

RESOLUTION

Councilmember offered the following resolution and moved its adoption;
seconded by Councilmember

WHEREAS, Chapter II of the “Revised General Ordinances of the Township of Ocean, 1965” provides for the appointment of Bond Counsel and further defines their powers and duties which are incorporated herein by reference as though set forth in length; and

WHEREAS, the Township Council desires to enter into a contract for said services within the dollar limits as provided in the Municipal Budget and/or in those bond ordinances containing appropriations for legal services; and

WHEREAS, McLaughlin, Gelson, D’Apolito & Stauffer, LLC has submitted a proposal to perform said services for the year commencing July 1, 2009 through June 30, 2010; and

WHEREAS, the Township Council has elected to make this appointment pursuant to the “non-fair and open” process in accordance with the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Pay-to-Play Law; and

WHEREAS, as required by law, McLaughlin, Gelson, D’Apolito & Stauffer, LLC will be required to complete and submit a Business Entity Disclosure Certification which certifies that McLaughlin, Gelson, D’Apolito & Stauffer, LLC has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous twelve months and that the contract will prohibit McLaughlin, Gelson, D’Apolito & Stauffer, LLC from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance has certified that there are adequate funds available for the purpose of this award, specifically under the aforementioned appropriations of Legal Services & Costs – O/E and Various General Capital Ordinances and shall not exceed \$7,500.00; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the Resolution authorizing the award of a contract for professional services without competitive bids, as well as the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey that authorization is hereby given to appoint McLaughlin, Gelson, D’Apolito & Stauffer, LLC as Bond Counsel for the Township of Ocean for the one year term commencing July 1, 2009 through June 30, 2010; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published according to law; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. McLaughlin, Gelson, D’Apolito & Stauffer, LLC
2. Director of Finance
3. Township Auditor

ROLL CALL: Garofalo, Hiers, Schepiga, Siciliano, Larkin

CERTIFICATION

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **July 13, 2009**.*

Vincent Buttiglieri, RMC/CMC
Township Clerk