

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

RESOLUTION 2020-24

A RESOLUTION AUTHORIZING THE EMPLOYMENT AND CONTRACT FOR PROFESSIONAL SERVICES TO STUART B. KLEPESCH, ESQ. TO REPRESENT THE MUNICIPALITY IN FORECLOSURE OF TAX SALE CERTIFICATES PURSUANT TO THE TAX SALE LAW, TITLE 54 AND OTHER RELATED SERVICES ASSOCIATED THEREIN

WHEREAS, under the provisions of N.J.S.A. 54:5-104.29 et seq., the Tax Collector has certified to the Township Committee that the Township of Lafayette, in the County of Sussex, in the State of New Jersey, is the holder of certain Tax Sale Certificate(s) covering the lands and premises situated in the Township of Lafayette for which the governing body has approved the foreclosure provided by statute; and

WHEREAS, the Township of Lafayette is desirous of instituting a program for the foreclosure of tax sale certificates held by the municipality; and

WHEREAS, the legal expertise required in foreclosing municipal liens is a prerequisite in the township's policy in instituting a program in foreclosure of municipal held tax sale certificates; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5, permits a contract for professional services to be awarded without the need for competitive bids and resolution memorializing the engagement of said professional service, which requires the award to be publicly advertised; and

WHEREAS, Stuart B. Klepesch, Esq. has a working knowledge of the rules and statutes governing the foreclosure of municipal tax sale certificates and has performed said services for municipalities within the State of New Jersey and has agreed to offer to the Township of Lafayette legal services to further its program in instituting the foreclosure of municipal held tax sale certificates.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette,

1. That the Mayor and Municipal Clerk are authorized to enter into and execute the Agreement for Professional Services, attached hereto, with Stuart B. Klepesch, Esq. with offices at 25 Lindsley Drive, Suite 200, Morristown, N.J. 07960 for and in the processing and institution of foreclosure of municipal tax sale certificates.

2. That the aforesaid legal counsel is hereby delegated to handle those matters delegated by the Tax Collector and/or Township Attorney in furtherance of the services in the foreclosure of municipal held tax sale certificates.

3. That this Contract is awarded without competitive bid and is a "Professional Service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law in recognition of the specialized knowledge and unique service required in foreclosure of municipal held tax sale certificates.

4. That a copy of this resolution shall be published in the official newspaper used by the Township of Lafayette as required by law, within ten (10) days of its passage as required by law.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector, the Chief Financial Officer, Township Attorney, and Township Auditor for their records.

CERTIFICATION

I, Anna Rose Fedish, Clerk of the Township of Lafayette, Sussex County, New Jersey, do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Lafayette Township Committee at the meeting of April 21, 2020.

Anna Rose Fedish, R.M.C.
Municipal Clerk