

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 16-77

**A RESOLUTION APPOINTING ANDREW WALSH, ESQUIRE OF
CHAMLIN, ROSEN, ULIANO & WITHERINGTON, AS CONSTRUCTION
BOARD OF APPEAL ATTORNEY FOR THE BOROUGH OF RED BANK**

Councilwoman Schwabenbauer offered the following resolution and moved its adoption:

WHEREAS, there exists a need for legal services as Construction Board of Appeal Attorney for the Borough of Red Bank; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for “Professional Services” without competitive bids and requires that the resolution and contract be made available for public inspection; and

WHEREAS, it is the desire of the Mayor, with the advice and consent of the Borough Council, to appoint Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington, as Construction Board of Appeal Attorney for the Borough of Red Bank; and

WHEREAS, Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington, is duly qualified to be appointed as Construction Board of Appeal Attorney for the Borough of Red Bank; and

WHEREAS, the governing body is appointing Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington, as Construction Board of Appeal Attorney for the Borough of Red Bank in accordance with the provisions of N.J.S.A. 40A:11-1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Red Bank, County of Ocean, State of New Jersey, as follows:

1. That the Mayor does nominate and the Borough Council does hereby appoint Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington, as Construction Board of Appeal Attorney for the Borough of Red Bank for a term of commencing the date of this resolution, and ending December 31, 2016.

2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the attached agreement with Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington, in accordance with the provisions of this resolution.

3. That the agreement shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.

4. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.

5. A notice of this action shall be printed one in the official newspaper of the municipality.

6. This resolution shall take effect immediately.

7. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be forwarded to the Chief Financial Officer and Andrew Walsh, Esquire of Chamlin, Rosen, Uliano & Witherington.

Seconded by Councilwoman Horgan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilwoman Burnham	(X)	()	()	()
Councilman Zipprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()
Councilwoman Schwabenbauer	(X)	()	()	()
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()

Dated: March 23, 2016