

RESOLUTION 2015 - 33

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 MUNICIPAL BEACH, BLOCK 18 LOT 12 FOR PUBLIC TRANSFER AND PRIVATE EASEMENT

WHEREAS, Block 18, Lot 12 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 property transfer and access easement to M & H Associates, it is necessary to remove the Green Acres restrictions from a .286 Acre portion and .021 Acre portion of Municipal Beach; 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 property transfer and access easement to M&H Associates 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 Municipal Beach in connection with the past property transfer and access easement to M&H Associates; 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 Municipal Beach / past property transfer and access easement to M&H Associates pursuant to N.J.A.C. 7:36-26;
2. The Borough of Mount Arlington hereby finds that Municipal Beach/ past property transfer and access easement to M&H Associates would meet the minimum substantive criteria at N.J.A.C.7:36-26.1(d) by addressing the public safety and drainage issues at the Municipal Beach; and
3. The Borough of Mount Arlington acknowledges that in order to obtain the approval of Municipal Beach/ past property transfer and access easement to M&H Associates, 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.

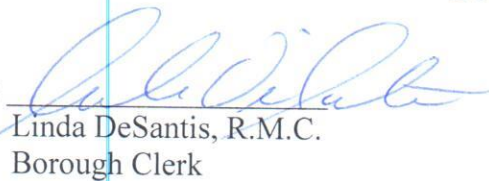
DATE : 1/21/15

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