

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2018 – 335 ~

### 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 WITH ROBERT BEINFELD, ESQ. OF THE FIRM HAWKINS, DELAFIELD, & WOODS, LLP FOR MATTERS ARISING FROM THE SALE OF THE MUNICIPAL UTILITY AUTHORITY

**WHEREAS**, the Township of West Milford and Suez Water New Jersey (“SUEZ”) are in agreement for the sale of the West Milford Township Municipal Utility Authority’s Water and Sewer System assets (MUA); and

**WHEREAS**, the Township of West Milford has a need to appoint Robert Benfield, Esq. for any matters pertaining to the sale of the Municipal Utility Authority’s Water and Sewer System and Suez Water New Jersey (SUEZ) agreement; 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**, Robert Beinfield of the firm Hawkins, Delafield & Wood, LLP will provide bond counsel services for any matters arising from the sale of the Municipal Utility Authority in an amount not to exceed \$5,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from account #16-288-56-800-997 not to exceed \$5,000.00 without prior written approval from the Township Council; and

**WHEREAS**, Robert Beinfield, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that the 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 Hawkins, Delafield & Wood, LLP from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute a contract with Robert Beinfield, Esq. of the firm Hawkins, Delafield, & Woods, LLP of One Gateway Center, Newark, NJ 07102 for any matters pertaining to the MUA Sale in an amount not to exceed \$5,000.00 for matters pertaining to the sale of the Municipal Utility Authority.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The total fee authorized for this contract shall not exceed \$5,000.00 without the prior written approval of the Township Council.
4. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 19, 2018

Adopted this 19<sup>th</sup> day of December, 2018  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk