

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

RESOLUTION No. 2022-026

A motion was made by Deputy Mayor McGrath; seconded by Councilman Tamburro 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 the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by McManimon, Scotland & Baumann, LLC are annexed to this Resolution as Exhibit B; 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 \$50,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, this expenditure shall be charged to Budget Account No. 01-20-155-027, certain Utility Accounts, Capital Ordinance, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his/her designee, and the availability of funds which shall be certified by the Chief Financial Officer upon presentation of a property executed Purchase Order and approval of the 2022 Budget.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
2. An agreement with the McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 is hereby authorized to provide to provide special legal services for the period commencing on January 1, 2022 and terminating on December 31, 2022 not to exceed \$50,000 without further authorization of the Township Council.
3. 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.
4. That this contract is being awarded pursuant to *N.J.S.A. 19:44A-20.5*.
5. That a notice of this action shall be published once in the Verona-Cedar Grove Times.

6. That the Township Manager and the Township Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

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 THE REGULAR MEETING HELD ON JANUARY 24, 2022.


JENNIFER KIERNAN
MUNICIPAL CLERK



**EXHIBIT A
DETERMINATION OF VALUE**

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
DATE: January 21, 2022

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: Not to Exceed \$50,000.00

Purpose: Professional legal services (special counsel)

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

**PAY TO PLAY
POLITICAL CONTRIBUTION DISCLOSURE**

The Law Offices of McManimon, Scotland and Baumann

<i>Required by Township of Verona</i>	<i>Item</i>	<i>Page</i>	<i>Initial each entry, and submit the required form if the box contains an <input checked="" type="checkbox"/></i>
<input checked="" type="checkbox"/>	Document Checklist - COMPLETE	2	
<input checked="" type="checkbox"/>	Vendor Information Sheet - COMPLETE	2	
<input checked="" type="checkbox"/>	Business Registration Certificate - READ AND SUBMIT	3	
<input checked="" type="checkbox"/>	Business Entity Disclosure Certification - SIGN AND NOTARIZE	4-5	
<input checked="" type="checkbox"/>	Political Contribution Disclosure Certification Form - SIGN	6-7	
<input checked="" type="checkbox"/>	Ownership Disclosure Certification Form - SIGN AND NOTARIZE	8-11	

Corporate Name: McManimon, Scotland & Baumann, LLC

Signature: Date: 1/3/22

Print Name: Joseph P. Baumann, Jr. Title: Member

RETURN COMPLETED FORMS TO:
Township Manager's Office
Township of Verona
600 Bloomfield Avenue
Verona, New Jersey 07044
(973) 857-4767

Date	Contribution	Amount	Contributor
2/22/2021	Victory 2021	\$ 300.00	Anthony Sodono
2/22/2021	Victory 2021	\$ 300.00	Glenn F. Scotland
2/22/2021	Victory 2021	\$ 300.00	Jeffrey A. Sherry
2/22/2021	Victory 2021	\$ 300.00	Joseph P. Baumann, Jr.
2/22/2021	Victory 2021	\$ 300.00	Kevin P. McManimon
2/22/2021	Victory 2021	\$ 300.00	Leah Kaufman
2/22/2021	Victory 2021	\$ 300.00	Leslie G. London
2/22/2021	Victory 2021	\$ 300.00	Matthew D. Jessup
2/22/2021	Victory 2021	\$ 300.00	Richard D. Trenk
2/22/2021	Victory 2021	\$ 300.00	William W. Northgrave
6/11/2021	Victory 2021	\$ 300.00	Bakari G. Lee
6/11/2021	Victory 2021	\$ 300.00	Christopher B. Langhart
6/11/2021	Victory 2021	\$ 300.00	Glenn F. Scotland
6/11/2021	Victory 2021	\$ 300.00	Jennifer L. Credidio
6/11/2021	Victory 2021	\$ 300.00	John V. Cavaliere
6/11/2021	Victory 2021	\$ 300.00	Joseph P. Baumann, Jr.
6/11/2021	Victory 2021	\$ 200.00	William W. Northgrave
8/24/2021	Victory 2021	\$ 200.00	Anthony Sodono
8/24/2021	Victory 2021	\$ 300.00	Bakari G. Lee
8/24/2021	Victory 2021	\$ 300.00	Christopher B. Langhart
8/24/2021	Victory 2021	\$ 300.00	Jennifer L. Credidio
8/24/2021	Victory 2021	\$ 300.00	John V. Cavaliere
8/24/2021	Victory 2021	\$ 300.00	Kevin P. McManimon
8/24/2021	Victory 2021	\$ 300.00	Leslie G. London

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This Ownership Disclosure Certification form shall be completed, signed and notarized.

Failure of the bidder/proposer to submit the required information is cause for automatic rejection of the bid or proposal

PART I

Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, sign and notarize at the end)
- Non-Profit Corporation (skip Parts II and III, sign and notarize at the end)
- Partnership Limited Partnership Limited Liability Partnership
- Limited Liability Company
- For-profit Corporation (including Subchapters C and S or Professional Corporation)
- Other (be specific): _____

PART II

I certify that the list on the next page contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be.

OR

I certify that no one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or that no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be.

CONTINUED ON NEXT PAGE

**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**

Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

Sign and notarize the form below, and, if necessary, complete the list below. (Please attach additional sheets if more space is needed):

Name: Glenn F. Scotland

Name: Joseph P. Baumann, Jr.

Home Address: 49 Forest Avenue

Home Address: 5 Delano Court

West Orange, NJ 07052

Morristown, NJ 07960

Name: Matthew D. Jessup

Name: _____

Home Address: 150 North Cottage Place

Home Address: _____

Westfield, NJ 07090

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

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**STATEMENT OF OWNERSHIP
OWNERSHIP DISCLOSURE CERTIFICATION FORM (CONTINUED)**
Required pursuant to N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

PART III

Any Direct or Indirect Parent Entity Which is Publicly Traded:

"To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest."

Pages attached with name and address of each publicly traded entity as well as the name and address of each person that holds a 10 percent or greater beneficial interest.

OR

Submit here the links to the Websites (URLs) containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent.

AND

Submit here the relevant page numbers of the filings containing the information on each person holding a 10 percent or greater beneficial interest.

Subscribed and sworn before me this
3rd day of January, 2022

Donna Young

Notary Public

Commission Expires: February 1, 2022
(Notary Stamp/Seal)

[Signature]

Affiant Signature

Joseph P. Baumann, Jr., Member

Affiant Name and Title

(Corporate Seal, if appropriate)

DONNA YOUNG
A Notary Public of New Jersey
My Commission Expires February 1, 2022

END OF STATEMENT OF OWNERSHIP

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

NAME OF COMPANY: McManimon, Scotland & Baumann, LLC

NAME OF OFFICIAL: Joseph P. Baumann, Jr.

TITLE: Member DATE: 1/3/22

SIGNATURE: 