

RESOLUTION
TOWNSHIP OF MAHWAH
P.O. BOX 733
MAHWAH, NJ 07430

Resolution #401-17

Date: November 30, 2017

Name	Motion	Second	Yes	No	Abstain	Absent
Ariemma						
Ervin						
May						
Sbarra						
Wong						
Wysocki						
Hermansen						

WHEREAS, the Township of Mahwah has recently become involved in litigation entitled *Bergen Rockland Eruv Association, Inc., Yisroel Friedman and S. Moshe Pinkasovits vs. The Township of Mahwah*; and

WHEREAS, the Township Council adopted Resolution No. 304-17 on August 24, 2017 retaining the firm of Holwell, Shuster & Goldberg, LLP to represent the Township of Mahwah for said litigation at the rate not to exceed the sum of \$50,000.00; and

WHEREAS, Resolution No. 333-17, was adopted on September 14, 2017 amending the amount of the said contract to \$30,000.00; and

WHEREAS, Holwell, Shuster & Goldberg, LLP has indicated that due to the increased scope of the work that the contract, be increased to \$50,000.00; and

WHEREAS, the contract term is through January 31, 2018.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Mahwah hereby authorizes the Mayor and Township Clerk to execute the Professional Services Agreement between the Township and Holwell, Shuster & Goldberg, LLP at the rate as set forth not to exceed the total sum of \$50,000.00, and that adoption of the Resolution is contingent upon the Township C.F.O. submitting a certificate as to the availability of funds, and the Township Clerk shall attach said certificate to the original of this Resolution.

BE IT FURTHER RESOLVED that a notice of this action be printed in the official newspaper of the Township of Mahwah.

BE IT FURTHER RESOLVED, that the Township Clerk be and she is hereby authorized and directed to maintain a copy of the Agreement in her offices for public inspection, pursuant to law.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the Township Chief Financial Officer and the law firm of Holwell, Shuster & Goldberg, LLP, and copies to the Business Administrator, Administrative Assistant/QPA, and Township Attorney.

I hereby certify that this resolution consisting of two pages was adopted at a meeting of the Township Council of the Township of Mahwah, 30th day of November 2017.

Kathrine Coviello RMC/CMC/MMC
Municipal Clerk

Robert Hermansen
Council President

TOWNSHIP OF MAHWAH

REQUEST FOR CERTIFICATE OF FUNDS

DATE: 11/28/17

TO: KEN SESHOLTZ

FROM: DENISE STORMS

RE: AMENDMENT NO. 2 CERTIFICATION OF FUNDS FOR PROFESSIONAL SERVICES CONTRACT TO HOLWELL, SHUSTER & GOLDBERG, LLP FOR BERGEN ROCKLAND ERUV ASSO., YISROEL FRIEDMAN & S. MOSHE PINKASOVITS VS. TWP. OF MAHWAH LITIGATION.

Please certify that the following account has sufficient funds for Professional Services Contract to **Holwell, Shuster & Goldberg, LLP** for Bergen Rockland Eruv Asso., Yisroel Friedman & S. Moshe Pinkasovits litigation **amendment No. 2** to increase from **\$30,000 to \$50,000.00**.

Account: 7-01-B30-219 Amount: \$20,000.00 U/B \$56,377.61 < \$50,000. Cleary..... less \$50,000 Methfessel, **subject to adoption of emergency appropriation** *

This contract does exceed \$17,500.00. Contract is an alternate Non Fair and Open by Council Resolution

Quentin Wiest

DEPARTMENT HEAD

DO NOT WRITE BELOW THIS LINE

TOWNSHIP COUNCIL

Pursuant to N.J.A.C. 5:30 – 1.10, I hereby certify that as of 11/29/17,

the free and unencumbered balance in the appropriation account (s) entitled

Division of Law - O.E.

is \$ SEE ABOVE and that there are

adequate funds available for the proposed contract noted above.

[Signature]

Kenneth Sesholtz, C.F.O.

Resolution No.: 401-17

Ordinance No.: _____

This is to certify that the required funds needed in connection with the attached been or will be available in the 2017 Budget under Account #: _____.

Dated: 11-28-17

Quentin Wiest

Quentin Wiest
Business Administrator