

Warren County Board of Supervisors

RESOLUTION NO. 164 OF 2015

Resolution introduced by Supervisors Conover, Taylor, Sokol, Monroe, Wood, Kenny, Merlino, Frasier and Dickinson

**AMENDING RESOLUTION NO. 738 OF 2013 - AUTHORIZING AGREEMENT
TO RETAIN THE LEGAL SERVICES OF BARTLETT, PONTIFF, STEWART & RHODES,
P.C. TO PROVIDE LEGAL SERVICES TO WARREN COUNTY REGARDING
THE IMPACT NEGOTIATIONS WITH CSEA RELATING
TO THE SALE OF THE WESTMOUNT HEALTH FACILITY
AND THE REAL ESTATE CONVEYANCE OF WESTMOUNT
HEALTH FACILITY**

WHEREAS, Resolution No. 738 of 2013 authorized an agreement with Bartlett, Pontiff, Stewart & Rhodes, P.C., for the legal services in connection with the impact negotiations with the Civil Service Employees Association (“CSEA”) relating to the sale of the Westmount Health Facility, as well as to handle the real estate transaction conveying the Westmount Health Facility for a term to commence upon notification by the Warren County Attorney to Bartlett, Pontiff, Stewart & Rhodes, P.C., at an amount not to exceed Four Thousand Dollars (\$4,000) per month with a minimum required payment of eleven (11) months at a total amount not to exceed Forty-Four Thousand Dollars (\$44,000) and a maximum of fifteen (15) months at a total amount not to exceed Sixty Thousand Dollars (\$60,000), plus customary and reasonable out of pocket expenses, and

WHEREAS, the County Attorney is requesting that the agreement with Bartlett, Pontiff, Stewart & Rhodes, P.C. be extended to terminate December 31, 2015, with the agreement including legal services for 1) the impact negotiations with the Civil Service Employees Association (“CSEA”); 2) the real estate transaction for the conveyance of the asset (Westmount Health Facility itself, not the 8.18± acres underlying land); 3) all legal services in connection with the Police Benevolent Association interest arbitration; and 4) if requested by the County other labor law and employment law related services including such matters as Union grievances and health insurance rate negotiations, for an amount not to exceed Four Thousand

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Dollars (\$4,000) per month at a total amount not to exceed Thirty-Six Thousand Dollars (\$36,000) for a term commencing April 1, 2015 and terminating December 31, 2015, and

WHEREAS, the County Attorney advises that the sale of the 8.18± acres underlying real estate associated with the Westmount Health Facility shall be billed as a separate legal service at the rate of One Hundred Eighty Dollars (\$180) per hour for principal attorneys' time, One Hundred Fifty Dollars (\$150) per hour for associate attorneys' time, One Hundred Twenty Dollars (\$120) per hour for paralegal time, plus reasonable anticipated expenses, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Warren County Attorney to extend the agreement with Bartlett, Pontiff, Stewart & Rhodes, P.C., for the legal services described in the preambles of this resolution, and be it further

RESOLVED, that the funds shall be expended from the appropriate Westmount Health Facility budget codes and County Attorney - Law budget code.