

**TOWNSHIP OF WARREN  
RESOLUTION NO. 2023-188**

**RESOLUTION AUTHORIZING EXECUTION OF A CONCESSION  
AGREEMENT TO HART HALSEY, LLC d/b/a EXTRA DUTY SOLUTIONS –  
NOT TO EXCEED \$35,000.00**

**WHEREAS**, The Local Public Contracts Law, NJSA 40A:11-1 and the regulations promulgated thereunder (NJAC 5:34-9.4) allow municipalities to grant concession agreements, namely the granting of a license or right to act for or on behalf of the contracting unit, or to provide a service requiring the approval or endorsement of the contracting unit which may or may not involve a payment or exchange, or the provision of services by or to the contracting unit; and

**WHEREAS**, in accordance with NJAC 5:34-9.4 (b)(9), the Township Committee of the Township of Warren (the “Township Committee”) desires to award a concession agreement (the “Concession Agreement”) to Hart Halsey, LLC, d/b/a Extra Duty Solutions (“Extra Duty Solutions”) for the management and collection of fees relative to off-duty police activities and services (the “Concession Services”); and

**WHEREAS**, the Township Attorney has issued a legal opinion that the Concession Agreement is legal for the purpose of securing the Concession Services to be provided by Extra Duty Solutions (a copy of which legal opinion is attached hereto and made a part hereof); and

**WHEREAS**, in accordance with NJAC 5:34-9.4(d)(2), the Resolution authorizing the procurement of a “concession” shall include:

- i. **A description of the public need to award a concession-** the Township Committee finds that there is a need to award the Concession Agreement since the Concession Services are time consuming for the Police Department and take valuable time from the Police Department which would otherwise be used for policing purposes;
- ii. **The concession to be awarded-** the Township Committee is awarding a concession for the purpose of performing the Concession Services;
- iii. The considerations, including the benefits and risks in reaching its decision to award the Concession Agreement- the Township Committee finds that using Extra Duty Solutions to perform the Concession Services allows the Police Department to use its valuable time performing police services other as opposed to the time consuming tasks associated with the Concession Services;
- iv. **An estimate of the total value of the concession:** \$35,000.00; and
- v. **The basis of the award of the concession:** the Township Committee finds that the basis of the award of the Concession Agreement is based upon the most advantageous price and other factors which will be of assistance to the Police Department;

**WHEREAS**, the cost of said service is not to exceed \$35,000, with no funds to be paid by the Township but rather the utility, person or company desiring off-duty police services.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Warren, County of Somerset, State of New Jersey, as follows:

1. That the Mayor and Township Clerk are hereby authorized and directed to execute the Concession Agreement with Extra Duty Solutions, in the form as substantially attached, for a total award not to exceed \$35,000.00.
2. That the contract is awarded as a concession pursuant to N.J.S.A. 40A:11-1 et seq.

3. That Extra Duty Solutions, shall be subject to meeting the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17-27 (Affirmative Action), N.J.S.A. 52:32-44 (Business Registration), and the Township’s insurance requirements.
4. A notice of this action shall be printed in a newspaper of general circulation within the Township.

| INTRODUCED | SECONDED | COMMITTEE | AYE | NAY | ABSTAIN | ABSENT |
|------------|----------|-----------|-----|-----|---------|--------|
|            | X        | CROSON    | X   |     |         |        |
|            |          | LONTAI    | X   |     |         |        |
|            |          | SORDILLO  | X   |     |         |        |
| X          |          | LAZO      | X   |     |         |        |
|            |          | DINARDO   | X   |     |         |        |

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on July 20, 2023.

Cathy Reese, RMC  
Township Clerk