

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 20-194

**APPOINTING CONFLICT SOLICITOR FOR WAWA TAX APPEAL
TODD HECK**

WHEREAS, there exists the need for the “Professional Services” of LEGAL COUNSEL, to be retained by the Township for the performance of conflict legal services for the Wawa Tax Appeal and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield; and

WHEREAS, Todd Heck, Esquire of the firm of Testa Heck Testa & White, P.A. is appointed by the Township Committee to provide conflict solicitor legal services for the Wawa Tax Appeal.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Todd Heck, Esq. of Vineland, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed to provide conflict solicitor legal services for the Wawa Tax Appeal, and shall receive compensation in the amount of \$135 per hour.
3. That the aforesaid is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, all of which classification the aforesaid falls within.
4. The professional fees contained within the aforementioned are included within the adopted 2020 budget and in the temporary budget and the continuation of any potential additional fees for the following year will be included within the adopted 2021 budget to be certified by the Chief Financial Officer upon adoption of the 2021 budget.
5. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
6. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the Daily Journal as required by law within ten (10) days of the Resolution authorizing same; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to enter into an agreement with Todd Heck, Esq. in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

Moved By: Bruce T. Peterson

Seconded By: Scott Smith

VOTING

James P. Crilley
John L. Daddario
John T. O’Neill, Sr.
Bruce T. Peterson
Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held December 3, 2020.

Roy J. Spoltore, Township Clerk