

**A PARALLEL ORDINANCE OF THE BOROUGH OF SPRING LAKE, IN THE COUNTY
OF MONMOUTH, STATE OF NEW JERSEY, AMENDING THE BOROUGH CODE TO
ESTABLISH A JOINT MUNICIPAL WATER AUTHORITY**

BE IT ORDAINED, by the Governing Body of the Borough of Spring Lake, in the County of Monmouth and State of New Jersey, as follows:

Section 1. The Borough Code of the Borough of Spring Lake is hereby supplemented to provide for a new Chapter entitled Establishment of a Joint Municipal Water Authority.

Section 2. Legislative Purpose The municipalities of the Boroughs of Brielle, Spring Lake, Spring Lake Heights, Sea Girt and the Township of Wall (collectively the "Treated Water Purchasers") are currently parties to individual treated water purchase contracts dated, September 1, 1987, between the respective municipalities and the Monmouth County Improvement Authority ("Treated Water Purchase Contract"). The current relationship amongst the Treated Water Purchasers is in the nature of an inter-local services arrangement intended to collectively benefit all Treated Water Purchasers. Section 17 of the Treated Water Purchase Contract grants an option to the Treated Water Purchasers to purchase the water treatment and transmission facilities from the Monmouth County Improvement Authority.

The Governing Body of the Borough of Spring Lake and the governing bodies of the other Treated Water Purchasers have determined that their respective financial interests and thereby the interests of their residents would be better served and furthered by establishing a joint entity comprised of representatives of the Treated Water Purchasers for the purpose of purchasing the water treatment and transmission facilities from the Monmouth County Improvement Authority. The intent and purpose of this enactment is to establish the joint authority.

Section 3. Establishment and Composition Pursuant to N.J.S.A. 40:14B-5, there is hereby established a joint municipal water authority to be known as the Jersey Shore Water Authority ("Authority") consisting of 1 member from the Township of Wall; 1 member from the Borough of Brielle; 1 member from the Borough of Spring Lake; 1 member from the Borough of Spring Lake Heights and 1 member from the Borough of Sea Girt.

Section 4. Powers The Authority shall possess such powers as authorized by law and approved by the Local Finance Board.

Section 5. Membership Upon creation of the Authority in accordance with applicable law, the Governing Body shall appoint by resolution one individual to serve as a member of the Authority.

Section 6. Governance The Authority shall be governed by the by-laws established by the Authority.

Section 7. All ordinances, or parts thereof, inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of such inconsistency.

Section 8. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 9. This Ordinance shall take effect upon its passage and publication according to law.

INTRODUCED: October 28, 2008

ADOPTED: November 25, 2008

APPROVED:


JENNIFER NAUGHTON, Mayor

Attest:


JANE L. GILLESPIE, BOROUGH CLERK