

**RESOLUTION NO. 18-40**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE  
CONTRACT FOR TAX APPEALS AND FORECLOSURE COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals and foreclosures as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the positions of Tax Appeals and Foreclosure Counsel by the Township Committee based upon recommendations provided by the Township Administrator; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of O'Donnell & McCord has qualified and agreed to provide these services for \$145 per hour, collectively for a total estimated amount not to exceed \$90,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firm of O'Donnell & McCord, 15 Mount Kemble Avenue, Morristown, NJ 07960 is hereby awarded a professional services contract for the provision of legal services as Special Tax Appeals and Foreclosure Counsel to the Township as needed during 2018 for a collective amount estimated not to exceed \$90,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.

**MIDDLETOWN TOWNSHIP COMMITTEE**

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Murray				
A. Perry				
G. Scharfenberger				
K. Settembrino				

**CERTIFICATION**

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held January 7, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 7th day of January, 2018.

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HEIDI R. BRUNT, TOWNSHIP CLERK