



RESOLUTION 22-151

Resolution of the Mayor and Council of Princeton Awarding Professional Services Agreement to Law Offices of Gerald Muller, P.C. in Connection with Litigation Against the Princeton Planning Board Not to Exceed \$30,000.00

WHEREAS, the Municipality of Princeton seeks to hire legal counsel for purposes of representing Princeton's interests, and specifically defending the Planning Board, in connection with litigation at the trial level entitled Greenberg, et al. v. Princeton Planning Board, et al.; and

WHEREAS, Gerald Muller, Esq. of the Law Offices of Gerald Muller, P.C. has submitted a proposal to render the sought-after services to Princeton at a rate of \$210.00 per hour for Mr. Muller's services and \$185.00 for his associate's services; 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, the Law Offices of Gerald Muller, P.C. 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 \$30,000.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to pay for said services from 01-201-20-155-279; 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 Gerald Muller, Esq. of the Law Offices of Gerald Muller, P.C., to represent Princeton and specifically the Planning Board in the lawsuit entitled Greenberg, et al. v. Princeton Planning Board, et al.
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. The Law Offices of Gerald Muller, P.C. shall be paid a fee not to exceed \$30,000, and the agreement shall terminate at the conclusion of the trial court level of the litigation or one year from the effective date of the Agreement, whichever first occurs.
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
Ms. Pirone Lambros		X		X	X			
Ms. Niedergang		X			X			
Mr. Cohen		X					X	
Ms. Fraga		X			X			
Ms. Sacks		X	X		X			
Mr. Newlin		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 on April 25, 2022.


 Delores A. Williams, Municipal Clerk