

**TOWNSHIP OF UPPER DEERFIELD**

**RESOLUTION 15-35**

**APPOINTING PUBLIC DEFENDER FOR THE CUMBERLAND SALEM REGIONAL MUNICIPAL COURT - STEPHEN KERNAN**

**WHEREAS**, there exists the need for the “Professional Services” of a TOWNSHIP PUBLIC DEFENDER, to be retained by the Township for the performance of legal services and related duties associated therewith as directed by the authorized representatives of the Township of Upper Deerfield, as more specifically set forth in the Professional Services Agreement; and

**WHEREAS**, the Cumberland Salem Regional Municipal Court Committee has determined that it shall use a fair and open process to acquire the services of a Public Defender in accordance with the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Cumberland Salem Regional Municipal Court Committee has advertised a Request for Qualifications for the position of Public Defender for the Cumberland Salem Regional Municipal Court; and

**WHEREAS**, Stephen Kernan, Esquire has submitted a response to the Request for Qualifications; and

**WHEREAS**, the Cumberland Salem Regional Municipal Court Committee is desirous of awarding the Request for Qualification to Stephen Kernan, Esquire through the Fair and Open Process and appointing him as Public Defender for the Cumberland Salem Regional Municipal Court pursuant to a Professional Service Contract for the year 2015.

**WHEREAS**, the Cumberland Salem Regional Municipal Court Committee has recommended that the Township Committee of the Township of Upper Deerfield appoint Stephen Kernan, Esquire as Public Defender for the Cumberland Salem Regional Municipal Court, for a one year term to expire December 31, 2015 with compensation pursuant to his proposal and the Professional Service Contract for the year 2015.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey serving as host municipality for the Cumberland Salem Regional Municipal Court, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Stephen Kernan of Bridgeton, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Public Defender for the Cumberland Salem Regional Municipal Court for the year 2015 to perform professional services ordinarily provided by a Public Defender, and shall receive compensation from the Township of Upper Deerfield in accordance with terms of the contract on file in the Clerk’s office of the Township of Upper Deerfield.

3. That the aforesaid contract is awarded pursuant to the use of the Fair and Open Competitive Bid Process.
4. Upon adoption of the Township of Upper Deerfield's 2015 temporary budget, a purchase order in the amount of the annual cost of the contract will be encumbered and serve as a certification of availability of funds.
5. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
6. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the News of Cumberland County as required by law within ten (10) days of the Resolution authorizing same; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk of the Township of Upper Deerfield be and are hereby authorized to enter into a contract with Stephen Kernan in a form satisfactory to the Township Solicitor of the Township of Upper Deerfield on behalf of the Cumberland Salem Regional Municipal Court Committee; and

**BE IT FURTHER RESOLVED** by the Township Committee of the Township of Upper Deerfield that this professional service agreement is awarded pursuant to and in compliance with the provisions of Pay to Play legislation, N.J.S.A. 19:44A-20.4, et seq.

Moved By: Bruce Peterson

Seconded By: John O'Neill

VOTING

James P. Crilley  
 John L. Daddario  
 John T. O'Neill, Sr.  
 Bruce T. Peterson  
 Scott Smith

<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
X			
X			
X			
X			
X			

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held January 5, 2015

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Roy J. Spoltore, Township Clerk