

PLANNING BOARD OF THE BOROUGH OF DEMAREST

RESOLUTION NO. 2024-1

WHEREAS, the Borough of Demarest Planning Board (Board) is in need of professional legal services to serve as the attorney to the Board; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the award of a professional services contract for such services without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and

WHEREAS, the Board finds that it would be in the best interests of the Borough of Demarest Planning Board to award a contract for such services to Douglas Bern, Esq. of the firm Bern & Associates, LLC pursuant to N.J.S.A. 19:44A-20.5 as a "Fair and Open" contract as defined therein; and

WHEREAS, the aforesaid contract shall be subject to adequate funds therefor pursuant to the 2024 Temporary Budget and 2024 Budget of the Borough of Demarest;

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Demarest Douglas Bern Esq., of the law firm of Bern & Associates, LLC at 39 Park Place, Suite 204 Englewood, New Jersey 07631, be retained to provide professional legal services for the Borough of Demarest Planning Board for the year 2024 commencing January 1, 2024 and terminating December 31, 2024, and that the Board Chairman is hereby authorized to execute, and the Board Secretary to attest, an Agreement to carry out the foregoing, a copy of which is on file in the Office of the Board Secretary and Borough Clerk and is available for public inspection, subject to the approval thereof by the Mayor and Council of the Borough of Demarest; and

BE IT FURTHER RESOLVED, that Douglas Bern Esq. of the law firm of Bern & Associates, LLC be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27; and

BE IT FURTHER RESOLVED that the Board Secretary is hereby authorized and directed to cause a notice to be published in the manner provided by law setting forth the nature, duration, service and amount of the Agreement and that the resolution and Agreement are on file in the Office of the Board Secretary and Borough Clerk and are available for public inspection.

Ayes: 8 Introduced by: Councilwoman Daryl Fox

Nays: 0 Seconded by: James Tabacchi

Abstentions: 0

Dated: 01/03/2024
Maiaun Haugler
Chairperson

Dated: 01/03/2024
[Signature]
Attest: Board Secretary