

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

RESOLUTION No. 2019-28

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

**AUTHORIZING A CONTRACT WITH MCMANIMON, SCOTLAND &
BAUMANN, LLC FOR SERVICES AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township Attorney has determined a need for outside Special Counsel to handle certain matters related to the issuance of bonds and notes and other legal and litigation matters deemed appropriate by the Township Attorney; and

WHEREAS, the Township Manager, concurring with the Township Attorney, has determined that it would be beneficial in to appoint McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 as Special Legal Counsel to represent the Township in these matters; 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, not to exceed \$25,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-155-028, certain Capital Ordinances, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2019 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 is hereby appointed as Special Legal Counsel and shall be paid at hourly rates of \$125 - \$ 215 per hour, plus the cost of reimbursable expenses, not to exceed \$25,000 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 are to be placed on file with this Resolution.

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, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds have been contingently certified by the Chief Financial Officer of the Township pending approval of the 2019 Municipal Budget.

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 JANUARY 7, 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: January 4, 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 \$25,000 per 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*.



MATTHEW CAVALLO,
Township Manager