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**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
THE RETENTION OF POOL GENERAL LEGAL AND LITIGATION
SERVICES FOR CALENDAR YEAR 2024, TO BE UTILIZED ON AN
AS-NEEDED BASIS**

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River has a need to acquire Pool General Legal and Litigation services, on an as-needed basis, commencing February 15, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on February 9, 2024; and

1. Barker, Gelfand, James & Sarvas, PC, 210 New Road, Suite 12, Linwood, NJ 08221
2. Citta, Holzapfel & Zabarsky, 248 Washington Street, Toms River, NJ 08753
3. Clark & DiStefano, 3318 NJ-33, Neptune, NJ 07753
4. Dasti & Staiger, 310 Lacey Road, PO Box 779, Forked River, NJ 08731
5. Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Suite 100, Warren, NJ 07059-4922
6. Kevin B. Riordan, Esq., L.L.C., 20 Hadley Avenue, Toms River, New Jersey 08753
7. Marmero Law, LLC, 44 Euclid Street, Woodbury, NJ 08096
8. Rainone, Coughlin, Minchello LLC, 555 US Highway South, Suite 440, Iselin, NJ 08830-3100
9. Rothstein, Mandell, Strohm, Halm & Cipriani, PA, 98 East Water Street, Toms River, NJ 08753
10. Rumpf Law, PC, 11 Leifried Lane, Tuckerton, NJ 08087

WHEREAS, the firm of Barker, Gelfand, James & Sarvas is a professional corporation which specializes in civil and administrative litigation matters and particularly in matters involving public entities, officers and employees. They have earned a reputation for excellence in all phases of trial and litigation in both the State courts and the Federal Courts of New Jersey; and

WHEREAS, the firm of Citta, Holzapfel & Zabarsky, has represented numerous municipalities, as a municipal solicitor, labor counsel and land use board counsel, and has represented the Township of Toms River in an efficient and professional manner; and

WHEREAS, the Senior Partner, James S. Braaten, Esq., of the firm of Clark & DiStefano has extensive litigation and case management experience and local trial counsel experience, civil litigation, medical malpractice, class actions, corporate and commercial contracts, corporate litigation, corporate compliance and government investigations and regulatory activity; and

WHEREAS, the Dasti & Staiger law firm currently serves as municipal attorney for Barnegat Twp, Ocean Twp (Waretown), South Toms River, Manchester and Berkeley Townships; and

WHEREAS, the Eric M. Bernstein & Associates, LLC firm members specialize in the representation of public entities, and they are best equipped to handle all the needs of the Township of Toms River. They have extensive experience in litigation in liability, jury trials at the Federal and State level, Workmen's Compensation litigation and risk assessment and representing and advising governmental entities and their elected officials, officers and employees; and

WHEREAS, the firm of Kevin B. Riordan, L.L.C. has represented various municipalities in defense litigation, was appointed as Borough Attorney for Point Pleasant Beach and Labor Attorney for Stafford Township; and

WHEREAS, the Marmero Law firm represents several public entities in multiple capacities. The firm has represented and/or continues to represent various municipalities which include Deptford, Easthampton, Galloway, Fairfield, Pittsgrove, and Riverside Townships, etc.; and

WHEREAS, the Rainone Coughlin Minchello law firm has decades of experience representing public entities at every level of government. They currently represent Township of Brick, City of Burlington, City of Clifton, Township of Dover, Township of East Brunswick, and many others; and

WHEREAS, the Rothstein, Mandell, Strohm law firm serve as municipal attorney for the Township of Little Egg Harbor, and the Borough of South River, and they also currently serve as general counsel to the South Toms River Sewerage Authority, Pennington Volunteer Fire Company and Toms River Fire District No. 1, etc.; and

WHEREAS, the Rumpf Law Firm practice areas are municipal law, land use, insurance defense, workers' compensation defense, probate and wills, landlord/tenant and general practice of law. They represent Barnegat, Twp., Lakehurst, Lacey, Long Beach, Manchester, Point Pleasant and others;

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to contracts with the firms of:

1. Barker, Gelfand, James & Sarvas, PC
2. Citta, Holzapfel & Zabarsky
3. Clark & DiStefano
4. Dasti & Staiger
5. Eric M. Bernstein & Associates, LLC
6. Kevin B. Riordan, Esq., LLC
7. Marmero Law
8. Rainone, Coughlin Minchello
9. Rothstein, Mandell, Strohm, Halm, Cipriani
10. Rumpf Law PC

for pool general legal and litigation services for 2024, to be used on an as-needed basis, commencing February 15, 2024 up to and including December 31, 2024 at the rate of \$135.00 per hour, for a total maximum amount not to exceed \$200,000.00 for CY2024, for all legal services required, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

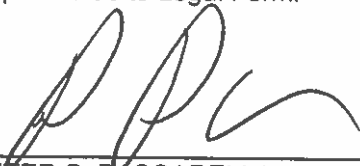
The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Township Administrator
- d) Certified Financial Officer
- e) Township Attorney
- f) All Aforementioned Law Firms
- g) Purchasing Dept.

L-Feb 14, 2024-24 Pool Gen.Legal Lit. reso

Approved as to Legal Form:


PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

Certified as a true copy of the Resolution adopted
by the Council on this 14 day of February, 2024.


MICHAEL CRUOGLIO
TOWNSHIP CLERK

