RESOLUTION AUTHORIZING MEMBERSHIP OF
BOROUGH OF RIVERDALE 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 flow from Riverdale has periodically exceeded 500,000 g.p.d. and the wastewater of Riverdale has periodically been greater than 25% of the Authority's monthly average daily flow contribution to the System, therefore, Riverdale may propose to become a Member Municipality 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 has, by Ordinance 5-2020, enacted August 26, 2020, petitioned the Authority for membership in the Authority, and has secured such approvals as are required pursuant to the Bond Resolution of the Authority.

NOW THEREFORE, BE IT RESOLVED by the Pequannock River Basin Regional Sewerage Authority, in the Counties of Morris and Passaic and the State of New Jersey on this 16th day of September, 2020, as follows:

1.   In accord with the Act at N.J.S.A. 40:14A-4(m)(i), Riverdale shall hereby be a part of the District and a Member Municipality and Participant of the Pequannock River Basin Regional Sewerage Authority upon the filing of a certified copy of this Resolution along with a copy of Ordinance 5-2020, enacted by Riverdale and duly certified, in the office of the Secretary of State, and that, after becoming a Member Municipality and 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).

2.   This Resolution shall take effect upon the filing of a certified copy of this Resolution along with a copy of Ordinance 5-2020, enacted by Riverdale and duly certified, in the office of the Secretary of State.

CERTIFICATION

Certified to be a true copy of a Resolution adopted by the Pequannock River Basin Regional Sewerage Authority at a duly convened meeting of the Authority held on September 16, 2020.

James P. Lampmann, Asst. Secretary