

**RESOLUTION OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, DESIGNATING HESP SOLAR, LLC, AND/OR ITS ASSIGNS, AS THE REDEVELOPER OF THE BOROUGH OF MOUNT ARLINGTON'S SANITARY LANDFILL, BLOCK 8, LOT 3**

**WHEREAS**, the Mayor and Council for the Borough of Mount Arlington adopted Resolution 2015-73 approved on May 5, 2015, a copy of which is incorporated herein as if set forth at length, authorizing and directing the Borough of Mount Arlington's Land Use Board and the Borough Planner to conduct an investigation of the Borough of Mount Arlington's sanitary landfill, identified on the official tax map as Block 8, Lot 3, (the "Study Area") and make recommendations to the Borough in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., (the "Redevelopment Law"); and

**WHEREAS**, the Borough of Mount Arlington adopted Resolution 2015-37A approved on February 3, 2015, a copy of which is incorporated herein as if set forth at length, authorizing Matrix New World Engineering, Inc. to prepare a request for proposals for the implementation of a solar photovoltaic redevelopment project for the Borough of Mount Arlington's sanitary landfill, identified on the official tax map as Block 8, Lot 3; and

**WHEREAS**, the Borough of Mount Arlington's Land Use Board, by way of Resolution approved on June 24, 2015, a copy of which is incorporated herein as if set forth at length, memorialized that the Borough of Mount Arlington's sanitary landfill, identified on the official tax map as Block 8, Lot 3, qualifies as being in need of redevelopment and recommended that a redevelopment plan be prepared; and

**WHEREAS**, the Borough of Mount Arlington adopted Ordinance #03-15 approved on May 5, 2015 authorizing expenditures for the solar photovoltaic redevelopment project, a copy of which is incorporated herein as if set forth at length; and

**WHEREAS**, the Borough of Mount Arlington adopted Ordinance 11-15 on October 6, 2015, a copy of which is incorporated herein as if set forth at length, adopting a redevelopment plan for the Study Area that satisfies the criteria set forth in the Redevelopment Law, including N.J.S.A. 40A:12A-5, for the Borough owned property designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, the Mayor and Council for the Borough of Mount Arlington has determined that it is in the best interest of the Borough to designate HESP Solar, LLC, and/or its assigns, as the redeveloper of Borough of Mount Arlington's sanitary landfill.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Mount Arlington that HESP Solar, LLC, and/or its assigns, is hereby designated as the redeveloper of Borough of Mount Arlington's sanitary landfill; and

**IT IS FURTHER RESOLVED**, that the development of the site is subject to the provisions and requirements of the Redevelopment Law, including, but not limited to, the approval of the redevelopment plan; execution of a redevelopment agreement between the Borough and HESP Solar, LLC, and/or its assigns, and the Borough Mayor and Council, acting as the redevelopment entity; and site plan approval by the Borough's Land Use Board.

Section 2. This Resolution shall take effect immediately in accordance with applicable law.

Section 3. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this Resolution.

Section 4. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

I hereby certify this to be an accurate and true resolution as approved by the Mayor and Borough Council at a Meeting held on April 12, 2016.



Linda DeSantis, RMC, Borough Clerk