

RESOLUTION

WHEREAS, N.J.S.A. 19:44A-20.5 et seq. provides for the procedure for soliciting proposals through a fair and open process; and

WHEREAS, there is a need to retain Municipal, Alternate and Conflict Public Defender; and

WHEREAS, the Township of Brick has solicited proposals for said position through a fair and open process on November 28, 2023; and

WHEREAS, the Business Administrator is furthermore satisfied with the qualifications and experience of the firms which are the subject of such appointments; and

WHEREAS, it is the desire of the Business Administrator to appoint the firms listed below with the advice and consent of the Township Council to represent the Township for Municipal Public Defender, Alternate Public Defender and Conflict Public Defender.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That the Mayor is authorized to execute and the Township Clerk to attest to agreements with the following firms at the indicated rates with an aggregate amount not to exceed \$82,000.00:

MUNICIPAL PUBLIC DEFENDER – at a rate of \$500.00 per court session:

- The Law Office of Matthew Sage, LLC, 625 Route 9, Beachwood, NJ 08722:
 - Matthew Sage, Esq.

ALTERNATE PUBLIC DEFENDER – at a rate of \$500.00 per court session:

- Brian J. DiStefano, Esq., 1 Pelican Drive, 2nd Floor, Suite 6, Bayville, NJ 08721
 - Brian J. DiStefano, Esq.
- Charles P. Tivenan, 1800 Lanes Mill Road, Brick, NJ 08724:
 - Charles P. Tivenan, Esq.
- Montenegro, Thompson, Montenegro & Genz, 531 Burnt Tavern Road, Brick, NJ 08724:
 - Ben A. Montenegro, Esq., Sebastian Ferrantell, Esq.

CONFLICT PUBLIC DEFENDER – at a rate of \$250.00 per court session:

- Brian J. DiStefano, Esq., 1 Pelican Drive, 2nd Floor, Suite 6, Bayville, NJ 08721
 - Brian J. DiStefano, Esq.
- Charles P. Tivenan, 1800 Lanes Mill Road, Brick, NJ 08724:
 - Charles P. Tivenan, Esq.
- Montenegro, Thompson, Montenegro & Genz, 531 Burnt Tavern Road, Brick, NJ 08724:
 - Ben A. Montenegro, Esq., Sebastian Ferrantell, Esq.

2. That this contract is being awarded as a professional service in accordance with N.J.S.A. 40A:11-5 pursuant to a fair and open process.
3. That this contract is awarded contingent upon the adequate provisions of funding in the 2024 operating budget under appropriations entitled Public Defender – Expert Services, account 4-01-43-495-207, and trust account entitled Twp. Public Defender Expenses, account T-03-56-865-302.
4. That this resolution shall take effect January 1, 2024 for duration of one (1) year.
5. That such agreements shall be available for public examination in the office of the Township Clerk during normal business hours.

Agenda # 18-10	Date 1/2/24
Agenda #	Date
Agenda #	Date
Agenda #	Date

6) That a certified copy of this resolution shall be provided to the firms, Business Administrator, Chief Financial Officer, Municipal Court Administrator and the Purchasing Agent.

cc: 1/3/24

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on January 2, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 2nd day of January, 2024.


LYNNETTE A. IANNARONE
TOWNSHIP CLERK