

**RESOLUTION 2023-03
BOROUGH OF ALPHA
A RESOLUTION AUTHORIZING THE
HIRING OF A NON-FAIR AND OPEN CONTRACT FOR
LAND USE BOARD COUNSEL**

WHEREAS, the Borough of Alpha Land Use Board, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, it has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the Land Use Board of the Borough of Alpha deems the hiring of a Land Use Board lawyer to be in the best interests of the Borough of Alpha; and

WHEREAS, certain contracts may be awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by *NJSA* 40A:11-5 because such services are required to be performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.

NOW THEREFORE BE IT RESOLVED, by the Land Use Board of the Borough of Alpha that Steven P. Gruenberg, Esq., a New Jersey licensed attorney, be hired or retained as Land Use Board counsel for the Borough of Alpha for the calendar year 2023 at a rate of \$165.00 per hour, minimum charge if no meeting is held; \$75.00 per hour for paralegal.

BE IT FURTHER RESOLVED, that the Land Use Board Chairman and Land Use Board Secretary are hereby authorized to execute the contract and any related documents.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A.* 40A:11-5, because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

I certify that this is a true copy of a resolution adopted by the Land Use Board of the Borough of Alpha, Warren County, to memorialize the Land Use Board's action on January 18, 2023.

Tom Fey, Chairman

Donna L. Messina Land Use Board Secretary

Date: _____