

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

JERRY J. DASTI, ESQ. [005441973]
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Phone (609) 971-1010 Fax (609) 971-7093

Attorneys for Defendant, Township of Howell

RESOURCE ENGINEERING, LLC,

Plaintiff,

vs.

MONMOUTH COUNTY BOARD OF
FREEHOLDERS; MONMOUTH COUNTY
SOLID WASTE ADVISORY COUNCIL;
MONMOUTH COUNTY DEPARTMENT
OF PUBLIC WORKS AND ENGINEERING,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY

DOCKET NO. MON-2495-20

Civil Action

**CERTIFICATION OF
JERRY J. DASTI, ESQ.**

I, JERRY J. DASTI, ESQUIRE, being of legal age upon my oath in lieu of formal

Affidavit hereby certifies as follows:

1. I am a duly licensed attorney in the State of New Jersey. I represent the Township of Howell with regard to the issues involved in this litigation;
2. Plaintiff has filed suit compelling the Monmouth County Board of Freeholders, et al., to vote and mandate that a resource recovery facility/transfer station to be located in Howell Township;
3. By reviewing the Plaintiff's Complaint, the position of the Township Howell is that the proposed site is not appropriate and therefore should be rejected;
4. It is the position of the Township of Howell that Plaintiff's Complaint be dismissed, for numerous reasons;
5. It is clear that the Township has an interest in this litigation, and has a clear vested interest in the outcome of the litigation;

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6. We have requested on numerous occasions that the attorney for the Plaintiff agree and consent to the Township being allow to enter plea in this litigation, without success;

7. Attached is a copy of a letter dated September 22, 2020 from Plaintiff's attorney which provides that the Plaintiff "will not consent to Howell's intervention in this case;" and

8. We therefore respectfully request the Court permit the Township to intercede in this matter in order to protect its interest.

I certify that the foregoing statements made by me are true and accurate to the best of my knowledge and recollection. I understand that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



JERRY J. DASTI, ESQ.

Dated: September 25, 2020

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

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ATTORNEYS AT LAW

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September 22, 2020

VIA E-MAIL

Jerry J. Dasti, Esq.
Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors
620 West Lacey Road
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jdasti@dmmlawfirm.com
Attorneys for Township of Howell

Re: Resource Engineering LLC v. Monmouth County Board of Freeholders, et al., Docket No. MON-L-002495-20

Dear Mr. Dasti:

Resource Engineering LLC ("Resource") is in receipt of your September 15, 2020 correspondence, as well as your September 17, 2020 proposed consent order. We write to inform you that Resource will not consent to Howell's intervention in this case.

Regards,
/s/ Angelica Halat
Angelica Halat

cc: Kira Dabby, Esq. (via e-mail)
Joseph A. Clark, Esq., Township Attorney (via e-mail)
Resource Engineering LLC (via e-mail)
Frank J. Vitolo, Esq. (via e-mail)

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