

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**RESOLUTION No. 2019-95**

A motion was made by Councilman Giblin; seconded by Councilman McEvoy that the following resolution be adopted:

**AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT  
WITH McMANIMON, SCOTLAND & BAUMANN, LLC FOR SERVICES AS  
SPECIAL LEGAL COUNSEL**

**WHEREAS**, on January 7, 2019 the Township Council passed Resolution 2019-28 appointing McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 as Special Legal Counsel at a rate not to exceed \$25,000 for the calendar year without further authorization by the Township Council; and

**WHEREAS**, the Township Attorney and the Township Manager have determined a need for outside Special Legal Counsel to handle certain matters related to but not limited to land acquisition, litigation, and redevelopment matters which are expected to exceed the \$25,000 maximum contract amount set by Resolution 2019-28; and

**WHEREAS**, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

**WHEREAS**, the award of the contract to McManimon, Scotland & Baumann, LLC, is being made pursuant to *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, the cost for said professional services shall be set at a fixed hourly rates of ranging from \$125.00 to \$ 215 per hour for services plus the cost of reimbursable expenses; and

**WHEREAS**, this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 acting as Special Legal Counsel and shall be increased to a maximum amount not to exceed \$100,000 for the calendar year without further authorization by the Township Council.

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification and Determination of Value have been previously been placed on file with Resolution 2019-28.

**BE IT FURTHER RESOLVED**, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and McManimon, Scotland & Baumann, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

**BE IT FURTHER RESOLVED** that this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.

**BE IT FURTHER RESOLVED** that this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a properly executed Purchase Order.

**BE IT FURTHER RESOLVED** that a notice of this action shall be published once in the Verona-Cedar Grove Times.

**BE IT FUTHER RESOLVED** that the Township Manager and the Township Clerk are hereby authorized to enter into an agreement for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

**ROLL CALL:**

**AYES:** Giblin, McEvoy, Roman, Nochimson, Ryan

**NAYS:**

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MAY 6, 2019.**

  
JENNIFER KIERNAN  
MUNICIPAL CLERK



## DETERMINATION OF VALUE

**TO:** Township Council of the Township of Verona  
**FROM:** Matthew Cavallo, Township Manager  
**RE:** Professional Services – Legal Services (Bond Counsel / Special Litigation)  
**DATE:** May 3, 2019

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

**Contractor:** McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue  
Roseland, New Jersey 07068

**Cost:** Rates per engagement agreement  
Not to exceed \$100,000 per calendar year.

**Purpose:** Bond Counsel & Special Litigation

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



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MATTHEW CAVALLO,  
Township Manager