

**RESOLUTION 2020 - 86**

**RATIFYING AND AUTHORIZING A FIVE YEAR  
EXTENSION AND RENEWAL TERM FOR CERTAIN  
MUNICIPAL SERVICES AGREEMENTS, AND  
AUTHORIZING AND DIRECTING THE EXECUTION OF  
LETTER AGREEMENTS TO MEMORIALIZE THE SAME**

**WHEREAS**, the Borough of Mount Arlington, County of Morris (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

**WHEREAS**, Nolan’s Ridge at Mount Arlington Condominium Association Inc. (“Nolan’s Ridge”), Lakeshore Village Condominium Association Inc. (“Lakeshore”), Horizon (Ridgeview) Condominium Association Inc. (“Ridgeview”), and Seasons Glen Condominium Association, Inc. (“Seasons Glen”) (collectively, the foregoing hereafter the “Associations”), are respective residential developments and qualified private communities located within the Borough, and are eligible for streetlighting and snow removal reimbursement or performance pursuant to N.J.S.A. 40:66-1.3; and

**WHEREAS**, the Borough and the Associations entered into respective Municipal Service Agreements pursuant to the Municipal Services Act N.J.S.A. 40:67-23.2 *et seq.*, as amended (the “Act”), which addressed the Borough’s reimbursement to the Associations for certain snow removal and street lighting reimbursement (the collective agreements the “Municipal Services Agreements”); and

**WHEREAS**, those Municipal Service Agreements provide for an initial term running from January 1, 2015 through December 31, 2019, and subject to renewals thereafter, unless terminated by written notice provided at least sixty (60) days prior to the start of a renewal term; and

**WHEREAS**, no party to the respective Municipal Service Agreements exercised any termination option in accordance with the terms thereof; and

**WHEREAS**, as a result of the foregoing, the Borough is desirous of ratifying and extending the respective Municipal Services Agreements with the Associations under the terms and conditions set forth therein, for a renewal term of five (5) years, effective January 1, 2020 and running through December 31, 2024; and

**WHEREAS**, the Borough desires to memorialize the foregoing in the respective Letter Agreements with the Associations, in substantially the form on file with the Borough Clerk’s Office, with such input from Borough professionals as may be required (the “Letter Agreements”).

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Borough hereby ratifies and extends the respective Municipal Services Agreements with the Associations under the terms and conditions set forth therein, for a renewal term of five (5) years, effective January 1, 2020 and running through December 31, 2024.

3. The Borough hereby authorizes and directs the Mayor (and any other necessary Borough personnel as may be necessary) to execute, witness and effectuate the said Letter Agreements with the Associations to memorialize the foregoing ratification and extensions, in substantially the form on file with the Borough Clerk's Office, with such amendments, revisions and changes determined to be necessary by the Mayor in consultation with Borough professionals, including the Borough Attorney.

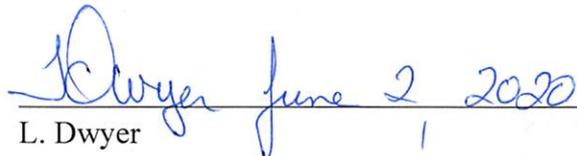
4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

5. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

6. This Resolution shall take effect immediately, as provided by law.

<b>OFFERED:</b>	<b>Councilman Cangiano</b>
<b>SECONDED:</b>	<b>Council President Delaney</b>
<b>AYES:</b>	<b>Farris, Loughridge, Cangiano, Fostle, Galate, Delaney</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>None</b>

I, Lizbeth Dwyer, Acting Borough Clerk, do hereby certify that this is a true copy of the Resolution adopted by the Mayor and Council of the Borough of Mount Arlington, at the Council Meeting of June 2, 2020.

  
L. Dwyer  
Acting Borough Clerk