**RESOLUTION 97 - 2010**
**RESOLUTION APPOINTING CONFLICT MUNICIPAL PUBLIC DEFENDER AND AMENDING RESOLUTION 3 - 2010**

**WHEREAS,** an alternate Municipal Public Defender is required for the balance of calendar year 2010 to serve in such position at times of the unavailability or conflicts of the Public Defender; and

**WHEREAS,** the Local Public Contracts Law (NJSA 40A:11-1, et seq) requires that a Resolution authorizing the award of Contracts for "Professional Services" without competitive bids must be publicly advertised; and

**NOW, THEREFORE,** be it resolved by the Borough Council of the Borough of Woodbury Heights, with the Mayor concurring, that Michael Silvanio, Esquire is hereby appointed as the alternate, Conflicts Municipal Public Defender on those occasions of the unavailability or conflict of the Municipal Public Defender with a term commencing upon the adoption of this Resolution and ending on December 31, 2010;

**BE IT FURTHER RESOLVED** that fees for services of the Alternate Public Defender shall be as approved on application to the Judge and based on the time devoted to the case assigned, complexity of the assigned case and consistency with comparable rates of compensation for other Conflict Public Defenders within the County of Gloucester;

**BE IT FURTHER RESOLVED** that Resolution 3 - 2010 entitled "Resolution Appointing Municipal Prosecutor and Alternate Municipal Prosecutors for the Borough of Woodbury Heights" is hereby amended to delete the name of Carmen Malignaggi from the list of Alternate Municipal Prosecutors therein;

**BE IT FURTHER RESOLVED** that this appointment is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because said appointment encompasses a professional service recognized, licensed and regulated by law and owing to the difficulty in obtaining competitive proposals for such appointments;

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be published in the Gloucester County Times upon within ten (10) days of its adoption.

**BOROUGH OF WOODBURY HEIGHTS**

**BY:** _____
**HARRY W. ELTON, JR., MAYOR**

**ATTEST:**

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**JANET PIZZI, BOROUGH CLERK**

**NOTICE**

The foregoing Resolution was duly adopted by the Borough Council of the Borough of Woodbury Heights at the Regular Meeting held on the 18th day of August, 2010.

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**JANET PIZZI, BOROUGH CLERK**