

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 23-32

APPOINTING PUBLIC DEFENDER AND CONFLICT PUBLIC DEFENDERS 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, 2023 with compensation pursuant to the Professional Service Contract for the year 2023.

WHEREAS, the Cumberland Salem Regional Municipal Court Committee has recommended that the Township Committee of the Township of Upper Deerfield appoint Terry Tucker, Esquire; Jason Pollack, Esquire and Carlos Andujar, Esquire as Conflict Public Defenders for Cumberland Salem Regional Municipal Court, for a one-year term to expire December 31, 2023 with compensation of \$125.00 per court session.

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, Esq. of Egg Harbor Township, 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 Public Defender for the year 2023, to perform professional services ordinarily provided by a Public Defender and shall receive compensation in accordance with terms of the contract on file in the Clerk’s office.
3. That Terry Tucker of Bridgeton, New Jersey, Jason Pollack of Mount Holly and Carlos Andujar of Vineland New Jersey, attorneys authorized to practice law by the Supreme Court of the State of New Jersey, be appointed Cumberland Salem Regional Municipal Court Conflict Public Defenders for the year 2023, to perform professional services ordinarily provided by a Public Defender and shall receive compensation of \$125.00 per court session.
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, of which classification the aforesaid contract falls within.
5. Upon adoption of the 2023 temporary budget, a purchase order will cover a portion of the contract and the continuation of any 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 and 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, Terry Tucker, Jason Pollack and Carlos Andujar 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.

Roy J. Spoltore, Township Clerk