



RESOLUTION 21-101

**Resolution - Professional Services Contract Environmental Attorney
Services Not to Exceed \$50,000.00**

WHEREAS, PRINCETON requires specialized environmental legal services in connection with various environmental issues at its facility located at 298 River Road, including but not limited to such services as may be required to defend Princeton in the enforcement action brought by the New Jersey Department of Environmental Protection (“NJDEP”) Bureau of Solid Waste in connection with said facility; 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, Scarinci & Hollenbeck, LLC and John M. Scagnelli, Esq. 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 term of the agreement shall be for one year, retroactive to December 1, 2020, and the professional legal services shall not exceed a total cost of \$50,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services from Account No. 01-201-20-111-283; 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 John M. Scagnelli, Esq. of the law firm of Scarinci & Hollenbeck,

LLC (CONSULTANT), to provide special counsel environmental legal services to Princeton in connection with its facility located at 298 River Road, including but not limited to such services as may be required to defend Princeton in the enforcement action brought by the New Jersey Department of Environmental Protection (“NJDEP”) Bureau of Solid Waste in connection with said facility, as set forth in more detail in CONSULTANT’s letters dated January 21, 2020 (collectively, the “Proposal”).

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. CONSULTANT shall be compensated for its services at the rates set forth on page 2 of its October 10, 2019 letter, for a not-to-exceed cost of \$50,000.00, and the agreement shall terminate on December 31, 2021 or when the services described in the Proposal are concluded, whichever shall first occur.
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.
6. This resolution shall take effect immediately.

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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.

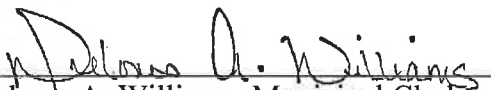
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Councilperson	Absent	Present	1 st	2 nd	Yea	Nay	Abstain	Disqualified
Mr. Cohen		X			X			
Ms. Fraga		X			X			
Ms. Niedergang		X		X	X			
Ms. Pirone Lambros		X			X			
Ms. Sacks		X			X			
Mr. Williamson		X	X		X			
Mayor Freda		X						

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 March 22, 2021.


 Delores A. Williams, Municipal Clerk

ATTACHMENTS:

- Council Memo_Environmental Attorney 2021 (DOCX)
- Scagnelli PSA + exhibits (legal services--River Road environmental issues_2021 (DOCX)