

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 21-109

**APPOINTING PUBLIC DEFENDER FOR THE
CUMBERLAND SALEM REGIONAL MUNICIPAL COURT**

WHEREAS, there exists the need for the “Professional Services” of a PUBLIC DEFENDER FOR CUMBERLAND SALEM REGIONAL MUNICIPAL COURT, 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 Cumberland Salem Regional Municipal Court Committee, as more specifically set forth in the Professional Services Agreement; and

WHEREAS, the Cumberland Salem Regional Municipal Court Committee has recommended that the Township Committee of the Township of Upper Deerfield appoint Mark Kargman, Esquire as Public Defender for Cumberland Salem Regional Municipal Court, for a one-year term to expire December 31, 2021 with compensation of \$1,250 per month.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Upper Deerfield, County of Cumberland and State of New Jersey, as follows:

1. That the allegations of the preamble hereto are incorporated herein as if fully set forth.
2. That Mark Kargman, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Cumberland Salem Regional Municipal Court Public Defender for the balance of the year 2021, to perform professional services ordinarily provided by a Public Defender and shall receive compensation of \$1,250 per month for attendance at 4 monthly court sessions.
3. That the aforesaid contract is awarded pursuant to competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law because N.J.S.A.40A:11-5 states that no local unit shall be required to advertise for bids for services rendered or performed by a person authorized by law to practice a recognized profession and whose practice is regulated by law, or to advertise for bids for services which are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids, of which classification the aforesaid contract falls within.
4. A purchase order for the balance of the year for the professional services is contained within the adopted 2021 budget as certified by the Chief Financial Officer and will serve as a certification of availability of funds.
6. The Business Entity Disclosure Certification shall be placed on file with this Resolution.
7. That a copy of the specific items pertaining to the award of this contract shall be published in a Notice of Award in the Daily Journal as required by law within ten (10) days of the Resolution authorizing same; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to

enter into a contract with Mark Kargman, Esq. 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: John L. Daddario

Seconded By: Scott Smith

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 June 3, 2021.

Roy J. Spoltore, Township Clerk