

RESOLUTION 2009-47

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING THE POSITION OF BOND COUNSEL
FOR CALENDAR YEAR 2009**

WHEREAS, Public Law 2004, Chapter 19 was signed by the Governor and takes effect on January 1, 2006, and

WHEREAS, Ordinance 2005-03, Ordinance 2005-04, and Ordinance 2005-05 were adopted by the Barnegat Township Committee on February 22, 2005, set forth the requirements and procedures for the receipt of proposals for Professional Services Contracts, and

WHEREAS, proposals for Professional Services Contracts were received and reviewed by the township Committee in an open and fair process in accordance with Ordinance 2005-03, Ordinance 2005-04, and Ordinance 2005-05 and public law, and

WHEREAS, there exists a need for specialized Legal Services in connection with the authorization and issuance of bonds or notes of the Township of Barnegat, County of Ocean, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by a recognized Bond Council firm and the law firm of Gluck, Walrath LLP, is so recognized by the financial community; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq. requires that notice with respect to contracts for "Professional Services" awarded without competitive bids must be publicly advertised; now

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Barnegat as follows:

1. Michael Gluck, and the firm of Gluck Walrath LLP is hereby appointed to the position of Bond Counsel for the Township of Barnegat for the period of one year, beginning January 1, 2009 and ending December 31, 2009. Said appointee shall be paid on a fee basis.

2. This appointment is made without competitive bidding for "Professional Services" to be performed by a person authorized by law to practice a recognized profession.

3. This appointment shall be formally reviewed by the Township Committee for the 2009 procedures, professional policies and guidelines within a period of 60 days.

4. That the Mayor is authorized to execute and the Clerk to attest to a "Professional Services" contract with: Michael Gluck, and the firm of Gluck Walrath LLP in connection with the services aforesaid.

5. Notice of this appointment shall be advertised within the boundaries of the Township of Barnegat not more than ten (10) days after the passage of this resolution.

CERTIFICATION

I, Kathleen T. West, Municipal Clerk, of the Township of Barnegat, County of Ocean, State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee of said Township at their Reorganization meeting held on the first day of January, 2009, in the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

: _____
Kathleen T. West, RMC
Municipal Clerk