

# **-Township of West Milford**

Passaic County, New Jersey

~ Resolution 2011 - 305 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO CHARLES MCGROARTY TO PROVIDE PLANNING SERVICES IN ACCORDANCE WITH THE HIGHLANDS PLAN CONFORMANCE GRANT # 09-033-011-1615 IN AN AMOUNT NOT TO EXCEED \$128,700**

**WHEREAS**, the Township of West Milford did receive a grant in the amount of \$100,000 in 2009 from the Highlands Water Protection and Planning Council to be used for plan conformance; and

**WHEREAS**, the Township of West Milford did approve a professional service contract to allow Charles McGroarty of Banisch Associates, Inc. to fulfill the requirements of the grant; and

**WHEREAS**, Mr. McGroarty has fulfilled the terms of that agreement which has resulted in the Highlands Water Protection & Planning Council amending the grant and awarding an additional \$128,700 to continue with the West Milford plan conformance; and.

**WHEREAS**, these funds require the Township to meet certain obligations summarized herein as follows and outlined in detail in the grant agreement:

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| 1) Complete Module 3 – Fair Share Planning | 6) Municipal Zoning Map Update                |
| 2) Complete Module 4 – Highlands ERI       | 7) Water Use & Conservation Management Plan   |
| 3) Complete Module 5 – Highlands Element   | 8) Lake Management Plan                       |
| 4) Complete Module 6 – Land Use Ordinances | 9) Highlands Area Redevelopment Area Planning |
| 5) Checklist Ordinance                     | 10) Highlands Council Training Sessions       |

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose said funds to be encumbered from account number G-02-41-763-764; and

**WHEREAS**, Charles McGroarty has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that he 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 Banisch Associates, Inc. from making any reportable contributions through the term of the contract; 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** that the Township Council of the Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Charles McGroarty of Banisch Associates, Inc. with offices located at 111 Main Street, Flemington, New Jersey, 08822 as professional planner for the Township of West Milford in an amount not to exceed \$128,700.00 to fulfill the requirements and obligations of the Highlands Council Plan Conformance Grant.

Adopted: September 7, 2011

Adopted this 7<sup>th</sup> day of September, 2011  
and certified as a true copy of an original

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Antoinette Battaglia, Township Clerk