

## Township of West Milford

Passaic County, New Jersey

~ Resolution 2011 - 235 ~

**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, OPRA AND FOR LEGAL SERVICES IN THE NEGOTIATIONS OF LABOR CONTRACTS IN AN AMOUNT NOT TO EXCEED \$25,000 AS AMENDED**

**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 Township of West Milford has a need to appoint Labor Counsel to assist in negotiations for all new/ongoing labor contracts, expired labor contracts and labor contracts scheduled to expire; 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**, Brian T. Giblin, 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 Giblin & Giblin 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 # 1-01-20-155-502 for services rendered as the Township's Labor Counsel and for services rendered in conjunction with the above referenced contract negotiations; 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 Brian T. Giblin, Esq. of the firm Giblin & Giblin, with offices located at 2 Forest Avenue, Suite 200, Oradell, New Jersey 07649 to serve as Labor Counsel, to work with the Township Administrator in contract negotiations on behalf of the Township, and to work with the Municipal Clerk on matters pertaining to the Open Public Records Act (OPRA) at an hourly rate of \$125 and in an amount not to exceed \$25,000.00.
2. The total fee authorized for this contract shall not exceed \$25,000.00 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: July 6, 2011

Adopted this 6<sup>th</sup> day of July, 2011 and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk