

**RESOLUTION NO. 08-2020**  
**AWARD OF A NON-FAIR AND OPEN CONTRACT**  
**ROBERT J. HOLDEN, ESQUIRE, LLC**  
**BOROUGH PUBLIC DEFENDER**

Councilmember Leckstein introduced and offered the following Resolution for its adoption; seconded by Councilmember Keeler:

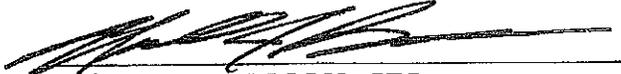
**WHEREAS**, pursuant to N.J.S.A. 2B:24-3 there exists a need to appoint a qualified individual as Public Defender in the Borough of Sea Bright for a one year term, January 1, 2020 through December 31, 2020; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a) does not require competitive bidding for this position, it was nevertheless advertised pursuant to the fair and open process (N.J.S.A. 19:44A-20.5) and no bids were received; and

**WHEREAS**, Robert J. Holden, Esquire, LLC submitted a proposal/letter dated December 9, 2019 to provide public defender services at the rate of \$200 per assignment; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer, hereby certify that based on the amount of funds expended in the prior year for these services, it is estimated that the total 2020 appropriation for this contract will be \$3,500.00, said amount subject to unforeseen decreases or increases in litigation. Funds will be provided for the first three months of 2020 in the 2020 Temporary Budget and funds for the balance of 2020 will be provided in the Budget for the year 2020, when finally adopted, in the appropriation entitled Public Defender #20-01-43-495-000.

  
MICHAEL J. BASCOM, CFO

**NOW THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby authorize the Mayor and Borough Clerk to enter into a contract with **Robert J. Holden, Esquire, LLC** as described herein; and

**BE IT FURTHER RESOLVED**, Robert J. Holden, Esquire, LLC is to submit an executed contract, a Business Entity Disclosure Certification which certifies that Robert J. Holden, Esquire, has not made any reportable contributions to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit Robert J. Holden, Esquire, from making any reportable contributions through the term of the contract along with a Certificate of Insurance; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby authorized to advertise this award of contract according to law in the local newspaper and is further authorized to forward a certified copy of this resolution to the following:

1. Robert J. Holden, Esq.
2. Finance Manager
3. Certified Court Administrator

Roll Call:      Birdsall,      Catalano,      Keeler,      Leckstein,      Rooney,      Schwartz  
                         Yes            Yes            Yes            Yes            Yes            Absent

January 4, 2020

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council meeting held on January 4, 2020.

  
Christine Pfeiffer, Borough Clerk