A RESOLUTION OF THE BOROUGH OF WOODBURY HEIGHTS PLANNING/ZONING BOARD APPOINTING A SOLICITOR FOR SAID BOARD FOR THE CALENDAR YEAR OF 2013

WHEREAS, there exists in the Borough of Woodbury Heights, County of Gloucester, State of New Jersey, a need for certain professional services to be rendered to the Planning/Zoning Board of the Borough of Woodbury Heights for the calendar year 2013; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) authorizes the award of contracts for "professional services" without competitive bids, but requires that such award be publicly advertised; and

WHEREAS, from time to time there may exist a conflict of interest or other emergent circumstances which would not allow for the regular Solicitor for the Woodbury Heights Planning/Zoning Board to appear on behalf of the Board, with the need for an alternate solicitor to represent the Board; and

WHEREAS, the Planning/Zoning Board of the Borough of Woodbury Heights is an autonomous body and has the statutory authority to appoint an independent solicitor.

NOW, THEREFORE, BE IT RESOLVED by the Planning/Zoning Board of the Borough of Woodbury Heights that the Planning/Zoning Board hereby appoints Gerald A. Sinclair, Esquire, with law offices located at 38 Cooper Street, Woodbury, New Jersey 08096, as the Solicitor for the Borough of Woodbury Heights Planning/Zoning Board for

the calendar year 2013, commencing on January 1, 2013 and terminating on December 31, 2013.

BE IT FURTHER RESOLVED that this Contract shall be awarded without competitive bidding as "professional services" as authorized under the provisions of the Local Public Contract Law, because the person employed herein is licensed by law to practice a recognized profession in the State of New Jersey; therefore, the said services to be performed cannot be bid competitively because it is impossible to prepare specifications for same in accordance with the above referenced Statute.

BE IT FURTHER RESOLVED that the Chairman of the Borough of Woodbury Heights Planning/Zoning Board and the Secretary of the Borough of Woodbury Heights Planning/Zoning Board, are hereby authorized to execute a Contract with the Solicitor, a copy of which is attached hereto and made a part hereof as Exhibit "A".

BE IT FURTHER RESOLVED that notice of adoption of this Resolution shall be published in the South Jersey Times and/or the Courier Post as required by law.

Dated: January 7, 2013

BOROUGH OF WOODBURY HEIGHTS
PLANNING/ZONING BOARD

RICHARD PHALINES, CHAIRMAN

ATTEST:

ANNE DEECK, SECRETARY
PLANNING/ZONING BOARD

CERTIFICATION

The foregoing resolution was duly adopted by the Planning/Zoning Board of the Borough of Woodbury Heights at the reorganization meeting of said Board, held on January 7, 2013.

ANNE DEECK, SECRETARY
PLANNING/ZONING BOARD