

SENATE, No. 429

STATE OF NEW JERSEY

INTRODUCED JANUARY 18, 1996

BY Senators HAINES, SINGER and Casey

1 AN ACT concerning certain host municipality benefits and
2 supplementing P.L.1946, c.138 (C.40:14A-1 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Notwithstanding the provisions of any law, rule or regulation to
8 the contrary, a municipality with a population greater than 10,000
9 persons but less than 11,000 persons, according to the latest federal
10 decennial census, located in a county of the second class with a
11 population exceeding 360,000 but less than 400,000 persons,
12 according to the latest federal decennial census, and in which is
13 located a wastewater treatment facility, sludge dewatering facility,
14 sludge drying facility, or any combination thereof, owned or operated
15 by a sewerage authority pursuant to the provisions of P.L.1946, c.138
16 (C.40:14A-1 et seq.), and which facility or facilities serve more than
17 one municipality on a Delaware River tributary, shall be entitled to an
18 annual host municipality benefit in an amount determined by: (1)
19 multiplying \$0.04 times each 1,000 gallons of wastewater processed
20 at the wastewater treatment facility per year that was generated by the
21 municipalities served by the authority collection system; and (2)
22 multiplying \$1.75 times each 1,000 gallons of wastewater or sludge,
23 as the case may be, transported from other municipalities or generators
24 thereof. The total amount of each annual benefit shall be rounded to
25 the nearest \$1.00.

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27 2. a. An authority subject to the provisions of this act shall
28 annually pay the municipality hosting the facility or facilities the full
29 amount of the benefit provided for in this act and the recipient
30 municipality may anticipate this amount for the purposes of preparing
31 its annual budget. All cash payments shall be appropriated by the
32 municipality in accordance with the provisions of the "Local Budget
33 Law," N.J.S.40A:4-1 et seq. The authority responsible for paying the
34 benefit specified under this act may, subject to the prior agreement of
35 the recipient municipality, provide that benefit to the municipality in
36 the following manner:

37 (1) Notwithstanding the provisions of section 31 of P.L.1946,

1 c.138 (C.40:14A-31), as payment in lieu of taxes on the land on which
2 the facility or facilities are situated, and such payment shall be due and
3 owing at the same time as the third quarterly payment of property
4 taxes is due and owing pursuant to R.S.54:4-66;

5 (2) As an exemption from all or part of the fees and charges for the
6 treatment of all wastewater generated within the boundaries of the
7 municipality;

8 (3) As a lump sum cash payment or payments, according to a
9 schedule established by the governing body of the recipient
10 municipality; or

11 (4) Any combination thereof.

12 b. The payment of a host municipality benefit under this section
13 shall be included as a cost of operation and maintenance for which
14 rents, rates, fees or other charges are collected by the authority
15 pursuant to section 8 of P.L.1946, c.138 (C.40:14A-8).

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17 3. The host municipality benefit provided for under this act shall
18 constitute a personal obligation of the appropriate authority, and shall
19 be enforced through civil action pursuant to the Rules Governing the
20 Courts of the State of New Jersey.

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22 4. This act shall take effect immediately.

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25 STATEMENT

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27 This bill would provide for a host municipality benefit to be paid,
28 by a sewerage authority, to any municipality with a population
29 between 10,000 and 11,000 persons, in a county of the second class
30 with a population between 360,000 and 400,000 persons. The benefit
31 would be calculated on the basis of wastewater processed from
32 municipalities within the authority's service area and wastewater or
33 sludge from other municipalities or generators thereof. Finally, the bill
34 contains options concerning the manner in which the host municipality
35 benefit is to be provided.

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40 Provides for host municipality benefits from certain sewerage
41 authorities.