

40:14A-4

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:14A-4 (Sewerage authority--membership representation for other sewerage authorities served)

LAWS OF: 1986 CHAPTER 182

BILL NO: A2390

Sponsor(s): Martin and Catrillo

Date Introduced: May 8, 1986

Committee: Assembly: Independent and Regional Authorities

Senate: County and Municipal

Amended during passage: Yes Substituted for S2026 (not attached since identical to A2390). Amendments during passage denoted by asterisks.

Date of Passage: Assembly: September 11, 1986

Senate: October 20, 1986

Date of Approval: December 9, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 2390

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1986

By Assemblymen MARTIN and CATRILLO

AN ACT concerning sewerage authorities and amending P. L. 1946, c. 138.

1 BE IT ENACTED by the Senate and General Assembly of the State
2 of New Jersey:

1 1. Section 4 of P. L. 1946, c. 138 (C. 40:14A-4) is amended to
2 read as follows:

3 4. (a) The governing body of any county may, by resolution
4 duly adopted, create a public body corporate and politic under
5 the name and style of "the sewerage
6 authority," with all or any significant part of the name of such
7 county inserted. Said body shall consist of the five members thereof,
8 who shall be appointed by resolution of the governing body as
9 hereinafter in this section provided, together with the additional
10 members thereof, if any, appointed as hereinafter in subsection
11 (i) of this section provided, and it shall constitute the sewerage
12 authority contemplated and provided for in this act and an agency
13 and instrumentality of said county. After the taking effect of the
14 resolution for the creation of said body and the filing of a certified
15 copy thereof as in subsection (d) of this section provided, five per-
16 sons shall be appointed as the members of the sewerage authority.
17 The members first appointed shall, by the resolution of appoint-
18 ment, be designated to serve for terms respectively expiring on
19 the first days of the first, second, third, fourth and fifth Februarys
20 next ensuing after the date of their appointment. On or after
21 January 1 in each year after such first appointments, one person

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly committee amendments adopted June 9, 1986.

**—Senate committee amendments adopted October 2, 1986.

22 shall be appointed as a member of the sewerage authority to serve
23 for a term commencing on February 1 in such year and expiring
24 on February 1 in the fifth year after such year. In the event of
25 a vacancy in the membership of the sewerage authority occurring
26 during an unexpired term of office, a person shall be appointed
27 as a member of the sewerage authority to serve for such unexpired
28 term.

29 (b) The governing body of any municipality may, by ordinance
30 duly adopted, create a public body corporate and politic under the
31 name and style of "the sewerage
32 authority," with all or any significant part of the name of such mu-
33 nicipality inserted. Said body shall consist of five members thereof,
34 who shall be appointed by resolution of the governing body as
35 hereinafter in this section provided, and it shall constitute the
36 sewerage authority contemplated and provided for in this act and
37 an agency and instrumentality of said municipality. After the
38 taking effect of such ordinance and the filing of a certified copy
39 thereof as in subsection (d) of this section provided, five persons
40 shall be appointed as the members of the sewerage authority.
41 The members first appointed shall, by the resolution of appoint-
42 ment, be designated to serve for terms respectively expiring on
43 the first days of the first, second, third, fourth and fifth Februarys
44 next ensuing after the date of their appointment. On or after
45 January 1 in each year after such first appointments, one person
46 shall be appointed as a member of the sewerage authority to serve
47 for a term commencing on February 1 in such year and expiring
48 on February 1 in the fifth year after such year. In the event of
49 a vacancy in the membership of the sewerage authority occurring
50 during an unexpired term of office, a person shall be appointed as
51 a member of the sewerage authority to serve for such unexpired
52 term.

53 (c) The governing bodies of any two or more municipalities or
54 any two or more counties, the areas of which together comprise an
55 integral body of territory, may, by parallel ordinances or in the
56 case of counties by parallel resolutions, duly adopted by each of
57 such governing bodies within any single calendar year, create a
58 public body corporate and politic under the name and style of
59 "the sewerage authority," with all
60 or any significant part of the name of each such municipality or
61 county or some identifying geographical phrase inserted. Said
62 body shall consist of the members thereof, in an aggregate number
63 determined as hereinafter in this subsection provided, who shall
64 be appointed by resolutions of the several governing bodies as

65 hereinafter in this section provided, and it shall constitute the
66 sewerage authority contemplated and provided for in this act and
67 an agency and instrumentality of the said municipalities or
68 counties. The number of members of the sewerage authority to
69 be appointed at any time for full terms of office by the governing
70 body of any such municipality or county shall be as may be stated
71 in said ordinances or resolutions which shall be not less than one
72 nor more than three. After the taking effect of the said ordinances
73 or resolutions of all such municipalities or counties and after the
74 filing of certified copies thereof as in subsection (d) of this section
75 provided, the appropriate number of persons shall be appointed
76 as members of the sewerage authority by the governing body of each
77 municipality or county. In the case of municipalities or counties
78 which by ordinance or resolution are entitled to appoint only one
79 member of the authority, the total number of members, if five or
80 more, shall be divided into five classes as nearly equal as possible,
81 except that if there are less than five members each member shall
82 constitute a class. The members initially appointed shall be ap-
83 pointed for such terms that the terms of one class shall expire on
84 the first day of each of the first, second, third, fourth and fifth
85 Februarys next ensuing the date of appointment. In the event the
86 several municipalities or counties cannot agree on the terms of the
87 respective representatives, such terms shall be determined by lot.
88 On or after January 1 in each year after such appointments, the
89 expiring terms shall be filled by the appointment for terms com-
90 mencing February 1 in such year and expiring on the first day of
91 the fifth February next ensuing.

92 Upon the expiration of the terms of office of members, in office
93 on July 1, 1970, of sewerage authorities created by two or more
94 municipalities or counties where only one member is appointed by
95 any participating municipality or county, their immediate succes-
96 sors, except for appointments to fill vacancies, shall be appointed
97 for designated terms of one, two, three, four or five years in the
98 same manner as in this subsection (c) provided as to initial ap-
99 pointees.

100 In municipalities or counties entitled to appoint three members,
101 the appointing authority shall designate one of the initial ap-
102 pointees to serve for a term of three years, one for four years and
103 one for five years. In municipalities or counties entitled to appoint
104 two members, the appointing authority shall designate one of the
105 initial appointees to serve for a term of five years and one for four
106 years. On or after January 1 in the year in which expire the terms
107 of the said members first appointed and in every fifth year there-

108 after, the appropriate number of persons shall be appointed as
109 members of the sewerage authority by the governing body of each
110 municipality or county, to serve for terms commencing on February
111 1 in such year and expiring on February 1 in the fifth year after
112 such year. In the event of a vacancy in the membership of the
113 sewerage authority occurring during the unexpired term of office,
114 a person shall be appointed as a member of the sewerage authority
115 to serve for such unexpired term by the governing body which made
116 the original appointment for such unexpired term.

117 Upon the expiration of the terms of office of members, in office
118 on July 1, 1967, of sewerage authorities created by two or more
119 municipalities or counties where more than one member is
120 appointed by any participating municipality or county, their imme-
121 diate successors, except for appointments to fill vacancies, shall be
122 appointed for designated terms of three, four or five years in the
123 same manner as in this subsection (c) provided as to initial ap-
124 pointees.

125 (d) A copy of each resolution or ordinance for the creation of
126 a sewerage authority adopted pursuant to this section, duly certi-
127 fied by the appropriate officer of the local unit, shall be filed in the
128 office of the Secretary of State. Upon proof of such filing of a
129 certified copy of the resolution or ordinance or of certified copies
130 of the parallel ordinances for the creation of a sewerage authority
131 as aforesaid, the sewerage authority therein referred to shall, in
132 any suit, action or proceeding involving the validity or enforce-
133 ment of, or relating to, any contract or obligation or act of the
134 sewerage authority, be conclusively deemed to have been lawfully
135 and properly created and established and authorized to transact
136 business and exercise its powers under this act. A copy of any
137 such certified resolution or ordinance, duly certified by or on behalf
138 of the Secretary of State, shall be admissible in evidence in any
139 suit, action or proceeding.

140 (e) A copy of each resolution appointing any member of a
141 sewerage authority adopted pursuant to this section, duly certified
142 by the appropriate officer of the local unit, shall be filed in the
143 office of the Secretary of State. A copy of such certified resolution,
144 duly certified by or on behalf of the Secretary of State, shall be
145 admissible in evidence in any suit, action or proceeding and, except
146 in a suit, action or proceeding directly questioning such appoint-
147 ment, shall be conclusive evidence of the due and proper appoint-
148 ment of the member or members named therein.

149 (f) The governing body of a county which may create or join
150 in the creation of any sewerage authority pursuant to this section

151 shall not thereafter create or join in the creation of any other
152 sewerage authority. No governing body of any municipality con-
153 stituting the whole or any part of a district shall create or join
154 in the creation of any sewerage authority except upon the written
155 consent of the sewerage authority and in accordance with the
156 terms and conditions of such consent, and in the event such consent
157 be given and a sewerage authority be created pursuant thereto,
158 the terms and conditions of such consent shall thereafter be in
159 all respects binding upon such municipality and the sewerage au-
160 thority so created and any system of sewers or sewage disposal
161 plants constructed or maintained in conformity with the terms
162 and conditions of such consent by the sewerage authority so created
163 shall be deemed not to be competitive with the sewerage systems
164 of the sewerage authority giving such consent. In the event that
165 prior to the creation of a sewerage authority of a county the gov-
166 erning body of any municipality located in said county shall have
167 created or joined in the creation of a sewerage authority, the area
168 within the territorial limits of such municipality shall not be part
169 of the district of the sewerage authority of said county.

170 (g) Within 10 days after the filing in the office of the Secretary
171 of State of a certified copy of a resolution for the creation of a
172 sewerage authority adopted by the governing body of any county
173 pursuant to this section, a copy of such resolution, duly certified
174 by the appropriate officer of the county, shall be filed in the office
175 of the clerk of each municipality within the county. In the event
176 that the governing body of any such municipality shall, within
177 60 days after such filing in the office of the Secretary of State,
178 adopt a resolution determining that such municipality shall not
179 be a part of the district of such sewerage authority and file a copy
180 thereof duly certified by its clerk, in the office of the Secretary of
181 State, the area within the territorial limits of such municipality
182 shall not thereafter be part of such district, but at any time after
183 the adoption of such resolution, the governing body of such mu-
184 nicipality may, by ordinance duly adopted, determine that such
185 area shall again be a part of such district and if thereafter a copy
186 of such ordinance duly certified by the appropriate officer of such
187 municipality, together with a certified copy of a resolution of such
188 sewerage authority approving such ordinance, shall be filed in the
189 office of the Secretary of State, then from and after such filing the
190 area within the territorial limits of such municipality shall forever
191 be part of such district.

192 (h) The governing body of any local unit which has created a
193 sewerage authority pursuant to subsection (a) or subsection (b)

194 of this section may, in the case of a county by resolution duly
195 adopted or in the case of a municipality by ordinance duly adopted,
196 dissolve such sewerage authority on the conditions set forth in
197 this subsection. The governing bodies of two or more local units
198 which have created a sewerage authority pursuant to subsection
199 (c) of this section may, by parallel ordinances duly adopted by
200 each of such governing bodies within any single calendar year,
201 dissolve such sewerage authority on the conditions set forth in
202 this subsection. Such a sewerage authority may be dissolved on
203 condition that (1) either the members of such authority have not
204 been appointed or the sewerage authority, by resolution duly
205 adopted, consents to such dissolution, and (2) the sewerage au-
206 thority has no debts or obligations outstanding. Upon the dissolu-
207 tion of any sewerage authority in the manner provided in this sub-
208 section, the governing body or bodies dissolving such sewerage
209 authority shall be deemed never to have created or joined in the
210 creation of a sewerage authority. A copy of each resolution or
211 ordinance for the dissolution of a sewerage authority adopted pur-
212 suant to this subsection, duly certified by the appropriate officer
213 of the local unit, shall be filed in the office of the Secretary of State.
214 Upon proof of such filing of a certified copy of the resolution or
215 ordinance or of certified copies of the parallel ordinances for the
216 dissolution of a sewerage authority as aforesaid and upon proof
217 that such sewerage authority had no debts or obligations outstand-
218 ing at the time of the adoption of such resolution, ordinance or
219 ordinances, the sewerage authority therein referred to shall be
220 conclusively deemed to have been lawfully and properly dissolved
221 and the property of the sewerage authority shall be vested in the
222 local unit or units. A copy of any such certified resolution or
223 ordinance, duly certified by or on behalf of the Secretary of State,
224 shall be admissible in evidence in any suit, action or proceeding.

225 (i) Whenever the sewerage authority of any county shall certify
226 to the governing body of any county that it has entered into a
227 contract pursuant to section 23 of this act with one or more munici-
228 palities situate within any other county, one additional member of
229 the sewerage authority for each such other county shall be ap-
230 pointed by resolution of the governing body of such other county
231 as in this section provided. The additional member so appointed
232 for any such other county, and his successors shall be a resident
233 of one of said municipalities situate within such other county. The
234 additional member first appointed or to be first appointed for any
235 such other county shall serve for a term expiring on the first day
236 of the fifth February next ensuing after the date of such appoint-

237 ment, and on or after January 1 in the year in which expires the
238 term of the said additional member first appointed and in every
239 fifth year thereafter, one person shall be appointed by said gov-
240 erning body as a member of the sewerage authority as successor
241 to said additional member, to serve for a term commencing on
242 February 1 in such year and expiring on February 1 in the fifth
243 year after such year. If after such appointment of an additional
244 member for any such other county the sewerage authority shall
245 certify to said governing body of such other county that it is no
246 longer a party to a contract entered into pursuant to section 23
247 of this act with any municipality situate within such other county,
248 the term of office of such additional member shall thereupon cease
249 and expire and no additional member for such other county shall
250 thereafter be appointed.

251 (j) If a municipality, the governing body of which has created
252 a sewerage authority pursuant to subsection (b) of this section,
253 has been or shall be consolidated with another municipality, the
254 governing body of the new consolidated municipality may, by
255 ordinance duly adopted, provide that the members of the sewerage
256 authority shall thereafter be appointed by the governing body of
257 such new consolidated municipality, which shall make appointment
258 of members of the sewerage authority by resolution as hereinafter
259 in this subsection provided. On or after the taking effect of such
260 ordinance, one person shall be appointed as a member of the
261 sewerage authority for a term commencing on February 1 in each
262 year, if any, after the date of consolidation, in which has or shall
263 have expired the term of a member of the sewerage authority
264 theretofore appointed by the governing body of the municipality
265 which has been or shall be so consolidated, and expiring on Febru-
266 ary 1 in the fifth year after such year. Thereafter, on or after
267 January 1 in each year, one person shall be appointed as a member
268 of the sewerage authority to serve for a term commencing on
269 February 1 in such year and expiring February 1 in the fifth year
270 after such year. In the event of a vacancy in the membership of
271 the sewerage authority occurring during an unexpired term of
272 office, a person shall be appointed as a member of the sewerage
273 authority to serve for such unexpired term. Each member of the
274 sewerage authority appointed by the governing body of a munici-
275 pality which has been or shall be so consolidated shall continue in
276 office until his successor has been appointed as in this subsection
277 provided and has qualified.

278 (k) If a municipality, the governing body of which has created
279 a sewerage authority pursuant to subsection (b) of this section,

280 has been or shall be consolidated with another municipality, the
281 governing body of the new consolidated municipality, subject to
282 the rights of the holders, if any, of bonds issued by the sewerage
283 authority, and upon receipt of the sewerage authority's written
284 consent thereto, may provide, by ordinance duly adopted, that the
285 area within the territorial boundaries of the new consolidated
286 municipality shall constitute the district of the sewerage authority,
287 and upon the taking effect of such ordinance, such area shall
288 constitute the district of the sewerage authority. Until the taking
289 effect of such ordinance, the district of the sewerage authority
290 shall be the area within the territorial boundaries, as they existed
291 at the date of the consolidation, of the municipality the governing
292 body of which created the sewerage authority.

293 (1) Whenever, with the approval of any sewerage authority
294 created by the governing bodies of two or more municipalities, any
295 other municipality not constituting part of the district shall convey
296 to the sewerage authority all or any part of a system of main, lateral
297 or other sewers or other sewerage facilities located within the
298 district and theretofore owned and operated by such other munic-
299 ipality, then, if so provided in the instruments of such conveyance,
300 one additional member of the sewerage authority for such other
301 municipality shall be appointed by resolution of its governing body
302 as in this section provided. The additional member so appointed for
303 such municipality, and his successors, shall be residents of such
304 municipality. The additional member first appointed or to be first
305 appointed for such municipality shall serve for a term expiring on
306 the first day of the fifth February next ensuing after the date of
307 such appointment, and on or after January 1 in the year in which
308 expires the term of the said additional member first appointed and
309 in every fifth year thereafter, one person shall be appointed by said
310 governing body as a member of the sewerage authority as successor
311 to said additional member, to serve for a term commencing on
312 February 1 in such year and expiring on February 1 in the fifth year
313 after such year. If at any time after such conveyance of sewers or
314 sewerage facilities by a municipality its governing body shall adopt
315 a resolution determining not thereafter to be represented in the
316 membership of the sewerage authority and shall file a copy thereof
317 duly certified by its clerk in the office of the sewerage authority, the
318 term of office of any such additional member theretofore appointed
319 for such municipality shall thereupon cease and expire and no addi-
320 tional member for such municipality shall thereafter be appointed.

321 (m) (i) The governing body of any municipality which is con-
322 tiguous to the district of a sewerage authority created by the

323 governing bodies of two or more other municipalities may at any
324 time, by ordinance duly adopted, propose that the whole or any
325 part of the area herein referred to as "service area" within the
326 territorial limits of such municipality shall be a part of said
327 contiguous district. Such ordinance shall (1) state the number of
328 members of the sewerage authority, not less than one nor more
329 than three, thereafter to be appointed for full terms of office
330 by the governing body of such municipality, and (2) determine that,
331 after the filing of a certified copy thereof and of a resolution of the
332 sewerage authority in accordance with this subsection, such service
333 area shall be a part of said contiguous district. If thereafter a copy
334 of such ordinance duly certified by the appropriate officer of such
335 municipality, together with a certified copy of a resolution of said
336 sewerage authority approving such ordinance, shall be filed in the
337 office of the Secretary of State, then from and after such filing the
338 service area shall forever be part of said contiguous district and
339 said sewerage authority shall consist of the members thereof acting
340 or appointed as in this section provided and constitute an agency
341 and instrumentality of such municipality as well as such other
342 municipalities. The governing body of the said municipality so
343 becoming part of said contiguous district shall thereupon appoint
344 members of the sewerage authority in the number stated in such
345 ordinance, for periods and in the manner provided for the first
346 appointment of members of a sewerage authority under subsection
347 (c) of this section.

348 (ii) If the service area of such municipality shall then be part
349 of the district of any other sewerage authority or municipal au-
350 thority, such other authority shall be resolution adopted not more
351 than one year prior to the adoption of such ordinance, consent to
352 the inclusion of the service area in the district of said contiguous
353 district, and the service area shall become part of said contiguous
354 district as aforesaid and shall no longer be part of the district of
355 such other authority for sewerage purposes. If only part of the
356 area within the territorial limits of such municipality shall con-
357 stitute the service area to become part of said contiguous district,
358 the service area shall be that so designated or shown on a map
359 thereof bearing legend or reference to this section and filed in the
360 office of the clerk of such municipality and in the office of the sec-
361 retary of each authority referred to in this section, and such map
362 shall be incorporated by a reference thereto in such ordinance and
363 resolution as or for a description of the service area. For all the
364 purposes of this act such sewerage authority shall be deemed to
365 have been created by the governing body of such municipality

366 jointly with the other municipalities (the territorial areas of which
367 constitute the district of such contiguous authority), and such mu-
368 nicipality shall have all powers, duties, rights and obligations
369 provided for by this act or any other law for or with respect to such
370 sewerage authority or any other sewerage authority or municipal
371 authority, notwithstanding that only a part of the area within the
372 territorial limits of such municipality shall become part of said
373 contiguous district.

374 (n) The governing body of a county or municipality may provide
375 in the ordinance or resolution creating the ***[utilities]*** *sewerage*
376 authority for not more than two alternate members. Alternate
377 members shall be designated by the governing body as "Alternate
378 No. 1" and "Alternate No. 2" and shall serve during the absence or
379 disqualification of any regular member or members. The governing
380 body of the county or municipality shall provide by ordinance or
381 resolution for the order in which the alternates shall serve. The
382 term of each alternate member shall be five years commencing on
383 February 1 of the year of appointment; provided, however, that in
384 the event two alternate members are appointed their initial terms
385 shall be four and five years respectively. The terms of the first
386 alternate members appointed pursuant to this amendatory act
387 shall commence on the day of their appointment and shall expire
388 on the fourth or fifth January 31 next ensuing after the date of their
389 appointments, as the case may be. Alternate members may partici-
390 pate in discussions of the proceedings but may not vote except in
391 the absence or disqualification of a regular member. A vote shall
392 not be delayed in order that a regular member may vote instead of
393 an alternate member.

394 (o) *Whenever any sewerage authority has entered into a con-*
395 *tract for the treatment or disposal of sewage originating in the*
396 *district pursuant to section 23 of P. L. 1946, c. 138 (C. 40:14A-23)*
397 *with any contiguous sewerage authority, then, with the approval*
398 *of the contiguous sewerage authority, the sewerage authority may*
399 *appoint, by resolution duly adopted, two additional members to the*
400 *contiguous sewerage authority as provided in this subsection. The*
401 *additional members shall be either residents of the district of the*
402 *sewerage authority or members or ****[employees]**** ****the execu-***
403 *tive director** of the sewerage authority. The additional mem-*
404 *bers shall serve five year terms, except that the additional members*
405 *first appointed shall serve for terms respectively expiring on the*
406 *first days of the fourth and fifth Februarys next ensuing after the*
407 *date of their appointments. On or after January 1 in the years in*
408 *which the terms of the additional members expire, one person shall*

409 *be appointed by the sewerage authority as a member of the*
410 *contiguous sewerage authority as successor to the additional mem-*
411 *ber, to serve for a term commencing on February 1 of that year.*
412 *Vacancies shall be filled in the manner of the original appointment*
413 *but for the unexpired term only. If a sewerage authority has*
414 *entered into a contract with a contiguous sewerage authority for*
415 *the treatment or disposal of sewage, and thereafter adopts a resolu-*
416 *tion determining not to be represented in the membership of the*
417 *contiguous sewerage authority and files a copy thereof duly certi-*
418 *fied by its secretary in the office of the contiguous sewerage au-*
419 *thority, the terms of office of any additional members shall cease*
420 *and no additional members shall be appointed thereafter.*

1 2. This act shall take effect immediately.

SEWERAGE

Permits a sewerage authority which has a service agreement with another sewerage authority to have membership representation on the other authority.

411 *on February 1 of that year. Vacancies shall be filled in the manner*
412 *of the original appointment but for the unexpired term only. If*
413 *a sewerage authority has entered into a contract with a contiguous*
414 *sewerage authority for the treatment or disposal of sewage, and*
415 *thereafter adopts a resolution determining not to be represented*
416 *in the membership of the contiguous sewerage authority and files*
417 *a copy thereof duly certified by its secretary in the office of the*
418 *contiguous sewerage authority, the terms of office of any additional*
419 *members shall cease and no additional members shall be appointed*
420 *thereafter.*

1 2. This act shall take effect immediately.

STATEMENT

This bill would permit a sewerage authority which has a contract with a contiguous sewerage authority to treat or dispose of sewerage to have membership representation on the contiguous authority.

SEWERAGE

Permits a sewerage authority which has a service agreement with another sewerage authority to have membership representation on the other authority.

ASSEMBLY INDEPENDENT AND REGIONAL
AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2390

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 1986

The Assembly Independent and Regional Authorities Committee reports favorably Assembly Bill No. 2390 with committee amendments.

As amended, this bill changes the "sewerage authorities law," P. L. 1946, c. 133 (C. 40:14A-1 et seq.) to permit a sewerage authority which is organized under this law and which has a contract with a contiguous sewerage authority to treat or dispose of sewage, to have membership representation on the contiguous authority. This bill authorizes a sewerage authority to appoint two additional members to the contiguous authority with the approval of the contiguous authority to serve for five year terms.

Under current law, there is no provision for the appointment of additional members to an authority by a contiguous sewerage authority with which it has a contract to treat or dispose of sewage.

The committee amendments amend a reference in the "sewerage authorities law" concerning a utilities authority so that the reference shall be to a sewerage authority and the amendments make a technical correction in the arrangement of certain words in the amendatory section of the bill.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 2390

[OFFICIAL COPY REPRINT]
with Senate committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 2, 1986

The Senate County and Municipal Government Committee reports favorably and with committee amendments Assembly Bill No. 2390 OCR.

Assembly Bill No. 2390 OCR Sea permits a sewerage authority, under certain circumstances, to appoint additional members to a contiguous sewerage authority with which a service contract for treatment or disposal of sewage has been entered into.

Specifically, the bill amends section 4 of P. L. 1946, c. 138 (C. 40:14A-4) to permit a sewerage authority which has contracted for services to be provided by a contiguous authority to appoint two additional members to the membership of a contiguous sewerage authority upon the approval of the contiguous authority. The bill requires the two additional members be either residents of the district of the appointing authority or members or the executive director of that authority. The additional members shall serve five year terms.

The bill further provides that if additional members are appointed and the appointing authority determines, by resolution, to not be so represented, the terms of the additional members shall cease.