



BOROUGH OF RIVERDALE NEW JERSEY



ORDINANCE NO. 05-2020

AN ORDINANCE PETITIONING FOR MEMBERSHIP IN THE PEQUANNOCK RIVER BASIN REGIONAL SEWERAGE AUTHORITY

WHEREAS, in 1974, the municipalities of Bloomingdale, Butler and Kinnelon, created the "Pequannock River Basin Regional Sewerage Authority" (hereinafter, the "Authority"), by their several ordinances duly adopted in the single calendar year 1974 by their respective governing bodies; and

WHEREAS, the Authority was created as a public body corporate and politic of the State of New Jersey organized and existing under the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., (hereinafter referred to as the "Act") and the acts amendatory thereof and supplemental thereto, exercising public and essential governmental functions to provide for the public health and welfare, with all necessary or proper powers to acquire, construct, maintain, operate and use works for the relief of waters in, bordering or entering the territorial boundaries of Bloomingdale, Butler and Kinnelon from pollution by sewage and industrial and other wastes arising from causes within such territory; and

WHEREAS, the Borough of Riverdale, a municipality which is contiguous to the district of the Authority, is currently a customer of the Authority pursuant to the 1987 Service Contract between the Authority and Riverdale (the "1987 Riverdale Service Contract"). Section 609 of the 1987 Riverdale Service Contract provides that, "Riverdale shall have the right to become a Member of the Authority whenever its wastewater flows exceed 500,000 g.p.d. or represents 25% of the Authority's monthly average daily flow contribution to the System. Thereafter and following the completion of the procedural requirements of the Act, the service area of the Authority shall consist of Butler, Bloomingdale, Kinnelon and Riverdale, and Riverdale shall appoint two representatives of Riverdale to serve on the Authority for terms determined in accordance with the Act;" and

WHEREAS, the wastewater flows from Riverdale has exceeded 500,000 g.p.d. and the wastewater of Riverdale is greater than 25% of the Authority's monthly average daily flow contribution to the System, therefore, Riverdale may propose to become a member of the Authority consistent with Section 609 of the 1987 Riverdale Service Contract; and

WHEREAS, pursuant to the Act at N.J.S.A. 40:14A-4(m)(i), the governing body of a contiguous municipality may, by ordinance, propose that the municipality be a part of the district of a sewerage authority; and

WHEREAS, Riverdale is desirous of petitioning the Authority for membership in the Authority and has secured such approvals as are required pursuant to the Bond Resolution of the Authority.

BE IT ORDAINED by the Mayor and Council of the Borough of Riverdale, in the County of Morris and State of New Jersey, that the Borough of Riverdale hereby proposes, in accord with the Act at N.J.S.A. 40:14A-4(m)(i), that Riverdale be a part of the District and a Participant of the Pequannock River Basin Regional Sewerage Authority, and that, after becoming a Participant of the Pequannock River Basin Regional Sewerage Authority, Riverdale shall appoint two members, one for an initial term of five (5) years and one for a term of four (4) years, as set forth at N.J.S.A. 40:14A-4(c).

INCONSISTENT ORDINANCES. Ordinances resolution and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

EFFECTIVE DATE. This Ordinance shall take effect after enactment of this Ordinance and passage of a resolution of the Pequannock River Basin Regional Sewerage Authority and the filing of such ordinance duly certified by Riverdale along with a certified copy of the resolution of the Authority approving such ordinance, with the office of the Secretary of the State.

Adopted this ____ day of
_____, 2020.

Abubakar Jalloh, Borough Clerk

Paul M. Carelli, Mayor



BOROUGH OF RIVERDALE NEW JERSEY



NOTICE OF PENDING ORDINANCE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Borough of Riverdale, a municipal corporation of the State of New Jersey, held on July 22, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held remotely on August 26, 2020 at 7:30 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Abubakar Jalloh, Borough Clerk