

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 23-138

APPOINTING TOWNSHIP BOND COUNSEL – JOHN CANTALUPO, ESQ

WHEREAS, there exists the need for the “Professional Services” of a TOWNSHIP SOLICITOR, to be retained by the Township for the performance of bond counsel and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; an

WHEREAS, the Township Committee of the Township of Upper Deerfield is desirous of awarding a contract to John Cantalupo, Esquire and appointing him as the Bond Counsel of the Township of Upper Deerfield pursuant to a Professional Service Contract for the year 2023.

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 John Cantalupo, Esquire of the firm of Archer & Griner, P.C. of Red Bank, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Bond Counsel for Upper Deerfield Township for the year 2023 to perform professional services ordinarily provided by bond counsel and shall receive compensation with the terms of the contract on file in the clerks office.
3. That the aforesaid contract 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 contract falls within.
4. The amount of potential professional fees contained within the aforementioned contract are an allowable expenditure to be included within the bond and any expenses not included in the bond will be included within the adopted 2023 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 a contract with John Cantalupo, Esq in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield; and

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-22.4, et seq.

Moved By: Thomas Speranza

Seconded By: Scott Smith

VOTING

James P. Crilley
John L. Daddario
Scott Smith
Thomas Speranza
Joseph Spoltore

<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 the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held August 3, 2023.

Roy J. Spoltore, Township Clerk