

# Township of West Milford

Passaic County, New Jersey

~ Resolution 2013 - 354 ~

**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 WITH ERIC L. HARRISON, ESQ. OF METHFESSEL & WERBEL TO SERVE AS SPECIAL LEGAL COUNSEL IN THE MATTER KNOWN AS TRIPLE T CONSTRUCTION VS. THE TOWNSHIP OF WEST MILFORD, ITS OFFICERS AND ASSIGNS**

**WHEREAS**, the Township of West Milford has been placed on notice that suit will be filed by Triple T Construction against the Township and certain officers & government officials thereto related; and

**WHEREAS**, because of the nature of the potential litigation it is necessary to retain the services of special legal counsel who shall represent the Township and government officials named in said litigation; and

**WHEREAS**, the Township & its officials may be entitled to limited insurance coverage with regard to the claims to be alleged; and

**WHEREAS**, Eric Harrison, Esq. of Methfessel & Werbel has extensive experience in litigating cases of this nature and representing municipalities & government officials as well as being a member of the panel of counselors who serve the Municipal Excess Liability (MEL) Fund to which West Milford is a member and

**WHEREAS**, Eric L. Harrison, Esq. & Methfessel & Werbel will complete both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that they have 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 Eric L. Harrison, Esq. & Methfessel & Werbel 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 as follows:

1. The Mayor & Township Clerk be and are hereby authorized to execute a professional services contract with *Methfessel & Werbel* of 2025 Lincoln Highway, Suite 200, P.O. Box 3012, Edison, NJ 08818 for the assignment of Eric L. Harrison, Esc. to serve as special legal counsel in the matter known as Triple T. Construction vs. the Township of West Milford, Its Officers & Assigns.
2. The approval of this contract is contingent upon the CFO issuing a certification of funds for same.
3. Mr. Harrison shall be paid an hourly rate of \$135 in an amount not to exceed \$25,000 without the prior written approval of the Township Council.
4. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: December 4, 2013

Adopted this 4<sup>th</sup> day of December, 2013  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk