

RESOLUTION 2018 - 219

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

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

WHEREAS, the Agreement provides that other developers who benefit from the oversize 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 New Jersey Municipal Land Use Law, in particular N.J.S.A. 40:55D-62; and

WHEREAS, the Township currently has in the aforementioned developer’s escrow account, \$10,608.67, which represents payments made by developers who have benefited from the oversize construction of the off-site sanitary sewer improvements constructed by and at the expense of Mark Madison, LLC; and

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

NOW, THEREFORE, BE IT RESOLVED, this 12th day of June, 2018, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. In accordance with the aforementioned agreement the Township hereby authorizes payment from the developer escrow account of \$10,608.62, payable to Mark Madison, LLC. Said funds had been paid into the developer account by other developers who

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benefited from the off-tract sewer improvements, and do not represent any expenditure on behalf of the Township or the Township tax payers.

2. The Township Committee hereby authorizes the Mayor, Township Administrator and Township Clerk to execute any and all 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 Frank Caputo, Mayor;
- (b) Martin J. Lisella, Township Administrator;
- (c) Michele Rivers, RMC, Township Clerk;
- (d) Christine Roesnner, Township Escrow Agent;
- (e) Tom Lombarski, CFO, Township of Barnegat; and
- (f) Jerry J. Dasti, Esquire..

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Township of Barnegat at a meeting held on the 12th day of June, 2018, a quorum being present and voting in the majority.

MICHELE RIVERS, RMC,
Township Clerk

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Prepared by:

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