

RESOLUTION #10 OF 2022

**RESOLUTION AUTHORIZING THE APPOINTMENT OF COUGHLIN & GERHART, LLP,
AS ATTORNEYS FOR THE TOWN, TO REPRESENT THE TOWN IN VARIOUS
CODE ENFORCEMENT LITIGATION MATTERS DURING FISCAL YEAR 2022**

The Town Board of the Town of Middletown in regular session duly convened does hereby resolve as follows:

WHEREAS, officers of the Town of Middletown generally handle the prosecution in local justice courts of violations of local and state laws, codes, rules and regulations but, from time-to-time, require legal assistance to handle various aspects of the prosecution of such violations; and

WHEREAS, the prosecution of such violations in local justice courts is a litigation matter outside the scope of work contemplated by the legal services retainer agreement between the Town and its Attorneys, Coughlin & Gerhart, LLP.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Middletown does hereby authorize and direct the Town Supervisor to retain Coughlin & Gerhart, LLP, to assist the Town in the prosecution of code violations in local justice courts on an as-needed basis during Fiscal Year 2022, and authorizes said attorneys to represent the Town in said matters, including settlement negotiations, court appearances, petitions, motions and appeals therefrom, and be it further

RESOLVED, that Coughlin & Gerhart, LLP shall be compensated for legal services rendered in the prosecution of said violations at the rate of \$225.00 per hour for partners, \$200.00 per hour for associates, \$170.00 per hour for paralegals and shall be reimbursed for any costs and disbursements they incur on behalf of the Town in connection with the prosecution of said violations. Any requests for payment pursuant to this Resolution shall be in the form of an itemized voucher to be submitted to the Town Board for its review, audit and approval; and be it further

RESOLVED, that this Resolution shall take effect immediately.

WHEREUPON, the Resolution was put to a vote and recorded as follows

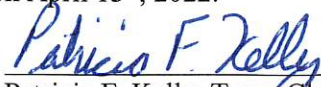
Motion made by: Nelson Delameter

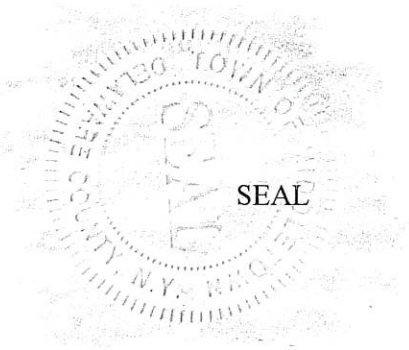
Seconded by: Brian Sweeney

Resolution adopted by a vote of 5 ayes and 0 nays

I hereby certified that the above resolution was duly adopted by the Town Board of the Town of Middletown at its regular meeting held on April 13th, 2022.

Dated: April 13th, 2022


Patricia F. Kelly, Town Clerk
Town of Middletown




STATE OF NEW YORK }
COUNTY OF DELAWARE }
TOWN OF MIDDLETOWN }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of Middletown at a regular meeting held April 13th, 2022, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

MEMBERS PRESENT	MEMBERS ABSENT	VOTE
Supervisor Davis		<u>Yea</u> /Nay/Abstain
Councilperson Sweeney		<u>Yea</u> /Nay/Abstain
Councilperson Delameter		<u>Yea</u> /Nay/Abstain
Councilperson Williams		<u>Yea</u> /Nay/Abstain
Councilperson Dabritz		<u>Yea</u> /Nay/Abstain

Dated: April 13th, 2022


Patricia F. Kelly, Town Clerk
Town of Middletown

