

Township of West Milford

Passaic County, New Jersey

~ Resolution 2022 - 056 ~

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 JUDGE PETER E. DOYNE, A.J.S.C. (RET.) TO PROVIDE MEDIATION SERVICES

WHEREAS, the Township of West Milford has a need to engage the legal services of a New Jersey mediator in the matter of the Township of West Milford v. B&B Organic Recycling et al., PAS-C-101-20; and

WHEREAS, the Honorable Peter Doyne, A.J.S.C. (Ret), of the law firm of Ferro, Labella & Weiss, LLC has the qualifications and experience necessary to provide such services; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, the plaintiff and defendant in the litigated matter shall equally split the costs of mediation; and

WHEREAS, the total amount of the contract shall not exceed \$7,500.00; and

WHEREAS, Peter E. Doyne, A.J.S.C. (Ret) has submitted a Mediation Retainer Agreement setting forth the rates and terms of such mediation, that is on file in the Clerk's Office; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purpose from account #01-201-20-161-450; and

WHEREAS, Peter Doyne, A.J.S.C.(Ret) 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 Peter E. Doyne, A.J.S.C. (Ret) or his firm 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 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 Township of West Milford agrees to pay Peter E. Doyne, A.J.S.C. (Ret), of the law firm Ferro, Labella & Weiss, LLC and located at The Landmark Building, 27 Warren Street, Suite 201, Hackensack, NJ 07601 an hourly rate at in accord with the terms as set forth in Agreement for services provided in an amount not to exceed \$7,500.00.

2. 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.
3. 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: January 5, 2022

Adopted this 5th day of January, 2022
and certified as a true copy of an original.

William Senande, Township Clerk