

RESOLUTION: 202-19

**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 September 12, 2019 to September 11, 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

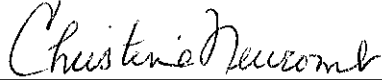
Clayton, County of Gloucester, and State of New Jersey on September 12, 2019

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Municipal Clerk

MALEY GIVENS
A PROFESSIONAL CORPORATION

Counsellors at Law

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Collingswood, New Jersey 08108
www.maleygivens.com

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M. James Maley Jr.*
Emily K. Givens
Erin E. Simone
M. Michael Maley*
Kevin Diduch
Navin H. Advani
Taylor J. Derleth

* Admitted in PA & NJ

September 10, 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 you are aware, previously, this office submitted a formal proposal and cost estimate 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). Originally, it was estimated that it would take approximately 20 hours of work and the total cost would be approximately \$4,050.00. As previously, indicated, estimating costs is an inexact process due to the variety of factors that could impact cost.

This office has been advised that the costs for this project have reached the previous cost estimate. However, the project is not completed. The revisions needed to the original ordinances turned out to be more extensive than originally anticipated. Therefore, additional time is needed to complete the project.

While a draft of the two ordinances has been prepared, there are additional revisions proposed by the Borough which need to be reviewed and edited. Once that is finished, this office will need to coordinate with Fair Share Housing Center and will attend both the public hearing at the Planning Board and the public hearing before the Governing Body to answer questions that may arise with regard to these two ordinances. In addition, we will be available to attend the Governing Body meeting for the ordinance introduction, if requested. Therefore, it is anticipated that an additional twenty (20) hours at a cost of approximately \$4,050.00 will be

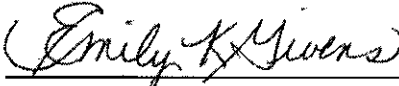
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required to complete the ordinance update. This is a rough estimate and is based on the rates quoted in our agreement with the Borough. Our bills will be based on the time expended.

Please do not hesitate to contact me with any questions or comments regarding the terms of our representation. If you find this proposal acceptable, please execute this letter and return it to confirm our representation.

Very truly yours,

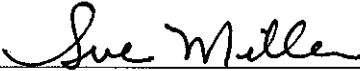
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By: 
Emily K. Givens

MJM/ees

Cc:

AGREED TO THIS 12th DAY OF Sept, 2019


Sue Miller, Administrator
Borough of Clayton