

RESOLUTION 2014-225

**RESOLUTION OF THE TOWNSHIP OF BAREGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ENDORING AN AGREEMENT WITH THE
TOWNSHIP OF OCEAN ENSURING THAT DELINQUENT
BARNEGAT TOWNSHIP WATER AND/OR SEWER
USERS SERVICED BY THE TOWNSHIP OF OCEAN
WILL BE LISTED FOR TAX SALE IN THE TOWNSHIP OF BARNEGAT TOWNSHIP**

WHEREAS, Township of Ocean provides water and sewer services to certain users who are technically in the borders of the Township of Barnegat; and

WHEREAS, the Township of Barnegat and the Township of Ocean are desirous to enter into this Agreement, whereby the Township of Barnegat will ensure that delinquent Township of Barnegat users serviced by the Township of Ocean's Water and Sewer Services will be listed for Tax Sale in the Township of Barnegat to protect the Township of Ocean's interests in receiving the monies owed for the services provided; now

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Barnegat hereby authorizing the execution of this agreement by the Township of Barnegat Mayor to set in motion a process by which the Township of Ocean can protect their interests in the Township of Barnegat users that are provided Water and Sewer Services by the Township of Ocean.

CERTIFICATION

I, Sharon L. Auer, Acting Municipal Clerk, of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee of said Township at their regular meeting held on the 7th day of April, 2014, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Sharon L. Auer
Acting Municipal Clerk

THIS AGREEMENT, (hereafter referred to as the “Agreement”) entered into as of the 7th day of April, 2014 (the “Effective Date”) between the TOWNSHIP OF OCEAN DEPARTMENT OF UTILITIES, a body politic of the State of New Jersey, with offices located at 50 Railroad Avenue, Waretown, New Jersey 08758, (hereinafter “Ocean Township”) and the TOWNSHIP OF BARNEGAT, a body corporate and politic of the State of New Jersey, with offices located at 900 West Bay Avenue, Barnegat, New Jersey 08005 (hereinafter “Barnegat Township” and collectively the “Township”).

WITNESSETH:

WHEREAS, Ocean Township has and continues to provide water and sewer services (hereinafter the “System”) to certain users in Barnegat Township; and

WHEREAS, the Townships are desirous to enter into this Agreement, whereby Barnegat Township will ensure that delinquent Barnegat Township users serviced by Ocean Township’s System will be listed for Tax Sale in Barnegat Township to protect Ocean Township’s interests in receiving the monies owed for the services provided;

WHEREAS the Townships have determined that it is in the best interest of the Townships to enter into this Agreement for the purposes of the facilitating past and future water and sewer service by Ocean Township to Barnegat Township residents;

WHEREAS, subsequent to the date of this Agreement Barnegat Township shall list for Tax Sale any and all users who have failed to pay water and sewer bills owed to Ocean Township for the services provided by Ocean Township;

NOW, THEREFORE, in consideration of the promises and the mutual obligations and responsibilities of the Townships hereto, each of them does hereby covenant and agree with the other as follows:

Ocean Township shall provide a list of the Barnegat Township users serviced by its water and/or sewer system (“the System”) whom are delinquent on bills for service by the System. Upon the failure of any Barnegat Township user serviced by the System to pay its bill on a schedule set forth by Ocean Township, Barnegat Township shall have available to it all statutory and legal remedies to enforce collection on behalf of Ocean Township. Barnegat Township agrees to cooperate fully with the collection efforts of Ocean Township, including but not limited to, reduce the amount owed to a municipal lien in the same manner as would Barnegat Township for users it provides water and/or sewer service to, and to sell said lien with its annual Tax Sale pursuant to N.J.S.A. 54:5-1 et seq., and the recordation and enforcement of liens, and the termination of water and/or sewer service to said customer after Ocean Township has obtained a court order where necessary. Said assistance by Barnegat Township shall be without charge to Ocean Township. It shall be Ocean Township’s responsibility to promptly notify

Barnegat Township of any actions it has taken or it intends to take relative to collection of its charges which require Barnegat Township's cooperation or action.

IN WITNESS WHEREOF, the Township has caused this Agreement to be duly executed on its behalf and its seal to be hereunto affixed and attested and the Redeveloper has caused the same to be duly executed on its behalf, on or as of the day and year first written above.

ATTEST:

**THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF OCEAN**

Diane Ambrosio, Township Clerk

Dennis Tredy, Mayor

ATTEST:

**THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF BARNEGAT**

Sharon L. Auer, Acting Township Clerk

Susan McCabe, Mayor