

**RESOLUTION NO. 2012-319**

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING REIMBURSEMENT TO PATRIOT'S COVE  
FOR RECYCLING AND WASTE DISPOSAL EXPENSES**

**WHEREAS**, the Township of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has been requested by the Developer and owner of Patriot's Cove, 5 Union Boulevard, Barnegat Township, New Jersey ("Patriot's Cove") for reimbursement in accordance with "Kelly's Law" for recycling and waste collection services which were not provided by the Township, but rather were independently paid by Patriot's Cove to a third party; and

**WHEREAS**, pursuant to the provisions of "Kelly's Law" the Township is required to reimburse this apartment complex at the Township contracted rate, for recycling and waste collection services; and

**WHEREAS**, as a result of the Contract entered into by the Township with Waste Management, Inc., the Township pays \$4.91 per resident every other week for recycling pick-up services and \$5.33 per unit, per week for waste collection services; and

**WHEREAS**, Patriot's Cove is comprised of forty-eight (48) units;  
and

**WHEREAS**, the calculations confirm that the amount due and owing from the Township to Patriot's Cove is \$6,127.68 for recycling services

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in 2011 and \$13,303.68 for waste collection services in 2011, for a total of \$19,431.36;

**NOW, THEREFORE, BE IT RESOLVED**, this 4<sup>th</sup> day of June, 2012, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. The Township authorizes payment to Patriot's Cove of \$19,431.36 representing reimbursement for expenses incurred in 2011 for recycling services at the rate of pick-up every other week and waste removal services at the rate of one time per week in order to comply with "the Kelly Law".

2. The Township authorizes and directs the Mayor, Township Clerk, and Township Administrator to execute any and all necessary documents in order to implement the intent of this resolution.

3. A certified copy of this resolution shall be forwarded by the Township Clerk to the following:

- (a) Honorable Alfonse Cirulli, Mayor;
- (b) David Breeden, Administrator;
- (c) Kathleen Janeski, CFO;
- (d) Jerry J. Dasti, Esquire; and
- (e) Patriot's Cove

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**CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on June 4, 2012, a quorum being present and voting in the majority.

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**SHARON L. AUER,  
ACTING TOWNSHIP CLERK**

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,  
CHERKOS & CONNORS  
Forked River, New Jersey 08731

JJD:faw/Barnegat Resolutions 2012-GL#20148]

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