

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-95**

**A RESOLUTION TO AUTHORIZE A PROFESSIONAL SERVICES CONTRACT WITH
MARTIN ALLEN INDIVIDUALLY AND DIFRANCESCO, BATEMAN, COLEY, YOSPIN,
KUNZMAN, DAVIS, LEHRER & FLAUM, P.C. FOR SPECIAL COUNSEL FOR TAX APPEALS**

WHEREAS, pursuant to N.J.S.A. 40A:11-1 *et seq.*, the Borough desires to retain Martin Allen of the law firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. as Special Counsel for tax appeals under the terms of a non-fair and open contract; and

WHEREAS, the value of the services to be provided by Martin Allen and DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. under its contingent-fee arrangement may exceed \$17,500.00; and

WHEREAS, the term of the Borough’s contract with Martin Allen and DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. shall be effective for one-year in accordance with N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. shall be required to complete and submit a Business Entity Disclosure Certification which certifies that DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. has not made any reportable contributions to a political or candidate committee in the Borough of Red Bank in the previous one year, and that the contract will prohibit DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C. from making any reportable contributions during the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized to execute an agreement effective January 1, 2019 through December 31, 2019 with Martin Allen, individually, as Special Counsel for Tax Appeals and with the firm of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis, Lehrer & Flaum, P.C., hereinafter together encompassed as the term “Attorney” for the Borough of Red Bank at an hourly rate of \$200 with an annual amount not to exceed \$50,000. This contract is awarded without competitive bidding as a “Professional Services Contract: in accordance with N.J.S.A. 40A:11-5 (1) (a) (1) of the Local Public Contracts Law. The Chief Financial Officer hereby certifies that the account number to be charged is 9-01-02-712-207 pending adoption of the 2019 budget.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin	Second	X			
Councilwoman Triggiano	Motion	X			
Councilman Ballard		X			
Councilman Yngstrom		X			
Councilman Zipprich		X			
Councilwoman Horgan		X			

Dated: April 10, 2019

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on April 10, 2019.

Pamela Borghi

Pamela Borghi, Municipal Clerk