BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 09-76

A RESOLUTION AUTHORIZING APPOINTMENT OF SPECIAL COUNSEL

Mr. DuPont offered the following resolution and moved its adoption:

WHEREAS, there is a need for Special Counsel to represent the Borough with respect to the potential sale of the former Borough police station located at 51 Monmouth Street by its present owners, the Community Y.M.C.A., and

WHEREAS, John L. Bonello, Esq. of the firm of Manna & Bonello, P.C. has the requisite expertise with respect to the legal issues involved in the case and is available and willing to accept this appointment;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Red Bank hereby appoints the firm of Manna & Bonello, P.C. as Special Counsel for the Borough of Red Bank with respect to the potential sale of the property located at 51 Monmouth Street;

BE IT FURTHER RESOLVED that the firm's attorneys shall be compensated at a rate of $130.00 per hour with total billings not to exceed $7,500.00; and

BE IT FURTHER RESOLVED this appointment is made without bidding as a "Professional Service" in accordance with N.J.S.A. §40A:11-5(1)(a) of the Local Public Contracts Law, because it is a service rendered or performed by a person authorized by law to practice in a field of learning acquired by prolonged formal course of specialized instruction, distinguished from general academic instruction or apprenticeship or training; and

BE IT FURTHER RESOLVED that this appointment is contingent upon compliance with Section 2-75 of the Revised General Ordinances of the Borough of Red Bank entitled, "Restrictions on Award of Professional Contracts"; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in the Courier, as required by law, within ten days of its passage.

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

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	( )	( )	( )
Mr. Zipprich	(x)	( )	( )	( )
Mr. DuPont	(x)	( )	( )	( )
Ms. Horgan	(x)	( )	( )	( )
Ms. Lee	( )	( )	(x)	( )
Mr. Murphy	(x)	( )	( )	( )

Dated: February 23, 2009