

RESOLUTION 2020-87

AUTHORIZING EXECUTION OF A MUNICIPAL SERVICES AGREEMENT WITH SHADOW WOODS FOR REIMBURSEMENT FOR, OR PERFORMANCE OF, STREETLIGHTING AND SNOW REMOVAL SERVICES AT SHADOW WOODS

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, the Shadow Woods Condominium Association (the “**Development**”) is a residential development and qualified private community located within the Borough, and is eligible for streetlighting and snow removal reimbursement or performance pursuant to N.J.S.A. 40:66-1.3; and

WHEREAS, the Borough is required to perform certain specified services on roads and streets in the Development, if undertaken by the Borough, including streetlighting and snow removal services, or, if such services are not performed directly by the Borough, to reimburse the Development, to the extent specified by N.J.S.A. 40:66-1.3, for the actual costs of providing said specified services, but in no event, in an amount exceeding the cost that would be reasonably incurred by the Borough in providing the services directly; and

WHEREAS, the Development seeks reimbursement from the Borough for certain streetlighting and snow removal costs; and

WHEREAS, the Parties desire to resolve all issues relating to payment for such reimbursement, and to set forth a schedule and methodology for future payment for such streetlighting and snow removal reimbursement costs, with the Borough reserving the right to perform such services in the future, all as provided for in a Municipal Services Agreement (the “**Agreement**”), a copy of which is on file in the Borough Clerk’s Office; and

WHEREAS, the Borough seeks approval of the Agreement, as required by the Municipal Services Act.

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 authorizes and directs the Mayor (and any other necessary Borough personnel) to execute, witness and effectuate the said Municipal Services Agreement with Shadow Woods, substantially in the form on file at 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.

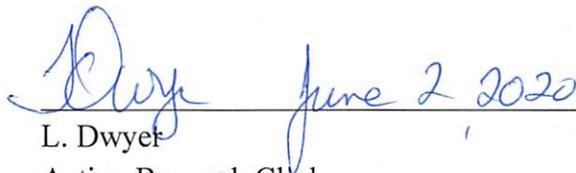
3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

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

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

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

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