

# 33168

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September 18, 2020

**Via Federal Express**

Kerry Sgro  
State of New Jersey  
Department of State  
20 West State Street, 8<sup>th</sup> Floor  
Trenton, New Jersey 08625

**Re: Borough of Riverdale's Ordinance Petitioning Membership in Pequonnock River Basin  
Regional Sewerage Authority**

Dear Ms. Sgro:

Pursuant to your emails and discussion with my assistant Tralynn of September 16, 2020, enclosed for filing, please find an original and one copy each of Resolution No. R-20-9-1 and Ordinance No. 05-2020, approving the Resolution.

I have enclosed two checks in the amount of \$5.00 each for payment of the filing fee due in this matter. (If there is no additional fee due for filing the Ordinance, please return the unused check to me, along with the filed documents, in the self-addressed stamped envelope provided.)

As you advised my secretary, once the documents have been filed, please forward a scanned copy of the filed Resolution and Ordinance to me via email at [dalexander@mfhenvlaw.com](mailto:dalexander@mfhenvlaw.com).

If you have any questions or concerns, please do not hesitate to contact my office at (973) 912-9008.

Thank you for your attention to this matter.

Very truly yours,

*Diane Alexander*  
Diane Alexander

DA:tbs  
Enclosure(s)

ABA-EPA LAW OFFICE CLIMATE CHALLENGE PARTNER

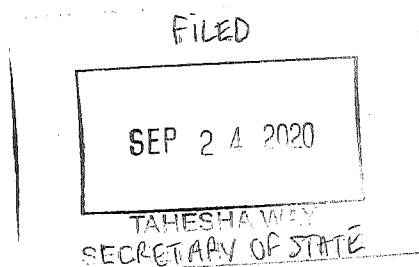
FILED  
SEP 24 2020  
TANISHA WAY  
SECRETARY OF STATE

**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.

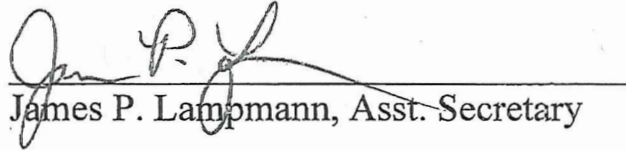
**NOW THEREFORE, BE IT RESOLVED** by the Pequannock River Basin Regional Sewerage Authority, in the Counties of Morris and Passaic and the State of New Jersey on this 16th day of September, 2020, as follows:

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







# 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 Sewage 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.

Abubakar Jalloh, Borough Clerk

Adopted this <sup>th</sup> 26 day of  
AUGUST, 2020.

Paul M. Carelli, Mayor



# 33169



## 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





**BOROUGH OF RIVERDALE  
NEW JERSEY**



TITLE:

**RESOLUTION FOR PUBLIC HEARING AND ADOPTION  
ORDINANCE# 5-2020**

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

The Mayor ordered the Clerk to read the Notice and Ordinance entitled: ORDINANCE# 5-2020

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

Which Ordinance was introduced and passed on First Reading by title at a meeting of the Mayor and Council held on July 22, 2020.

The Notice and Ordinance have been posted on the Bulletin Board in the Municipal Building and copies have been made available to the general public.

The Mayor announced that the meeting was open to hear any objections that may be presented by any taxpayer of the Borough of Riverdale, and all parties and persons in interest and citizens.

The following were heard:

**RECORD OF COUNCIL VOTE**

Motion - by Councilman: Desai Second - by Councilman: Oswald

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

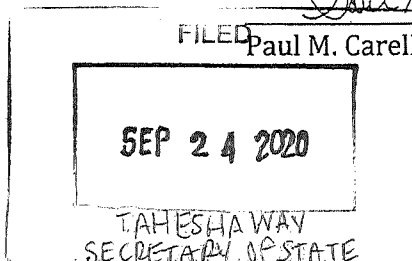
Pellegrini	X				Oswald	X			
Revis	X				Purcell	X			
Desai	X				Kheyfets	X			

**RESOLVED**, that the above Ordinance No. 5-2020; as read on Second Reading at this meeting be adopted and finally passed.

The Mayor declared the Ordinance passed, approved the same and ordered the Clerk to publish the notice thereof

Abubakar T. Jalloh, R.M.C.  
Municipal Clerk

FILED Paul M. Carelli, Mayor





# BOROUGH OF RIVERDALE NEW JERSEY



TITLE:

## RESOLUTION TO INTRODUCE ORDINANCE# 5-2020

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

**BE IT RESOLVED**, the Ordinance entitled No. 5-2020, as stated above be adopted and the Mayor and Council had first reading by title on July 22, 2020 and

**BE IT FURTHER RESOLVED** that a copy of the same be published in the Morris Daily Record on July 29, 2020 and together with a Notice of Introduction thereof and the same shall be considered for final passage at the Meeting of the Mayor and Council on August 26, 2020.

**BE IT FURTHER RESOLVED**, that the Borough Clerk posts a copy of said Ordinance on the bulletin board and make copies available to the general public.

#### RECORD OF COUNCIL VOTE

Motion - by Councilman: Oswald Second - by Councilman: Revis

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Pellegrini	X				Oswald	X			
Revis	X				Purcell	X			
Desai	X				Kheyfets	X			

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.



2020