

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

RESOLUTION No. 2020-030

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

**AUTHORIZING A CONTRACT WITH LAW OFFICES OF MICHAEL A. DeMIRO,
JR. FOR SERVICES AS SPECIAL LEGAL COUNSEL**

WHEREAS, the Township Attorney has determined a need for outside Special Counsel to handle certain litigation matter related to property tax appeals; and

WHEREAS, the Township Manager, concurring with the Township Attorney, has determined that it would be beneficial in to appoint the Law Offices of Michael A. DeMiro, Jr., 155 Pompton Avenue, Verona, New Jersey 07044 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 the Law Offices of Michael A. DeMiro, Jr. 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 rate of \$125.00 per hour for attorney services plus the cost of reimbursable expenses, not to exceed \$35,000 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, 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 2020 Municipal Budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the Law Offices of Michael A. DeMiro, Jr. 155 Pompton Avenue, Verona, New Jersey 07044 is hereby appointed as Special Legal Counsel and shall be paid at the fixed hourly rate of \$125.00 an hour, plus the cost of reimbursable expenses, not to exceed \$35,000 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 the Law Offices of Michael A. DeMiro, Jr. 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, 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 2020 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: McGrath, Giblin, Ryan, Roman, McEvoy

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 6, 2020.



**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 (Tax Appeal Special Counsel)
DATE: January 3, 2020

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: Law Offices of Michael A. DeMiro, Jr.
155 Pompton Avenue
Verona, New Jersey 07044

Cost: Fixed hourly rate of \$125.00 an hour,
plus the cost of reimbursable expenses.
Not to exceed \$35,000 per year.

Purpose: Tax Appeal 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