treatment, and Jersey City told nine towns in the Rockaway River watershed that the city would, for free, provide collection and treatment of sewage with a 13-mile interceptor -- a sewer main -- and a treatment plant if the towns would begin to close cesspools and septic tanks that fed the river, he said.

Maraziti said the city at the time said the agreement would be in place for 40 years, or as long as the Rockaway is a source of a public water supply -- "essentially in perpetuity."

While Jersey City is claiming that it receives no benefit from the RVRSA, the city does own the reservoir, he said.

The current treatment plant below the reservoir on the Rockaway River opened in 1984 after the amended agreement was approved by all the RVRSA members and the court. It replaced an older plant related to the first attempts in the 1920s to collect and treat sewerage in the Rockaway watershed.

United Water Jersey City, in partnership with Jersey City, supplies water to the city's utilities authority. The city owns the all the water facilities, including the reservoir in Parsippany and the Split Rock Reservoir in Rockaway Township, which together hold 11.3 billion gallons of water, United Water reported in its 2006 annual water-quality statement. The Jersey City Reservoir is 800 square acres and holds 8 billion gallons of water, and the source for this water body is a 120-square-mile Rockaway River watershed, the report said.

Financial status

Maraziti said Jersey City's attempts to alter the agreement with the other RVRSA members is related to the city's financial status -- mentioned in the 1984 amendment -- and the unanticipated population growth in the RVRSA district over the years.

"Jersey City was paying for an agreed-upon amount of sewerage," he said.

In his letter to Ho, Becht references this change.

"The magnitude of Jersey City's contribution to the Morris County municipalities was never contemplated in the Twentieth Century when Jersey City, to protect the water supply of its citizens from pollution of the Rockaway River by these municipalities, undertook to treat their sewage," he wrote.

Despite its protests, Maraziti said, Jersey City acknowledged the rules of the agreements and subsequent amendments by accepting the court-approved settlements.

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