

RESOLUTION

WHEREAS, there exists the need for the professional services of an attorney for the Zoning Board of Adjustment of the Borough of Tinton Falls during the contract year July 1, 2010 through June 30, 2011; and

WHEREAS, the Borough has, through the fair and open process, advertised on the website and in the Asbury Park Press on Friday, May 7, 2010, the solicitation for receipt of proposals from legal firms for said services, and three (3) proposals were received and documented on Friday, May 21, 2010; and

WHEREAS, the Zoning Board of Adjustment has reviewed all proposals received, and it was determined that Thomas J. Hirsch, Esq., 1001 Deal Road, Ocean, NJ, 07712 satisfied the requisites contained in the Request for Proposals to be considered for professional legal services that the Board may require during the contract year; and

WHEREAS, Thomas J. Hirsch, Esq., acknowledges that he complies with Borough Ordinance #05-1146 and certifies he has not made any political contributions that would bar him from being awarded a contract with the Borough of Tinton Falls;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Borough of Tinton Falls that Thomas J. Hirsch, Esq. be and the same is hereby appointed Zoning Board of Adjustment Attorney for services rendered at an hourly rate of \$130.00 not to exceed \$12,500.00 as well as a retainer of \$1,000.00 per month for the attendance at all regularly scheduled Board meetings, not to exceed a total contract in the amount of \$24,500; and

BE IT FURTHER RESOLVED, this contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 17:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession; and

BE IT FURTHER RESOLVED that a copy of this resolution be published in an Official Newspaper of the Borough of Tinton Falls within ten (10) days of its passage and a copy of this resolution and the contract be on file and available for public inspection at the Office of the Borough Clerk.

CERTIFICATION OF FUNDS

Zoning Board of Adjustment:

\$12,000.00 for the period 7/1/10 – 12/31/10 \$12,500.00 for the period 1/1/11 – 6/30/11
I hereby certify funds availability contingent upon the necessary funds being appropriated by the Governing Body in the 2010 and 2011 Municipal Budgets.

Escrow Accounts:

Certification of funds will be provided by the Chief Financial Officer on each voucher for such services.

Stephen Pfeffer, Chief Financial Officer

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution adopted by the Zoning Board of Adjustment at its regular meeting of July 8, 2010.

Doug Gotfredsen, Board Secretary