

RESOLUTION NO. 2021 – 125

**RESOLUTION OF THE TOWNSHIP OF
BARNEGAT, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING ART THIBAUT,
ESQUIRE TO SERVE AS SPECIAL COUNSEL
WITH REGARD TO CERTAIN EMPLOYMENT
MATTERS INVOLVING THE TOWNSHIP OF
BARNEGAT**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the “Township”) is in need of specialized employment counsel regarding certain employment matter included but not limited to fitness for duty hearings; and

WHEREAS, Art Thibault Esquire of Apruzzese, McDermott, Mastro & Murphy, P.C. is duly qualified to serve as special counsel for fitness for duty and employment related matters; and

WHEREAS, this appointment is a professional services contract exempt from formal bidding requirements; and

WHEREAS, the Township has selected Art Thibault Esquire of Apruzzese, McDermott, Mastro & Murphy, P.C. to serve as Special Counsel in this matter.

NOW, THEREFORE, BE IT RESOLVED on this 2nd day of March 2021 by the Mayor and the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey as follows:

1. The Township hereby authorizes the appointment of Art Thibault, Esquire of Apruzzese, McDermott, Mastro & Murphy, P.C. as Special Counsel for the Township of Barnegat at an hourly rate not to exceed \$200.00 per hour with regard to the potential pending employee dispute involving a fitness for duty matters and investigation and prosecution of same.

DASTI & ASSOCIATES

ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08753

2. The Township Committee hereby authorizes and directs the Mayor, Township Administrator and Township Clerk to execute any and all necessary documents, including a contract for legal services, to be prepared by Art Thibault, Esquire.

3. Award of contract is made to Art Thibault, Esquire based upon his merits and abilities as a long-standing labor counsel who specializes in “fit for duty” disputes. This contract award is not made through the “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. This contract is not anticipated to exceed \$17,500.00. Should the contract exceed \$17,500.00, then Art Thibault, Esq., shall certify to the Township that neither he, his subsidiaries, assigns or principals have made any contribution that is reportable pursuant to the Election Law Enforcement Commission, pursuant to N.J.S.A. 19:44A-8 or N.J.S.A. 19:44A-16 within one year preceding the award of this contract.

4. That a copy of the necessary notice shall be published in an official newspaper as required by law within ten days of the date hereof.

5. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Martin Lisella, Township Administrator
- (b) Tom Lombarski, CFO
- (c) Art Thibault, Esq.
- (d) Keith Germain, Chief of Police

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on March 2, 2021, a quorum being present and voting in the majority.

Donna M. Manno, Township Clerk

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