

Borough of Franklin, County of Sussex

Resolution #2023-01

AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES

WHEREAS, there exists a need for engagement of various professional services for the Borough of Franklin as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the purchasing agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of the following contracts are set forth below; and

WHEREAS, the following individuals and firms have submitted a proposal indicating they will provide the professional services described below for the stated price said proposal; and

WHEREAS, the following individuals and firms have completed and submitted a Business Entity Disclosure Certification which certifies that the following individuals have not made any reportable contributions to a political or candidate committee in the Borough of Franklin in the previous year, and that the contract will prohibit the following individuals and firms from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin, authorizes the Mayor to enter into a contract with the following individuals and firms as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and Determination of Value for the following individuals and firms be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the following individuals and firms are awarded a contract for providing the professional services for the Borough of Franklin, as indicated:

Schenk, Price, Smith & King, LLP is awarded a contract for providing general legal services to the Borough of Franklin for the year 2023, dated January 1, 2023 in the amount of \$170.00 per hour, a retainer of \$5,400 per month with John Ursin named as Municipal Attorney.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$120,000.00, at this time. Appropriation #01.201.20.155.020.

Nisivoccia LLP is awarded a contract for providing service in the capacity of Municipal Auditor for the year 2023, dated January 1, 2023 billed at the hourly audit rates in effect at the time of services.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$35,000.00, at this time. Appropriation #01.201.20.135.020.

Archer & Greiner is awarded a contract for providing general Bond Counsel legal services to the Borough of Franklin for the year 2023, dated January 1, 2023 for services rendered in connection with

the preparation of each bond ordinance with a \$450 charge for single purpose bond ordinances, \$600 for multi-purpose bond ordinances and base charges for bond and note sales of \$3,500 and \$1,200 respectively. Other services are billed at the hourly rate in effect at the time of services rendered.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$10,000.00, at this time. Appropriation #01.201.20.155.021.

French & Parrello Associates is awarded a contract for providing engineering services for the Borough of Franklin for the year 2023, dated January 1, 2023 in the amount of \$140.00 per hour with Denis Keenan as principal engineer.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$20,000.00, at this time. Appropriation #01.201.20.165.020.

Van Cleef Engineering Associates, LLC is awarded a contract for providing FMUA Water/Sewer systems engineer for the year 2023, dated January 1, 2023 in the amount of \$139.00 per hour for a licensed engineer.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$20,000.00, at this time. Appropriation #09.201.55.502/503.042.

Anthony J. Den Uyl, Esq. is awarded a contract for providing the services of Municipal Prosecutor for the Borough of Franklin for the year 2023 in the amount of \$1,458.33 per month.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$21,000.00, at this time. Appropriation #01.201.25.275.020.

John Grey, Esq. is awarded a contract for providing the services of Municipal Public Defender for the Borough of Franklin for the year 2023 in the amount of \$150.00 per client.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$7,000.00, at this time. Appropriation #03.289.56.851.000.

Laddey, Clark & Ryan is awarded a contract for providing the services of Rent Leveling Attorney for the Borough of Franklin for the year 2023, dated January 1, 2023 in the amount of \$180.00 per hour with Angelo J. Bolcato, Esq. named attorney.

AS REQUIRED by N.J.S.A.40A:4-57, N.J.A.C.5:34-5.1 ET SEQ. I, Andrew Bernath, CFO/QPA, Borough of Franklin, hereby certify to the Clerk, Mayor and Council, that a reasonable estimate of the Maximum Value of this Contract not to exceed \$7,000.00, at this time. Appropriation #03.281.56.851.084.

BE IT FURTHER RESOLVED, a notice of this action shall be published at least once in the New Jersey Herald.

CERTIFICATION: I, Darlene J. Tremont, Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at their Reorganization Meeting held on January 1, 2023, at 12:00 noon.



Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
CONCETTO FORMICA	X			
RACHEL HEATH	X			
JOSEPH LIMON				X
JOHN POSTAS	X			
STEPHEN SKELLENGER	X			
GILBERT SNYDER	X			
MAYOR SOWDEN (Tie Only)				