

Public Works and Utilities Subcommittee Report

Introduction

Concerns about the present status and future direction of the Borough's Water and Sewer Utilities were some of the most frequently and fervently raised apprehensions that members of the public from both the Borough and the Township brought forth during early consolidation discussions. Accordingly, this Subcommittee has studied this topic closely and will attempt to address many of those concerns along with more general concerns regarding the integration of Public Works services should consolidation be chosen by the public.

The Public Works Subcommittee was charged with reviewing the feasibility of consolidating the Public Works Departments of the Borough and Township and also with studying and recommending the future organizational structure of the Water and Sewer Utility under a consolidated municipality should such a direction be recommended. A substantial portion of this review deals with the latter topic mainly because it was one the public expressed they desired to be addressed.

This report is not meant to suggest there is a single possible future structure for Public Works Departments and Utilities. Wherever possible, we have attempted to review the advantages and/or disadvantages associated with the most likely future state(s) if multiple plausible outcomes were perceived. Note that there is nothing binding about any of the recommendations and judgments presented in the following. Ultimately, it will be up to the public to determine consolidation and to the future governing body to determine and implement the necessary changes.

Public Works Departments

The Borough and Township both possess Public Works Departments which have evolved in size to address the needs of the respective communities they serve. Sussex DPW currently consists of four full-time employees and one part-time employee, some of whom are at least partially dedicated to Borough Utility issues. Wantage DPW employs 14 people, most of whom are full-time yet some serve partially/wholly in other atypical DPW capacities such as Animal Control Officers. A significant difference between the two bodies is the fact that Wantage employees are covered under Civil Service (Title 11A) whereas Sussex is not. Furthermore, the majority of Township DPW employees have elected to be represented by a collective bargaining agent. When the same/similar job functions are compared side-by-side, it is clear that this difference has had a net effect of creating disparity in pay rates between the two municipality's Departments.

The respective missions of both the Borough and Township Public Works Departments are very similar with some small exceptions. Typical services such as road paving and repair, building and grounds maintenance, plowing and sanding of roads, storm water drainage installation and repair and vehicle maintenance are examples of the functions both Departments are responsible for in their respective municipalities. The minor exceptions, which were alluded to above, are mainly that the Borough's DPW also oversees the maintenance of the Water and Sewer Utility and in the Township, Animal Control Officers fall under the DPW chain of command.

Personnel

Reports have been prepared and presented to the Committee by both Government Management Advisors, LLC as consultant to the Committee, and by our own Administration Subcommittee regarding the proposed organizational structure of a consolidated municipality including a new Department of Public Works (please refer to Appendix A - *Report on Possible Benefits and Drawbacks to Consolidation: Staffing* for the detailed analysis of this topic). It is the position of the Public Works Subcommittee that these reports sufficiently address the topic and, therefore, additional analysis and discussion are not required here. It is important to note, however, that not only are the above reports in consensus with each other, but they have been determined to be in consensus with this Subcommittee's overall findings as well.

Equipment/Facilities

Presently, both Sussex and Wantage Public Works Departments each owns and maintains their own facility consisting primarily of a garage for equipment and yard for equipment/materials storage. Sussex utilizes a facility on Brookside Ave. near the former Borough sewage treatment plant, whereas Wantage utilizes the garage to the rear of the Wantage Municipal Complex off Rt 23. If consolidation proceeds, it seems likely that the Sussex facility would be idled or would serve as a satellite facility to the yard at Wantage purely from a logistics standpoint.

Wantage and Sussex DPW's have a long history of cooperation and have operated under an unwritten "handshake" agreement for many years whereby if one town needs to use a piece of equipment that the other town owns and is not currently using, the item can be borrowed upon request. A formal shared-service agreement did exist relating to the use of the Township's salt shed that for reasons not known to this Subcommittee has become inactive. However, at least one written shared-services agreement remains in place regarding the use of the Township's fuel pumps for Borough vehicles. Despite the current shared services agreements, which undoubtedly have resulted in cost savings to both municipalities, there remain, nonetheless, areas where efficiencies simply cannot be realized short of full consolidation. Duplicate pieces of equipment exist even where significant spare capacity may be available in one DPW because of the necessity to provide foremost for service requests of one's own municipality. If any conflict of need arose, typically the municipality owning the equipment would prevail. In a consolidated municipality, although conflicts of equipment will still arise, it would rest on the DPW Supervisor and/or Administrator to resolve in the best interest of the entire consolidated municipality. Note though, that due to the age and depreciated value of most currently owned equipment, it is unlikely that there is substantial opportunity to sell off redundant equipment for anything more than a negligible one time gain. Beyond this, the Public Works Subcommittee holds that a detailed discussion on equipment ownership and the integration thereof into a consolidated Department is beyond the scope of this review.

Roads

Wantage Township has 130 miles of maintained roads and Sussex Borough has 12 miles as of 2009; statistics that are arrived at primarily due to the disparate sizes of the two municipalities. Due to the corresponding levels of development in each of the municipalities, it is expected that the Borough will add negligibly to their total miles of maintained roads whereas the Township has the potential to continue to add to their already significantly larger number if even modest development continues. The geographical layout of the two municipalities has always presented a logistical problem mainly borne by the Township; this was referred to in the *1973 Feasibility Survey of Municipal Consolidation for the Borough of Sussex and Township of Wantage* as the “hole in the middle of the donut” scenario. Township public works personnel seeking to render services to all corners of the Township are forced to traverse the Borough frequently because many of the region’s larger thoroughfares pass through or intersect in the Borough. This wasted travel time has always been accepted as a necessity but certainly presents itself as a possible opportunity for the elimination of waste if consolidation proceeds. The potential also exists that crews could be dispatched from more proximate garage locations if multiple facilities remain in use after consolidation as well.

Other Services

There is one public service in particular that has been presented as a concern of the public should consolidation be recommended because currently Solid Waste Collection is a service currently provided by the Borough but not by the Township. Correspondingly, residents of the Borough have expressed apprehensions that their services would be terminated and Township residents have shown concern that they might be forced to pay for a service that they have learned to function without. For the sake of this report, Solid Waste Collection will be considered to encompass, but may not be limited to, regular curbside garbage and recycling pickup as well as seasonal leaf and Christmas tree collection.

The only equitable answer to this situation is to expect that those receiving the service ultimately bear the costs to provide it. One option for this in a consolidated municipality would be to establish a Solid Waste/Recycling Utility whereby those residents wishing to obtain/maintain the service would pay some usage fee. The advantages of this structure are manifold. First, a separate budget would be required to be established for this Utility that would be 100% dedicated to the rendering of the service. All residents from both municipalities would have a choice to opt in or out; something that does not currently exist in either municipality. Those that chose not to participate could be assured that their taxes were not being used to pay for something they did not want. Finally, unless specifically excluded by the future governing body, third party collectors that already function in the Township could be chosen over the Utility and might potentially provide the healthy competition that would necessitate the Utility’s efficient operation.

Utilities

The Borough of Sussex currently owns and operates a Water and Sewer Utility for the benefit of its residents. As a purely secondary benefit, this Utility also serves some neighboring businesses and residences in Wantage. The water and sewer systems were established in the early 1900's and since then have been adapted according to the needs of the community but always balanced by the capital available to address those needs. Both systems currently meet all regulatory requirements and are both self-liquidating; this according to the thorough report *Overview of Borough of Sussex Water and Sewer Utility* prepared by Government Management Advisors at the request of the Committee (See Appendix H). Total debt service required for the Utility peaked in the previous fiscal year at \$535,283 and gradually reduces until fully satisfied in just over 25 years. Many more details on the history of how the Utility evolved can also be found in this report as well as detailed discussions on the Utility's current operations, budgeting and staffing.

Water

The Water Utility primarily consists of the following elements: Lake Rutherford, Colesville Reservoir, the Sussex Borough Water Treatment Plant which includes a 300,000 gal storage tank, a 12 inch supply main, a 500,000 storage tank and the remaining distribution system consisting of mains, hydrants, meters and taps. Ironically, the first four of these items lay entirely/substantially within Wantage Township. The Water Treatment Plant is currently operated under contract which leaves Borough employees responsible only for management of the distribution end of the system, the reading of meters and the preparation and collection of Utility bills. The customer base as of 2008 numbered 732. Of those 617 were from Sussex. The majority of Township residents and businesses utilize private water wells for water supply, but 115 conveniently located commercial and residential users currently make use of the Sussex Borough Water Utility.

Current utilization of the Water system capacity as authorized by NJDEP is less than 50%. Physical capacity limitations of the other major system components such as the Water Treatment Plant and safe yield from Lake Rutherford are actually substantially higher and, if expanded permission could somehow be obtained from NJDEP, would safely allow for the doubling or tripling of current usage without incurring any additional expense for system expansion (See Appendix H for detailed analysis of system capacity).

Sewer

Unlike the Water system, Sussex Borough's Sewer system originally existed and operated entirely within the Borough including the treatment and discharge of effluent. As of 1994, the Borough began delivering sewage to the Sussex County Municipal Utilities Authority's Upper Wallkill Wastewater Treatment Plant via a new pumping station and force main that were installed after NJDEP order. The Sewer system customer base mirrors quite closely that of the Water system, as might be expected, with a few notable exceptions; those primarily being that there are only two Wantage-based customers to the Sewer system and a single Hardyston-based customer.

The capacity of the Sewer system is controlled through agreement with SCMUA, with the agreement actually specifying minimum and maximum permissible average daily usage (discharge). The major problem of infiltration and inflow (I&I) has plagued the Borough Sewer system, however, and caused any meaningful capacity analysis to be uncertain at best. Notable recent progress has been made toward addressing this issue based upon statistics listed in Appendix H. If indeed this issue is eliminated or even significantly abated, it likely means that there would be approximately 40% excess system capacity available that could be sold to customers in either municipality, or more importantly, a consolidated municipality.

Conclusions

The Borough Water and Sewer Utility probably represents the single most significant asset possessed by either municipality that would need to be reconciled in the event consolidation proceeds. It is no great wonder why concerns from Sussex residents regarding consolidation often had the similar theme of “Wantage just wants our water and sewer”. The Subcommittee finds this view, however, to be rather shortsighted. This view fails to see the Water and Sewer Utility as the major tool for shaping development/redevelopment within the region that it is. It also falls short of recognizing that it is truly in the best interests of both municipalities to maintain a viable and efficient Utility and, if necessary, expand the resource. The Utility can practically be viewed as a possession of both municipalities’ residents already; consolidation of the two municipalities simply allows the Utility to function as such. Appropriately leveraged through a refashioned Master Plan and a consolidated municipal governing body, a much more cohesive vision of the future community could be obtained.

The contrary view expressed by Wantage residents that the Utility would become a serious financial burden to a consolidated municipality is likewise not supported. The Public Works and Utilities Subcommittee recommends that the Water and Sewer Utility be maintained as a self-liquidating utility in the event of consolidation. This structure has the advantage of a separate budget and operation that basically costs only those that make use of the Utility’s services. As opposed to the option of forming a separate authority, the utility structure would be managed under the guidance of the consolidated municipality rather than a separated governing body.

Additionally, Government Management Advisors presented nine concluding points in their report *Overview of Borough of Sussex Water and Sewer Utility* (Appendix H). This Subcommittee supports these conclusions and recommends that they be considered by the governing body of the consolidated municipality in conjunction with the contents of this Subcommittee Report.

Finally, it is worthwhile noting too that the previous consolidation study (*1973 Feasibility Survey*) presented a very similar perspective over 35 years ago. That is, that the two municipalities both brought unique yet complementary assets to the table; specifically that “Sussex would provide the basis for water and sewer utilities while Wantage would provide the basis for [other] items”.

Addendum

An important issue came to the forefront after the preceding report had been drafted, but was deemed to be of significant importance and relevance to the above that the following Addendum was added to capture the topic so as to be included with the Commission's Final Consolidation Report. The issue specifically relates to the proposed removal of lands by the Department of Environmental Protection that are currently designated for sewer service in the existing Sussex County-Wide Wastewater Management Plan. A sewer service area is identified land that has either existing sewer infrastructure or is adjacent or otherwise near to sewer infrastructure, and as such is capable of being considered for future development. Sewer service area planning is a tool that is claimed to be used for, among other things, the protection of environmentally sensitive areas from adverse water quality effects. It is ostensibly for these reasons that DEP guidelines propose the removal of large amounts of land from designated sewer service areas. Effectively, the proposal at hand would reduce the Borough's sewer service area by 8.5% (27 acres) and the Township's area by 48% (160 acres). At stake is the development feasibility of significant commercial or commercial/residential zoned lands located mostly in Wantage that are, in many cases, directly adjacent to the Borough's sewer force main that runs along the Rt 23 corridor to the SCMUA Treatment Plant in Hardyston. Due to the potential for detrimental economic effects to both municipalities, the two governing bodies have attempted to seek further dialogue with the State on the matter and have requested that the Commission also make note of the potential adverse effects to the consolidation process that such a proposal might have. The Commission agrees that the topic of sewer service areas is relevant to the process of consolidation and has brought this to the attention of the Department of Community Affairs via letter with the intention that further discussion on the issue might be facilitated expeditiously. The outcome of such discussion is not likely to be known prior to the completion of the Commission's Final Report.

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