

Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 078 ~

AMENDED

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT FOR THE POSITION OF LABOR COUNSEL TO HANDLE OUTSTANDING MATTERS FROM 2010 AS DIRECTED BY THE TOWNSHIP ADMINISTRATOR IN AN AMOUNT NOT TO EXCEED \$5,000

WHEREAS, the Township of West Milford has a need to appoint Labor Counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; 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 bids and the contract itself must be available for public inspection; and

WHEREAS, Matthew Giacobbe, Esq. has submitted a Business Entity Disclosure Certification which certifies that his firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds said funds to be encumbered from account # 1-01-20-155-; and

WHEREAS, said contract shall limit Mr. Giacobbe to provide services as expressly dictated by the Township Administrator and specifically related to labor matters that were initiated during the 2010 or earlier calendar years.

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 Matthew Giacobbe, Esq. of the firm Cleary, Giacobbe, Alfieri & Jacobs, LLC, with offices located at 7 James Street, Florham Park, NJ 07932 to serve as Labor Counsel to work within the confines of explicit direction of the Township Administrator on matters initiated during the 2010 calendar year in an amount not to exceed \$5,000.00.
2. The total fee authorized for this contract shall not exceed \$5,000.00 without the prior written approval of the Township Council.
3. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: February 16, 2011

Adopted this 16th day of January, 2011
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk