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November 4, 2022

## VIA ELECTRONIC FILING

Honorable Mara Zazzali-Hogan, J.S.C.  
Monmouth County Courthouse  
71 Monument Park, 2<sup>nd</sup> Floor  
Freehold, NJ 07728

GL-29659

Re: Resource Engineering, LLC v. Monmouth County Board of Freeholders, et al.  
Docket No.: MON-L-2495-20

Dear Judge Zazzali-Hogan:

As Your Honor may recall, this office represents the Township of Howell with regard to the captioned matter. We have reviewed Mr. Vitolo's letter of November 2, 2022 and wish to respond.

The Plaintiff intends to construct the transfer station in Howell Township. How counsel does not believe that Howell Township should have an interest in the pending litigation is curious, to say the least.

Our client needed to file a motion to intervene as a party in this litigation, over the objection of the Plaintiff, but with consent of all other parties. Obviously, Howell Township, its citizens, taxpayers, and certainly residents who will live near the proposed transfer station, have an interest in the outcome of the litigation.

Plaintiff submitted in support of its application to SWAC correspondence indicating the "need" for another transfer station. The need included accepting trash from Lakewood Township. Neither Lakewood Township nor the County of Ocean, and I can only presume NJDEP, would want that to occur. Based upon the new evidence we have uncovered and disclosed, I believe that additional defendants should be allowed to participate in the litigation, including the County of Ocean and NJDEP.

If, for instance, NJDEP and the County of Ocean prevail and not allow the transfer station to accept solid waste from Lakewood, the alleged "need" for the transfer station in Howell Township will certainly be minimal. That is obviously very relevant not only to SWAC and both Monmouth County Commissioners, but also we respectfully submit, Your Honor.

Honorable Mara Zazzali-Hogan, J.S.C.

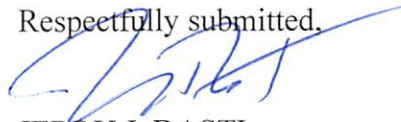
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I will be speaking with counsel for the defendants in order to determine whether we should file a motion seeking to add new defendants who obviously have an interest in the outcome of this litigation. However, for counsel to assert that Ocean County Counsel's opinion "has no bearing on any of the factual or legal issues in the case" is simply incorrect. Certainly, Ocean County and NJDEP have a vested interest in whether SWAC recommends to the Monmouth County Commissioners, and the Monmouth County Commissioners permit a new transfer station to be constructed in Howell Township, with the intent that it accept trash from at least one municipality in Ocean County.

Thank you for allowing me to respond to Mr. Vitolo's correspondence. In the event that Your Honor has any other questions or we can be of additional assistance, please do not hesitate to contact our office.

Respectfully submitted,



JERRY J. DASTI

JJD/ww

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