



BOROUGH OF RIVERDALE NEW JERSEY



Resolution No: 123-2016
Date of Adoption: September 28, 2016

TITLE:

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO BATTAGLIA ASSOCIATES, LLC FOR FINANCIAL MANAGEMENT CONSULTING SERVICES FOR THE BOROUGH OF RIVERDALE

WHEREAS, the Borough of Riverdale has a need to acquire financial management consulting services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year and may be extended 2 times as approved by the Mayor and Council of the Borough of Riverdale; and

WHEREAS, the initial term of this contract is from October 1, 2016 to September 30, 2017; and

WHEREAS, Battaglia Associates, LLC has submitted a proposal on September 28, 2016 indicating they will provide financial management services to the Borough of Riverdale for monthly fee of \$1,500.00; and

WHEREAS, Battaglia Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Battaglia Associates, LLC has not made any reportable contributions to a political or candidate committee in the County of Morris and Borough of Riverdale in the previous one year, and that the contract will prohibit the Battaglia Associates, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the governing body of the Borough of Riverdale pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Riverdale authorizes the Mayor to enter into a contract with Battaglia Associates, LLC as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RECORD OF COUNCIL VOTE

Motion – by Councilman: _____ Second - by Councilman: _____

COUNCILMAN Yes No Absent Abstain COUNCILMAN Yes No Absent Abstain

Astarita						Pellegrini				
Revis						Desai				
Clinton						Oswald				

A.J. Jalloh, Borough Clerk

Paul M. Carelli, Mayor

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.



BOROUGH OF RIVERDALE NEW JERSEY



BOROUGH OF RIVERDALE DETERMINATION OF VALUE FORM AND CERTIFICATION OF FUNDS PURSUANT TO NON-FAIR AND OPEN CONTRACT AWARDS

Prior to the governing body formally considering a resolution awarding a non-fair and open contract, an appropriate official must certify in writing that the estimated amount of the contract to be awarded exceeds \$17,500. The appropriate official may be the purchasing agent, financial officer, chief administrative officer, or an appointed or elected official with knowledge of the contract.

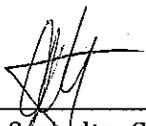
The determination of the amount is based on the value of the full contract life, not the amount spent annually. Therefore a two-year contract for \$10,000 a year awarded through a non-fair and open process falls under this requirement. A single one year contract for \$10,000, however, does not. The determination should be kept on file and made part of the resolution awarding the contract.

Contract For: Financial Management Consulting Services
Contract to be awarded to: Battaglia Associates
Contract Period: One Year
October 1, 2016, through September 30, 2017

CERTIFICATION

I hereby certify that the estimated amounts of the contracts to be awarded exceed \$17,500.

I hereby further certify that funds to cover the expenditures for the above-reference contracts will be encumbered by purchase orders on an as-needed basis (as required pursuant to N.J.A.C. 5:30-5.4.).

By: 
Kenneth Sesholtz, Chief Financial Officer

Certified Date: 9/27/16

BATTAGLIA ASSOCIATES, LLC

TAXPAYER ID# 41-2107433

Proposal for the Borough of Riverdale for Payroll Management Services

Battaglia Associates will assign staffing to fulfill the duties of payroll management services.

The Support Staff that will be assigned to undertake these duties are, Chris Battaglia, Gregory Bock, Will Kent and any other staff that would be mutually agreed to by the Business Administrator, providing they have relevant experience in municipal government management payroll services.

Contract Term: One Year, beginning August 01, 2016 and ending July 31, 2017.

Fees: Flat fee \$1,800.00/month. As much time on site or off site as needed to efficiently prepare the payroll. Staff will be available every work day via email, text, online, phone etc.

If Battaglia Associates is still employed by the borough after one year's service, our fee will automatically increase a minimum of 2% per year, until further negotiated.

The billing rate for expanded services is \$135 per hour. No expanded services will be done without prior authority of the Business Administrator.

Should we determine there are issues that will prevent us from reaching our internal service standards or if the borough is not 100% satisfied with our service, either party can terminate contract at the conclusion of the any month with or without cause.


Signature

Signature

Gary Battaglia, President
Print name and title

Paul Carelli, Mayor
Print name and title

Battaglia Associates LLC
Company Name

Borough of Riverdale
Borough Name

Dated: 08 / 01 /2016

Dated: / /2016

Disclosure:

Battaglia Associates LLC has a working relationship and /or partnership agreement with the following companies which may or may not, currently or in the future, contract with the Borough: Access to Energy, ADP, First Byte, INSYNC, MUNIDEX and MUNIDEXBA.

STOCKHOLDER DISCLOSURE CERTIFICATION
This Statement Shall Be Included with Bid Submission

Name of Business _____

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

If a corporation owns all or part of the stock of the corporation or partnership submitting the bid, then the statement shall include a list of the stockholders who own 10% or more of the stock of any class of that owning corporation. If no one owns 10% or more stock, attest to that.

Check the box that represents the type of business organization:

Partnership

Corporation

Sole Proprietorship

Limited Partnership

Limited Liability Corporation

Limited Liability Partnership

Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

Name: GARY BATTAGLIA

Name: _____

Home Address: 25 SANDALWOOD DR.

Home Address: _____

WARREN, NJ 07059

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Name: _____

Name: _____

Home Address: _____

Home Address: _____

Subscribed and sworn before me this 27 day of

September 2016

(Notary Public)

My Commission expires:

Gary Battaglia
(Affiant)

GARY BATTAGLIA, PRESIDENT
(Print name & title of affiant)

(Corporate Seal)



NON-COLLUSION AFFIDAVIT

State of New Jersey
County of MORRIS

ss:

I, GARY BATTAGLIA
(name of affiant)

residing in WARREN, NJ
(name of municipality)

in the County of MORRIS and State of NEW JERSEY of full age, being duly sworn according to law on my oath depose and say that:

I am PRESIDENT of the firm of
(title or position)

BATTAGLIA ASSOCIATES, LLC
(name of firm)

the bidder making this Proposal for the bid entitled
PAYROLL SERVICES,
(title of bid proposal)

and that I executed the said proposal with

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named project; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the RIVERDALE BOROUGH relies upon the truth of the
(name of contracting unit)

statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said project.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by

Subscribed and sworn to

before me this day

Gary Battaglia
Signature

09/27/2016

GARY BATTAGLIA
(Type or print name of affiant under signature)

Brittany Thunell
Notary public of

My Commission expires APRIL 9, 2018

(Seal)



EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127) N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

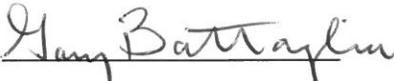
Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

The contractor and its subcontractors shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

BATTAGLIA ASSOCIATES LLC

BY: 

GARY BATTAGLIA, PRESIDENT

DATED: 09/27/2016

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
BATTAGLIA ASSOCIATES LLC

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that BATTAGLIA ASSOCIATES LLC has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one year period preceding *(date of award scheduled for approval of the contract by the governing body)* to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the ATTACHED LIST as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

SEE ATTACHED LIST	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership
 Corporation
 Sole Proprietorship
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
GARY BATTAGLIA	25 SANDALWOOD DR. WARREN, NJ 07059

Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: BATTAGLIA ASSOCIATES LLC

Signature of Affiant: *Gary Battaglia* Title: PRESIDENT

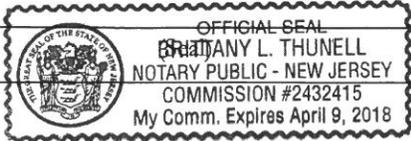
Printed Name of Affiant : GARY BATTAGLIA

Date: 09/27/2016

Subscribed and sworn before me this 27 day of September, 2016.

My Commission expires: APRIL 9, 2018

Brittany L. Thunell
 (Witnessed or attested by)





STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: BATTAGLIA ASSOCIATES,LLC

Trade Name:

Address: 25 SANDALWOOD DRIVE
WARREN, NJ 07059-5256

Certificate Number: 1099631

Effective Date: March 15, 2011

Date of Issuance: September 27, 2016

For Office Use Only:

20160927115632581

List of Agencies with Elected Officials Required for Political Contribution Disclosure

N.J.S.A. 19:44A-20.26

County Name: MORRIS (SEE ATTACHED)

State: Governor, and Legislative Leadership Committees

Legislative District #s:

State Senator and two members of the General Assembly per district.

County:

Freeholders

{County Executive}

County Clerk

Surrogate

Sheriff

Municipalities (Mayor and members of governing body, regardless of title):

**USERS SHOULD CREATE THEIR OWN FORM, OR DOWNLOAD
FROM WWW.NJ.GOV/DCA/LGS/P2P A COUNTY-BASED,
CUSTOMIZABLE FORM.**

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26**

County Name: Morris

State: Governor, and Legislative Leadership Committees

Legislative District #s: 16, 21, 24, 25 & 26

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Clerk

Sheriff

Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

Boonton Town	Jefferson Township	Mount Olive Township
Boonton Township	Kinnelon Borough	Mountain Lakes Borough
Butler Borough	Lincoln Park Borough	Netcong Borough
Chatham Borough	Long Hill Township	Parsippany-Troy Hills Township
Chatham Township	Madison Borough	Pequannock Township
Chester Borough	Mendham Borough	Randolph Township
Chester Township	Mendham Township	Riverdale Borough
Denville Township	Mine Hill Township	Rockaway Borough
Dover Town	Montville Township	Rockaway Township
East Hanover Township	Morris Plains Borough	Roxbury Township
Florham Park Borough	Morris Township	Victory Gardens Borough
Hanover Township	Morristown Town	Washington Township
Harding Township	Mount Arlington Borough	Wharton Borough

Boards of Education (Members of the Board):

Boonton Town	Lincoln Park Borough	Netcong Borough
Boonton Township	Long Hill Township	Parsippany-Troy Hills Township
Butler Borough	Madison Borough	Pequannock Township
Chester Township	Mendham Borough	Randolph Township
Denville Township	Mendham Township	Riverdale Borough
Dover Town	Mine Hill Township	Rockaway Borough
East Hanover Township	Montville Township	Rockaway Township
Florham Park Borough	Morris	Roxbury Township
Hanover Park Regional	Morris Hills Regional	Sch Dist Of The Chathams
Hanover Township	Morris Plains Borough	Victory Gardens
Harding Township	Mount Arlington Borough	Washington Township
Jefferson Township	Mount Olive Township	West Morris Regional
Kinnelon Borough	Mountain Lakes Borough	Wharton Borough

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Fire Districts (Board of Fire Commissioners):

Hanover Township Fire District No. 2
Hanover Township Fire District No. 3
Montville Township Fire District No. 1
Montville Township Fire District No. 2
Montville Township Fire District No. 3
Parsippany-Troy Hills Township Fire District No 1
Parsippany-Troy Hills Township Fire District No 2

Parsippany-Troy Hills Township Fire District No 3
Parsippany-Troy Hills Township Fire District No 4
Parsippany-Troy Hills Township Fire District No 5
Parsippany-Troy Hills Township Fire District No 6
Parsippany-Troy Hills Township Fire District No. 7
Parsippany-Troy Hills Township Fire District No. 8