



Borough of Oakland
Bergen County, New Jersey

Resolution 21-61

Authorize Agreement-Borough Attorney

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Borough Attorney** for 2021; and

WHEREAS, funds will be available by way of budget to compensate said Borough Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Attorney and solicited Requests for Qualifications in November 2020; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Brian M. Chewcaskie of the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Brian M. Chewcaskie and the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC to serve as the Borough Attorney for the year 2021; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Attorney be and is hereby appointed for the year 2021; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year 2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount exclusive of work funded through applicants' escrow and Borough Capital Accounts, shall not exceed \$ 110,000

without further authorization of the Governing Body and the Chief Financial Officer has certified that \$ 45,000 is available in Account # 1-01-20-155-027 (retainer) , \$ 45,000 is available in Account #1-01-20-155-028 (general legal services) and \$ 20,000 is available in Account # 1-01-55-904-001; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the agreement on behalf of the Borough; and

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

LINDA H. SCHWAGER, MAYOR

ATTEST:

LISA M. DUNCAN, BOROUGH CLERK

DATE ADOPTED

	Motion	Second	Ayes	Nays	Abstain	Absent
Biale						
Knapp						
Kulmala						
Pignatelli						
Talamini						
Van Eck						
Mayor Schwager						