

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE
BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, NEW
JERSEY, REGARDING THE LAKE HOPATCONG COMMISSION**

WHEREAS the Lake Hopatcong Commission (hereinafter "LHC") was created pursuant to the "Lake Hopatcong Protection Act", N.J.S.A. 58:4B-1 et seq.; and

WHEREAS Lake Hopatcong was found under the Lake Hopatcong Protection Act to be "... (a) natural resource worthy of special attention, consideration, and protection by all levels of government" [N.J.S.A. 58:4B-2]; and

WHEREAS the LHC is charged under the Lake Hopatcong Protection Act to control the growth of aquatic weeds within the Lake and engage in storm water management activities among other things; and

WHEREAS the LHC has been beset for many years with inadequate and irregular funding; and

WHEREAS a healthy and navigable Lake Hopatcong is of vital importance to the economies of Morris and Sussex Counties and, in particular the four municipalities that border New Jersey's largest freshwater body, all of whom have representation on the LHC and a stake in the health and welfare of Lake Hopatcong; and

WHEREAS the LHC is not only statutorily charged to engage in weed control measures on Lake Hopatcong but it is uniquely suited, experienced and capable of doing so going forward if it is adequately and consistently funded; and

WHEREAS a large portion of the LHC's budget in the past has been dedicated to overhead and expenses that in no way directly benefit the Lake (such as multiple types of insurance, etc.) which the LHC as it is presently constituted must incur by law; and

WHEREAS due to lack of funding and resources, the LHC has been in negotiation with the New Jersey Department of Environmental Protection ("NJDEP") to transfer weed harvesting operations and all of the LHC's physical assets (inclusive of weed harvesters, vessels, transport barges, shore conveyors and trucks) to the Division of Parks and Forestry which is a cause of great concern to the Borough of Mount Arlington, and seemingly contrary to the terms of the Lake Hopatcong Protection Act; and

WHEREAS the LHC is composed of eleven (11) members inclusive of two citizens to be appointed by the Governor of the State of New Jersey to seats on the LHC [one of which has been vacant since June of 2006]; and

WHEREAS collectively, the issues regarding lack of adequate and consistent funding, imposed unnecessary overhead and the vacant gubernatorial position on the

LHC have hampered its ability to function as intended for many years all to the detriment of the health and well being of Lake Hopatcong.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Mount Arlington, New Jersey, as follows:

1. The Legislature of the State of New Jersey is respectfully urged to review and address the foregoing issues which have hampered the effective operations of the Lake Hopatcong Commission in its duty to safeguard Lake Hopatcong. Special consideration and attention should be given to S-495 which, if enacted, would establish the "Lake Hopatcong Fund" and provide the consistent and adequate funding that is needed. Special attention should also be given to addressing issues of insurance and overhead for not only LHC but other similar State entities which should in the end result in a substantial savings to the State of New Jersey in general; and

2. The Lake Hopatcong Commission (suitably comprised of representatives of State, County and municipal governments) should continue to bear primary responsibility to devise and implement adequate weed control measures and oversee storm-water management procedures for the benefit of Lake Hopatcong and its watershed through the use of its own employees and equipment.

3. The Governor of the State of New Jersey is respectfully requested, pursuant to N.J.S.A. 58:4B-3a., to appoint a citizen representative to the LHC to fill the vacant position.

4. Certified copies of this Resolution shall be provided to the Governor of the State of New Jersey, legislators from Morris and Sussex Counties, the Freeholder Boards for Morris and Sussex Counties and the Municipal Clerks of the Township of Jefferson, Borough of Hopatcong, and Township of Roxbury and the Lake Hopatcong Commission.

I hereby certify this to be a true and correct Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, adopted on February 7, 2012.



Linda DeSantis, RMC
Borough Clerk