

## **SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION**

### **ITEM 2205-20: Approving the Selection of McManimon, Scotland & Baumann, LLC for SJTPO Special Legal Counsel**

#### **PROPOSAL**

At its meeting on April 21, 2022, the Consultant Selection Committee consisting of SJTPO and SJTA staff unanimously recommended the firm of McManimon, Scotland & Baumann, LLC, as SJTPO Special Legal Counsel.

#### **BACKGROUND**

To enable SJTPO to retain Special Legal Counsel, the South Jersey Transportation Authority (SJTA), acting in its capacity as the Administrative Host for SJTPO, released a Request for Proposals for Legal Services on March 22, 2022, using SJTA procurement guidelines. The Notice of Availability of Requests was advertised on Bid Express, in The Press of Atlantic City, and in The Courier Post.

Two (2) proposals were received and reviewed by the Consultant Selection Committee with McManimon, Scotland & Baumann, LLC emerging as the top-ranked firm for SJTPO Special Legal Counsel. A memo regarding the recommendation to the Consultant Selection Committee is attached for reference.

McManimon, Scotland & Baumann, LLC is a full-service, multi-disciplined law firm; specific related areas of practice include employment and labor, environmental law, general litigation, land use, procurement of federally funded projects, public agency governance, and state and federal ethics requirements. Collectively members of the law firm have 40 years of experience with public and government clients. The firm has a total of forty-seven (47) attorneys with offices in Roseland, Newark, Trenton, New Jersey, and New York.

Legal fees for Special Legal Counsel will be paid from SJTPO's Operating/Direct Expenses in the FY 2023 UPWP, as Line Item 57001 Legal Services for \$15,000. Invoices are created for services rendered only, with no retainer fee.

**RESPONSE TO REQUEST FOR PROPOSAL**  
**TO PROVIDE**  
**SPECIAL LEGAL COUNSEL SERVICES FOR THE**  
**SOUTH JERSEY TRANSPORTATION PLANNING**  
**ORGANIZATION**

**of the**  
**SOUTH JERSEY TRANSPORTATION AUTHORITY**

**APRIL 12, 2022**

Submitted By

**McManimon, Scotland & Baumann, LLC**

75 Livingston Avenue, Second Floor

Roseland, New Jersey 07068

Telephone: (973) 622-1800

Telecopy: (973) 622-7333

E-Mail Address: [jbaumann@msbnj.com](mailto:jbaumann@msbnj.com)

**EXHIBIT "A"**

**LAW FIRM'S RESPONSE**

# TABLE OF CONTENTS

Cover Letter .....	Tab 1
Firm Profile and Experience.....	Tab 2
Qualifications and Experience.....	Tab 3
Other Qualification Information.....	Tab 4
Fees and Costs .....	Tab 5



Tab 1

April 12, 2022

**Via Bid Express Platform**

South Jersey Transportation Planning Organization  
782 South Brewster Road  
Unit B-6  
Vineland, NJ 08361  
Attn: Purchasing Department

**Re: Proposal of McManimon, Scotland & Baumann, LLC for  
Special Legal Counsel Services for the South Jersey Transportation Planning  
Organization**

Dear Sir or Madam:

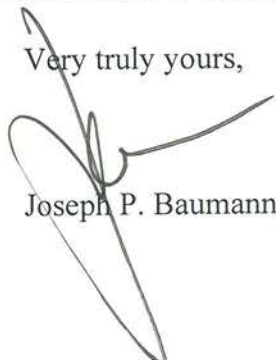
Thank you for the opportunity to present this proposal to provide Special Legal Counsel services for the South Jersey Transportation Planning Organization of the South Jersey Transportation Authority (the "Authority"). The following information will explain our background and experience and the services we can provide.

As part of this response, we hereby acknowledge that the Firm has reviewed all of the scope of services that are set forth in the RFP and is prepared to provide services on behalf of the Authority with respect to the following practice areas:

- Employment and Labor Practices
- Environmental Law
- General Litigation
- Land Use
- Procurement of Federally Funded Projects
- Public Agency Governance
- State and Federal Ethics Requirements

We will be happy to provide you with any additional information you might need and to discuss further the needs of the Authority and our ability to meet those needs. Thank you for the opportunity to submit this for consideration, and we look forward to helping you achieve your goals. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Joseph P. Baumann, Jr.

Tab 2

## **Firm Profile and Experience**

### **A. Indicate the date your firm was established.**

The Firm (and its predecessors) was established in 1971. It was located in Newark, New Jersey until its move to Roseland, New Jersey in May 2012.

### **B. Describe the types of legal services provided by your firm.**

Our Firm has a substantial background and experience in handling public law matters throughout the State of New Jersey over the past 40 years. We have represented the State of New Jersey, virtually every State agency, 18 of the 21 counties, and over 300 municipalities, school districts and independent authorities. McManimon, Scotland & Baumann, LLC is one of the leading public sector firms in New Jersey, with a substantial number of our attorneys and paralegals practicing in this area.

### **C. Describe your firm's specialty and/or area(s) of expertise.**

McManimon, Scotland & Baumann, LLC is a full-service law firm that provides legal services to public and private entities. The Firm's public clients represent all levels of government in the State of New Jersey. The Firm provides services in the following areas: public finance law for the State, State Agencies, counties, municipalities and school district, and their respective agencies and authorities, as applicable; real estate, land use, redevelopment and economic development; litigation (including eminent domain); tax; environmental law; public contract and procurement services; legislation and regulatory review and compliance; privatization of essential governmental services; general and special counsel services; and civil rights and police liability law. For the Firm's private clients, in addition to certain of the categories described above, the Firm's services include: project and structured finance; public utility and energy law; corporate; business and securities practices; banking; and commercial real estate.

### **D. Identify the number of employees in your firm (licensed attorneys; legal support staff; other support staff).**

The Firm has 13 members, 17 partners, 5 Counsel and 12 associates and 36 support staff. All attorneys of the Firm are licensed in the State of New Jersey.

### **E. Describe the participation of women and minorities in your firm. Please note the number of women partners and associates and minority partners and associates and indicate the percentage of your firm that is owned by women and by minorities.**

At McManimon, Scotland & Baumann, LLC our diversity, equity and inclusion truly reflect the world in which we live. One-third of the Firm is owned by people of color and women. Sixteen of the 47 attorneys of McManimon, Scotland & Baumann, LLC are women. Leslie G. London, Leah Sandbank, and Jennifer L. Credidio are general partners. Eight of the 47 attorneys in the Firm, Glenn F. Scotland, Leslie G. London, Demetrice R. Miles, Bakari G. Lee, Aisha J. Cooper, Romal D. Bullock, Jennifer N. Harrison and Malcolm X Thorpe, are of either African American, Asian American or Hispanic descent and five are partners. Among our administrative and support staff of 36, eleven are people of color and 33 are women. Our Firm is proud of its diversity,



equity and inclusion and believes that this level of participation is unparalleled among major firms throughout the State.

McManimon, Scotland & Baumann, LLC is neither a Minority Business Enterprise nor a Woman Business Enterprise (FMBE Status: FBE: 10% - MBE: 34%).

**F. Describe any special training or experience members of your firm possess that may assist in providing the requested legal services.**

McManimon, Scotland & Baumann, LLC is one of the leading public sector firms in New Jersey with almost every lawyer and all of our paralegals practicing in this area.

**G. Provide a description of your firm's presence in New Jersey. Note the location of each office, the number of attorneys resident in each office, whether they are partners or associates and whether attorneys not licensed in the State of New Jersey will be assigned to provide any of the requested legal services if your firm receives a designation pursuant to this RFP.**

All of the Firm's attorneys are located in the Roseland office. The Firm's principal office is located at 75 Livingston Avenue, Second Floor, Roseland, New Jersey 07068. The Firm (and its predecessors) had been in existence and located in Newark since 1971 until its move to Roseland in May 2012. The Firm maintains offices at 1037 Raymond Boulevard, Newark, New Jersey 07102, 427 Riverview Plaza, Trenton, New Jersey 08611 and at 80 Pine Street, 10<sup>th</sup> Floor, New York, New York 10005. The Firm has 13 members, 17 partners, 5 Counsel and 12 associates. All attorneys of the Firm are licensed in the State of New Jersey.

**H. Identify any State or Federal agencies, including metropolitan planning organizations departments or authorities represented by the firm during the last five (5) years. For each matter, provide the name of the State agency, department or authority, a description of the matter, the dates of the engagement and the name and contact information of the state employee responsible for overseeing the work of the firm on that matter.**

*New Jersey Educational Facilities Authority*

-\$11,990,000 Refunding Bond, Seton Hall University, 2021 Series D

-\$63,785,000 Revenue and Refunding Bond, Fairleigh Dickinson University Issue, 2021 Series A

-\$250,000,000 Revenue Bonds, Princeton University, 2021 Series B and \$179,265,000 Revenue Refunding Bonds, Princeton University, 2021 Series C

Contact Person: Sheryl A. Stitt, Acting Executive Director

Phone No. 609.987.0880

Email: [sstitt@njefa.com](mailto:sstitt@njefa.com)

New Jersey Educational Facilities Authority

-\$41,770,000 Revenue Bonds, Rider University Issue, 2017 Series F

Contact Person: Sheryl A. Stitt, Acting Executive Director

Phone No. 609.987.0880

Email: [ssitt@njefa.com](mailto:ssitt@njefa.com)

-\$39,520,000 Revenue Refunding Bonds, Seton Hall University Issue, 2017 Series D (tax-exempt) and \$31,915,000 Revenue Bonds Seton Hall University Issue, 2017 Series E (federally Taxable)

Contact Person: Sheryl A. Stitt, Acting Executive Director

Phone: 609.987.0880

Email: [ssitt@njefa.com](mailto:ssitt@njefa.com)

-\$342,240,000 Princeton University Revenue Refunding Bonds, 2017 Series B

Contact Person: Sheryl A. Stitt, Acting Executive Director

Phone: 609.987.0880

Email: [ssitt@njefa.com](mailto:ssitt@njefa.com)

State of New Jersey

-\$100,000,000 State Master Lease Purchase Agreement (Equipment)

-\$100,000,000 Amended and Restated State Master Energy Lease Purchase Agreement

Contact Person:

George McElroy

609-984-6271

[George.McElroy@treas.nj.gov](mailto:George.McElroy@treas.nj.gov)

Higher Education Student Assistance Authority

-\$107,745,000 Student Loan Revenue Bonds, Series 2021

Higher Education Student Assistance Authority

-\$107,745,000 Student Loan Revenue Bonds, Series 2021

-\$247,400,000 Student Loan Revenue Bonds, Series 2020

-\$285,550,000 Student Loan Revenue Bonds, Series 2019

Contact Person:

Jerry Traino, CFO

609-588-3300 ext. 1202

[Jerry\\_Traino@hesaa.org](mailto:Jerry_Traino@hesaa.org)

- I. Identify any State or Federal agencies, departments or authorities before or against which the firm has regularly appeared on behalf of other clients. Please note that the SJTA as a public entity, is precluded by the Rules of Professional Conduct from waiving conflicts of interest. See RPC 1.7(a)(2) and RPC 1.7(b)(2).**

The firm does not regularly appear before or against any other State agencies or departments on behalf of other clients. We do not anticipate any conflicts in representing the Authority. We do appear before the Local Finance Board within the Division of Local Government Services in the Department of Community Affairs. This does not



present a conflict under the Rules of Professional Conduct with representing the Authority.

- J. Please identify any conflict of interest (actual or perceived) if your firm is designated as Special Legal Counsel, you have a continuing obligation to disclose to the SJTA and SJTA any actual or potential conflicts. Additionally, retained counsel must agree not to undertake any future representation that might result in the disclosure of the SJTA's work product to potential or actual adversaries of the SJTA.**

We are not aware of any existing or potential conflicts of interest that may interfere with our representation of the Authority. We have, over the years, been principally involved in the area of public finance on behalf of public bodies in the State of New Jersey. As a result, we are aware of the nature of transactions which could or do create the potential for conflicts of interest with the representation of such a public body. Typically, in those situations, the conflicts are resolved in favor of representing the public body and, as a result, our firm has not handled transactions of the type that would conflict with our proposed representation.

- K. Identify any governmental entities, agencies, or political subdivisions that the firm represents or has represented. Include the time period during which the firm represented each such agency and the nature of the work performed.**

The firm represents, and has represented hundreds of governmental entities, agencies and political subdivisions over the course of the past forty plus years. In such capacity, we have served as bond counsel, general counsel, litigation counsel, transaction counsel and special counsel. Over such period, we have handled every type of legal matter that a governmental entity is required to address including every type of transaction or litigation.

See "Clients Representative Transactions" tab.

- L. Describe the firm's approach to maintaining responsive communication with the SJTA and keeping the SJTA informed of problems and progress.**

Communication with any client, but especially a public sector client, is an essential aspect of the attorney/client relationship and successful representation of the client's interests. Regular verbal and electronic communication is a vital component of responsible and timely representation and must be augmented by formal written correspondence as necessary. We would also be available for meetings, including the Authority's regular meetings, and conference calls as needed.

Through our many assignments as Counsel to various public sector clients including state authorities and agencies, the attorneys at McManimon, Scotland & Baumann, LLC understand how to best effectively and timely communicate with our clients on the progress of pending matters and any potential problems. We pride ourselves on maintaining those very close and longstanding professional relationships. In order to

service the Authority effectively, it will be necessary for the Firm to develop a thorough understanding of the Authority's legal interests and business and policy objectives.

Merely responding to questions posed or to draft necessary legal documents is not sufficient for outstanding representation of the Authority. We take a proactive approach in the representation of our clients, doing not only what is expected, but also recognizing and identifying issues and concerns and bringing them to our client and developing strategic ideas for our client which will advance the client's goals.

**M. Provide a representative listing of the firm's major private and public sector clients.**

See "Clients Representative Transactions" tab.

**N. Provide the name, address, telephone number, e-mail address, and facsimile number for the contact person in your firm.**

Joseph P. Baumann, Jr., Esq., Member and Chairman  
McManimon, Scotland & Baumann, LLC  
75 Livingston Avenue, Suite 201, Roseland, NJ 07068  
973-622-1800/ 973-622-5259 (direct dial)  
973-622-3744 (facsimile)  
[jbaumann@msbnj.com](mailto:jbaumann@msbnj.com)

**O. Please disclose potential conflict of interest (or move to be part of item "J" above).**

We are not aware of any existing or potential conflicts of interest that may interfere with our representation of the Authority. See "J" above.



Tab 3

## **QUALIFICATIONS AND EXPERIENCE EMPLOYMENT AND LABOR PRACTICES**

**A. Identify each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

Leslie G. London  
Demetrice R. Miles

William W. Northgrave  
Ted J. Del Guercio, III

Approximately 10% of the firms' practice is in employment and labor related work. Biographies of the foregoing attorneys are being submitted with this response.

**B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Leslie G. London  
Demetrice R. Miles  
Ted J. Del Guercio, III

**C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

All of the attorneys listed under subsection (A) above have at least five years' experience in this practice area.

**D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated in the last five (5) years (identifying by case name and legal citation, if any), including the result of such litigation.**

McManimon, Scotland & Baumann, LLC's attorneys have significant experience in labor and employment matters, including workplace strategies, compliance with federal, state and local employment laws, drafting of employee manuals and handbooks, union negotiations, alternative dispute resolution and litigation. More specifically, our attorneys have experience negotiating collective bargaining agreements, handling grievances, providing legal representation in mediation and arbitration proceedings, and administrative hearings before the Public Employment Relations Committee and other public entities and agencies, appearances and representation before the EEOC, and litigation of employment related matters in State and Federal Courts. Our labor and employment attorneys handle the defense of civil rights claims, sexual harassment charges, hostile workplace conditions, discrimination claims and CEPA, among other matters. As the majority of our client base consists of public entities, we have significant experience representing public entities, officials and employees in this regard.

Leslie G. London has been practicing for over 30 years in State courts and administrative court proceedings. She is admitted in the U.S. District Court of New Jersey. Ms. London has handled a variety of employment related claims, including workplace grievances on behalf of several public entities, such as the Ewing Lawrence Sewerage Authority,

Plainfield Municipal Utilities Authority, the Willingboro Municipal Utilities Authority, the Township of Franklin (Somerset County), the Borough of South River and the Township of North Brunswick. Ms. London has also handled workplace grievances on behalf of the University Hospital. William W. Northgrave has been practicing for more than 27 years in both state and federal courts. His primary focus has been in the defense of civil rights and employment matters, including employment discrimination matters. He is admitted in New Jersey and New York, U.S. District Court of New Jersey, the Southern District of New York, the Eastern District of New York and the Third Circuit of Court of Appeals. Demetrice R. Miles has been practicing for 29 years and has represented public entities and private parties in various actions and defended various governmental officials before the U.S. District Court of New Jersey regarding civil actions, including discrimination, election law and constitutional claims. Mr. Miles has provided advice and counsel to the City of Atlantic City with respect to its employee related matters, reviewing employee related incident reports and engaging in fact-finding relevant to employment related incidents, preparing investigative reports and making recommendations to the City with respect to the handling and disposition of employment related concerns.

The Firm's broad experience in handling all aspects of public employment and related matters, from defending claims in appropriate forums to routine fact-finding and recommendations in the ordinary course of business, makes it eminently qualified to handle the Authority's labor and employment related concerns. A full description of our Labor and Employment Practice is included with our practice areas, attached hereto.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

- 1. Education, including advanced degrees;**
- 2. Years and jurisdictions of admission to practice;**
- 3. Number of years engaged in the designated practice area;**
- 4. General work experience;**
- 5. Any professional distinctions (e.g., trial certification, teaching experience);**
- 6. Area(s) of specialization; and**
- 7. Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work in the firm's Roseland office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

See General Litigation Qualifications and Experience included herewith.



## **QUALIFICATIONS AND EXPERIENCE**

### **ENVIRONMENTAL LAW**

- A. Identify each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

Eric E. Tomaszewski  
Joshua Berliner

Approximately 5% of the Firm's practice is Environmental Law. Biographies of the following attorneys are submitted with this Response:

- B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings and/or monthly conference calls.**

Eric E. Tomaszewski

- C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

Eric E. Tomaszewski

- D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated in the last five (5) years (identifying by case name and legal citation, if any), including the result of such litigation.**

McManimon, Scotland & Baumann, LLC's Environmental Law Group represents public entities in all aspects of environmental law. Our attorneys have over two decades of experience developing strategies to address a variety of environmental litigation, regulatory and transactional issues. Our experience includes the following:

- **Administrative Appeals:** We have handled appeals from administrative agency actions, including permit reviews and notices of violations.
- **Administrative Enforcement:** We have defended clients in enforcement proceedings and negotiated the resolution of penalty assessments.
- **Environmental Litigation:** Our attorneys have served as trial and appellate counsel in a number of complex environmental litigation matters in New Jersey and other States. These matters include asserting cost recovery claims against prior property owners after acquiring real estate through eminent domain.
- **Property Acquisition:** We have advised public entities on the terms and conditions of the acquisition or sale of real property in order to minimize potential environmental liabilities. Our expertise includes undertaking proceedings to acquire contaminated property for redevelopment through the exercise of eminent domain and properly off-setting the costs of acquisition due to that contamination.

▪ **Redevelopment:** We work closely with the Firm's redevelopment attorneys in the designation of areas in need of redevelopment (N.J.S.A. 40A:12A-6) or areas in need of rehabilitation (N.J.S.A. 40A:12A-14), assistance in the drafting of redevelopment plans, the negotiation of redeveloper agreements, as well as the structuring and financing of redevelopment projects by procuring public grants and loans. We also counsel municipalities, redevelopment agencies and other public entities with respect to the remediation of contaminated properties whether conducted by the public entity or the designated redevelopers.

▪ **Regulatory Compliance:** Our attorneys assist governments, redevelopment agencies, public utilities comply with federal and state environmental laws and regulations, including acting as environmental counsel for some of the largest municipal water and sewer utilities in the nation. We have advised private clients on a wide variety of compliance issues, including the regulatory obligations arising in connection with the Clean Air Act, Clean Water Act, Industrial Site Recovery Act, Site Remediation Reform Act, and other Federal and State laws. We have counseled clients in obtaining or modifying a variety of environmental permits related to their activities.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the Authority, provide a detailed resume including information as to:**

1. **Education, including advanced degrees;**
2. **Years and jurisdictions of admission to practice;**
3. **Number of years engaged in the designated practice area;**
4. **General work experience;**
5. **Any professional distinctions (e.g., trial certification, teaching experience);**
6. **Area(s) of specialization; and**
7. **Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work in the firm's Roseland office.

**F. As to the members of the litigation department who would be involved in handling the litigation as Special Legal Counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

Eric E. Tomaszewski shall serve as lead attorney of record regarding all environmental litigation matters assigned to our firm. Mr. Tomaszewski shall be responsible for all pre-litigation activities and trial proceedings. In support of this engagement, Mr. Berliner shall provide assistance in matters involving his respective areas of expertise. Mr. Berliner shall also provide assistance regarding legal research, litigation activities, including discovery, and preparation for and during all motion and trial proceedings. Mr. Tomaszewski shall perform 100% of the work with assistance as needed from Mr. Berliner.



## **QUALIFICATIONS AND EXPERIENCE**

### **GENERAL LITIGATION**

**A. Identify each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

Leslie G. London  
Kevin P. McManimon  
Ted J. Del Guercio, III  
William W. Opel

William W. Northgrave  
Demetrice R Miles  
Grant W. McGuire

Approximately 22% of the firms' practice is in general litigation related work.

**B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Kevin P. McManimon

**C. List all attorneys in your firm that have at least five years**

All of the attorneys listed under subsection (A) above have at least five years' experience in this practice area.

**D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated in the last five (5) years (identifying by case name and legal citation, if any), including the result of such litigation.**

There is substantial litigation experience among the members of this Firm, primarily but not exclusively in the representation of public entities, public officials and employees. Leslie G. London has been practicing for over 30 years in State Courts and administrative court proceedings. Her primary focus has been in public procurement and contract matters. She is also admitted to the U.S. District Court of New Jersey. William W. Northgrave has been practicing for over 27 years in both State and Federal Courts and is admitted to practice in New Jersey, New York, the Southern and Eastern Districts of New York and the Third Circuit Court of Appeals. Most of his practice in State Court is in the representation of public entities. His primary focus in Federal Court has been in the defense of civil rights and employment matters. Mr. Northgrave has argued several matters before the New Jersey Supreme Court, including *G.D. v. Kenny*, 205 N.J. 275 (2011), In Re Petition for Referendum to Repeal Ordinance 2354-12 of the Township of West Orange, Essex County et als.; In Re Petition for Referendum on City of Trenton, Ordinance 09-02, Docket No. 65.345. Demetrice R. Miles has been practicing for over 29 years and has represented municipalities such as the City of Newark in tax appeal cases before the Tax Court of New Jersey and the U.S. Bankruptcy Court of the District of New Jersey. He argued before the Supreme Court of New Jersey the constitutionality of the Business Retention Act in (*General Motors Corporation v. City of Linden*, 150 N.J. 522 (1997)), represented public entities and private parties in bankruptcy actions and defended various governmental officials before the U.S. District Court of New Jersey regarding civil actions, including discrimination, election law and constitutional claims. Ted Del Guercio, III has been practicing for over 24 years, and has assisted the Firm's litigation group in connection with prerogative writ challenges to government action; procurement and bid disputes, including litigated disputes; construction related disputes; litigation involving redevelopment and related municipal designations; bankruptcy related matters for



governmental clientele; and the defense of tax appeals. Grant W. McGuire is a seasoned litigator who has been practicing for over 25 years in both State and Federal Courts and is admitted to practice in New Jersey, the United States District Court, District Court of New Jersey, the United States Third Circuit Court of Appeals and the United States Supreme Court. A substantial percentage of Grant's current practice, in both State and Federal Courts, focuses on the representation of public entities, including, but not limited to, municipalities, municipal agencies and State agencies. Grant has a relatively diverse background in terms of subject matter wherein he has years of experience litigating matters involving professional liability, employment disputes, products liability, insurance coverage issues and premises liability. A full description of our litigation practice is enclosed.

In accordance with the instructions set forth in the Authority's Request for Proposals, set forth below is a sampling of litigated matters handled by this firm over the past decade, identifying each case by name, citation (if applicable) and a brief description of the status or the outcome of each.

**SELECT LITIGATED MATTERS, REFERENCED BY NAME, CITATION AND RESULT/STATUS, HANDLED BY McMANIMON, SCOTLAND & BAUMANN, LLC**

1. Camp Auto & Truck Parts, Inc. v. Township of Little Falls, et al., Docket No. PAS-L-511-15: The Firm defended the Township of Little Falls in a prerogative writs action related to towing licenses issued by the Township and related township resolutions.
2. M&M at Route 70, LLC v. Township of Brick, et al., Docket No. OCN-L-3654-14: The Firm defended the Township of Brick and its mayor and council in connection with litigation arising out of a Redevelopment Agreement between Plaintiff and the Township. In addition to contract claims, Plaintiff has asserted claims under §1983.
3. MorningStar v. Linden, Superior Court, Union County – after protracted litigation with a defaulted redeveloper, we counseled the City in connection with an in-kind settlement of this action, which resulted in conveyance to the City of real property essential for its redevelopment efforts in the Georges Avenue redevelopment area.
4. Mastec v. County of Morris, et al., Superior Court, Morris County – after a bitter dispute developed amongst parties to a three county, \$80 million solar power purchase arrangement, we counseled and guided the County of Morris through settlement negotiations and consummation, which restored stability and predictability to that project.
5. Woodbridge Center (Jewelry Exchange) v. Woodbridge, United States District Court/Third Circuit Court of Appeals – after successfully dismissing Plaintiff's challenge to a Township approved rehabilitation plan which permitted the conversion of office space at One Woodbridge Center into residential dwelling units, we guided the Township to settlement of a pending appeal with all Parties, which would permit the planned rehabilitation and conversion to proceed.
6. Bayonne Housing Authority v. Southshore Urban Renewal, et al., Chancery Division, Hudson County – the Firm successfully negotiated settlement of a long running dispute between the Bayonne Housing Authority and several of its business

instrumentalities, which would result in the sale of a very low income housing complex to a third party operator, which the bulk of the proceeds thereof remaining within the City of Bayonne for affordable housing use.

7. Associated Construction Contractors of New Jersey v. Twp. of Berkeley Heights, Union County, Law Division – the Firm, just in March of 2018, successfully had dismissed Plaintiff's challenge to the Township's procurement process for the construction of a new municipal building, which cleared the way for that project to move forward without the fear of protracted delay.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

1. **Education, including advanced degrees;**
2. **Years and jurisdictions of admission to practice;**
3. **Number of years engaged in the designated practice area;**
4. **General work experience;**
5. **Any professional distinctions (e.g., trial certification, teaching experience);**
6. **Area(s) of specialization; and**
7. **Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work mainly in the firm's Roseland office, although Kevin McManimon also works in the Trenton office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

Kevin P. McManimon shall serve as lead attorney of record regarding all litigation matters assigned to our firm. Mr. McManimon shall be responsible for all pre-litigation activities and trial proceedings. In support of this engagement, Ms. London, Mr. Northgrave, Mr. Miles, Mr. DelGuercio, Mr. Grant and Mr. Opel shall provide their assistance in matters involving their respective areas of expertise as well as assistance regarding legal research, litigation activities, including discovery, and preparation for and during all motion and trial proceedings. Approximately 60 % of the work shall be performed by Mr. McManimon and the remaining attorneys shall perform 40% of the work.



## **QUALIFICATIONS AND EXPERIENCE**

### **LAND USE**

**A. Identify each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

The members of McManimon, Scotland & Baumann, LLC specializing in the land use practice include:

Joseph P. Bauman	Glenn F. Scotland
Kevin P. McManimon	Jennifer Credidio
Demetrice R. Miles	Karl Kemm

Approximately 25% of the firm's revenues are derived from real estate, redevelopment and land use representation. Biographies of the foregoing attorneys are being contemporaneously submitted with this Response.

**B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Kevin P. McManimon  
Joseph P. Baumann  
Glenn F. Scotland

**C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

All of the attorneys indicated in (A) above have at least five years' experience pertaining to Land Use Law.

**D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated since 2000 (identifying by case name and legal citation, if any), including the result of such litigation.**

McManimon, Scotland & Baumann, LLC has experience and expertise in a variety of land use and zoning matters, including matters arising under both the *Municipal Land Use Law* and the *Local Redevelopment and Housing Law*.

We have successfully represented private clients before zoning boards and planning boards and regulatory agencies in connection with land use matters, with excellent results. We have obtained timely and cost-efficient land use approvals for both private and public clients including subdivision and site plan approvals and all types of variances, in a variety of settings. By way of example, we have obtained site plan and subdivision approvals for the Orange Housing Authority in connection with its Dr. Walter G. Alexander Homes Development, a new transit-oriented community consisting of 66 units of family housing and 48 age-restricted rental units for low and moderate income households. We also deal regularly with title issues that arise in connection with

projects and transactions we work on, and have an excellent track record of resolving them.

Zoning and land use issues arise often in the context of the preparation, interpretation and implementation of redevelopment plans. We have participated and provided legal counsel and perspective in the preparation and implementation of a number of sophisticated redevelopment plans. We also have counseled and advised municipal clients in connection with the drafting of zoning ordinance provisions outside of the redevelopment context. Project-specific procedural and substantive land use issues also arise frequently in connection with the negotiation of redevelopment agreements, and in the context of redevelopment project design or evaluation. Such matters can include, for example, issues arising out of or in connection with the creation or extinguishment of easements, covenants, or other interests in or encumbrances on land; underlying zoning, to the extent not superseded by a redevelopment plan; subdivision and site plan approval, including variances or waivers; project phasing issues and requirements; infrastructure upgrades or improvements; regulatory permitting and compliance matters, such as environmental, historic preservation, and affordable housing requirements; and the defense of prerogative writ actions challenging redevelopment or land use actions. As noted above we have significant experience and expertise in each of these areas.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

- 1. Education, including advanced degrees;**
- 2. Years and jurisdictions of admission to practice;**
- 3. Number of years engaged in the designated practice area;**
- 4. General work experience;**
- 5. Any professional distinctions (e.g., trial certification, teaching experience);**
- 6. Area(s) of specialization; and**
- 7. Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work mainly in the firm's Roseland office, although Kevin McManimon also works in the Trenton office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special legal counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

See General Litigation Qualifications and Experience included herewith.



## **QUALIFICATIONS AND EXPERIENCE**

### **PROCUREMENT**

**A. Identify and give the office location of each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

The members of McManimon, Scotland & Baumann, LLC specializing in the procurement practice include:

Glenn F. Scotland	Leslie G. London
Kevin P. McManimon	William W. Northgrave
Bakari G. Lee	Demetrice R. Miles
Jennifer Credidio	Ted J. Del Guercio, III

Approximately 10% of the firm's revenues are derived from the procurement practice. Biographies of the foregoing attorneys are being submitted with this Response.

**B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Kevin P. McManimon  
Glenn F. Scotland  
Leslie G. London  
Ted J. Del Guercio, III  
Jennifer L. Credidio

**C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

All of the attorneys listed in (A) above have over five years' experience in Procurement related law.

**D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated in the past five (5) years (identifying by case name and legal citation, if any), including the result of such litigation.**

McManimon, Scotland & Baumann, LLC's representation of public entities in the State of New Jersey over the years has, and currently involves, issues concerning public sector procurement, preparation of contract documents, contract negotiation, construction related litigation, and related aspects of real estate, land use, environmental law and utilities law.

Attorneys of our Firm routinely assist our public sector clients in all aspects of the procurement process, from drafting and reviewing bid specifications and contracts for compliance with the requirements of all applicable law, to reviewing bids once opened to ensure material compliance with specifications and all applicable legal requirements. We generally are present during bid openings and reviews, and are thus readily available in

the event a dispute or concern should arise. We also are proactive in working with our clients to resolve bid and procurement related disputes, including representation at all applicable internal hearings and, if necessary, before mediation, arbitration panels and the courts.

In addition to working with and guiding our clients through the initial steps of the public bidding and procurement process, our Firm assists in the negotiation and drafting of construction contract and other contract documents, with attention to issues relating to contractor performance and security, scope of work, insurance and indemnification requirements, *force majeure* provisions, and contractor defaults and remedies. The Firm has been active in providing counsel and representation in the dispute resolution process in assuring contractor and/or developer compliance. The Firm is also actively involved in assisting public sector clients in the enforcement and/or restructuring and strengthening of the language of construction and/or redeveloper agreements. Our Firm also assists public entities in enforcing their contractual rights and in improving contractual provisions against non-performing contractors, developer or redeveloper entities. Our work in this field has been primarily on behalf of public entities; however, we have also represented private clients on construction related matters.

Over the past few years, the Firm has been involved with all procurement and construction related aspects of the undertaking, development and construction of the new Hudson County Vocational School. We are also involved with current efforts to undertake and construct a new courthouse in Hudson County. The Firm has also guided its housing authority clients through complex federal procurement requirements relative to affordable housing development involving the open and transparent selection of project co-developers, noncompetitive procurement waiver exemptions, and procurement requirements in connection with subordinate instrumentalities and affiliates of our housing clients. We have also been involved with procurement for other clients of the Firm, including without limit the Township of Edison; the Middlesex County Utilities Authority; the Newark and Orange housing authorities; the Bergen County Utilities Authority; the Freehold Board of Education; the Avalon Free Public Library; the Morris County Improvement Authority; and the Borough of Dunellen.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

- 1. Education, including advanced degrees;**
- 2. Years and jurisdictions of admission to practice;**
- 3. Number of years engaged in the designated practice area;**
- 4. General work experience;**
- 5. Any professional distinctions (e.g., trial certification, teaching experience);**
- 6. Area(s) of specialization; and**
- 7. Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work mainly in the firm's Roseland office, although Kevin McManimon also works in the Trenton office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special legal counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

See General Litigation Qualifications and Experience included herewith. .



**QUALIFICATIONS AND EXPERIENCE**  
**GOVERNMENTAL (PUBLIC AGENCY GOVERNANCE)**

**A. Identify and give the office location of each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

Joseph P. Baumann  
Kevin P. McManimon  
William W. Northgrave  
Demetrice R. Miles

Glenn F. Scotland  
Leslie G. London  
Bakari G. Lee  
Ted J. Del Guercio, III

Approximately 15% of the firm's practice is in general Public Agency Governance and General Counsel work. Biographies of the foregoing attorneys are being contemporaneously submitted with this Response.

**B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Kevin P. McManimon

**C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

All of the attorneys listed under Subsection (A) above have at least five years' experience in this practice area.

**D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated in the last five (5) years (identifying by case name and legal citation, if any), including the result of such litigation.**

McManimon, Scotland & Baumann, LLC serves as general and special counsel to many municipalities, counties, authorities and other public entities throughout the State of New Jersey. This role requires that we address and resolve a myriad of issues that routinely face public entities on a daily basis. This role also requires that our Firm regularly provide general advice and counsel on many issues, attend all public meetings, prepare resolutions and ordinances, participate in the procurement of services and the negotiation and drafting of contracts and also, in many cases, handle labor and employment issues and complex business and financial transactions. Our attorneys also deal with all aspects of the New Jersey Open Public Records Act (OPRA) and the Open Public Meetings Act (OPMA), including, in the case of OPRA, daily counsel to clients respecting the scope and nature of responding to various OPRA Requests; review of responsive government records to determine disclosure, and whether any exemptions to disclosure may apply; handling contested proceedings both before the Superior Court of New Jersey and the New Jersey Government Records Council (GRC); preparation of all pleadings, Statements of Information and related documents pertaining to such proceedings. With respect to the OPMA, our attorneys offer daily counsel on public meeting notice and compliance issues; the parameters of closed session discussions; *Rice* notice issues; and advise respecting the consequences of non-compliance with the Act. Also, in light of our

experience with land use issues, we assist various public entities that are seeking to acquire property through the exercise of their powers of eminent domain. Our Firm currently serves or has recently served as general or special counsel to the Township of Edison, the Plainfield Municipal Utilities Authority, the Old Bridge Municipal Utilities Authority, the Township of Little Falls, the Willingboro Municipal Utilities Authority, the Passaic Valley Water Commission, the Woodbridge Redevelopment Agency, the Franklin Township Redevelopment Agency (Somerset County), the Borough of Rockleigh, the Township of Franklin (Somerset County), the Township of North Brunswick and the North Jersey Transportation Planning Authority. This broad experience in representing local government would similarly be effective in serving as special counsel to the Authority with respect to general Governance.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

- 1. Education, including advanced degrees;**
- 2. Years and jurisdictions of admission to practice;**
- 3. Number of years engaged in the designated practice area;**
- 4. General work experience;**
- 5. Any professional distinctions (e.g., trial certification, teaching experience);**
- 6. Area(s) of specialization; and**
- 7. Office location of the attorney.**

See attached resumes of the attorneys listed under (A) above. All attorneys work mainly in the firm's Roseland office, although Kevin McManimon also works in the Trenton office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special legal counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

See General Litigation Qualifications and Experience included herewith.



**QUALIFICATIONS AND EXPERIENCE**  
**STATE AND FEDERAL ETHICS REQUIREMENTS**

- A. Identify each attorney who practices in that practice area. Please indicate what percentage of your firm's practice is in the practice area.**

Glenn F. Scotland  
Leslie G. London  
Bakari G. Lee

Kevin P. McManimon  
William W. Northgrave

All attorneys have researched and provided guidance relating to ethics and conflict of interest concerns on behalf of our public clients. This practice area constitutes approximately 5% of our practice, and is generally provided in support of our other practice areas. Biographies of the foregoing attorneys are being submitted with this Response.

- B. Identify which attorney(s) will be SJTA's main point of contact and will attend monthly meetings or monthly conference calls.**

Kevin P. McManimon

- C. List all attorneys in your firm that have at least five years' experience pertaining to the practice area.**

All of the attorneys listed in (A) above have over five years' experience.

- D. Describe your firm's experience in the practice area. For litigation experience, list cases litigated since 2000 (identifying by case name and legal citation, if any), including the result of such litigation.**

As general and special counsel to several public entities, and in the course of our redevelopment practice, issues relating to inadvertent violations of the State's ethics and conflict of interest standards often arise, and, if left unaccounted for, can jeopardize or invalidate official actions authorizing and implementing projects. In our experience, often there was no malfeasance or corruption in the situations for which we provided guidance; rather the conflicts arose largely due to a lack of awareness of the current standards or a lack of diligence to identify and analyze potential conflicts. Notwithstanding the innocent nature of these potential violations, the harm to the viability of a project, and the reputation of the participants, is great.

Development and infrastructure projects require private and public partnerships to ensure a project's success. Due to the nature of their experience and employment, local business owners, attorneys, engineers, architects and real estate and insurance brokers agents are often the pool of people that are drawn to government service, whether as elected officials or as appointed officials on boards and commissions. These volunteers are largely motivated by their desire to serve the community rather than to enrich or



empower themselves. These actions are beneficial and should be encouraged, however, they also require a greater level of diligence to avoid potentially detrimental outcomes. We have advised our clients with regard to these relationships and potential conflicts, and, where prudent, have issued opinions recommending a specific course of action to avoid potential conflicts and protect official actions.

Our experience includes identifying and assisting in planning around conflicts. Each potential conflict requires a case-by-case fact-based analysis to determine whether a specific interest causes a conflict pursuant to State statute, local regulations and case law.

**E. State the qualifications and experience of the particular attorneys proposed to staff the work. For each member of the department that would be involved in handling the practice area as special counsel on behalf of the SJTA, provide a detailed resume including information as to:**

- 1. Education, including advanced degrees;**
- 2. Years and jurisdictions of admission to practice;**
- 3. Number of years engaged in the designated practice area;**
- 4. General work experience;**
- 5. Any professional distinctions (e.g., trial certification, teaching experience);**
- 6. Area(s) of specialization; and**
- 7. Office location of the attorney.**

See attached resumes of all of these attorneys listed under (A) above. All attorneys work mainly in the firm's Roseland office, although Kevin McManimon also works in the Trenton office.

**F. As to the members of the litigation department who would be involved in handling the litigation as general and/or special counsel, describe the role each would play in the litigation and the approximate percentage of the work that each would perform. Percentages for junior lawyers may be listed separately or in the aggregate.**

See General Litigation Qualifications and Experience included herewith.

## **OTHER QUALIFICATION INFORMATION**

- A. Identify all adverse determinations against your firm or any of its partners, associates or employees or persons acting on its behalf, with respect to actions, proceedings, claims or complaints of any kind under any local, State or federal laws, regulations, court rules, or Rules of Professional Conduct.**

Neither the firm nor any member or associate of the firm is the subject of a criminal investigation or involved in any litigation that would impact our proposed representation. Neither the firm nor any member or associate of the firm has ever been reprimanded, censured, or suspended by the Supreme Court for ethics infractions. With the exception of one contract matter in 2001 involving a dispute on a deposit for a piece of property being leased by a board of education (for which the firm was held responsible to a party that was not our client for 10% of the recovery charged to our client), the firm has not been adjudicated liable for professional malpractice. The firm has also not been involved in any bankruptcy or re-organization proceedings in the past.

- B. Identify and describe in detail any indictments, convictions or civil offenses arising directly or indirectly from the conduct of business by your firm or any of its partners, associates, employees or agents. The Law Firm shall certify that it an/or any of its principals (a) are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of Agreements by any public agency b) have not, within a five-year period preceding this Agreement, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government agreement or subcontract, violation of federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement , theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of these offenses, and (c) are and shall remain in good standing with the bar of the state(s) in which they are licensed. To the extent that the firm cannot provide the aforementioned certification, it must provide a detailed explanation, as part of its proposal.**

See Attached Certification.

- C. Identify any material arrangements, relationships, associations, employment or other contacts that may cause a conflict of interest or the appearance of a conflict of interest if your firm acts as litigation counsel to the SJTA.**

There are no material arrangements, relationships, associations, employment or other contacts that would cause a conflict of interest or the appearance of a conflict of interest if McManimon, Scotland & Baumann, LLC acts as litigation counsel to the SJTA. The Firm currently represents the Atlantic County Improvement Authority (ACIA) as bond counsel in connection with the financing of the Elevate Jet project. That project will include the lease, by the ACIA, of real property owned by the Authority, on which the ACIA will construct an aircraft hangar. Such leases are typically negotiated by the



ACIA's general counsel. Nevertheless, we identify it here out of an abundance of caution.

**D. Identify your firm's malpractice insurer and describe the insurance limits.**

MS&B maintains professional liability insurance coverage in amounts totaling \$20,000,000. Any legal services rendered by the Firm to the Authority would be covered by these policies (a copy of our Firm's Certificate of Insurance is attached). The Authority's Request for Proposals has standard indemnification language typically associated with vendors or contractors providing goods and non-professional services to the Authority. This language has been reviewed by our firm's insurance broker and we must take exception to the broadness of the indemnification sought, however, we offer the proof of insurance coverage to evidence our ability to provide coverage for any liability associated with our proposed scope of services.

## CERTIFICATION STATEMENT

McManimon, Scotland & Baumann, LLC certifies that it and/or any of its principals (a) are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of Agreements by and public agency, (b) have not, within a five-year period preceding this Agreement, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state or local government agreement or subcontract, violation of federal or state antitrust statutes relating to the submission of offers, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and are not presently indicted for, or otherwise criminally or civilly charged by a government entity with, commission of any of these offences, and (c) are and shall remain in good standing with the bar of the state(s) in which they are licensed.



---

Joseph P. Baumann, Jr., Member

Tab 4

## **FEES AND COSTS**

McManimon, Scotland & Baumann, LLC agrees to the rates outlined in the Authority's RFP.

EXHIBIT "B"

LIST OF RESPONSIBLE ATTORNEY(S)

## LIST OF RESPONSIBLE ATTORNEYS

Joseph P. Baumann, Jr.

Glenn F. Scotland

Kevin P. McManimon

Leslie G. London

William W. Northgrave

Bakari G. Lee

Demetrice R. Miles

Jennifer Credidio

Ted J. DelGuercio, III

Karl Kemm

Eric Tomaszewski

Grant W. McGuire

William W. Opel



**"Exhibit C"**

**Indemnification Language.** The Authority's Request for Proposal has standard indemnification language typically associated with vendors or contractors providing goods and non-professional services to the Authority. This language has been reviewed by our Firm's insurance broker and we must take exception to the broadness of the indemnification sought, however, we offer the proof of insurance coverage to evidence our ability to provide coverage for any liability associated with our proposed scope of services.

## PRACTICE AREAS

# Labor and Employment

McManimon, Scotland & Baumann, LLC's Labor & Employment Practice Group provides a wide variety of workplace strategies, legal counsel, practical advice, consulting and litigation services to both public and private sector management clientele. Our firm understands the practical impact of labor and employment issues upon employers, particularly in the public sector, where a myriad of issues must be considered. We have the breadth of experience needed to assist employers in analyzing options, in making informed decisions, and in taking appropriate courses of action best suited to their needs and circumstances. While litigation is a result any employer wishes to avoid, when it is necessary, we strive to provide thorough, yet cost effective representation to achieve favorable results. McManimon, Scotland & Baumann, LLC, prides itself on integrating practical advice, consulting and litigation services in a manner best suited to meet the needs of employers.

## Who We Serve

- Public Employers
- Private Employers

## Our Services

- Civil Rights Defense
- Discrimination
- Harassment
- Breach of contract
- Wrongful Termination
- Compliance issues related to hiring and termination
- Employee manuals and handbooks
- Policies, employment agreements, non-competition agreements and severance agreements
- Guidance and training for employers and supervisors on various issues, including training on workplace drug testing, and sexual and other forms of harassment in the workplace
- Mediation, arbitration, grievance and collective bargaining issues
- Preparation and negotiation of collective bargaining agreements
- Consulting and litigation services
- Compliance with federal, state and local employment laws, including the Fair Labor Standards Act, New Jersey State prevailing wage and hour laws, Federal Family and Medical Leave Act, New Jersey Family Leave Act, Title VII of the Civil Rights Act, New Jersey Law Against Discrimination, Americans with Disabilities Act, New Jersey Conscientious Employee Protection Act, Public Employees Occupational Safety and Health Act, New Jersey Civil Service Act, New Jersey Public Employment Relations Act
- Representation before the:
  - New Jersey Civil Service Commission/Office of Administrative Law
  - Public Employment Relations Commission
  - New Jersey Office of Dispute Resolution
  - American Arbitration Association

## Contact Us

For more information about our Labor and Employment Practice, please contact Leslie G. London at 973-622-5335.

*Our firm prides itself on integrating practical advice, consulting and litigation services in a manner best suited to meet the needs of employers. While litigation is a result any employer wishes to avoid, when it is or becomes necessary, our firm strives to provide thorough, yet cost effective, representation to achieve favorable results.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*



## Practice Areas

# Environmental Due Diligence, Transactional, Redevelopment

McManimon, Scotland & Baumann, LLC, is a preeminent firm in the practice of real property transactions and municipal redevelopment, and our Environmental Law Group is an integral part of those processes. Our experience allows us to help clients navigate potential liabilities and unlock economic advantages associated with transactions for contaminated property.

### Who We Serve

- Manufacturers
- Lending Institutions
- Developers
- Small Businesses
- Redevelopment Agencies
- Municipalities & other public entities

### Our Services

- Due Diligence
- Site Assessment
- Risk Mitigation
- Negotiating property access
- Negotiating Purchase and Sales Agreements, loans, or leases
- Complying with the New Jersey Industrial Site Recovery Act (ISRA)
- Securing financing and environmental insurance
- Designation of areas in need of redevelopment or rehabilitation
- Drafting of Redevelopment Plans
- Negotiation of Redeveloper Agreements
- Procuring public grants and loans
- Acquiring contaminated property through eminent domain and off-setting the costs of investigation and remediation
- Counseling with respect to the remediation of contaminated properties
- Securing financing and environmental insurance for environmentally impaired projects and sales or purchases of contaminated properties

### Contact Us

For more information about our Environmental Law services, please contact Eric Tomaszewski at 973-622-5162.

*Compliance with federal and state environmental laws often takes center-stage in determining the success of a real estate transaction or the long-term viability of a manufacturing enterprise.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*

# Environmental Litigation

McManimon Scotland & Baumann, LLC's Environmental Law Group has served as trial and appellate counsel in numerous complex environmental litigation matters in Federal and State courts in New Jersey and across the country. We have been involved in all phases of administrative and litigated representation under scores of major environmental statute and regulatory program, including CERCLA, the Clean Water Act, New Jersey Spill Act, and New Jersey Environmental Rights Act.

## Who We Serve

- Manufacturers
- Developers
- Fortune 500 Companies
- Small Businesses
- Commercial Landlords/Tenants
- Redevelopment Agencies
- Public Entities
- Municipalities

## Our Services

**Alternative Dispute Resolution** – Multi-party Alternative Dispute resolution Superfund proceedings.

**Environmental Insurance Recovery** – We have represented policyholders against their insurers under comprehensive general liability, cost-cap, and pollution legal liability policies, to recoup costs incurred in defending, investigating, remediating, and settling potential liabilities at contaminated properties.

**Administrative Appeals** – We have handled appeals from administrative agency actions, including permit reviews and notices of violations.

**Administrative Enforcement** – We have defended clients in enforcement proceedings and negotiated the resolution of penalty assessments.

**Cost Recovery Claims and Defense** – We have represented clients in litigation to recoup from potentially responsible parties the costs of investigating and remediating contaminated properties. We have also defended and negotiated the resolution of claims asserted by government and private parties for the costs of investigating and remediating contaminated properties.

**Natural Resource Damages** – We have negotiated the resolution of Natural Resource Damages ("NRD") claims made by the State of New Jersey and on behalf of the United States.

## Contact Us

For more information about our Environmental Litigation services, please contact Eric Tomaszewski at 973-622-5162.

*Helping parties resolve their disputes either before or early on in litigation avoids the inherent costs and risks of lawsuits.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*

## Practice Areas

# General Counsel, Special Counsel, Government Procurement and Contract Services

McManimon, Scotland & Baumann, LLC regularly serves as general and special counsel to numerous public entities throughout New Jersey. As specialists in New Jersey public sector law, we are able to deliver an unparalleled level of knowledge and insight. We have the experience and knowledge to assist governmental clients execute strategic visions to best serve its constituent tax-payers and to minimize and mitigate potential legal exposure.

### Who We Serve

- Municipalities
- Planning Boards
- Municipal Utilities Authorities
- County Utilities Authorities
- County Improvement Authorities
- Parking Authorities
- Redevelopment Agencies
- Major Regional Transportation Planning Authorities

### Our Services

- Compliance with and analysis of issues with respect to various public laws, including, among others, the New Jersey Open Public Meetings Act, the Local Public Contracts Law and the Open Public Records Act.
- Preparation and/or review of corporate documents and resolutions
- Procurement of services and contract negotiations
- Bid award challenges
- Obtaining necessary regulatory approvals
- Establishment of rates
- Appearances before administrative entities
- Dispute resolution
- Employment matters.

### Contact Us

For more information about our General and Special Counsel Services, Procurement and Contract Services practice, please contact Joseph P. Baumann, Jr. at 973-622-5259 or Leslie G. London at 973-622-5335.

*As specialists in New Jersey public sector, procurement and contract law, we are able to deliver an unparalleled level of knowledge, insight and guidance to our clients.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*



# Litigation

McManimon, Scotland & Baumann, LLC's litigation practice is devoted to vigorous, intelligent advocacy for our public and private sector clients. We work closely with our clients to develop sensible litigation strategies that are cost-effective and designed to achieve the most favorable result. Our attorneys regularly appear in state, federal and administrative courts while handling a broad array of matters.

## Who We Serve

- Municipalities and other Public Authorities
- School districts
- Government Officials
- Law Enforcement Officers
- Private Entities
- National and Regional Insurance Carriers, Reinsurers, Brokers, Agents & Intermediates
- Self-Insured Companies
- Public Entities

## Our Services

**Public Sector** – We represent public authorities and local governmental entities, including school districts, as counsel in all manner of representation. We provide zealous and proactive defenses in the relevant forums, and are always cognizant that, as stewards of the public trust, we must seek to achieve resolution in cost-effective and efficient ways.

**Redevelopment** – Municipal actions undertaken to effectuate redevelopment are often met with legal challenges. Our litigation practice has extensive experience meeting and resolving those challenges.

**Construction/Public Works** – We provide competent construction counsel to guide public construction projects through the many legal and practical considerations, including changes in the scope of work, cost overruns and delay, as well as litigation that often results from such issues.

**Public Entity Defense** – We represent the interests of municipalities, government officials and law enforcement officers who have been named as defendants in State and federal civil rights actions (42 U.S.C § 1983) and Title 59 Tort Claims litigation.

**Environmental** – We represent public entities and private clients in the defense of enforcement actions and cost recovery litigation before the USEPA, the NJDEP, the Office of Administrative Law (OAL), other federal and state regulatory agencies as well as in federal and state courts. We also pursue the recovery of costs associated with remediating contaminated property through private party environmental cost recovery actions and insurance coverage litigation.

**General Civil** – We regularly represent private clients in a variety of general civil litigation matters. In all cases, the firm's litigation attorneys seek to find efficient and cost-effective solutions to meet client needs.

*We work closely with our clients to develop sensible litigation strategies that are cost-effective and designed to achieve the most favorable result.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*

# Litigation

## Our Services (continued)

**Insurance/Self-Insurance Defense** – We provide counsel to national and regional insurance carriers, reinsurers, brokers, agents, intermediaries, self-insured companies and public entities. The Litigation practice assists our insurance industry clients to address coverage issues and disputes through coverage opinions, arbitration, mediation, and if necessary, declaratory judgment litigation.

## Contact Us

For more information about our Litigation practice, please contact William W. Northgrave at 973-622-5378.

## Real Estate and Land Use

McManimon, Scotland & Baumann, LLC, is widely recognized as one of the leading firms in redevelopment and development in the State of New Jersey. We have a proven track record of guiding residential, industrial, commercial and mixed-use projects – large and small – from conception, financing, acquisition, land use approvals, through leasing and sale.

As the acquisition and development of real estate in New Jersey often involves a number of facets, we approach each project from a client-centric team based perspective. We assemble attorneys from our various practice areas to address a client's and project's specific needs including creating new a business entity for the project, contract negotiations, land use approvals, redevelopment agreements, zoning ordinance / redevelopment plan amendments, environmental issues, condemnation, financing and when needed, litigation. Our finance group has extensive experience in low income housing tax credit (LIHTC) financing including creating the specialized entities and agreements required for LIHTC financing and works in close concert with the real estate and land use group on LIHTC financed projects. We also apply the same client-centric team based approach in coordinating with a project's other professionals, such as engineers, architects, planners and financial institutions to provide a holistic and efficient delivery of a project from inception to completion.

- **Real Estate Transactional** – Our firm represents clients in the negotiation and preparation of complex contracts for conveyances of title, development agreements, easements, licenses, land use and occupancy agreements, brokerage and commission agreements, joint venture agreements, as well as all forms of business entity and investor agreements, lease agreements, mortgages and security agreements. We have represented owners, developers, landlords, tenants and lenders in all aspects of real property matters, including commercial land acquisition, resolving title issues, financing, tax credits/incentives, public-private partnerships, development, zoning and planning issues, and related negotiation, transaction documentation and litigation.
- **Land Use** – We have assisted a variety of clients on the land use requirements and practices that are critical to successful development and to ensure compliance, including matters arising under the Municipal Land Use Law, the Local Redevelopment and Housing Law and other land use regimes. We have appeared before planning boards, zoning boards of appeal, boards of adjustment, municipal governing bodies, and assisted clients in obtaining permits and approvals from state, county agencies and regional land use agencies, including: county planning boards, the New Jersey Sports and Exposition Authority (formerly the Meadowlands Commission), the New Jersey Department of Transportation and the New Jersey Department of Environmental Protection. We have represented a wide range of client's in land use related litigation including challenges to redevelopment areas, redevelopment plans, defend planning and zoning board approvals when challenged by objectors, and where clients are aggrieved by board decisions.

We have served as counsel and/or offered counsel on several major projects, including the Prudential Center in Newark, Boardwalk Pavilions and Oceanfront redevelopment in Asbury Park, Bayonne Crossing in Bayonne and the redevelopment of the former Ingersoll Rand brownfields site in Phillipsburg and Lopatcong Townships into an approximately 4 million square foot warehousing and logistics center.

*We approach each project from a client-centric team based perspective assembling attorneys from our various practice areas to address a client's and project's specific needs to provide a holistic and efficient delivery of a project from inception to completion.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*



# Real Estate and Land Use

(continued)

## Who We Serve

- Municipalities
- Planning Boards
- Municipal Utilities Authorities
- County Utilities Authorities
- County Improvement Authorities
- Parking Authorities
- Redevelopment Agencies
- Major Regional Transportation Planning Authorities

## Our Services

- Municipalities
- Redevelopment Authorities
- Housing Authorities
- Private Sector Developers
  - Real Estate SPE's
  - Affordable Housing Developers
  - From first time developers, to smaller family-owned developers to large well established developers and investors
- General Redevelopment/Development Counsel
- Real Estate Transactional
- Land Use
- Redevelopment/Development Financing
- Payments in Lieu of Taxes
- Eminent Domain and Condemnation Litigation
- Contaminated Property

## Contact Us

For more information about our Real Estate and Land Use Practice, please contact Karl P. Kemm at 973-622-5166.

## Public Private Partnerships (P3)

McManimon, Scotland & Baumann, LLC is at the forefront of helping municipalities considering public private partnerships (P3). P3 is a tool for both the public and private sectors to join experience, skills and assets to deliver facilities and services that best serve the public, while sharing risks. While P3 can be a potent tool to deliver major projects and services, it is not always appropriate in every case. Our attorneys have unparalleled expertise in Public-Private Partnerships and are able to offer clients valuable advice relating to all aspects of the privatization process.

### Issues When Implementing P3

**Analysis:** What is the value for money for the public entity? How will risks be monetized and apportioned among the parties?

**Financing:** How are the revenues to be shared or what payments shall be paid to the private entity? Will bonds be issued on a tax-exempt or taxable basis? What types of equity and debt structure can be supported by the project?

**Negotiation:** What are the deliverables for each entity and the timeframes for same? How is risk apportioned among the parties and how is it financed? What are the procedures for dispute resolution? What are the monitoring and oversight requirements for the project?

**Implementation:** What are the statutory and regulatory requirements or hurdles for the P3? What are the procurement requirements, if any, for the public entity? What approvals are required and in what time frame?

*We utilize our public and private sector experience to bring the innovation and expertise of private industry to municipal services.*

*For more information go to [www.msbnj.com](http://www.msbnj.com).*

### Who We Serve

- Public Entities
- Private Entities

### Our Services

- Guide and advise clients on the benefits, risk, timing of the P3 process
- Procurement
- Referendum
- Regulatory compliance
- Valuation and limitations
- Tax and other impact on outstanding debt
- Operating issues – employees, union issues, etc.
- Franchise/concession fees
- Term of partnership
- Ongoing capital improvements
- Rate structure

### Contact Us

For more information about our P3 practice, please contact Joseph P. Baumann, Jr. at 973-622-5259.

## BIOGRAPHIES



## Attorney Profile

# Joseph P. Baumann, Jr., Member

Joseph P. Baumann, Jr. is Chairman of McManimon, Scotland & Baumann, LLC. He concentrates his practice in all aspects of redevelopment and development law, with a strong emphasis on complicated projects involving numerous stakeholders, difficult sites, complex capital stacks and extensive public sector involvement.

Having spent almost 30 years bringing these types of projects to completion gives Joe a unique ability to assist clients in navigating the often difficult public-private negotiations inherent in such projects. In such projects, Joe provides strategic and legal guidance designed to produce results for his clients. He represents public and private clients throughout New Jersey and in most every county, and has been counsel for signature projects that are transforming municipalities, such as Bayonne, Bloomfield, Carteret, Cranford and Atlantic City.

Joe also has experience in all aspects of public sector law, with a particular emphasis on public finance. He has represented the State, its agencies and numerous municipalities, counties, boards of education and authorities, as well as underwriters and trustees. Such representation has involved a broad range of transactions, including negotiated and competitive, special obligations and general obligations, current and advance refundings, and all aspects of redevelopment-related financings.

Finally, Joe's public-private expertise extends to other areas as well, including P3 transactions for infrastructure. On behalf of the Bayonne Municipal Utilities Authority (BMUA), he negotiated a 40-year concession agreement with a private sector joint venture for the Authority's water and wastewater systems. The BMUA transaction won national awards, and the "revenue path" model employed in that transaction promises to be replicated throughout the country. Joe has provided similar advice to other municipalities throughout New Jersey.

Joe received his B.A. degree in government, with a second major in business administration, from the University of Notre Dame, in 1984. He received his J.D. degree from Rutgers University Law School, *cum laude*, in 1987, where he served on the staff of *Rutgers Camden Law Journal*.

Joe routinely speaks in New Jersey and nationally on redevelopment, development and public-private partnerships, and has authored numerous articles on such topics. He is on the Advisory Board for the Rutgers Business School Center for Real Estate and is a member of the New Jersey Bar Association, the National Association of Industrial and Office Properties, the Association of Environmental Authorities and the National Association of Bond Lawyers. He is a Trustee for the Central Jersey Arts Council.

Joe has been recognized by Best Lawyers in America®. He was also peer rated in Martindale-Hubbell as "AV Preeminent".<sup>1</sup>



<sup>1</sup> A description of the selection methodology for Best Lawyers in America and Martindale-Hubbell can be found at: <https://www.bestlawyers.com/methodology> and <https://www.martindale.com/ratings-and-reviews/attorneys/>. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

## Glenn F. Scotland, Member

Mr. Scotland is a founding member of McManimon, Scotland & Baumann, LLC, concentrating his practice in infrastructure development and structured finance, with experience and expertise in redevelopment, housing, land use, and public and project finance. Glenn's practice consists of, among other things, advising governmental entities, and private for-profit and not-for-profit developers in connection with development, implementation and financing of complex development, redevelopment and housing projects. This work includes developing programs for financial assistance for redevelopment projects under New Jersey exemption and abatement statutes and tax increment bond financing programs. Glenn also has worked extensively with New Jersey state tax incentive and financial assistance programs. His practice also includes the development and financing of affordable housing under the United States Housing and Urban Development Mixed Finance Regulations, Hope VI Revitalization Grant, Choice Neighborhoods Grant, Capital Grant Funds, and Neighborhood Stabilization Programs and financings utilizing Low Income Housing Tax Credits. Glenn has worked on housing and transactions involving various types of credit support including FHA Mortgage insurance programs, GNMA-supported bonds and traditional bond insurance programs.

Glenn also has extensive experience in the development and implementation of financing structures under the New Markets Tax Credit Program. This includes loan transactions involving tax credit allocations from multiple Community Development Entities (CDEs), leveraged loan transactions including various leverage sources, and utilizing these tax credits with other tax credits or financial assistance programs.

During the course of his career, Glenn has focused on public and project finance at every level of government. The financings have included sewer and solid waste management and resource recovery financings, as well as alternative energy projects including cogeneration and energy conservation, and in the privatization of publicly-owned water, wastewater and solid waste facilities. Further, Glenn has represented underwriters in connection with their purchase of securities issued by political subdivisions of the State of New Jersey.

Glenn received his B.A. degree in Economics from Brown University in 1977 and his J.D. degree from Georgetown University in 1980. He was admitted to the practice of law in New Jersey in 1980 and New York in 1989.

Glenn is presently a member of the New Jersey State Bar Association, the Counselors of Real Estate – NJ Chapter and a former member of the New Jersey Supreme Court Ethics Committee, District V-A. He has served as a member of the New Jersey Housing & Mortgage Finance Agency and as a member of the Board of Trustees at Essex County College located in Newark, New Jersey.





## Kevin P. McManimon, Member

Kevin P. McManimon concentrates his practice in the areas of redevelopment, land use and public finance law, primarily representing governmental entities and for-profit developers in all aspects of redevelopment projects. Kevin serves as general counsel, redevelopment counsel and/or bond counsel to redevelopment entities, including municipalities, county improvement authorities and redevelopment agencies throughout the State of New Jersey. Kevin also serves or has served as general counsel and/or bond counsel to various public bodies, such as redevelopment agencies, parking authorities, county improvement authorities, municipal utilities authorities and free public libraries.

Kevin advises governmental entities and for-profit developers during all stages of the redevelopment process, including the investigation and designation of redevelopment areas, the preparation and adoption of redevelopment plans, and the negotiation and implementation of redevelopment agreements. He also provides high-level advice to public sector and private clients regarding financial agreements governing payments in lieu of taxes and other complex project finance related matters, including securing financial assistance through State-administered incentive programs. Kevin represents clients in the negotiation of various other types of agreements relating to the development and conveyance of land, including purchase and sale agreements, leases, parking agreements and use and occupancy agreements. Kevin regularly appears before the governing bodies of the public entities he represents, as well as venues like the Local Finance Board in the Division of Local Government Services. Kevin also represents public body clients in various litigation matters, including, for example, condemnation matters. In connection with such matters, Kevin has appeared before panels of condemnation commissioners, and the Law Division and Appellate Division of the New Jersey Superior Court. He has also served as lecturer on the laws governing redevelopment and tax exemption on behalf of the New Jersey Institute for Continuing Legal Education, Plan Smart NJ and The American Planning Association New Jersey Chapter.

Prior to joining McManimon, Scotland & Baumann, Kevin was an associate at Mason, Griffin & Pierson, P.C. in Princeton. Previously, he was an Assistant Prosecutor in the Mercer County Prosecutor's Office. Kevin began his legal career as a law clerk for the Honorable David J. Schroth, J.S.C. and the Honorable Alan J. Pogarsky, J.S.C., of the Superior Court of New Jersey in Mercer County. He then served as law clerk to the Honorable John J. Hughes, U.S.M.J., in the United States District Court, District of New Jersey.





## Attorney Profile

# Leslie G. London, Member

Leslie G. London joined the firm 1987, and since that time has been involved in various aspects of general counsel and litigation work for the firm. Leslie currently serves as general, special, COAH and/or labor counsel for several municipalities and municipal utilities authorities. She currently serves as Labor Counsel for the Ewing Lawrence Sewerage Authority, the Borough of Keyport and the Western Monmouth Utilities Authority and as COAH Counsel for the Township of Parsippany Troy-Hills, Borough of Red Bank and the Township of Edison. Leslie was also recently appointed as Special Counsel/Administrator in the Borough of Englewood Cliffs' COAH proceedings. Leslie previously served as Township Attorney and Redevelopment Counsel for Franklin Township, Somerset County and Labor Counsel for the Borough of South River and the Township of North Brunswick.

Leslie concentrates in the areas of municipal law, public contracts law, employment and labor law, redevelopment law, COAH, construction law, and wastewater and solid waste and recycling planning, implementation, enforcement and regulation. In addition, she devotes a portion of her time to monitoring, analyzing and drafting state and federal legislation and regulations, advising clients on "pay-to-play" issues and preparing election compliance reports for political action committees and other continuing political committees.

Prior to joining McManimon, Scotland & Baumann, LLC, Leslie served for three years as New Jersey Director of Constituent Services for U.S. Senator Frank R. Lautenberg, specializing in small business and government procurement issues. Prior to that, she worked for eight years in various New Jersey State government agencies including the Election Law Enforcement Commission, as an Election Finance Analyst; the New Jersey Division of Motor Vehicles – Bureau of Agencies, as Acting Bureau Chief of Agencies; the Department of the Public Advocate, as a Field Representative; and the New Jersey Office of Legislative Services, Division of Program Analysis, as a Program Analyst.

Leslie received her B.A. degree in Political Science from Rutgers University in 1977, her Certification (C.P.M.) as a Public Manager in 1984 from Rutgers University Graduate School of Management/N.J. Department of Civil Service, and her J.D. from Seton Hall Law School in 1988. In June 2009, Leslie received Certification in Public Sector Labor Relations from the Rutgers School of Management and Labor Relations. She is a member of the New Jersey State Bar Association and the American Bar Association. Ms. London is a frequent speaker on pay-to-play issues and public contract and procurement law matters.



## William W. Northgrave, Member

William W. Northgrave concentrates his practice in municipal law, specifically in the areas of redevelopment and long-term tax exemption and litigation related thereto. William has worked on a number of redevelopment projects throughout New Jersey, on behalf of both public and private entities, including projects in Woodbridge, Belmar, Linden, West Orange, Tinton Falls and Haddon Township, among others. William currently serves as General Counsel to the Township of Edison, the Middlesex County Utilities Authority and the Woodbridge Redevelopment Agency.

In addition to his municipal and redevelopment practice, William devotes significant time to election law issues. He has served as general or special counsel to the New Jersey State Democratic Committee and to a number of County Democratic Committees. He regularly counsels candidates and elected officials in various election law matters, ranging from election contests and recounts to recall elections and miscellaneous litigation arising out of contested elections, in addition to providing advice to candidates and campaigns on campaign-related issues. William was a New Jersey elector in the 2008 Electoral College in the historic election of President Barack H. Obama.

William previously served as Chief of Staff in Hudson County and later as Hudson County Counsel. He has been practicing for more than 25 years in both state and federal courts and is admitted to practice in New Jersey, New York (including the Southern and Eastern Districts), and the Third Circuit Court of Appeals. William received his B.A. in *curso classico* from St. Peter's College in 1987. He obtained his J.D. in 1990 from Seton Hall University School of Law.

Decisions of note in which William served as lead counsel include:

- *Zimmer v. Castellano*, 432 N.J. Super. 412 (App. Div., 2013), addressing whether a mayor can break a tie vote in filling a council vacancy;
- *In re: Ordinance 2354-12*, 2013 WL 379288 (App. Div., 2013) (cert. granted on separate grounds) - whether a redevelopment bond ordinance can be the subject of a referendum;
- *In re: Ordinance 2354-12*, 223 N.J. 589, 127 A. 3d 1277 (2015) - addressing issuance of redevelopment area bonds;
- *G.D. v. Bernard Kenny, et al*, 411 N.J. Super. 176, 984 A.2d 921 (app. Div, 2009), affirmed 205 N.J. 275 (2011) - addressing whether publication of a criminal conviction, later expunged, can form the basis for a claim of defamation;
- *In re Petition for Referendum on City of Trenton Ordinance 09-02*, 411 N.J. Super. 135, 984 A.2d 895 (App. Div. 2009), reversed 201 N.J. 349, 990 A.2d 1109 (2010) - addressing whether the sale of a public utility can be subjected to a referendum;
- *King v. Lopez*, HUD-L-3303-09 (Law Div., 2009), affirmed on other grounds, 2010 WL 4940051 - challenge to residency of elected official;
- *The Port Authority of New York and New Jersey v. Bayonne Local Redevelopment Authority, et al*, 2009 WL 1011333 - Open Public Meetings Act.
- *St. Joseph's Korean Catholic Church v. The Zoning Board of Adjustment of the Borough of Rockleigh, et al*, 2006 WL 1320089 (Certification dismissed after argument) (Religious Land Use and Institutionalized Persons Act).





## Bakari G. Lee, Member

Bakari G. Lee's primary practice area is public finance, having served as bond counsel to multiple clients at the state, county and local level, as well as providing underwriter and trustee counsel services. Bakari also provides special counsel services for affordable housing transactions, involving low and moderate income housing tax credits, the Rental Assistance Demonstration program and other federal, state and local funding programs, for public housing agencies and private developers alike. In addition, Bakari provides general counsel services to public and private entities involving a wide array of issues. He has represented various clients in redevelopment matters as well.

Bakari is an active advocate for education. In 2006, he was appointed by the Hudson County Board of Chosen Freeholders to the Board of Trustees for Hudson County Community College, and currently serves as Vice Chair, Chair of the Finance Committee and as the trustee liaison for commencement. Nationally, Bakari served as Chairman of the Board of Directors for the Association of Community College Trustees (ACCT). He also served as Chairman of the New Jersey Council of County Colleges (NJCCC), and served on its Executive Committee and as a Trustee Ambassador. Bakari was also awarded an honorary Associate of Arts degree by Atlantic Cape Community College for his work in the community college sector. Bakari has given commencement speeches at Warren County Community College, Bergen Community College and Atlantic Cape Community College.

Prior to joining McManimon, Scotland & Baumann, in 2003, Bakari was a law clerk for the Honorable Darryl Dean Donohue of the Territorial Court of the Virgin Islands – St. Croix Division. Before joining the Territorial Court, he was a Senior Financial Analyst in the Animal Health Division of Pfizer, Inc. in positions of increasing responsibility, ultimately supporting the division's business development and strategic planning initiatives.

Bakari is active in several social and civic organizations. He is a member of Omega Psi Phi Fraternity, Incorporated, and a Past Basileus (President) of the Jersey City Chapter. He is also a member of Mu Boulé, the northern New Jersey member-Boulé of Sigma Pi Phi Fraternity, where he serves as the Social Action Chair. Bakari is also the Volunteer Program Administrator for the Morristown Neighborhood House Rites of Passage Program. He is also the proud recipient of the 2015 Boy Scouts of America Whitney M. Young Service Award and was recognized in 2018 by the New Jersey Chapter of the Florida A&M University National Alumni Association as an "Alumni Making a Difference."





## Demetrice R. Miles, Partner

Demetrice R. Miles joined McManimon, Scotland & Baumann in 2000, and since that time, has been involved in various aspects of litigation, including municipal law, with a concentration in real estate, real property tax appeals and exemption claims, eminent domain, in rem tax foreclosures, public utility law, environmental law, public contracts law, Open Public Records Act, construction law, employment and labor, and complex commercial litigation. Demetrice has extensive litigation experience, having participated in all levels of trial practice – including preparation of pleadings, discovery, depositions, motion practice, jury and non-jury trials, mediation, arbitration and appellate practice. In the field of tax appeals and eminent domain, Demetrice has served as special counsel to various public entities throughout the State of New Jersey, including the City of Newark, the Housing Authority of the City of Newark, New Jersey Schools Development Authority, the Borough of Carteret, Carteret Redevelopment Agency, the Township of Bloomfield, the Township of Bloomfield Parking Authority, the Township of Green Brook, the County of Hudson, Orange Housing Authority, the Township of Franklin, the Borough of Roseland, the Township of West Orange, East Orange Housing Authority, the Township of Edison and the City of Linden, among other entities. Demetrice also handles redevelopment matters, including the review and preparation of redevelopment agreements, tax exemption financial agreements and related transactions.



Prior to joining McManimon, Scotland & Baumann, Demetrice served as an assistant corporation counsel with the City of Newark. He concentrated in the Practice areas of municipal taxation and real estate law. In this capacity, Demetrice defended tax appeals before the U.S. Bankruptcy Court, the Tax Court of New Jersey and the Essex County Board of Taxation, reviewed and processed tax exemption applications, prepared ordinances and resolutions, represented the City of Newark in matters involving zoning and land use planning, and engaged in appellate practice. Also, Demetrice served as counsel to the Municipal Council's Tax Abatement Committee, the City's Central Planning Board and Rent Control Board. In his capacity as assistant corporation counsel, Demetrice represented the City of Newark before the Supreme Court of New Jersey in the case of *GM v. Linden*, 150 N.J. 522 (1997), which involved the City's challenge to the constitutionality of the Business Retention Act.

Demetrice is a member of the American Bar Association, the New Jersey Bar Association and the Garden State Bar Association, where he has served as a member of the Board of Trustees and as Treasurer. Furthermore, Demetrice currently serves as a member of the Board of Trustees of Central Jersey Legal Services Corporation.

## Attorney Profile

# Jennifer L. Credidio, Member

Jennifer L. Credidio concentrates her practice in redevelopment law and public finance, and is co-chair of the firm's Project Development Group. Jennifer's redevelopment practice encompasses both the financial and planning elements of the redevelopment process, from the designation of a redevelopment area and the negotiation of a redevelopment agreement, to the negotiation of financial agreements governing payments in lieu of taxes and the issuance of redevelopment area bonds. She has also served as bond counsel, underwriter's counsel and trustee's counsel for a number of tax-exempt and taxable governmental bond issues.

Jennifer's practice builds upon her experience in municipal, county and state government. A former chief of staff to a member of the General Assembly, Jennifer served two terms as a member of her local Town Council, as well as two terms as a trustee of the Hudson County Economic Development Corporation. She has also served as a Planning Board commissioner and chair, and is familiar with a broad array of land use issues.

Jennifer has served on the Board of Directors of the Local Government Law Section of the New Jersey State Bar Association since 2011. She also sits on the Legislative Committee of the New Jersey State League of Municipalities.

Jennifer received her B.A. in Political Science, with a focus in International Relations, from Columbia College at Columbia University in 1998, followed by a Master's degree in Public Administration, with a focus in Urban Policy, from the School of International and Public Affairs at Columbia University in 1999. She received her J.D. from Seton Hall Law School, where she was an editor of the *Seton Hall Legislative Journal*, in 2003.

Jennifer is admitted to the practice of law in the State of New Jersey.





## Ted Del Guercio, III, Partner

Ted Del Guercio, III is a partner of McManimon, Scotland & Baumann, LLC. Since joining the Firm in 2005, Ted has practiced primarily within the Firm's litigation and local government/public school general/special counsel group, assisting in all manner of local government/public school practice and representation, from providing routine daily governance and advice, to handling complex civil litigation and the drafting of complex transactional agreements. He has been involved in matters pertaining to redevelopment; county and municipal utilities authorities representation; construction matters (both transactional and construction litigation); public procurement (including the drafting and review of bid specifications and proposals, bid review, and handling bid challenges); ad valorem tax/assessment defense and appeals; local government labor and employment matters; the defense of local government interests within bankruptcy proceedings; renewable energy implementation and procurement for school boards and other public sector clientele; and, local government representation in the general sense. He has also handled other general civil litigation for private sector clientele as well.



Ted has assisted with the Firm's role as general and/or special counsel to numerous municipal, county, local authority and other governmental units, including without limit: the Township of Little Falls, the Township of Edison, the Middlesex County Utilities Authority, the Borough of Belmar, the Morris County Improvement Authority, the former Bayonne Local Redevelopment Authority, the City of Bayonne, the City of Newark, the Newark Housing Authority, the County of Hudson and its Improvement Authority, the Township of Franklin (Somerset County), the Bayonne Municipal Utilities Authority, the Borough of Carteret, the Carteret Redevelopment Agency, the Plainfield Municipal Utilities Authority, the Old Bridge Municipal Utilities Authority, the Willingboro Municipal Utilities Authority and the Jersey City Redevelopment Agency.

Ted has also assisted with the representation of various Firm public school clientele in both transactional and litigated matters, including in recent years renewable energy implementation and procurement, including the implementation of energy savings improvement programs. Some representative school districts over the years include, without limit, the Burlington Township Board of Education, Deptford Township Board of Education, the Delran Township Board of Education, the Newark Public Schools, the Middlesex County Vocational Technical School District, Brick Township Board of Education, the Willingboro Board of Education (with respect to construction counsel matters), the East Brunswick Board of Education, and the Lower Cape May Regional School District. Ted's public school representation has also included public procurement and schools construction related advice, as well as assisting various districts in the preparation of complex power purchase and renewable energy agreements and related energy savings improvement arrangements.

Ted received his J.D. in 1997 from Regent University School of Law in Virginia Beach, Virginia, and his B.A. in Political Science from Rutgers University in New Brunswick, New Jersey, in 1994. Ted is admitted to practice law in New Jersey, Pennsylvania, West Virginia, Maine, and the United States District Court for the State of New Jersey (including the United States Bankruptcy Court for the District of New Jersey).



## Attorney Profile

# Karl P. Kemm, Partner

Karl P. Kemm's practice focuses on land use and development, and commercial/transactional real estate. He has represented both public sector and private clients in virtually all aspects of these areas, from providing initial counseling, through acquisition, acquiring land use and regulatory approvals and litigation.

In the public sector area, Karl has served as municipal attorney for Edison Township, the Borough of Belmar and Hillsborough Township. He has also served as Planning Board Attorney for Franklin Township in Somerset County and Zoning Board Attorney for North Brunswick Township, Monroe Township, Edison Township and Hillsborough Township. Additionally, Karl served as the Authority Solicitor for the East Brunswick Sewerage Authority and as General Counsel to the New Jersey Association of Environmental Authorities, for which he also served on the Board of Directors.

Karl's background provides a broad knowledge of local government operations and procedures and the laws that govern them as well as their interaction with county, state and federal regulations. These areas include: real estate acquisition, sale and leasing; land use and regulation; redevelopment; eminent domain; real estate property taxation; water, sewer and stormwater infrastructure, regulation and permitting; and affordable housing requirements and regulations. Karl's experience provides a unique background and a practical approach to guide both public sector and private clients in all of their legal requirements in these and related areas.

Karl graduated from Monmouth University in 1989 with a B.S. in Business Administration. He received his J.D. from Widener University in 1995. He was admitted to practice in New Jersey in 1995 and the United States Court of Appeals for the Third Circuit in 1998.



## Attorney Profile

# Eric E. Tomaszewski, Partner

Eric E. Tomaszewski concentrates in all aspects of environmental law including transactional matters, redevelopment projects, site remediations, regulatory compliance counseling, permitting, solid waste and recyclables, wastewater, cost recovery litigation and insurance coverage litigation. His clients include manufacturers, gasoline retailers, real estate developers, municipalities and public entities.

Eric has practiced environmental law in New Jersey since 2005 and has worked on many notable projects involving the redevelopment of contaminated property in many of the largest municipalities in New Jersey. He has also been involved in the defense and trial of several high-profile environmental cases including litigation related to the Passaic River Restoration Initiative undertaken by the U.S. EPA, the trial of a former energy company against \$160 million environmental and construction claims related to the development of waterfront property in Miami. Eric has extensive experience in due diligence and site remediation, including advising clients on compliance with the New Jersey Site Remediation Reform Act and NJDEP regulations. Most recently Eric successfully negotiated a pre-trial, nuisance-value settlement of a lawsuit challenging the professional judgment of a New Jersey Licensed Site Remediation Professional engaged in the remediation and redevelopment of a former chemical production facility.

In addition to environmental law, Eric previously served as General Counsel of a large New Jersey municipal public entity where he counseled the CEO and Board of Commissioners on the regulatory requirements for the collection and disposal of solid waste, the marketing and disposition of recyclables, and matters involving the New Jersey Local Public Contracts Law and Uniform Shared Services Law.

Eric is a co-author of the "New Jersey Environmental Law Handbook" (2014 and 2019) and frequently speaks on a variety of environmental law topics as part the New Jersey Bar Association's continuing legal education program.

After graduating law school, Eric served as law clerk to the Honorable Harriet Derman, P.J.Cv. (Ret.), New Jersey Superior Court, Somerset County.

Eric is admitted to practice in the State of New Jersey and the United States District Court, District of New Jersey.





## Grant W. McGuire, Partner

Grant W. McGuire is a partner of McManimon, Scotland & Baumann, LLC. Grant is a seasoned litigator who has successfully tried cases to conclusion in New Jersey's Federal and State Courts. Over his twenty-plus years of experience Grant has represented clients with respect to a broad range of issues, including, but not limited to, professional liability defense, employment matters, products liability, insurance coverage issues and premises liability. While an experienced trial lawyer, Grant is also well versed in alternative dispute resolution, having participated in numerous mediations and arbitrations. Grant's diverse practice has led to experience that makes him an asset to clients. His insights have also made Grant a popular choice as local counsel for out of state firms with cases pending in New Jersey.

Before joining McManimon, Scotland & Baumann, LLC, Grant worked with a mid-sized firm in Newark and Roseland, New Jersey as an associate (from 1999-2001) and as a partner from (2001-2019). Prior to entering private practice, Grant worked as an Assistant Prosecutor in the Hudson County Prosecutor's Office from 1996-1999. Upon graduating from Seton Hall Law Grant served as a law clerk to the Hon. Alfred J. Lechner, Jr., United States District Court (D.N.J.).

While always a zealous advocate for his clients, Grant is ever cognizant of the value of civility in litigation.

Grant was elected by his peers as a Fellow of the American Bar Foundation in 2015. Grant has also been honored with an AV rating by Martindale-Hubbell<sup>1</sup> since 2012.

Grant was appointed and certified as a civil arbitrator for the United States District Court for the District of New Jersey in 2003 and continues to serve in said capacity to the present.

Grant received his J.D. in 1995 from Seton Hall University School of Law and his B.A. in History from Georgetown University in 1992. Grant is admitted to practice in New Jersey, the United States District Court, District of New Jersey, the United States Third Circuit Court of Appeals and the United States Supreme Court.

Grant serves as a member of the Board of Directors for the Historical Society of the United States District Court for the District of New Jersey.

Grant is presently a member of the American Bar Association, the Association of the Federal Bar of New Jersey, the New Jersey State Bar Association, the Morris County Bar Association, the Defense Research Institute, and the Association of Defense Trial Attorneys.



<sup>1</sup> A description of the selection methodology for Martindale-Hubbell can be found at: <https://www.martindale.com/ratings-and-reviews/attorneys/>. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.



## Attorney Profile

# William P. Opel, Partner

As part of the Firm's litigation group, William P. Opel has been involved in matters pertaining to prerogative writ challenges, litigation related to real estate and redevelopment projects, construction contract disputes, corporate shareholder disputes, environmental claims and commercial litigation involving both public and private entities. He also serves as general counsel to the City of Lambertville.

Prior to joining the firm, he served as Assistant City Attorney for the City of Bayonne, where he focused his attention on various aspects of municipal law. In addition, he served as Municipal Prosecutor and as Counsel to the Alcoholic Beverage Commission and the Bayonne Historic Preservation Commission.

William received his J.D. from Widener University School of Law in 2011 and his B.A. in English from The College of New Jersey in 2007. He is admitted to practice in the States of New Jersey and New York and in the United States District Court for the District of New Jersey.



## CLIENTS/REPRESENTATIVE TRANSACTIONS

## LITIGATION CLIENT LIST

(Past and Present)

Asbury Park, City of	Passaic County Utilities Authority
Atlantic, City of	Passaic Valley Water Commission
Bayonne, City of	Plainfield Municipal Utilities Authority
Bayonne Municipal Utilities Authority	Red Bank, Borough of
Bayonne Local Redevelopment Authority	Ridgewood, Village of
Belmar, Borough of	Rockleigh, Borough of
Bloomfield Parking Authority	Secaucus Municipal Utilities Authority
Brick, Township of	Somers Point, City of
Builders FirstSource, Inc.	Statewide Insurance Fund
Camden, City School District	State-Operated School District of the City of
Carteret, Borough of	Paterson
Century 21 Gemini LLC Realty	Tinton Falls, Borough of
Cranford, Township of	Union, Township of
Deptford Township Board of Education	West Orange, Township of
East Orange Housing Authority	Woodbridge, Township of
Edison, Township of	
EH1 Realty	
Enterprise Rent-A-Car	
Franklin Township	
Hudson, County of	
Hudson County Improvement Authority	
Langan Engineering and Environmental Services, Inc.	
Linden, City of	
Little Falls, Township of	
Maplewood, Township of	
Meadowlands Tire	
Montclair, Township of	
Morris, County of	
Morris County Joint Insurance Fund	
Newark Housing Authority	
Newark, Public Schools	
New Jersey Democratic State Committee	
New Jersey League of Municipalities	
New Jersey Intergovernmental Insurance Fund	
Orange, City of	
Orange Housing Authority	
Old Bridge Municipal Utilities Authority	
Passaic, City of	



## GENERAL/SPECIAL COUNSEL CLIENT LIST

(Past and Present)

Asbury Park, City of  
Avalon Library  
Bayonne Municipal Utilities Authority  
Belmar, Borough of  
Bloomfield, Township of  
Bloomfield Parking Authority  
Bloomfield Public Library  
Carteret Library  
Carteret Redevelopment Agency  
Cranford, Township of  
East Orange Parking Authority  
Fort Monmouth Revitalization Planning  
Authority  
Franklin, Township of  
Franklin Township Redevelopment Agency  
Housing Authority of the City of Camden  
Housing Authority of the City of Orange  
Township  
Hudson, County of  
Hudson County Improvement Authority  
Keyport, Borough of  
Lambertville, City of  
Little Falls, Township of  
Longport Public Library

Middlesex County Utilities Authority  
Montclair Parking Authority  
Morris, County of  
Morris County Improvement Authority  
Mount Arlington, Borough of  
North Jersey Transportation Authority  
North Brunswick, Township of  
Old Bridge Municipal Utilities Authority  
Old Bridge Redevelopment Agency  
Passaic Valley Water Commission  
Paterson Parking Authority  
Perth Amboy Redevelopment Agency  
Plainfield Municipal Utilities Authority  
Rutherford, Borough of  
Rockleigh, Borough of  
South Orange Village, Township of  
Tinton Falls, Borough of  
Weehawken Parking Authority  
West Orange, Township of  
Willingboro Municipal Utilities Authority  
Woodbridge, Township of  
Woodbridge Redevelopment Agency  
Wood-Ridge, Borough of

## GOVERNMENT PROCUREMENT AND CONTRACT COUNSEL CLIENT LIST

(Past and Present)

Bergen County Utilities Authority  
Board of Education of the Township of Burlington  
Board of Education of the Township of Delran  
Edison, Township of  
Hudson, County of  
Hudson County Improvement Authority  
Franklin, Township of  
Franklin Township Redevelopment Agency  
Little Falls, Township of  
Middlesex County Utilities Authority  
Morris County Improvement Authority  
North Jersey Transportation Planning Authority  
Plainfield Municipal Utilities Authority  
Board of Education of the Township of Robbinsville

## ENVIRONMENTAL CLIENT LIST

(Past and Present - Public)

Asbury Park, City of  
Bayonne Local Redevelopment Authority  
Bayonne Municipal Utilities Authority  
Bayonne, City of  
Belmar, Township of  
Bloomfield Parking Authority  
Brick Township Municipal Utilities Authority  
Carteret, Borough of  
Carteret Redevelopment Agency  
Cranford, Township of  
East Brunswick, Township of  
East Orange, City of  
Edison, Township of  
Franklin, Township of  
Hamilton, Township of (Mercer County)  
Hudson County Improvement Authority  
Hudson, County of  
Jersey City Redevelopment Agency  
Irvington, Township of  
Maplewood, Township of  
Middlesex County Utilities Authority

Montclair Parking Authority  
New Jersey Meadowlands Commission  
New Jersey, State of (Fort Monmouth)  
Newark Housing Authority  
Newark, City of  
Newton, Town of  
Old Bridge Municipal Utilities Authority  
Passaic, City of  
Passaic Redevelopment Agency  
Paterson Parking Authority  
Perth Amboy Redevelopment Agency  
Perth Amboy, City of  
Plainfield Municipal Utilities Authority  
Ridgewood, Village of  
Ringwood, Borough of  
South Amboy Redevelopment Agency  
South Amboy, City of  
South Orange Village, Township of  
West Orange, Township of  
Woodbridge, Township of  
Woodbridge Redevelopment Authority



## ENVIRONMENTAL CLIENT LIST

(Past and Present - Private)

34 Label Street Assocs.  
Accelerated Waste  
Allegro Sanitation Corp.  
American Carpet South  
Atlantic Environmental Services, Inc.  
Baekeland Rentals, Inc.  
Benjamin Moore & Company  
Boys & Girls Club of Hudson County, Inc.  
Buckingham High LLC  
Case Real Estate Capital, LLC  
CenturyLink  
Continental Holdings, Inc.  
Cozzoli Machine Company  
Delran Mulberry Associates, LLC  
Dowel Realty Associates  
Elizabeth Truck Center  
EMS Realty LLC  
Greater Paterson Properties, LLC  
Halls Warehouse Corp.  
HDI Realty, Inc.  
Hoffman Chevrolet, Inc.  
Hudson County Motors Inc.

Hugo Neu Corporation  
KS Engineers, P.C.  
Leaguers, Inc.  
Level 3 Communications, Inc.  
Malex Associates, LLC  
Medical Diagnostic Laboratory  
Merck & Co., Inc.  
Monroe Center Development, LLC  
National Fuel Oil Co.  
New Baldwin Associates LLC  
Newark Museum Associates  
Penford Group, LLC  
Princeton Laundry, Inc.  
PSE&G  
Shilling Choe LLC  
Tern Landing, LLC  
Troy Chemical  
Twenty and Fourth, L.L.C.  
Value Industry, Inc.  
Woodeast Properties LLC  
Zarra Realty LLC

## REFERENCES

## ENVIRONMENTAL REFERENCES

Joseph P. Cryan  
Executive Director  
Middlesex County Utilities Authority  
P.O. Box 159  
Sayreville, NJ 08872-0159  
(732) 721-3800

Angela G. Foster, Esq.  
First Assistant Corporation Counsel  
City of Newark  
920 Broad Street, Rm 316  
Newark, NJ 07102  
(973) 733-3880

Caroline Ehrlich  
Executive Director  
Woodbridge Township Redevelopment  
Agency  
1 Main Street  
Woodbridge, NJ 07095  
(732) 602-6015

Maureen Ruane, Business Administrator  
Township of Edison  
100 Municipal Boulevard  
Edison, NJ 08817  
(732) 248-7298

Diana Jeffrey  
Executive Director  
Jersey City Redevelopment Agency  
4 Jackson Square  
Jersey City, NJ 07305  
(201) 761-0821

Stephen J. Gallo  
Business Administrator  
Borough of Freehold  
51 West Main Street  
Freehold, NJ 07728  
(732) 462-4200

Norman Guerra  
Chief Executive Officer  
Hudson County Improvement Authority  
830 Bergen Avenue, 9<sup>th</sup> Floor  
Jersey City, NJ 07306  
(201) 324-6222 ext. 3221





McMANIMON • SCOTLAND • BAUMANN

## GENERAL/SPECIAL COUNSEL REFERENCES

Mary Ameen, Executive Director  
North Jersey Transportation Planning Authority  
One Newark Center, 17<sup>th</sup> Floor  
Newark, NJ 07102  
Telephone: (973) 639-8401

Maureen Ruane, Business Administrator  
Township of Edison  
100 Municipal Boulevard  
Edison, NJ 08817  
Telephone: (732) 248-7298

Guy Donatelli, Executive Director  
Old Bridge Municipal Utilities Authority  
71 Boulevard West  
Cliffwood Beach, NJ 07735  
Telephone: (732) 566-2534

Norman M. Guerra, Chief Executive Officer  
Hudson County Improvement Authority  
830 Bergen Avenue, 9<sup>th</sup> Floor  
Jersey City, NJ 07306  
Telephone: (201) 324-6222 ext. 3221

Tony Perez, Executive Director  
Parking Authority of the City of Paterson  
125 Broadway, #100  
Paterson, NJ 07505  
Telephone: (973) 977-3999

Diana H. Jeffrey, Executive Director  
Jersey City Redevelopment Agency  
4 Jackson Square  
Jersey City, NJ 07305  
Telephone: (201) 761-0821

## LITIGATION REFERENCES

Matthew Rogers  
Village of Ridgewood  
131 N Maple Avenue  
Ridgewood, NJ 07450  
Telephone: (201) 670-5500

Joanne Bergin, Business Administrator  
Township of Brick  
401 Chambers Bridge Road  
Brick, NJ 08723  
Telephone: (732) 477-8267

Donato J. Battista, County Counsel  
County of Hudson  
567 Pavonia Avenue, 4<sup>th</sup> Floor  
Jersey City, NJ 07306  
Telephone: (201) 795-6250

Tony Perez, Executive Director  
City of Paterson – Parking Authority  
125 Broadway, Suite 100  
Paterson, NJ 07505  
Telephone: (973) 977-3999

## STATE AGENCY REFERENCES

Kavin K. Mistry  
Deputy Director, Division of Law  
New Jersey Department of Law and Public Safety  
25 Market Street, P.O. Box 112  
Trenton, New Jersey 08625  
Telephone: 609-376-3202

Tim Sullivan, Executive Director  
New Jersey Economic Development Authority  
36 West State Street  
Trenton, New Jersey 08625-0990  
Telephone: 609-341-2062

Mark Hopkins  
Executive Director  
New Jersey Health Care Facilities Financing  
Authority  
22 South Clinton Avenue  
Trenton, New Jersey 08609-1212  
Telephone: 609-292-8585

Leslie A. Anderson  
President  
New Jersey Redevelopment Authority  
150 West State Street, P.O. Box 790  
Trenton, New Jersey 08625-0790  
Telephone: 609-292-1071

Jerry Traino  
Chief Financial Officer  
Higher Education Student Assistance Authority  
#4 Quakerbridge Plaza  
Mercerville, New Jersey 08619  
Telephone: 609-588-4584





McMANIMON • SCOTLAND • BAUMANN

## LABOR AND EMPLOYMENT REFERENCES

Diana Jeffrey  
Executive Director  
Jersey City Redevelopment Agency  
4 Jackson Square  
Jersey City, NJ 07305  
Telephone: (201) 761-0821

S. Robert Filler, Executive Director  
Ewing-Lawrence Sewerage Authority  
600 Whitehead Road  
Lawrenceville, NJ 08648  
Telephone: (609) 587-4061

**SOUTH JERSEY TRANSPORTATION PLANNING ORGANIZATION**

**RESOLUTION 2205-20: Approving the Selection of McManimon, Scotland & Baumann, LLC for SJTPO Special Legal Counsel**

**WHEREAS, The South Jersey Transportation Planning Organization (SJTPO) is the Metropolitan Planning Organization (MPO) designated under Federal Law for the southern region of New Jersey including Atlantic, Cape May, Cumberland, and Salem Counties; and**

**WHEREAS, the Fiscal Year 2023 SJTPO Unified Planning Work Program (UPWP) includes Federal Highway Administration planning funds for Legal Services; and**

**WHEREAS, services of Special Legal Counsel do not constitute Engineering or Architectural Services pursuant to PL 92-582 of 1972, known as the "Brooks Act"; and**

**WHEREAS, acting in the capacity of Administrative Host, SJTA solicited proposals, on behalf of SJTPO, from qualified firms to provide Special Legal Counsel services, using the procurement procedures of the South Jersey Transportation Authority; and**

**WHEREAS, the Notice of Availability of Requests was advertised on Bid Express, in The Press of Atlantic City, and The Courier Post; and**

**WHEREAS, the Request for Proposal (RFP) announcement was also posted on the publicly accessible SJTPO website; and**

**WHEREAS, the Consultant Selection Committee consisting of SJTA and SJTPO staff reviewed two (2) proposals and recommend the firm of McManimon, Scotland & Baumann, LLC of Roseland, New Jersey; and**

**WHEREAS, SJTPO desires to enter into an Agreement with McManimon, Scotland & Baumann, LLC of Roseland, New Jersey for the provision of Special Legal Counsel services for a term of one (1) year with a mutually agreeable one-year extension in accordance with the fee schedules set forth in the RFP; and**

**WHEREAS, Legal fees for General Legal Counsel will be paid from SJTPO's Operating/Direct Expenses in the FY 2023 UPWP, as Line Item 57001 Legal Services for \$15,000; and**

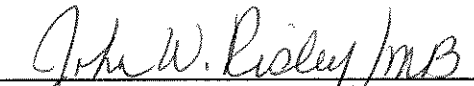
**NOW, THEREFORE, BE IT RESOLVED, that the Policy Board of the South Jersey Transportation Planning Organization hereby approves the selection of McManimon, Scotland & Baumann, LLC of Roseland, New Jersey to provide Special Legal Counsel services; and**

**BE IT FURTHER RESOLVED, that the Policy Board authorizes the Executive Director to execute the scope of work and cost modifications to the original contract amount, provided that funding is available and such modifications have been approved by the NJDOT, SJTA, and the SJTPO.**

**BE IT FURTHER RESOLVED, that the Policy Board requests that the South Jersey Transportation Authority execute the appropriate contractual arrangements with the law firm on behalf of the SJTPO.**

**Certification**

**I hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Policy Board of the South Jersey Transportation Planning Organization at its meeting on May 23, 2022.**

  
John W. Risley, Secretary/Treasurer