



RESOLUTION 20-80

Resolution Approving Heather Kumar, Esq. of the Law Firm of Connell Foley LLP to Service as a Special Conflict Counsel to the Planning Board, Not to Exceed \$15,000.00

WHEREAS, the municipality of Princeton desires to retain the services of an attorney for the provision of special legal services to the Princeton Planning Board, and specifically in connection with special applications and projects as directed by the Planning Board; and

WHEREAS, W. Nevins McCann, Esq. of the law firm of Connell Foley LLP, has submitted a written proposal for Heather Kumar, Esq. to serve as special counsel to the Planning Board and provide the sought-after services on the Planning Board's behalf at a rate of \$190.00 per hour for a term from January 1, 2020 until December 31, 2020, and by resolution adopted on January 9, 2020, the Planning Board formally requested the Council's award of a professional services contract to Connell Foley LLP; and

WHEREAS, Princeton has a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law" and in connection therewith, Connell Foley LLP has completed and filed with Princeton the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and affidavit pursuant section 2-87 of the Princeton Code (collectively, the "Pay-to-Play Forms"); and

WHEREAS, the professional legal services shall not exceed a total of \$15,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services from Escrow Fund Account #17-290-XX-XXX-XXX Various Escrow Application Accounts; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), authorizes Princeton to award this agreement as a professional services agreement, without public bidding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Princeton, County of Mercer, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with the law firm of Connell Foley LLP for Heather Kumar, Esq. to serve as

special legal counsel to the Planning Board in connection with special applications and projects as directed by the Planning Board.

2. The agreement is awarded without competitive bidding as a professional services agreement as authorized under N.J.S.A. 40A:11-5(1)(a)(i).
3. Connell Foley LLP shall be paid a fee not to exceed \$15,000.00 and the term of the agreement shall be from January 1, 2020 to December 31, 2020.
4. A copy of this Resolution, the Pay-to-Play Forms and the agreement shall be placed on file in the Office of the Clerk.
5. A notice of this action shall be published in the official newspaper as required by law.

Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X	X		X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Williamson		X		X	X			
Mayor Lempert		X						

I, Dawn M. Mount, Deputy Municipal Clerk of Princeton, do hereby certify that the above is a true copy of a resolution adopted by the Mayor and Council of Princeton at a meeting held February 10, 2020.


 Dawn M. Mount, Deputy Municipal Clerk

ATTACHMENTS:

- HEATHER KUMAR CONNELL FOLEY PSA SPECIAL COUNSEL (DOCX)
- Princeton Proposal Letter(2) (PDF)
- Exhibit A - Equal Employment (DOCX)
- Exhibit B - BRC(DOCX)