

**RESOLUTION NO. 22-**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE  
CONTRACTS FOR TAX APPEALS AND FORECLOSURE COUNSEL**

**WHEREAS**, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals and foreclosures as may be needed; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Malamut & Associates has qualified and agreed to provide these services for \$170 per hour, for a total estimated amount not to exceed \$30,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses; and

**WHEREAS**, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Zager Fuchs has qualified and agreed to provide these services for \$165 per hour, for a total estimated amount not to exceed \$70,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firms of Malamut & Associates LLC, 457 Haddonfield Road, Suite 500, Cherry Hill, New Jersey 08002 and Zager Fuchs LLC, 268 Broad Street, Red Bank, New Jersey 07701 are hereby awarded professional services contracts for the provision of legal services as Special Tax Appeals and Foreclosure Counsel to the Township as needed during 2022 for a collective amount estimated not to exceed \$100,000.

**BE IT FURTHER RESOLVED** that the Mayor and the Clerk are hereby authorized and directed to execute Agreements for the provision of such professional services, copies of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.