

RESOLUTION 2010- 198**RESOLUTION OF THE TOWNSHIP OF STAFFORD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
SUPPORTING THE STATE HOUSE COMMISSION PRE-
APPLICATION TO THE NJDEP GREEN ACRES
PROGRAM FOR AUTHORIZATION TO AMEND AN
EXISTING DECLARATION OF COVENANTS AND
RESTRICTIONS TO PERMIT THE CONSTRUCTION AND
OPERATION OF RENEWABLE ENERGY FACILITIES ON
THE STAFFORD PARK LANDFILL**

WHEREAS, Block 25, Lot 39 contains the Stafford Municipal Landfill generally referred to as the "Licensed Landfill"; and,

WHEREAS, the Licensed Landfill consists of approximately 77.834 acres; and,

WHEREAS, Ocean County is utilizing 18.241 acres of the Licensed Landfill under Lease from The Township of Stafford for a compost facility; and,

WHEREAS, the remaining 57.672 (less the existing stormwater basins) acres of the Licensed Landfill are proposed for use for the installation and operation of renewable energy facilities; and,

WHEREAS, the 57.672 (less the existing stormwater basins) acres are 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 proposed installation and operation of renewable energy facilities on the affected lands, it is necessary to remove the Green Acres restrictions from the entire 57.672 acres (less the existing stormwater basins) of affected land; 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*; and

WHEREAS, The Township of Stafford wishes to apply for approval for the above described renewable energy project 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 Township of Stafford will hold a scoping hearing on September 27, 2010 to solicit public comment on the use of the deed restricted cap of the landfill for the installation and operation of renewable energy facilities; 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

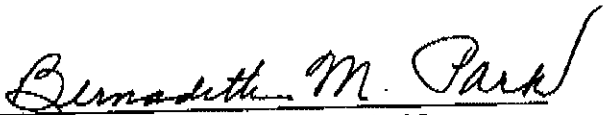
WHEREAS, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for The Township of Stafford to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland;

NOW THEREFORE, BE IT RESOLVED by the governing body of the Township of Stafford, County of Ocean, State of New Jersey as follows:

1. The Township of Stafford endorses the filing of a pre-application for the installation and operation of renewable energy facilities pursuant to N.J.A.C. 7:36-26;
2. The Township of Stafford hereby finds that the installation and operation of renewable energy facilities on the closed and capped Licensed Landfill would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by (i) generating clean renewable on the cap of a closed landfill; and (ii) providing electricity to Ocean County and The Township of Stafford at reduced rates; and,
3. The Township of Stafford acknowledges that in order to obtain the approval for the installation and operation of renewable energy facilities the proposed renewable energy project must meet all substantive and procedural requirements of N.J.A.C. 7:36-26, including compensation requirements, if any, at N.J.A.C. 7:36-26.10.

CERTIFICATION

I, BERNADETTE M. PARK, Clerk of Stafford Township, do hereby certify that the foregoing Resolution was adopted by the Stafford Township Council at a meeting held on the 21st day of September, 2010.


 Bernadette M. Park, RMC, CMC
 Township Clerk, Township of Stafford