

RESOLUTION 24-67

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ACCEPTING AND AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT WITH RESOURCE ENGINEERING, INC.

WHEREAS, the Mayor and Township Council of the Borough of Howell, County of Monmouth, State of New Jersey (the “Township”) is involved in litigation with Resource Engineering, Inc., (hereinafter referred to as “Resource”) which litigation is venued in the Superior Court of New Jersey, Monmouth County, Law Division, Docket No.: MON-L-2495-20 (hereinafter referred to as the “litigation”); and

WHEREAS, the litigation involves potential construction and maintenance of a fully enclosed transfer station to be located in the Township; and

WHEREAS, the Township has been involved in the litigation in order to best protect the residence, citizens and taxpayers of the Township and in order to confirm that the Township will benefit from a proposed location of the transfer station; and

WHEREAS, after numerous settlement discussions, conferences with the Court and all counsel, a proposed Settlement Agreement has been drafted which the Township professional and administrative staff find to be acceptable as to form and content; and

WHEREAS, the Township believes that the adoption of the Settlement Agreement is appropriate and in the best interest of the Township and its citizens.

NOW, THEREFORE, BE IT RESOLVED, this 12th day of December, 2023, by the Mayor and Township Council of the Township of Howell, County of Monmouth, State New Jersey, as follows:

1. After considering comments from the public hearing and after discussions with the Township administrative and professional staff, the Township approves the Settlement Agreement with Resource Recycling, Inc. A copy of the Settlement Agreement is on file at the Office of the Township Clerk and can be viewed during normal business hours.

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 Theresa Berger, Mayor;
- (b) Joseph Clark, Township Manager;
- (c) Matthew Howard, Director
- (d) Evelyn O'Donnell, Deputy Mayor
- (e) Jerry J. Dasti, Esquire

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fisher</i>						
<i>Councilman Gasior</i>						
<i>Councilwoman O'Donnell</i>						
<i>Deputy Mayor Nadel</i>						
<i>Mayor Berger</i>						

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held January 16, 2024. WITNESS my hand this 17th day of January 2024.

Diane Festino -
 Diane Festino, RMC
 Municipal Clerk
 Township of Howell