

**RESOLUTION 2015 - 35**

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR THE MAJOR DISPOSAL(S)/DIVERSION(S) OF PARKLAND FROM THE ARLINGTON GLEN, BLOCK 61 LOT 17.01 FOR PUBLIC UTILITY EASEMENTS**

**WHEREAS**, Block 61, Lot 17.01 is part of the Borough of Mount Arlington Municipal Beach which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

**WHEREAS**, in conjunction with the past public utility easement to the Borough of Mount Arlington, it is necessary to remove the Green Acres restrictions from a .11 Acre portion and .049 Acre portion of Arlington Glen; and

**WHEREAS**, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C.7:36-26.8; and

**WHEREAS**, the Borough of Mount Arlington wishes to apply for approval for the past public utility easements to the Borough of Mount Arlington as a major disposal or diversion of parkland under N.J.A.C. 7:36-26; and

**WHEREAS**, as required by N.J.A.C.7:36-26.8, the Borough of Mount Arlington held a scoping hearing on November 13, 2014 to solicit public comment on the diversion(s)/disposal(s) of parkland from Arlington Glen in connection with the past public utility easements to the Borough of Mount Arlington; and

**WHEREAS**, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.9; and

**WHEREAS**, in accordance with N.J.A.C.7:36-26.9(d)11, it is necessary for the Borough of Mount Arlington to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland;

**NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, as follows:**

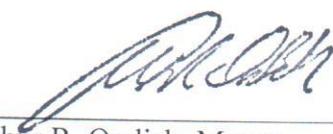
1. The Borough of Mount Arlington endorses the filing of a pre-application for the Arlington Glen / past public utility easements to the Borough of Mount Arlington pursuant to N.J.A.C. 7:36-26;
2. The Borough of Mount Arlington hereby finds that Arlington Glen/ past public utility easements to the Borough of Mount Arlington would meet the minimum substantive criteria at N.J.A.C.7:36-26.1(d) by addressing the public health, welfare and safety throughout the Borough and the Arlington Glen; and
3. The Borough of Mount Arlington acknowledges that in order to obtain the approval of Arlington Glen / past public utility easements to Mount Arlington, all substantive and procedural requirements of N.J.A.C.7:36-26 must be met, including compensation requirements at N.J.A.C.7:36-26.10.

I hereby certify this to be an accurate and true resolution as approved by the Mayor and Borough Council at a Meeting held on January 20, 2015.

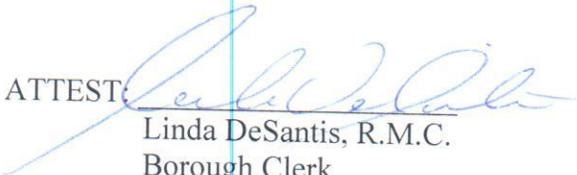
DATE: 1/21/15

Borough of Mount Arlington

BY:

  
Arthur R. Ondish, Mayor

ATTEST:

  
Linda DeSantis, R.M.C.  
Borough Clerk

BY: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Linda DeSantis, R.M.C.  
Borough Clerk