

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2017-211

Council Meeting Date: 08-14-2017

Date Adopted: 08-14-2017

TITLE: RESOLUTION APPROVING LEGAL REPRESENTATION FROM  
DIFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM  
RELATING TO THE MID-ATLANTIC SALT LITIGATION

Councilperson Kapner submitted the following resolution, which was duly seconded by Councilperson Muñoz.

WHEREAS, Mid-Atlantic Salt, LLC has commenced litigation against the Morris County Cooperative Pricing Council including a number of municipalities in the State of New Jersey, including New Providence; and

WHEREAS, New Providence as well as Raritan Township, Bernards Township, Hillsborough Township, Watchung Borough and Warren Township all have been named in the litigation and all have an agreement with Difrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum for their legal services; and

WHEREAS, Steven O. Davis, Esq. has proposed a shared representation of the aforementioned municipalities for this litigation; and

WHEREAS, the matters raised in the litigation are similar for all parties and Mr. Davis feels that sharing the cost of representation in this matter makes fiscal sense.

NOW, THEREFORE, BE IT RESOLVED, that the governing Body of the Borough of New Providence hereby approves the attached proposal from Difrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum for representation in the aforementioned litigation.

APPROVED, this 14<sup>th</sup> day of August, 2017.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
GALLUCCIO	X			
GENNARO			X	
KAPNER	X			
MADDEN			X	
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 14<sup>th</sup> day of August, 2017.

Wendi B. Barry, Borough Clerk