

ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF DEMAREST

RESOLUTION NO. 2024-01

WHEREAS, the Borough of Demarest Zoning Board of Adjustment (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 Zoning Board of Adjustment to award a contract for such services to Mark D. Madaio, Esq. of the Law Office of Mark D. Madaio 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 Zoning Board of Adjustment of the Borough of Demarest Mark D. Madaio, Esq., of the law office of Mark D. Madaio at 29 Legion Drive, Bergenfield, NJ 07621, be retained to provide professional legal services for the Borough of Demarest Zoning Board of Adjustment 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

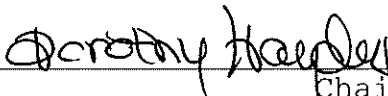
BE IT FURTHER RESOLVED, that Mark D. Madaio, Esq. of the law office of Mark D. Madaio be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27; and


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: 6 Introduced by: Nominating Committee

Nays: 0 Seconded by: Chair Hayden

Abstentions: 0

Dated: 1/16/2024 
Chairperson

Dated: 1/16/2024 
Attest: Board Secretary