

County of Passaic

Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

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Louis E. Imhof
Clerk Of The Board

Date: Mar 24, 2026 - 5:30 PM

Agenda: RESOLUTION RETAINING SCHENCK, PRICE, SMITH & KING, LLP TO PROVIDE OUTSIDE LEGAL SERVICES IN THE MATTER OF WARLYN ROSARIO V. COUNTY OF PASSAIC, ET AL., DOCKET NO. 2:26-CV-01267-SDW-JSA, PURSUANT TO N.J.S.A. 40A:11-5 AND RFQ-26-067

THIS RESOLUTION WAS REQUESTED BY:
COUNTY COUNSEL

REVIEWED BY:

Matthew P. Jordan, Esq.
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.
COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

Official Resolution#	
Meeting Date	3/24/2026
Introduced Date	3/17/2026
Adopted Date	
Agenda Item	6.
CAF#	T-19-56-850-000-801
Purchase Req. #	
Result	

RESOLUTION RETAINING Schenck, Price, Smith & King, LLP TO PROVIDE OUTSIDE LEGAL SERVICES IN THE MATTER OF WARLYN ROSARIO V. COUNTY OF PASSAIC, ET AL., DOCKET NO. 2:26-CV-01267-SDW-JSA, PURSUANT TO N.J.S.A. 40A:11-5 AND RFQ-26-067

WHEREAS, the County of Passaic (“County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic (“Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the County is a named defendant in Warlyn Rosario v. County of Passaic, et al., Docket No. 2:26-CV-01267-SDW-JSA, a matter pending in the United States District Court for the District of New Jersey, requiring retention of outside legal counsel; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, on March 2, 2026, the Passaic County Purchasing Agent issued RFQ-26-067, Expand Pool Outside Legal Counsel (“RFQ-26-067”), seeking to expand the pool of law firms qualified to provide outside legal services to the County in calendar year 2026; and

WHEREAS, contemporaneously with this Resolution, the Board is passing a separate resolution qualifying an expanded pool of outside legal counsel under RFQ-26-067 for calendar year 2026, which includes Schenck, Price, Smith & King, LLP; and

WHEREAS, the Passaic County Counsel is recommending to retain Schenck, Price, Smith & King, LLP to represent the County Defendants in the Rosario matter, for an amount not to exceed two hundred thousand dollars (\$200,000.00); and

WHEREAS, pursuant to N.J.S.A. 52:32-60.1, et seq., Schenck, Price, Smith & King, LLP executed the Non-Involvement in Prohibited Activities in Russia or Belarus Certification, attached hereto and made part of this Resolution, certifying the law firm is not involved in prohibited activities in Russia and Belarus, and the County confirmed that Schenck, Price, Smith & King, LLP is not identified on the Specially Designated Nationals and Blocked Persons list created by the Office of Foreign Assets Control; and

WHEREAS, funds are available in Account No. T-19-56-850-000-801, or any account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2026 and/or subsequent County budget(s), which is attached hereto and made part of this Resolution; and

WHEREAS, this matter was presented for the March 11, 2026, Administration and Finance Committee meeting, and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), the Board of County Commissioners of the County of Passaic retains Schenck, Price, Smith & King, LLP to represent the County in Warlyn Rosario v. County of Passaic, et al., Docket No. 2:26-CV-01267-SDW-JSA, for an amount not to exceed two hundred thousand dollars (\$200,000.00), in accordance with the terms and conditions set forth in RFQ-26-067.

LET IT BE FURTHER RESOLVED, the Clerk to the Board shall publish on the Public Notices page of the County’s website, a brief notice stating the nature, duration, service, and amount of the contract to Schenck, Price, Smith & King, LLP, and maintain a copy of this Resolution on file and available for public inspection in the Office of the Clerk to the Board.

LET IT BE FURTHER RESOLVED, that the Clerk to the Board, County Counsel, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.