

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 - 035 ~

## RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO THE LAND CONSERVANCY OF NEW JERSEY FOR OPEN SPACE CONSULTING AND ADVISORY SERVICES

**WHEREAS**, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, there exists a need to retain the services of an open space preservation consultant whose staff members have the technical expertise and experience in the field of open space and farmland preservation and stewardship; and

**WHEREAS**, The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

**WHEREAS**, the Township wishes to retain The Land Conservancy of New Jersey for the purpose of assisting the West Milford Township Council and the West Milford Township with a variety of open space services and landowner negotiations, including, but not limited to, the preparation of grant applications as may be required with regard to the possible acquisition of open space and farmland and other various related services; and

**WHEREAS**, the total amount of the contract for the twelve (12) month term shall not exceed \$11,500.00; and

**WHEREAS**, funds are available through the Township's Open Space Trust Fund; and

**WHEREAS**, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; 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" without competitive bid and the contract itself must be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with The Land Conservancy of New Jersey, 19 Boonton Avenue, Boonton, New Jersey, 07005, as open space preservation consultant to assist the Township in the area of open space acquisition, preservation and stewardship in an amount not to exceed \$11,500.00.
2. The total fee authorized for this contract shall not exceed \$11,500.00 without the prior written approval of the Township Council.
3. This contract should include the requirement of a completed application to the Passaic County Open Space Fund for this year and presentation.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: January 2, 2013

Adopted this 2<sup>nd</sup> day of January, 2013  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk