

**RESOLUTION APPOINTING KEVIN E. KENNEDY, ESQ.
TO SERVE AS COUNSEL TO THE
RED BANK ZONING BOARD OF ADJUSTMENT**

R# 2022-02

WHEREAS, the Red Bank Zoning Board of Adjustment is a duly organized Zoning Board (hereinafter referred to as "Zoning Board") having a principal office at 90 Monmouth Street, Red Bank, NJ; and

WHEREAS, there is a need for the Zoning Board to retain the services of a Board Attorney in order to represent its legal interests; and

WHEREAS, under separate cover, the Borough of Red Bank solicited proposals for the said Attorney position under the Fair and Open Process, as set forth in NJSA 19:44A-20.5 et seq.; and

WHEREAS, Kevin E. Kennedy, Esq. submitted a conforming Proposal; and

WHEREAS, the Zoning Board is of the opinion that appointment of Kevin E. Kennedy, Esq. will be in the best interest of the Zoning Board;

NOW, THEREFORE, BE IT RESOLVED, by the Red Bank Zoning Board of Adjustment as follows:

1. That the Red Bank Zoning Board of Adjustment is hereby authorized to award a Contract to Kevin E. Kennedy, Esq. so as to represent its interests, as General Counsel, in connection with all Zoning Board matters.
2. That the compensation associated with the said representation shall be \$125.00 per hour. (Additionally, the Proposal for Legal Services, as submitted by Kevin E. Kennedy, Esq., is incorporated herein at length.)

3. That the Board Chair, Vice-Chair, and Secretary are hereby authorized to sign the said Professional Service Contract.
4. That any payments to be tendered under the said Contract shall be subject to the Borough's Chief Financial Officer confirming that funds are available for the stated purpose.
5. That in accordance with New Jersey Law, notice of the subject appointment shall be published in the Borough's official newspaper.
6. That the within Resolution / Appointment shall be subject to all prevailing State Statutes / Borough Ordinances, as the same may be amended from time to time. Additionally, the appointed individual/firm shall comply with all prevailing "Pay to Play" Certifications as the Borough of Red Bank may require.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Red Bank Zoning Board of Adjustment on this ____ day of _____, 2022.

Chris Ann DeGenaro, Board Secretary

**RESOLUTION APPOINTING EDWARD HERRMAN, P.E. OF T&M ASSOCIATES
TO SERVE AS ENGINEER TO THE
RED BANK ZONING BOARD OF ADJUSTMENT
R#2022-03**

WHEREAS, the Red Bank Zoning Board of Adjustment is a duly organized Zoning Board (hereinafter referred to as “Zoning Board”) having a principal office at 90 Monmouth Street, Red Bank, NJ; and

WHEREAS, there is a need for the Zoning Board to retain the services of a Board Engineer in order to represent its interests; and

WHEREAS, under separate cover, the Borough of Red Bank solicited proposals for the said Engineering position under the Fair and Open Process, as set forth in NJSA 19: 44A-20.5 et seq.; and

WHEREAS, Edward Herrman, P.E. of T&M Associates submitted a conforming Proposal; and

WHEREAS, the Zoning Board is of the opinion that appointment of Edward Herrman, P.E. of T&M Associates will be in the best interest of the Zoning Board;

NOW, THEREFORE, BE IT RESOLVED, by the Red Bank Zoning Board of Adjustment as follows:

1. That the Red Bank Zoning Board of Adjustment is hereby authorized to award a Contract to Edward Herrman, P.E. of T&M Associates so as to represent its interests, as Board Engineer, in connection with all specified Zoning Board matters.
2. That the compensation associated with the said representation shall be as set forth in the Borough – imposed guidelines, or as otherwise set forth in the attached Proposal. (Additionally, the

Proposal for Services, as submitted by Edward Herrman of T&M Associates is incorporated herein at length.)

3. That the Board Chair, Vice-Chair, and Secretary are hereby authorized to sign the said Professional Service Contract.
4. That any payments to be tendered under the said Contract shall be subject to the Borough's Chief Financial Officer confirming that funds are available for the stated purpose.
5. That in accordance with New Jersey Law, notice of the subject appointment shall be published in the Borough's official newspaper.
6. That the within Resolution / Appointment shall be subject to all Prevailing State Statutes / Borough Ordinances, as the same may be amended from time to time. Additionally, the appointed individual shall comply with all Prevailing "Pay to Play" Certifications as the Borough of Red Bank may require.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Red Bank Zoning Board of Adjustment on this ____ day of _____, 2022.

Chris Ann DeGenaro, Board Secretary

**RESOLUTION APPOINTING CME ASSOCIATES
TO SERVE AS CONFLICT ENGINEER TO THE
RED BANK ZONING BOARD OF ADJUSTMENT**

R# 2022 - 04

WHEREAS, the Red Bank Zoning Board of Adjustment is a duly organized Zoning Board (hereinafter referred to as “Zoning Board”) having a principal office at 90 Monmouth Street, Red Bank, NJ; and

WHEREAS, there is a need for the Zoning Board to retain the services of a Conflict Board Engineer in order to represent its interests; and

WHEREAS, CME Associates, (hereinafter referred to as the “Engineer” / “Planner”) has expressed an interest in representing the Zoning Board in the said regard; and

WHEREAS, the conflict engineering/zoning services to be provided are deemed to be “professional services” pursuant to the Local Public Contracts Law (N.J.S.A. 40:A11-1, et seq.); and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for “professional services” without public advertising for bids and bidding therefore, provided that the Resolution authorizing the Contract and the Contract itself are available for public inspection in the Office of the Municipal Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the municipality; and

WHEREAS, the Zoning Board having considered the matter, now wishes to authorize the awarding of a professional service contract to CME Associates, for the purpose of rendering necessary conflict engineering advice/guidance; and

WHEREAS, the Zoning Board is of the opinion that appointment of CME Associates will be in the best interest of the Zoning Board;

NOW, THEREFORE, BE IT RESOLVED, by the Red Bank Zoning Board as follows:

1. That the Red Bank Zoning Board is hereby authorized to award a Contract to CME Associates, so as to represent its interests, as Conflict Board Engineer, in connection with designated Zoning Board matters.
2. That the compensation associated with the said representation shall be the same rate set forth in any Contract between CME Associates and the Borough of Red Bank (for the Borough Engineer position), or as otherwise set forth in the CME proposal.
3. That the within appointment shall be subject to the further review / modification of the Borough Council of the Borough of Red Bank should the Borough Council wish to modify the same.
4. That the Board Chair, Vice-Chair, and Secretary are hereby authorized to sign the said Professional Service Contract.
5. That any payments to be tendered under the said Contract shall be subject to the Borough's Chief Financial Officer confirming that funds are available for the stated purpose.
6. That in accordance with New Jersey Law, notice of the subject appointment shall be published in the Borough's official newspaper.
7. That the within Resolution / Appointment shall be subject to all Prevailing State Statutes / Borough Ordinances, as the same may be amended from time to time. Additionally, the appointed individual shall comply with all

prevailing "Pay to Play" Certifications as the Borough of Red Bank may require.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Red Bank Zoning Board of Adjustment on this ____ day of _____, 2022.

Chris Ann DeGenaro, Zoning Board Secretary

RESOLUTION APPOINTING

**MARC A. LECKSTEIN, ESQ. TO SERVE AS SPECIAL COUNSEL TO THE
RED BANK ZONING BOARD**

R# 2022 - 05

WHEREAS, the Red Bank Zoning Board is a duly organized Zoning Board (hereinafter referred to as “Zoning Board”) having principal offices at Municipal Building, 90 Monmouth Street, Red Bank, NJ 07701; and

WHEREAS, there is an occasional need for the Zoning Board to retain the services of Special Counsel in order to represent its interests in connection with various matters; and

WHEREAS, Marc A. Leckstein, Esq. (hereinafter referred to as the “Attorney” or “Special Counsel”) has expressed an interest in representing the Zoning Board in the said regard; and

WHEREAS, the legal services to be provided are deemed to be “professional services” pursuant to the Local Public Contracts Law (N.J.S.A. 40:A11-1, et seq.); and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a Contract for “professional services” without public advertising for bids and bidding therefore, provided that the Resolution authorizing the Contract and the Contract itself are available for public inspection in the Office of the Municipal Clerk and that notice of the awarding of the Contract is published in a newspaper of general circulation in the municipality; and

WHEREAS, the Zoning Board having considered the matter, now wishes to authorize the awarding of a Professional Service Contract to Marc A. Leckstein, Esq. for the purpose of rendering necessary legal advice / guidance in connection with various matters, as designated by the Board;

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Borough of Red Bank as follows:

1. That the Red Bank Zoning Board is hereby authorized to award a Contract to Marc A. Leckstein, Esq. so as to represent its interests, as Special Counsel, in connection with the specifically designated matters.
2. That the compensation associated with the said representation shall be \$125.00 per hour.
3. That the Board Chair, Vice-Chair, Secretary, and other appropriate representatives, are hereby authorized to sign the said Professional Service Contract, which shall be approved as to form by the Board Attorney or the Borough Attorney.
4. That the within Contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-5, et seq. of the Local Public Contracts Law of New Jersey, because the services rendered will be performed by persons authorized by law to practice a recognized profession.
5. That, in accordance with N.J. law, notice of the within appointment shall be published in the Borough’s official newspaper.

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Red Bank Zoning Board of Adjustment on this ____ day of _____, 2022.

Chris Ann DeGenaro, Board Secretary