

Township of West Milford

Passaic County, New Jersey

~ Resolution 2017 - 369 ~

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 SERVICES CONTRACT TO FRED SEMRAU ESQ. FOR SPECIAL COUNSEL IN CONNECTION WITH THE SALE OF THE WEST MILFORD TOWNSHIP MUNICIPAL UTILITIES AUTHORITY IN AN AMOUNT NOT TO EXCEED \$25,000.00

WHEREAS, the Township of West Milford authorized the execution of an agreement with Suez Water New Jersey Inc. for the sale of the assets of the Township of West Milford Municipal Utilities Authority; and

WHEREAS, the Township of West Milford has a need to appoint Special 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 Township of West Milford has a need to appoint Special Counsel to represent the Township in connection with the sale of the West Milford Municipal Utilities Authority; 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 bidding and the contract itself must be made available for public inspection; and

WHEREAS, Fred Semrau, Esq. has completed and submitted both a Political Contribution Disclosure Form and 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 Dorsey & Semrau, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified availability of funds for these services said funds to be encumbered from the 16-288-56-800-997 account; and

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 Fred Semrau, Esq., of Dorsey & Semrau, LLC with offices located at 714 Main Street, Boonton, New Jersey, 07005, as Special Counsel to assist the Township in the sale of the West Milford Township Municipal Utilities Authority in an amount not to exceed \$25,000.00.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person licensed under law to practice a recognized profession.
3. The total fee authorized for this contract shall not exceed \$25,000.00 without the prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.

Adopted: December 6, 2017

Adopted this 6th day of December, 2017
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk