

RESOLUTION: 161-19

**RESOLUTION AUTHORIZING AGREEMENT FOR CERTAIN
PROFESSIONAL SERVICES ADOPTED BY THE BOROUGH OF
CLAYTON**

WHEREAS, there exists a need for specialized services on behalf of the Borough of Clayton; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey as follows:

1. That Maley Givens, of Collingswood, New Jersey is hereby hired to provide legal services to update Development Fee Ordinances and Unified Development Ordinance for a total amount not to exceed \$4,050.00.
2. The term of this contract shall be from July 11, 2019 to July 10, 2020.
3. Donna Nestore, CFO, for the Borough of Clayton certifies that \$4,050.00 is available through 2019 Budget – COAH.
4. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-11-5(1)(a), and the Fair and Open Process because it is for services performed by persons authorized by law to practice a recognized profession.
5. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Borough of Clayton.
6. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in The Sentinel or South Jersey Times.
7. The Mayor and Clerk of the Borough of Clayton are hereby authorized to execute a Contract outlining the above on behalf of the Borough of Clayton.

ADOPTED at a meeting of the Mayor and Council of the Borough of

Clayton, County of Gloucester, and State of New Jersey on July 11, 2019

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Municipal Clerk

MALEY GIVENS
A PROFESSIONAL CORPORATION

Counsellors at Law
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M. James Maley Jr.*
Emily K. Givens
Erin E. Simone
M. Michael Maley*
Kevin Diduch

* Admitted in PA & NJ

May 7, 2019

VIA EMAIL (smiller@claytonnj.com)

Sue Miller, Administrator
The Borough of Clayton
125 N Delsea Dr
Clayton, NJ 08312

**Re: Proposal for Legal Services to Update the Borough of Clayton's
Development Fee Ordinances and Unified Development Ordinance**

Dear Ms. Miller:

As requested, please accept this letter as this firm's formal proposal to the Borough of Clayton to update the language contained in the Borough's Municipal Code at Section 31A-1 to 31A-8 (Development Fee Ordinance) and Section 88-41 (the Unified Development Ordinance).

Estimating costs is an inexact process. So much depends on whether any issues arise and other factors. We would roughly that it would take approximately 20 hours of work and the total cost would be approximately \$4,050.00. This is a rough estimate and is based on the rates quoted in our agreement with the Borough. Our bills will be based on the time expended.


Included within that estimate is the time it takes to draft two ordinances, one updating the Development Fee Ordinances and one updating the Unified Development Ordinances, the time it takes to coordinate with the Fair Share Housing Center to ensure that the revisions are not inconsistent with or in violation of the Settlement Agreement dated November 7, 2016, the time it takes to coordinate with the Borough to facilitate introduction and adoption of the Ordinances, and attendance at the public hearing on the Ordinances.

MALEY GIVENS
A PROFESSIONAL CORPORATION

Please do not hesitate to contact me with any questions or comments regarding the terms of our representation. Please execute this letter and return it to confirm our representation.


Very truly yours,

MALEY GIVENS
A Professional Corporation

By: 
M. James Maley, Jr.

MJM/ees

AGREED TO THIS 11th DAY OF July 2019



Tom Bianco, Mayor
Borough of Clayton