

RESOLUTION NO. 2023- 364

RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE LAW FIRM OF DAMON G. TYNER, LLC, EGG HARBOR TOWNSHIP, NEW JERSEY AND THE CITY OF VINELAND FOR REPRESENTATION IN REGARDS TO CANNABIS LICENSING IN THE CITY.

WHEREAS, the City of Vineland has authorized Class 1, 2, 3, 4 and 5 cannabis businesses in the City; and

WHEREAS, Chapter 266 of the Code of the City of Vineland sets forth the requirements for cannabis establishments including licensing, applications, qualifications and standards and has further created the City of Vineland Cannabis Advisory Committee (CAC) for review and recommendations to City Council for local licensing; and

WHEREAS, Section 266-3A. (1)(a)[3] authorizes Special Council be appointed to represent the CAC; and

WHEREAS, the Law Firm of Damon Tyner, LLC, Egg Harbor Township has experience in representing clients in matters related to cannabis and has further served as a County Prosecutor and Superior Court Judge; and

WHEREAS, the Law firm of Damon G. Tyner, LLC has presented a proposal to represent the CAC and City of Vineland in matters concerning cannabis businesses in the City at a rate of \$165.00 per hour to provide legal advice to the CAC and represent the City in any matter involving cannabis and cannabis business licensing for the contract period beginning July 26, 2023 through January 31, 2024; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with the Law Firm of Damon G. Tyner, LLC, Egg Harbor, New Jersey for matters related to cannabis and cannabis businesses in the City of Vineland at a rate of \$165.00 per hour on an as needed basis, for the period beginning July 26, 2023 through January 31, 2024.
2. That this Professional Services Agreement is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5 (1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution.
4. That a notice of this action shall be printed once in the Daily Journal.

Adopted:

President of Council

ATTEST:

City Clerk

NOTICE OF CONTRACT AWARDED

The City of Vineland has awarded a contract without competitive bidding and as a Non-Fair and Open process, pursuant to N.J.S.A. 19:44A-20.5. This contract and the resolution authorizing it, Resolution No. _____, are available for public inspection in the office of the City Clerk.

Awarded to: The Law Firm of Damon G. Tyner, LLC, Egg Harbor Township,
New Jersey

Services: Professional Services for matters related to cannabis and cannabis businesses in the City of Vineland at a rate of \$165.00 per hour on an as needed basis, for the period beginning July 26, 2023 through January 31, 2024

BY ORDER OF THE CITY COUNCIL OF THE

CITY OF VINELAND

KEITH PETROSKY, CITY CLERK

CITY OF VINELAND

July 18, 2023

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Susan Baldosaro, Chief Financial Officer of the City of Vineland, do hereby certify, to the best of my knowledge and belief that there now exists adequate funds to allow for compensation to the Law Firm of Damon G. Tyner, LLC, Egg Harbor Township, NJ, at a rate of \$165.00 per hour on an as needed basis, for the period beginning July 26, 2023 through January 31, 2024. Such funds for compensation herein are valid only to the amount available in the calendar year 2023 budget of the City of Vineland. The balance is contingent upon necessary funds being appropriated by the governing body for CY 2024 temporary budget.

Susan Baldosaro
Chief Financial Officer

Account No(s):

Check one & initial:

Encumber

Supplement