

**TOWNSHIP OF UPPER DEERFIELD**

**RESOLUTION 23-31**

**APPOINTING PROSECUTOR AND CONFLICT PROSECUTOR FOR  
THE CUMBERLAND SALEM REGIONAL MUNICIPAL COURT**

**WHEREAS**, there exists the need for the “Professional Services” of a PROSECUTOR 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 Niki Arbittier, Esquire as Prosecutor for Cumberland Salem Regional Municipal Court, for a one-year term to expire December 31, 2023 with compensation pursuant to the Professional Service Contract for the year 2023; and

**WHEREAS**, the Cumberland Salem Regional Municipal Court Committee has recommended that the Township Committee of the Township of Upper Deerfield appoint Jacci Vigilante, Esquire as Conflict Prosecutor for Cumberland Salem Regional Municipal Court, for a one-year term to expire December 31, 2023 with compensation pursuant to the Professional Service Contract for the year 2023.

**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 Niki Arbittier, Esq. of Mullica Hill, New Jersey, an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Cumberland Salem Regional Municipal Court Prosecutor for the year 2023, to perform professional services ordinarily provided by a prosecutor, and shall receive compensation in accordance with terms of the contract on file in the Clerk’s office.
3. That Jacci Vigilante, Esq. an attorney authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Cumberland Salem Regional Municipal Court Conflict Prosecutor for the year 2023, to perform professional services ordinarily provided by a prosecutor, and shall receive compensation in accordance with terms of the contract on file in the Clerk’s office.
4. 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, all of which classification the aforesaid contract falls within.

5. As an employee of the Township, the salary of the prosecutor is contained within the temporary budget and will be included in the adopted budget. The prorated amount of potential additional professional fees contained within the aforementioned contract are included within the temporary budget and the continuation of any potential additional fees for the year will be included within the adopted 2023 budget to be certified by the Chief Financial Officer upon adoption of the 2023 budget.
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 Niki Arbittier, Esq. and Jacci Vigilante, 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: Scott Smith

Seconded By: John L. Daddario

VOTING

James P. Crilley  
 John L. Daddario  
 Scott Smith  
 Thomas Speranza  
 Joseph Spoltore

<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 the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held January 5, 2023.

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 Roy J. Spoltore, Township Clerk

