

**RESOLUTION**  
of the  
**BOROUGH OF NEW PROVIDENCE**  
Resolution No. 2019-014

Council Meeting Date: 01-03-2019

Date Adopted: 01-03-2019

TITLE           RESOLUTION APPOINTING PAUL RIZZO AS BOROUGH ATTORNEY  
FOR THE BOROUGH OF NEW PROVIDENCE COUNTY OF UNION  
AND STATE OF NEW JERSEY FOR THE YEAR 2019

Councilperson Muñoz submitted the following resolution, which was duly seconded  
by Councilperson Geoffroy.

WHEREAS, in accordance with N.J.S.A. 40A:9-139 the Borough of New  
Providence is required to appoint a Municipal Attorney; and

WHEREAS, the Borough solicited proposals for legal services through a “non-fair  
and open” process in accordance with the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Paul Rizzo has submitted a proposal, indicating he will provide  
professional legal services for an amount not to exceed \$125,000.00; and

WHEREAS Paul Rizzo, has completed and submitted a Business Entity  
Disclosure Certificate which certifies that he has not made any reportable contributions to  
a political or candidate committee in the Borough of New Providence in the previous one  
year, and that the contract will prohibit him from making any reportable contributions  
through the term of the contract, and

WHEREAS, funds are available and have been certified by the Chief Financial  
Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5) requires that the  
resolution authorizing and awarding of contracts for "professional services" without  
competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the

Borough of New Providence that they hereby agree as follows:

1. The Mayor and Borough Clerk are hereby authorized and directed to execute the attached agreement with Paul Rizzo, for professional Legal Services.
2. Such contract is awarded without competitive bids as a "professional service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law, because the services to be rendered are professional in nature and are unspecifiable as to requirements for performance. Such services must be rendered by a person particularly trained and licensed in this area, which requires extensive specific education and long experience in both the Federal and State procedural requirements.
3. A notice of this action shall be published once in the Courier News.

APPROVED, this 3<sup>rd</sup> day of January, 2019.

## RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUMISKEY	X			
DESARNO	X			
GENNARO	X			
GEOFFROY	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 3<sup>rd</sup> day of January, 2019.

Wendi B. Barry, Borough Clerk