

RESOLUTION NO. 2019 – 324

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING PAYMENT FROM DEVELOPER
ESCROW TO MARK MADISON, LLC IN
ACCORDANCE WITH THE SEPTEMBER 21, 2015 OFF-
TRACT REIMBURSEMENT AGREEMENT.**

WHEREAS, the Committee of Barnegat, Township of Barnegat, County of Ocean, State of New Jersey (“The Township”) previously entered into an Off-Tract Sewer Reimbursement Agreement (the “Agreement”) dated September 21, 2015 with Mark Madison, LLC; and

WHEREAS, the Agreement provides that other developers who benefit from the oversized construction performed by Mark Madison, LLC and its related entities, participate in a cost-sharing in order to properly reimburse Mark Madison, LLC pursuant to the provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-62 et seq; and

WHEREAS, the Township currently has in the subject developers escrow account \$10,375.57 which represents payments made by developers who have benefited from the oversized construction of the Off-Site Sanitary Sewer Improvements constructed by and at the expense of Mark Madison, LLC; and

WHEREAS, the account balance is \$10,375.57; and

WHEREAS, in accordance with the aforementioned Agreement, it is appropriate to release said funds to Mark Madison, LLC.

NOW, THEREFORE, BE IT RESOLVED on the 1st day of October, 2019 by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

LAW OFFICES OF
CHRISTOPHER J. DASTI
COUNSELLOR AT LAW
900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731

1. In accordance with the Off-Tract Sewer Reimbursement Agreement, the Township hereby authorizes the payment from the developer escrow account the sum of \$10,375.57 payable to Mark Madison, LLC. Said funds had been paid into the developer account by other developers who benefit from the Off-Tract improvements, and do not represent any expenditure on behalf of the Township or the Township Taxpayers.
2. The Township Committee hereby authorizes the Mayor, Township Clerk, and the Township Administrator to execute all documents in order to implement the intent of this Resolution.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be sent by the Township Clerk to the following:

- (a) Alfonso Cirulli, Mayor
- (b) Martin Lisella, Township Administrator
- (c) Michele Rivers, Township Clerk
- (d) Christine Roessner, Finance/Escrow Department
- (e) Tom Lombarski, CFO.
- (f) Christopher J. Dasti, Esq., Township Attorney

LAW OFFICES OF
CHRISTOPHER J. DASTI

COUNSELLOR AT LAW

900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731

CERTIFICATION

I CERTIFY that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on October 1, 2019, a quorum being present and voting in the majority.

Michele Rivers, Township Clerk

Prepared by:

**THE LAW OFFICES OF
CHRISTOPHER J. DASTI**

**LAW OFFICES OF
CHRISTOPHER J. DASTI**

COUNSELLOR AT LAW

900 NEWARK AVENUE
P.O. BOX 779
FORKED RIVER, N.J. 08731