

RESOLUTION

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

WHEREAS, there exists a need for the services of attorneys to provide general legal advise and defense work when the Township Attorney's firm has a conflict or when the services of special counsel is required; and

WHEREAS, time is frequently of the essence in obtaining quality legal services in order to protect the interests of the Township of Ocean; and

WHEREAS, it is the desire of the Township Council to establish a pre-qualified list of attorneys to perform services to substitute for the Township Attorney when there is a conflict or special needs situation; and

WHEREAS, the Specialty/Conflict Attorney's have completed and submitted a Business Entity Disclosure Certification which certifies that the Specialty/Conflict Attorney's have not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit the Specialty/Conflict Attorney's from making any reportable contributions through the term of the contract which shall be made a part of the fully executed 2010 contract; and

WHEREAS, the Director of Finance has certified that funds will be made available by the Governing Body in the Township of Ocean Temporary and Final 2010 Municipal Budget in the following Departmental budgets:

Legal O.E., Public Defender O.E., Prosecutor O.E.,
Planning Administration O.E. and/or General capital Fund

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;

NOW, THEREFORE, BE IT RESOLVED by the Township Council in the Township of Ocean, County of Monmouth, as follows:

1. The Township Manager is hereby authorized to utilize services of the following attorneys and members of their firms in conflict and special counsel situations when the total value of services to be rendered are estimated to be less than \$5,000 per attorney:

John P. Duggan, Esq. of Wolff, Helies, Duggan, Spaeth & Lucas
Christine G. Hanlon, Esq. of Menna, Supko & Nelson, LLC

2. The Township Manager shall report on all legal assignments at the next regular Township Council meeting.
3. The above referenced attorneys are to be paid in accordance with the schedule of rates established for the Township Attorney for a term of one (1) year from January 1, 2010 to December 31, 2010.
4. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law because services are to be performed by a person authorized by law to practice a recognized profession.
5. A notice of this action shall be published according to law.

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 **December 23, 2009.***

Vincent Buttiglieri, RMC/CMC
Township Clerk