

RESOLUTION NO. -2020

**RESOLUTION APPROVING SECOND ADDENDUM TO
PROFESSIONAL SERVICES CONTRACT OF
FRANKLIN J. RIESENBURGER, ESQUIRE
OF THE FIRM OF FLASTER GREENBERG**

WHEREAS, by Resolution No. 193-2019 adopted on July 16, 2019 the Board of Commissioners of the City of Millville (hereinafter "Municipality") appointed Franklin J. Riesenburger, Esquire of the firm of Flaster Greenberg (hereinafter "Consultant") as special environmental counsel at a rate of \$365.00 per hour in an amount not to exceed \$130,000.00 for a one year period from July 14, 2019 to July 13, 2020; and

WHEREAS, Consultant has continued to perform extensive services regarding the remediation of the City of Millville Airport as well as the remediation of the City owned property known as the former Wheaton factory located at Block 260, Lot1; and

WHEREAS, by Resolution No. 118-2020 adopted on April 7, 2020 the Board of Commissioners approved a First Addendum to the Professional Services Contract in which it awarded Consultant an additional amount not to exceed \$50,000.00; and

WHEREAS, Consultant has now exhausted that additional amount, and in fact, has submitted billing exceeding the aggregate amount awarded by some \$41,000.00; and

WHEREAS, the Municipality finds it to be in the best interests of the City of Millville that Consultant continue to provide environmental legal services in reference to the ongoing environmental remediation at the Millville Airport facility; and

WHEREAS, the Chief Financial Officer has certified the availability of additional funds in an amount of \$42,000.00.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Millville, County of Cumberland and State of New Jersey that:

1. The Second Amendment to the Professional Services Contract between the City of Millville and Franklin J. Riesenburger, Esquire of the firm of Flaster Greenberg awarding the Consultant an additional consideration not to exceed \$42,000.00 (for a total amended contract amount not to exceed \$222,000.00) for the duration of his contract through July 13, 2020.

2. The Mayor and the Clerk are authorized to executed said Second Amendment to Professional Services Contract.

Moved By:

Seconded By:

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Michael Santiago				
W. James Parent				
Ashleigh Udalovas				
Joseph Pepitone				
Bruce Cooper				

CERTIFICATION

I certify that the foregoing is a true copy of a Resolution adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on July 8, 2020.

Jeanne M. Hitchner, City Clerk

