

**A RESOLUTION OF THE TOWNSHIP OF MOUNT OLIVE, IN THE  
COUNTY OF MORRIS AND STATE OF NEW JERSEY, AUTHORIZING  
THE AWARD OF A PROFESSIONAL SERVICES CONTRACT  
WITHOUT COMPETITIVE BIDDING TO THE FIRM OF CARLIN &  
WARD, P.C. TO SERVE AS SPECIAL LEGAL COUNSEL IN  
CONNECTION WITH THE LITIGATION ENTITLED TOWNSHIP OF  
MOUNT OLIVE V. COBBLESTONE HEALTH CARE FACILITY, ET  
AL., DOCKET NO. MRS-L-65-13**

**WHEREAS**, the Township of Mount Olive (“Township”) filed a Verified Complaint for Condemnation in the litigation entitled Township of Mount Olive v. Cobblestone Health Care Facility, et al., Docket No. MRS-L-65-13 (the “Litigation”); and

**WHEREAS**, in connection with the Litigation, the Township of Mount Olive has a need to appoint an attorney to serve as Special Legal Counsel; and

**WHEREAS**, James M. Turteltaub, Esq. of Carlin & Ward, P.C. has submitted a proposal indicating that the firm will provide the professional legal services as sought by the Township at the hourly rates indicated in the attached retainer agreement dated November 1, 2016, for a total fee not to exceed \$2,500.00; and

**WHEREAS**, the Township wishes to retain the services of Carlin & Ward, P.C. to serve as Special Legal Counsel to the Township for the Litigation in accordance with its November 1, 2016 retainer agreement; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purpose; 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 bidding and the contract itself be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Mount Olive Township Council of the Township of Mount Olive, in the County of Morris and State of New Jersey, as follows:

1. The Township of Mount Olive hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Carlin & Ward, P.C., 25A Vreeland Road, P.O. Box 751, Florham Park, New Jersey 07932, to serve as Special Legal Counsel for the litigation entitled Township of Mount Olive v. Cobblestone Health Care Facility, et al., Docket No. MRS-L-65-13, in accordance with the attached retainer letter dated November 1, 2016, for a total cost of services not to exceed \$2,500.00.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said

services are performed by a person licensed under law to practice a recognized profession.

3. The total fee authorized for this contract shall not exceed \$2,500.00 without prior written approval of the Township Council.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this Resolution shall be provided to Sherry Kolody CMFO/CTC, Township Chief Financial Officer, and to James M. Turteltaub, Esq., Carlin & Ward, P.C., 25A Vreeland Road, P.O. Box 751, Florham Park, New Jersey 07932, for their information and guidance.

This Resolution shall take effect immediately.

TOWNSHIP OF MOUNT OLIVE

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JOE NICASTRO

Mount Olive Township Council President

I hereby certify the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on December 6, 2016.

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MICHELLE MASSER

Mount Olive Township Municipal Clerk