

ORDINANCE 2024-343

AN ORDINANCE OF THE BOROUGH OF UNION BEACH AMENDING THE PREVIOUSLY APPROVED ORDINANCE CREATING THE BAYSHORE REGIONAL SEWERAGE AUTHORITY THROUGH PARALLEL ORDINANCES ADOPTED BY THE BOROUGH OF UNION BEACH, AND THE TOWNSHIPS OF HAZLET AND HOLMDEL, PURSUANT TO THE PROVISIONS OF THE NEW JERSEY SEWERAGE AUTHORITIES LAW.

WHEREAS, the Bayshore Regional Sewerage Authority (“Authority”) was created by Parallel Ordinances adopted by the Borough of Union Beach, and the Townships of Hazlet and Holmdel in accordance with the provisions of the Sewerage Authorities Law of the State of New Jersey (Laws of 1946, Chapter 138, as amended and supplemented); and

WHEREAS the Ordinance adopted by the Borough of Union Beach was codified at Chapter 11, Section 4 entitled “The Bayshore Regional Sewerage Authority” in the Borough Code of the Borough Union Beach; and

WHEREAS, Chapter 11, Section 4.4 of the Borough Code of the Borough of Union Beach entitled “Composition” provides that the Authority shall consist of six members and two of the members shall be appointed by the governing body of each of said municipalities in accordance with the provisions of the Sewerage Authority Law. The Bayshore Regional Sewerage Authority shall be authorized to establish an annual salary for each of its members of not more than \$3,000; and

WHEREAS, the members/Commissioners of the Authority have adopted a resolution requesting a change in the limits and method of computing their annual compensation, which pursuant to the Sewerage Authorities Law, must be approved by Parallel Ordinances adopted by each of the Authority’s member municipalities to become effective; and

WHEREAS, the Borough Council of the Borough of Union Beach recognizes that the duties and responsibilities of the members/Commissioners of the Authority have grown substantially from the inception of the Authority, and wish to establish a salary format that will allow for periodic future changes in the maximum salary allowed to be received by each member/Commissioner of the Authority;

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Union Beach in the County of Monmouth, in the State of New Jersey, as follows:

- I. Chapter 11 entitled “Sewer and Water”, Section 4 entitled “The Bayshore Regional Sewerage Authority”, Subsection 4.4 entitled “Composition” of the Borough Code of the Borough Union Beach is hereby amended to read as follows (Amendments are shown with additions in **bold** and deletions in [brackets]):

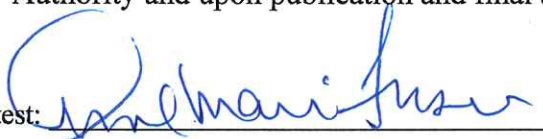
Section 11-4.4. Composition.

The Bayshore Regional Sewerage Authority shall consist of six members and two of the members shall be appointed by the governing body of each of said municipalities in accordance with the provisions of the Sewerage Authority Law. The Bayshore Regional Sewerage Authority shall be authorized to establish an annual salary for each of its members [~~of not more than \$3,000.~~] **for the year 2024 of not more than Three Thousand Five Hundred (\$3,500) Dollars. For each year thereafter, the maximum annual salary for each member shall be computed by applying a factor, based upon the annual increase or decrease in the Cost of Living Adjustment (COLA) to the maximum salary for the prior year to determine the yearly adjusted maximum salary of each member. The annual salary of the Board of Commissioners shall be reviewed by The Bayshore Regional Sewerage Authority member municipalities every 10 years to determine if a change to the maximum salary allowed is appropriate.**

- II. The remainder of Chapter 11 entitled "Sewer and Water", Section 4 entitled "The Bayshore Regional Sewerage Authority" remains unchanged.
- III. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
- IV. If any section, sub-paragraph, sentence, clause or phrase of this Ordinance shall subsequently be held to be invalid, such decision shall not invalidate the remaining portion of the Ordinance, or the Ordinance which it amends; except that if the entire Ordinance shall be deemed to be invalid, then in such event, the prior Ordinance shall be reinstated.

This Ordinance shall take effect upon the last to occur of the final adoption of Parallel Ordinances by the remaining municipality members of the Bayshore Regional Sewerage Authority and upon publication and final adoption of this Ordinance according to law.

Attest:



Anne Marie Friscia, Municipal Clerk

Approved:



Charles W. Cocuzza, Mayor

Introduced on First Reading: April 18, 2024

Second Reading and Final Adoption: May 16, 2024