

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2021-23

DOC ID: 3359

Appointing Gebhardt & Kiefer, PC, Borough Attorney for 2021

WHEREAS, N.J.S.A. 40A:9-139 requires that every municipality shall have an attorney; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an attorney is a professional service as defined in said statute; and

WHEREAS, the Borough of Flemington has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, Gebhardt & Kiefer, PC, has indicated they will provide legal services at the rate of \$165 per hour; and

WHEREAS, Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Gebhardt & Kiefer, PC, from making any reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Gerbhardt & Kiefer, PC, as Attorney for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Gebhardt & Kiefer, PC, for an amount not to exceed \$100,000; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2021 budget and various escrow accounts.

IT IS FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

Adopted: Jan. 4, 2021

Attest:

Betsy Driver, Mayor

Sallie Graziano, RMC, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

Sallie Graziano, RMC, Borough Clerk