

CHAPTER XXI

ROCKLEIGH SEWERAGE AUTHORITY

21-1 CREATION.

There hereby is created a Sewerage Authority in the Borough of Rockleigh pursuant to New Jersey Statute 40:14A-1 et seq., a public body corporate and politic having all of the responsibility, power and discretion set forth in said statute and the amendments thereto and in this chapter. (1973 Code § 33-1)

21-2 NAME.

The name of the Sewerage Authority shall be the "Rockleigh Sewerage Authority." (1973 Code § 33-2)

21-3 MEMBERS, TERMS OF OFFICE.

a. The Rockleigh Sewerage Authority shall consist of five (5) members, who shall be appointed by resolution of the Mayor and Council of the Borough of Rockleigh. The members first appointed shall be designated to serve for terms respectively expiring on the first day of the first, second, third, fourth and fifth Februarys next ensuing after the date of their appointment. On or after January 1 in each year after such first appointments, one (1) person shall be appointed as a member of the Rockleigh Sewerage Authority to serve for a term commencing on February 1 in such year and expiring on February 1 in the fifth year after such year. In the event of a vacancy occurring during an unexpired term of office, a person shall be appointed to serve for such unexpired term.

b. The Rockleigh Sewerage Authority shall also consist of two (2) alternate members to be designated as "Alternate No. 1" and "Alternate No. 2" who shall serve during the absence of or disqualification of any regular member or members. The term of each alternate member shall be five (5) years commencing on February 1 of the year of appointment; provided however, that in the event the two (2) alternate members are appointed during the same year, then the initial term of Alternate No. 1 shall be four (4) years and the initial term of Alternate No. 2 shall be five (5) years. The terms shall

commence on the date of the appointment of each alternate member and shall expire on the fourth or fifth January 31, as the case may be, next ensuing after the dates of their appointments. Alternate members may participate in discussions of the proceedings, but may not vote, except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member.

(1973 Code § 33-3; Ord. No. 2-01-02)

21-4 DISSOLUTION OF AUTHORITY.

The Mayor and Council may, by ordinance duly adopted, dissolve the Rockleigh Sewerage Authority on the condition that:

a. Either the members have not been appointed or the Rockleigh Sewerage Authority, by resolution duly adopted, consents to such dissolution, and

b. The Rockleigh Sewerage Authority has no debts or obligations outstanding.
(1973 Code § 33-4)

21-5 POWERS AND DUTIES.

The powers of the Rockleigh Sewerage Authority shall be vested in the members thereof in office. A majority of the entire authorized membership of the Rockleigh Sewerage Authority shall constitute a quorum at any meeting thereof. Action may be taken and motions and resolutions adopted by the Rockleigh Sewerage Authority at any meeting of the members thereof by vote of a majority of the members present, unless in any case the bylaws shall require a larger number. The Rockleigh Sewerage Authority may delegate to one (1) or more of its officers, agents or employees such powers and duties as it may deem proper. (1973 Code § 33-5)

21-6 EXPIRATION OF TERM OF OFFICE.

Each member of the Rockleigh Sewerage Authority shall hold office for the term for which he was appointed and until his successor has been appointed and has qualified. (1973 Code § 33-6)

21-7 CONFLICT OF INTEREST; REMOVAL.

No member or employee of the Rockleigh Sewerage Authority shall have or acquire any interest, direct or indirect, in the sewerage system or in any property included or planned to be included in the sewerage system or in any contract or proposed contract for materials or services to be furnished to or used by the Rockleigh Sewerage Authority, but neither the holding of any office or employment in the government of any county or municipality or under any law of the State, nor the owning of any property within the State shall be deemed a disqualification for membership in or employment by the Rockleigh Sewerage Authority, and members of the Governing Body of the Borough of Rockleigh may be appointed by the Mayor and Council of the Borough of Rockleigh and may serve as members of the Rockleigh Sewerage Authority. A member of the Rockleigh Sewerage Authority may be removed only by the Mayor and Council of the Borough of Rockleigh for inefficiency, neglect of duty or misconduct in office and after he has been given a copy of the charges against him and, not sooner than ten (10) days thereafter, had opportunity in person or by counsel to be heard thereon by the Mayor and Council. (1973 Code § 33-7)

21-8 COMPENSATION.

The Rockleigh Sewerage Authority may reimburse its members for necessary expenses incurred in the discharge of their duties. No member of the Rockleigh Sewerage Authority shall receive any compensation for his services except as provided in this section or amendments hereto. (1973 Code § 33-8)

21-9 OFFICERS; PERSONNEL.

The Rockleigh Sewerage Authority, upon the first appointment of its members and thereafter on or after the first day of February in each year, shall annually elect from among its members a Chairman and a Vice-Chairman, who shall hold office until the first day of February next ensuring and until their respective successors have been appointed and have qualified. It may also, without regard to the provisions of Title II of the Revised Statutes, appoint and employ a Secretary and such professional and technical advisers and experts and such other officers, agents and employees as it may require, and shall determine their qualifications, terms of office, duties and compensation. (1973 Code § 33-9)

21-10 PURPOSE OF AUTHORITY.

The purpose of the Rockleigh Sewerage Authority shall be the relief of waters in or bordering the State from pollution arising from causes within the district and the relief of waters in, bordering or entering the district from pollution or threatened pollution and the consequent improvement of conditions affecting the public health. (1973 Code § 33-10)

21-11 ACQUISITION OF FACILITIES.

The Rockleigh Sewerage Authority is hereby authorized and directed, subject to the limitations of New Jersey Statute 40:14A-1 et seq., to acquire, in its own name but for the Rockleigh Sewerage Authority, by purchase, gift, condemnation or otherwise, and, notwithstanding the provisions of any charter, ordinance or resolution of any county or municipality to the contrary, to construct, maintain, operate and use such trunk, intercepting and outlet sewers, conduits, pipelines, pumping and ventilating stations, treatment plants or works at such places within or without the district, such compensating reservoirs within the county in which the district lies, and such other plants, structures, boats and conveyances as in the judgment of the Rockleigh Sewerage Authority will provide an effective and satisfactory method for promoting the purpose of the Rockleigh Sewerage Authority. (1973 Code § 33-11)

21-12 SEWAGE TREATMENT.

The Rockleigh Sewerage Authority is hereby authorized and directed, when in its judgment its sewerage system or any part thereof will permit, to collect from any and all public systems within the district all sewage and to treat and dispose of the same in such manner as to promote the purposes of the Rockleigh Sewerage Authority. (1973 Code § 33-12)

21-13 SPECIFIC POWERS.

The Rockleigh Sewerage Authority shall have the following powers:

- a. To adopt and have a common seal and to alter the same at pleasure.
- b. To sue and be sued.
- c. In the name of the Rockleigh Sewerage Authority and on its behalf, to acquire, hold, use and dispose of its service charges and other revenues and other moneys.

d. In the name of the Rockleigh Sewerage Authority but for the local unit or units, to acquire, hold, use and dispose of other personal property for the purpose of the Rockleigh Sewerage Authority.

e. In the name of the Rockleigh Sewerage Authority but for the local unit or units, to acquire, by purchase, gift, condemnation or otherwise, real property and easements therein necessary or useful and convenient for the purpose of the Sewerage Authority and subject to mortgages, deeds of trust or other liens or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the Rockleigh Sewerage Authority.

f. To provide for and secure the payment of any bonds and the rights of the holders thereof, and to purchase, hold and dispose of any bonds.

g. To accept gifts or grants of real or personal property, money, material, labor or supplies for the purposes of the Rockleigh Sewerage Authority, and to make and perform such agreements and contracts as may be necessary or convenient in connection with the procuring, acceptance or disposition of such gifts or grants.

h. To enter on any lands, waters or premises for the purpose of making surveys, borings, soundings and examinations for the purposes of the Rockleigh Sewerage Authority.

i. To make and enforce bylaws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of the sewerage system and any other of its properties, and to amend the same.

j. To do and perform any acts and things authorized by New Jersey Statutes 40:14A-1 et seq., under, through or by means of its own officers, agents and employees or by contracts with any persons.

k. To enter into any and all contracts, execute any and all instruments and do and perform any and all acts or things necessary, convenient or desirable for the Rockleigh Sewerage Authority, or to carry out any power expressly given in New Jersey Statute 40:14A-1 et seq.

(1973 Code § 33-13)