

**RESOLUTION NO. 166-2022**  
**AWARD OF A NON-FAIR AND OPEN CONTRACT**  
**KEVIN C. MORIARTY, ESQ.**  
**ALTERNATE PUBLIC DEFENDER**

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

**WHEREAS**, on January 8, 2022 the Borough Council adopted Resolution No. 12-2022 awarding a fair and open contract to Robert J. Holden for the position of Public Defender; and

**WHEREAS**, on September 28, 2022 Robert J. Holden provided a letter of resignation and will no longer be providing services for the remainder of his contract; and

**WHEREAS**, the Borough is in need of an individual to act as Alternate Public Defender; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-5 does not require competitive bidding for this position; and

**WHEREAS**, a letter was received on September 28, 2022 from Kevin C. Moriarty, Esq. from the Moriarty Law Firm for consideration to fill the position of Alternate Public Defender for the term commencing October 18, 2022 through December 31, 2022 at the rate of \$300.00 per assignment; and

**CERTIFICATION OF FUNDS**

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright, do hereby certify that funds are available in Court #2-01-43-495-111 for the purposes stated herein.

  
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 **Kevin C. Moriarty, Esq.** to serve as the Alternate Public Defender for the remainder of 2022; 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 services, 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:

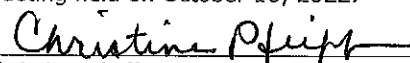
1. Kevin C. Moriarty, Esq.
2. Finance Manager
3. Certified Court Administrator

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

October 18, 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 October 18, 2022.

  
Christine Pfeiffer, Borough Clerk