

RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY

TITLE:

RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY AUTHORIZING A CONTRACT WITH PERSELAY ASSOCIATES, INC. OF CHATHAM, NEW JERSEY (NOT TO EXCEED \$30,000.00), TO PROVIDE CONSULTING AND STUDY SERVICES WITH RESPECT TO THE POSSIBLE DIVISION OF COUNTY OWNED AND MORRIS COUNTY IMPROVEMENT AUTHORITY LEASEHOLD REAL PROPERTY INTO CONDOMINIUM UNITS AND SALE

WHEREAS, the Morris County Improvement Authority (the "Authority") has been duly created by resolution of the County of Morris (the "County"), State of New Jersey (the "State"), and exists in good standing as a public body corporate and politic under and pursuant to all applicable law, including the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended from time to time (codified at *N.J.S.A. 40:37A-44 et seq.*, the "Act"); and

WHEREAS, the Authority presently subleases a portion of County owned real property located at Block 1901, Lot 1 within the Township of Morris and also known as 540 West Hanover Avenue (the "Property") to Morris View Management Company, LLC, d/b/a Morris View Health Center (for ease of reference, "Allaire"), for use as a nursing home facility (such facility being the old Morris View Nursing Home); and

WHEREAS, Allaire, as sublessee of the Property, has approached the County and the Authority, proposing to buy outright its subleased portion of the Property that houses the nursing home and associated facilities. In order to do so, the County and the Authority envision creating a condominium out of the Property, selling the nursing home and associated facilities components to Allaire, and keeping the rest of the Property in County ownership; and

WHEREAS, the Authority, on its own behalf and in conjunction with the County, desires to engage the services of a consultant to act as an advisor to the Authority and the County with respect to the proposed condominium and sale with regard to the Property all as aforesaid, such services to include, but not be limited to, those described in the June 14, 2021 proposal of Perselay Associates, Inc. of Chatham, New Jersey appended hereto as Exhibit A ("Perselay" and such services, collectively the "Services"); and

WHEREAS, the Authority desires to hire Perselay as a consultant to undertake the Services all as aforesaid, consistent with Perselay's June 14, 2021 proposal appended hereto as Exhibit A, in an amount not to exceed \$30,000.00; and

WHEREAS, the County's Qualified Purchasing Agent, which is utilized by the Authority for procurement purposes, has determined that the value of the Services to be performed will exceed \$17,500.00 within in the intendment of *N.J.S.A. 19:44A-20.5 et seq.* as to require political contribution compliance, but will *not* exceed the bid threshold (\$44,000.00) pursuant to *N.J.S.A. 40A:11-1 et seq.* to require either formal bid or competitive contracting; and

WHEREAS, in accordance with and pursuant to the provisions of *N.J.S.A. 19:44A-20.5 et seq.* as aforementioned, the Authority now desires to award a contract to Perselay in an amount not to exceed \$30,000.00; and

WHEREAS, Perselay has completed and submitted a Business Entity Disclosure Certification to the Authority pursuant to and consistent with *N.J.S.A. 19:44A-20.5 et seq.*; and

WHEREAS, the Authority certifies that it has funds available for the contemplated agreement with Perselay; and

WHEREAS, notice of the award of this contract shall be published in a newspaper of general circulation in accordance with *N.J.S.A. 40A:11-5(1)(a)(i).*

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Chairperson, Vice-Chairperson and/or Secretary of the Authority are each hereby authorized and directed to execute and deliver the contract with Perselay, to perform and complete the Services at a cost not to exceed \$30,000.00 absent further formal action of this Board.
3. The Chairperson, Vice-Chairperson and/or Secretary of the Authority are hereby authorized and directed to take all actions and to execute any and all documents necessary to effectuate this Resolution, in consultation with General Counsel to the Authority.
4. The Business Disclosure Entity Certification and the Determination of Value required pursuant to *N.J.S.A. 19:44A-20.5 et seq.* shall be placed on file with this Resolution.

5. Subject to the second sentence of this Section 5, this Resolution shall take effect immediately. In accordance with *N.J.S.A. 40:37A-50*, the Secretary of the Authority is hereby authorized and directed to submit to each member of the Board of County Commissioners, by the end of the fifth business day following this meeting, a copy of the minutes of this meeting. The Secretary is hereby further authorized and directed to obtain from the Clerk of the Board of County Commissioners a certification from said Clerk stating that the minutes of this meeting have not been vetoed by the Director of the Board of County Commissioners.

MOVED/SECONDED:

Resolution moved by Commissioner _____.
 Resolution seconded by Commissioner _____.

VOTE:

Commissioner	Yes	No	Abstain	Absent
Gallop				
Bauer				
Ramirez				
Sandman				
Bonanni				

This Resolution was acted upon at the Regular Meeting of the Authority held on June 16, 2021, at the Authority’s principal corporate office in Morristown, New Jersey.

Attested to this 16th day of June, 2021

By: _____
 Secretary of the Authority

FORM and LEGALITY:

This Resolution is approved as to form and legality as of June 16, 2021.

By: _____
 Matthew D. Jessup, Member, McManimon, Scotland & Baumann, LLC
 Counsel to the Authority
 Resolution No. 21-19