

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

RESOLUTION No. 2022-082

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

**AUTHORIZING AN AGREEMENT WITH DECOTIIS, FITZPATRICK, COLE
& GIBLIN, LLP AS SPECIAL COUNSEL FOR LAND USE AND
AFFORDABLE HOUSING ISSUES**

WHEREAS, the Township has a need for special council for land use and affordable housing issues for the period commencing on January 1, 2022 and terminating on December 31, 2022; and

WHEREAS, the Township is empowered by law to appoint and employ professionals, technical advisors and experts as the Township may determine to be necessary for its efficient operation; and

WHEREAS, the position is being awarded by way of non-fair and open contract in accordance with *N.J.S.A. 19:44A-20.8 et seq.*; and

WHEREAS, said services are recognized as “professional services” as same are to be rendered by persons authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of said services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study, pursuant to and in accordance with *N.J.S.A. 40A:11-2(6)*; and

WHEREAS, the professional legal services to be performed by the Attorney are professional services and this contract was awarded without competitive bidding as a “professional service” pursuant to and in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, and DeCotiis, Fitzpatrick, Cole & Giblin, LLP has submitted all requisite documents and qualifies for appointment; and

WHEREAS, the Qualified Purchasing Agent has determined that the value of said services may exceed \$17,500.00 but will not exceed the Township’s bid threshold of \$44,000; and the Determination of Value is annexed to the Resolution as Exhibit A; and

WHEREAS, this special legal service agreement 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 DeCotiis, Fitzpatrick, Cole & Giblin, LLP have been filed with the Township and are annexed to this Resolution as Exhibit B; and.

WHEREAS, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding for professional services and the contract itself must be available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Verona is desirous of engaging the Attorney for land use and affordable housing legal issues for the purposes hereinafter described in “Services to be Rendered”; and

1. That a notice of this action shall be published once in the Verona-Cedar Grove Times.
2. 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:

NAYS:

ABSENT:

ABSTAIN:

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 APRIL 25, 2022.


JENNIFER KIERNAN
MUNICIPAL CLERK



**EXHIBIT A
DETERMINATION OF VALUE**

TO: Township Council of the Township of Verona
FROM: Steven Neale, QPA
DATE: February 24, 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: DeCotiis, Fitzpatrick, Cole & Giblin, LLP
61 South Paramus Road, Suite 250
Parsippany, New Jersey 07652

Cost: Not to Exceed \$ 44,000.00

Purpose: Professional legal services

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*.



STEVEN NEALE,
Qualified Purchasing Agent