

**TOWNSHIP OF FRANKLIN  
GLOUCESTER COUNTY**

**R-148-22**

**APPROVING THE CONTRACT FOR MADDEN & MADDEN, P.A.,  
TO ASSUME THE DEFENSE ON BEHALF OF THE FRANKLIN TOWNSHIP  
ZONING BOARD OF ADJUSTMENT AND FRANKLIN TOWNSHIP IN THE  
PENDING LITIGATION ENTITLED JC COMPANY, LLC, AND GERALD J.  
TRUSTER V. FRANKLIN TOWNSHIP ZONING BOARD OF ADJUSTMENT AND  
FRANKLIN TOWNSHIP, IN THE SUPERIOR COURT OF NEW JERSEY- LAW  
DIVISION DOCKET NO. GLO-L-108-22**

**WHEREAS**, the Township of Franklin requires professional legal services to assume the defense on behalf of the Franklin Township Zoning Board of Adjustment and Franklin Township in the pending litigation entitled JC Company, LLC, and Gerald J. Truster v. Franklin Township Zoning Board of Adjustment and Franklin Township, Docket No. GLO-L-108-22 , and other matters as assigned; and

**WHEREAS**, the Law Offices of Madden & Madden (“Madden”), has submitted an RFP for Professional Services/Legal Services associated with handling the pending litigation and other matters as assigned (see Exhibit “A”); and

**WHEREAS**, the Madden has submitted a Fee Agreement dated August 29, 2022, for said legal services associated with handling the pending litigation and other matters as assigned (see Exhibit “B”); and

**WHEREAS**, the Township of Franklin QPA and the Township Committee have reviewed the RFP for Professional Services and Fee Agreement dated August 29, 2022, and

**WHEREAS**, it is the intention of the Township to enter into a Contract with Madden under the terms and conditions set forth in the RFP and Fee Agreement dated August 29, 2022(Exhibit B); and

**WHEREAS**, the Township of Franklin Chief Financial Officer has certified the availability of funds not to exceed \$20,000 pursuant to CAF# \_\_\_\_\_ which amount shall be charged against budget line item # \_\_\_\_\_.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Franklin, County of Gloucester, State of New Jersey, as follows:

1. Madden & Madden’s proposal for Professional Legal Services to assume the defense on behalf of the Franklin Township Zoning Board of Adjustment and Franklin Township in the pending litigation entitled JC Company, LLC. and Gerald J. Truster v. Franklin Township Zoning Board of Adjustment and Franklin Township, Docket No. GLO-L-108-22, and other matters as assigned is approved.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mayor and Clerk of the Township of Franklin, Gloucester County, New Jersey, are hereby authorized and directed to execute any documents necessary to effectuate the September 13, 2022, proposal.

Adopted: September 13, 2022

COMMITTEE MEMBER	MOTION	2 <sup>nd</sup>	YES	ABSTAIN	NO	ABSENT
<b>T. Doyle</b>						
<b>D. Deegan</b>						
<b>M. Petsch-Wilson</b>						
<b>H. Flaim</b>						
<b>J. Bruno</b>						

Attest:

Township of Franklin

\_\_\_\_\_  
Barbara Freijomil, Clerk

\_\_\_\_\_  
John Bruno, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting held on Tuesday, September 13, 2022.

\_\_\_\_\_  
Barbara Freijomil, Clerk