

RESOLUTION NO. 16-2022
AWARD OF A FAIR AND OPEN CONTRACT
SPECIAL TAX APPEAL ATTORNEY - MARTIN ALLEN, ESQUIRE

Councilmember Booker introduced and offered the following Resolution for its adoption; seconded by Councilmember Birdsall:

WHEREAS, there exists a need to appoint a qualified individual as Special Tax Appeal Attorney to provide tax appeal services for beach club appeals in the Borough of Sea Bright; 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, the Borough nevertheless advertised pursuant to the fair and open process (N.J.S.A. 19:44A-20.5); and

WHEREAS, two proposals for Tax Appeal Attorney were received on December 10, 2021 and evaluated by the Governing Body with due consideration as to qualifications, experience, compensation and other factors and criteria; and

WHEREAS, the proposal received from **Martin Allen, DeFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. of Warren, New Jersey**, is being considered for Special Tax Appeal Attorney for Beach Club appeals for the term of one year commencing January 1, 2022 through December 31, 2022 at the rate of \$200.00 per hour; 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 2022 appropriation for this contract will not exceed \$20,000.00, subject to unforeseen decreases or increases in litigation and other tax appeal matters. Funds will be provided in the 2022 Temporary Budget and in the Budget for the year 2022, when finally adopted, in the appropriation entitled Legal #2-01-20-155-000.


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 award a professional service contract to **MARTIN ALLEN, ESQ. of the Law Firm of DeFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. of Warren, New Jersey** to serve as Borough Special Tax Appeal Attorney (Beach Club appeals) for one year commencing January 1, 2022 through December 31, 2022 pursuant to the rate terms set forth in the submitted proposal; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement for the provision of such professional service, a copy of which shall be maintained by the Borough Clerk; 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. Martin Allen, Esq., DeFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.
2. Finance Manager

Roll Call: Bieber, Birdsall, Booker, Catalano, Keeler, Lamia
 Yes Yes Yes Yes Yes Yes

January 8, 2022

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 8, 2022.


Christine Pfeiffer, Borough Clerk