

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

RESOLUTION No. 2021-139

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

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE TOWNSHIP OF VERONA AND KENNEDY & MADONNA, L.L.P. AND
ITS ASSOCIATED LAW FIRMS**

WHEREAS, there exists the need for the Township of Verona to obtain professional legal services related to responsibility for the presence of per- and polyfluoroalkyl substances ("PFAS") in the Township's drinking water supplies and related professional legal services; and

WHEREAS, it is agreed that Kennedy & Madonna, L.L.P. and its associated law firms will provide professional legal services; and

WHEREAS, the Township's Chief Financial Officer need not certify that funds are available for this purpose because Kennedy & Madonna, LLP and its associated law firms will represent the Township of Verona on a contingency fee basis and will cover all litigation costs at no risk to the Township meaning that if the litigation is unsuccessful, the Township will not be responsible for any costs; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the resolution authorizing the award of contracts for "Professional Services" must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey as follows:

SECTION 1. The Township Manager and Township Clerk are hereby authorized and directed to execute an agreement with Kennedy & Madonna, L.L.P. and its associated law firms for professional legal services related to responsibility for the presence of per- and polyfluoroalkyl substances ("PFAS") in the Township's drinking water supplies and related professional services in the form attached hereto.

SECTION 2. This contract is awarded as a "Professional Service" in accordance with *N.J.S.A. 40A:11- 5(1)(a)* of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

SECTION 3. A notice of this action shall be printed once in the legal newspaper of the Township.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

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 A REGULAR MEETING HELD ON OCTOBER 18, 2021.



**JENNIFER KIERNAN
MUNICIPAL CLERK**

