

April 26, 2021

Via Regular Mail & Electronic Mail

Borough of Alpha, N.J.
Mr. Craig Dunwell, Mayor
1001 East Boulevard
Alpha, N.J. 08865
mayordunwell@alphaboronj.org

Re: Landfill Roadway Development

Dear Mayor Dunwell:

Pursuant to our discussion earlier today, the Borough has requested that we modify our existing retainer agreement to reflect a different scope of legal services to be provided.. Accordingly, the description of the "Legal Services To Be Provided" in paragraph 1 of the attached "Agreement to Provide Legal Services" signed on December 21, 2020 is hereby modified to add the following:

1. Legal Services To Be Provided: We agree to assist You with regard to the following matter:

You own an approximate 47-acre parcel of land known as Block 99, Lot 2 (the "Property") in the Borough of Alpha that was formerly operated as a municipal solid waste landfill. You have received permits from the New Jersey Department of Environmental Protection ("NJDEP") for minor and major disturbances to the Property which would allow investigation and for a roadway to be constructed over a portion of the Property. You are in discussions with a prospective redeveloper, Trammel Crow Company (the "Redeveloper"), to construct a roadway over a portion of the Property in conjunction with their development of an adjacent parcel. The Redeveloper requested access the Property to investigate the landfill. You requested environmental legal counsel regarding the Redeveloper's access to the Property and the proposed construction of a roadway over the Property.

We will provide environmental legal counsel to you regarding the proposed access to and environmental investigation of the Property, and construction of a roadway over the Property.

As discussed, an additional retainer amount of \$7,500 is requested for us to move forward with this scope of work. All other terms, including without limitation definitions, of the attached

Mayor Dunwell
April 26, 2021
Page 2 of 2

Agreement to Provide Legal Services remain in full force and effect and apply to the Law Firm's engagement to provide the services described above in this letter.

Please indicate the Borough's agreement to modify the legal services requested by signing and dating in the space provided below.

We look forward to assisting you in this matter.

Very Truly Yours,

The Law Office of Howard Davis, P.C.

By: s/ Howard Davis

Accepted and Agreed to, Borough of Alpha, New Jersey

By: Craig S. Dunwell

Date: May 17, 2021

Craig S. Dunwell, Mayor
Print Name and Title