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**RESOLUTION 21-50**

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**Resolution Amending Professional Services Agreement of Kimberly M. Lacken, Esq., to serve as Municipal Prosecutor for 2021, Not to Exceed \$73,000.00 and additional fee of \$375.00 per session for Special Sessions**

WHEREAS, the municipality of Princeton desires to retain the services of an attorney for purposes of serving as Municipal Prosecutor on behalf of Princeton; and

WHEREAS, Kimberly Lacken, Esq. has provided a amended proposal to Princeton for purposes of performing the sought-after Municipal Prosecutor services for the not to exceed contract amount of \$73,000.00 for 2021 and an additional fee of \$375.00 per session for Special Sessions; 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, Kimberly Lacken, Esq. will complete 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 agreement shall be for an amount not to exceed \$73,000.00 and \$375.00 per session for Special Sessions; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services in account 01-201-25-275-281; and

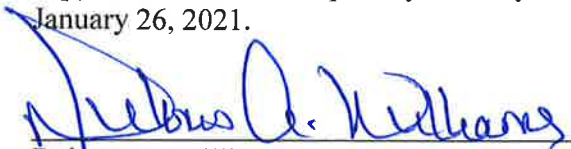
WHEREAS, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(i)*, authorizes Princeton to award this agreement as a professional services agreement, without public bidding.

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 amended agreement with Kimberly Lacken, Esq. for Municipal Prosecutor services, consistent with this Resolution and the above "Whereas" clauses.
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. Kimberly Lacken, Esq. shall be paid a fee not to exceed \$73,000.00 and an additional \$375.00 per session for Special Sessions. The term of the agreement shall be January 1, 2021 to December 31, 2021.
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 <sup>st</sup>	2 <sup>nd</sup>	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	X			
Mr. Williamson		X			X			
Mayor Freda		X						

I, Delores A. Williams, 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 January 26, 2021.

  
 Delores A. Williams, Municipal Clerk