

**RESOLUTION #17-30**

**RESOLUTION APPOINTING LABOR COUNSEL  
FOR THE CITY OF WOODBURY**

**WHEREAS**, there exists a need for the appointment of a Labor Attorney for the City of Woodbury for the year 2017; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised.

**WHEREAS**, this appointment and/or contract was advertised and is hereby awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4 et seq., with the award of the contract and/or the appointment being in the best interest and the most advantageous to the City of Woodbury considering all factors.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Woodbury that **BROWN AND CONNERY, LLP**, represented by **CHRISTINE O'HEARN, ESQ** is hereby appointed Labor Attorney for the City of Woodbury, commencing January 1, 2017 for a term of one (1) year terminating on December 31, 2017; and

**BE IT FURTHER RESOLVED** that a contract be entered into with the above appointee, in the form attached hereto, and such contract be awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the aforesaid agreement encompasses professional services recognized, licensed and regulated by law, and is of a nature where it is not possible to obtain competitive bids and is hereby awarded under a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

**BE IT FURTHER RESOLVED** that a notice of this resolution shall be published in the South Jersey Times as required by law within ten (10) days of its passage.

**ADOPTED** at the regular meeting of the Mayor and City Council of the City of Woodbury held January 3, 2017.

  
\_\_\_\_\_  
**DAVID TROVATO**  
President of Council

**ATTEST:**   
\_\_\_\_\_  
**ROY A. DUFFIELD**  
Clerk

Recorded vote:

Ayes (8): Swanson, McIlvaine, Johnson, Fleming, Parker, Reddin, Carter, Trovato

Nays, Abstentions: none

Absent (1): Tierney

**CITY OF WOODBURY  
CERTIFICATION AS TO THE AVAILABILITY OF FUNDS  
CHIEF FINANCIAL OFFICER**

I CERTIFY AS CHIEF FINANCIAL OFFICER, THAT WITH RESPECT TO THE AWARD OF A CONTRACT OR EXPENDITURE OF FUNDS TO:

Brown & Connery, LLP

FOR: Professional Contract - Temporary budget portion until budget adoption  
Labor Counsel

RESOLUTION #	<u>17-30</u>	1/3/2017	AMOUNT:	<u>\$ 3,000.00</u>
ORDINANCE #	<u>                    </u>			

THAT FUNDS ARE AVAILABLE, AS OF THE DATE OF THIS RESOLUTION, FROM THE FOLLOWING:

		<u>Amounts Funded</u>
TEMPORARY BUDGET APPROPRIATION:	7-01-20-155-229	\$ 3,000.00

ADOPTED BUDGET APPROPRIATION:

DEDICATION BY RIDER:

RESERVE FOR FEDERAL & STATE GRANT:

CAPITAL ORDINANCE:

Dated: January 3, 2017

  
\_\_\_\_\_  
ROBERT LAW  
CHIEF FINANCIAL OFFICER

**CITY OF WOODBURY**

**PROFESSIONAL SERVICES  
AGREEMENT**

**THIS AGREEMENT** made this 31 day of January, 2017, by and between the City of Woodbury (hereinafter referred to as "The City") and Brown & Connery, LLP, 360 Haddon Avenue, Westmont, New Jersey 08108 (hereinafter referred to as "Counsel").

**WHEREAS**, Brown & Connery, LLP is a law firm practicing a recognized profession, which practice is regulated by law, and which practice includes the rendering of services as special counsel for labor and employment matters; and

**WHEREAS**, there exists a need for the services of special counsel for labor and employment matters and such other matters as designated by the City; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 49A:11-1 et seq.) permits the award of contracts for "professional services" without competitive bids.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions herein contained, and other good and valuable consideration the parties hereto agree as follows:

**SECTION ONE**

**EMPLOYMENT**

The law firm of Brown & Connery, LLP is hereby engaged as special counsel for labor and employment matters and such other designated matters by the City from January 1, 2017 to December 31, 2017.

**SECTION TWO**

**COMPENSATION**

Payment to Brown & Connery, LLP for legal services rendered to the City shall be as follows:

Attorneys - \$195/hour

Paralegals - \$ 95/hour

plus, out-of-pocket expenses such as duplicating, postage and long distance telephone expenses. Brown & Connery, LLP shall submit itemized statements to the City on a monthly basis accompanied by an executed voucher for payment.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed and its corporate seal to be hereunto affixed and attested by the Secretary and Brown & Connery, LLP has caused this Agreement to be executed by one of its partners.

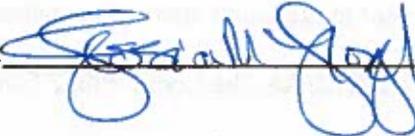
ATTEST:



CITY OF WOODBURY

(Seal)

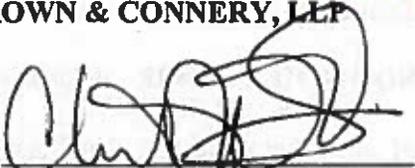
By:



ATTEST/WITNESS

BROWN & CONNERY, LLP

By:



Christine P. O'Hearn, Partner

