

**BOROUGH OF PENNINGTON
RESOLUTION 2022-8.5**

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH EXCEL
ENVIRONMENTAL RESOURCES, INC. FOR SERVICES IN CONNECTION WITH
TECHNICAL AND STRATEGIC ENVIRONMENTAL SERVICES RELATED TO THE
PENNINGTON SANITARY LANDFILL, BLOCK 206 LOTS 4, 5 AND 13 ON THE BOROUGH
TAX MAP**

WHEREAS, the Pennington Borough Sanitary Landfill on the property known as Block 206, Lots 4, 5 and 13 on the Tax Map of the Borough of Pennington, requires further assessment regarding land use requirements at the site and any potential redevelopment limitations associated with the Lewis Brook Tributary and associated suspected wetland areas; and

WHEREAS, Excel Environmental Resources, Inc. has been conducting Site and Remedial Investigation services as previously authorized under Resolutions 2018-9.3 AND 2021-8.8; and

WHEREAS, Borough Council is committed to completely closing the Sanitary Landfill and the next step in the process is to prepare and submit to the New Jersey Department of Environmental Protection (NJDEP) Freshwater Wetlands (FWW) Letter of Interpretation (LOI) Verification application and a Flood Hazard Area (FHA) Verification Approximation application; and

WHEREAS, Excel Environmental Resources, Inc. has submitted Proposal #P22065 dated July 11, 2022 in the amount of not to exceed \$8,995.00 for preparation and submittal of the aforesaid applications and related tasks; and

WHEREAS, the Chief Financial Officer of the Borough has certified that fund for this contract are available in the Capital Account under Ordinance #2017-4 and Ordinance #2018-9;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the Mayor and Borough Clerk are hereby authorized to issue such purchase orders and contract documents as necessary to retain and pay for these services by Excel Environmental Resources Inc, consistent with the attached proposal, subject to the following conditions:

1. that Excel Environmental Resources, Inc. will conduct these services on a time and materials basis in accordance with the Standard Terms and Conditions included in the Proposal; and
2. should less time and/or effort be required to complete the scope of work, Excel will only bill for the actual hours expended and costs incurred; and
3. Excel will not exceed the cost estimate of \$8,995.00 without prior approval by Borough Council.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on August 1, 2022.

Elizabeth Sterling, Borough Clerk