

**R-09-10**

**Resolution Authorizing the Award of Discretionary and Open Contracts for the  
Borough of Wharton**

**WHEREAS, the Borough of Wharton has a need for Professional auditing services, engineering services, legal services, and planning consultants as discretionary and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and**

**WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the professional services may exceed \$17,500; and**

**WHEREAS, the anticipated term of each contract is one year; and**

**WHEREAS, Burgis Associates; Clough, Harbour & Associates LLP; CMX Engineers and Consultants; DeCotis, Fitzpatrick, Cole, & Wisler LLP; Dorsey & Semrau, LLC; Hawkins Delafield & Wood, LLP; James T. McCarthy; Johnson and Johnson Counselors at Law; Knapp, Trimboli, & Prusinowski, LLC; and Nisivoccia & Company have completed and submitted Business Entity Disclosure Certifications, and that the contract will prohibit the foregoing professionals from making any reportable contributions through the term of the contracts; and**

**WHEREAS, the above mentioned professionals have also submitted Affirmative Action Certificates of Participation and Acknowledgment of NJAC/NJSA Exhibit A; and**

**WHEREAS, the certification by the Chief Financial Officer that funds are available is contingent upon the adoption of the 2010 temporary budget and the 2010 municipal budget.**

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Wharton, in the County of Morris, State of New Jersey authorizes the Mayor and Borough Clerk to enter into contracts with the businesses listed below as described herein; and**

**BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and**

**1. Burgis Associates of Westwood, New Jersey as the Borough's Planning Consulting Firm.**

**2. Clough, Harbor & Associates, LLP, of Parsippany, New Jersey as the Borough's Water and Sewer Engineering firm.**

**3. CMX Engineers and Consultants of Parsippany, New Jersey as the Borough's General Engineering firm.**

**4. DeCotis, Fitzpatrick, Cole, & Wisler LLP of Teaneck, NJ as the Borough Special Counsel for water utility- Mike Luchkiw as principal attorney.**

**5. Dorsey & Semrau, LLC of Boonton, NJ as the Borough Special Counsel for property tax appeals- Fred Semrau as principal attorney.**

**6. Hawkins Delafield & Wood, LLP of Newark, New Jersey, as the Borough's Bonding Attorney firm, Robert H. Beinfield as principal attorney.**

**7. James T. McCarthy of Elmwood Park, NJ as the Land Use Board attorney.**

**8. Johnson and Johnson Counselors at Law of Dover, New Jersey as the Borough's Attorney- George Johnson as principal attorney.**

**9. Knapp, Trimboli & Prusinowski, LLC of Florham Park, New Jersey as the Borough's Labor Attorney - Fred Knapp as principal Attorney.**

**10. Nisivoccia & Co., of Randolph, New Jersey as the Borough's Auditing Firm, Raymond Sarinelli as principal representative.**

**Adopted: January 4, 2010**

**BOROUGH OF WHARTON**

**ATTEST:**

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**WILLIAM J. CHEGWIDDEN,  
MAYOR**

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**Gabrielle Evangelista,  
Borough Clerk**