

RESOLUTION NO. 2012-455

**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
FIRST HALF OF 2012**

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-six (46) units; and

WHEREAS, the Management Company of Patriot's Cove has advised that its 2012 expense for waste collection and recycling was \$3,687.47, in total.

**DASTI, MURPHY
McGUCKIN, ULAKY,
CHERKOS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOW, THEREFORE, BE IT RESOLVED, this day of August, 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 \$8,433.65 representing reimbursement for expenses incurred in 2012 for recycling and solid waste removal, 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 August 20, 2012, a quorum being present and voting in the majority.

**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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CERTIFICATION OF AVAILABILITY OF FUNDS

I, Kathleen Janeski, Chief Financial Officer for the Township of Barnegat, do hereby certify that adequate funds are available for reimbursement for expenses incurred in 2012 for recycling and solid waste removal in Patriot's Cove, in order to comply with "The Kelly Law".

The funds which are available for this contract are found in the following line item appropriations or ordinances:

KATHLEEN JANESKI, CFO

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