

Chapter 48

PORT AUTHORITY

§ 48-1. Establishment; purpose.

§ 48-3. Membership; term of office; vacancies.

§ 48-2. Powers.

§ 48-4. Officers; quorum.

[HISTORY: Adopted by the City Council of the City of Bridgeton 1-4-1983 by Ord. No. 82-10. Amendments noted where applicable.]

§ 48-1. Establishment; purpose.

- A. There is established the Bridgeton Municipal Port Authority, in and for the City as a public body corporate and politic, pursuant to N.J.S.A. 40:68A-29 et seq., said Port Authority to be an agency and instrumentality of the City of Bridgeton.
- B. The purpose of said Port Authority shall be the establishment, development and improvement of a port district for port purposes, by exercise of the powers set forth herein, or established by the New Jersey Municipal Port Authorities Law, N.J.S.A. 40:68A-29 et seq., which shall include but not be limited to acquisition, construction, improvement, maintenance, operation or leasing of port facilities, to have responsibility for the establishment collection and enforcement of charges for the use of said port, as well as to arrange for financing for said port, by issuance of bonds or otherwise.

§ 48-2. Powers.

The Bridgeton Municipal Port Authority, an instrument exercising public and essential governmental functions and having perpetual succession, shall have the following powers, conferred upon such bodies by the Legislature by provisions of N.J.S.A. 40:68A-40, and also to have such other powers as should hereafter be granted by the Legislature:

- A. To adopt and have a common seal and to alter the same at pleasure.
- B. To sue and be sued.
- C. In its own name to acquire, hold, use and dispose of its charges and other personal property for the purposes of the Municipal Port Authority, and to acquire by purchase, gift, condemnation or otherwise, or lease as lessee, real property and easements therein, necessary or useful and convenient for the purposes of the Municipal Port Authority whether subject to mortgages, deeds of trust or other liens, or otherwise, and to hold and to use the same, and to dispose of property so acquired no longer necessary for the purposes of the Municipal Port Authority.
- D. To grant by franchise, lease or otherwise, the use of any project, facilities or property owned and controlled by it to any person for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon. Any such grant may be upon condition that the user shall or may construct or provide

any buildings or structures or improvements on such project, facilities or property, or portions thereof, all upon such terms and conditions as may be agreed upon.

- E. To provide for and secure the payment of any bonds and the rights of the holders thereof, to purchase, hold and dispose of any bonds.
- F. To apply for and to accept gifts or grants of real personal property, money, material, labor or supplies for the purposes of the Municipal Port Authority from any person, county or municipality, including the United States any agency thereof, and to make and perform such agreements and contracts and to do any and all things necessary or desirable in connection with the procuring, acceptance or disposition of such gifts or grants.
- G. To determine the exact location, type and character of and all matters in connection with all or any part of the port system which it is authorized to own, construct, establish, effectuate or control and to enter on any lands, waters, or premises for the purposes of making such surveys, diagrams, maps or plans or for the purpose of making such soundings or borings as it deems necessary or convenient.
- H. To make and enforce bylaws or rules and regulations for the management and regulation of its business and affairs and for the use, maintenance and operation of the port system and any other of its properties, and to amend the same.
- I. To do and perform any acts and things authorized by this Act under, through or by means of its own officers, agents and employees, or by contracts with any person.
- J. To acquire, purchase, construct, lease, operate, maintain and undertake any project and to make service charges for the use thereof.
- K. To enter into any and all contracts, execute any and all instruments, and do and perform any and all acts or things necessary, convenient or desirable for the purposes of the Municipal Port Authority or to carry out any power expressly given to the act subject to P.L. 1979, c. 198, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

§ 48-3. Membership; term of office; vacancies.

The Bridgeton Municipal Port Authority shall consist of five members to be appointed by the City Council of the City of Bridgeton, by resolution adopted at its regular or special meeting. Members shall serve for a five-year term, the members first appointed to be designated to serve for terms respectively expiring on the first day of February of the first, second, third, fourth and fifth years after their appointment. Vacancies shall be filled by resolution by the City Council of the City of Bridgeton for the unexpired term.

§ 48-4. Officers; quorum.

- A. The Bridgeton Municipal Port Authority shall, upon the first appointment of its members and thereafter on or after February 1 in each year, annually elect from among its members a Chairman and a Vice Chairman, who shall hold office until February 1 of the year next ensuing and until their respective successors have been appointed. The

Bridgeton Municipal Port Authority may also appoint and employ a secretary, treasurer and such other agents and employees as it may require, and determine their term of office, duties and compensation.

- B. Three members shall constitute a quorum and action may be taken and motions and resolutions adopted by vote of three of the members unless, in any specific case, the bylaws of the Authority require a larger number.