

**RESOLUTION
BOROUGH OF CLAYTON
APPOINTING GARY MAREK, ESQUIRE AND ERIC RISO, ESQUIRE
AS SPECIAL/CONFLICT SOLICITOR FOR THE BOROUGH OF CLAYTON
FOR THE YEAR 2024, PURSUANT TO THE LOCAL PUBLIC CONTRACTS
LAW
(N.J.S.A. 40A:11-1, ET SEQ.)**

R-26-24

WHEREAS, there exists a need for a Conflict Solicitor in the Borough of Clayton for the purpose of providing the Borough with legal services and advice; 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 the governing body of a contracting unit to public a notice in a newspaper authorized by law to publish its legal advertisements, setting forth the nature, duration, service and amount of the contract where such contract is awarded for “professional services” without competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Clayton as follows:

1. That Gary Marek, Esquire and Eric Riso, Esquire be hereby appointed as Special / Conflict Solicitor for the Borough of Clayton, to provide services and advice to the officials of said Borough for the year 2024.

2. That the appropriate officers of the Borough of Clayton are hereby authorized to enter into the contract with Gary Marek, Esquire and Eric Riso, Esquire, for legal services above specified, for a term of one (1) year, commencing January 1, 2024, not to exceed \$5,000.00.

3. Donna Nestore, CFO, for the Borough of Clayton certifies the above referenced dollar amount is available through the 2024 budget. The maximum dollar value is based on a reasonable estimate of the goods or services required over the contract term, and the Borough of

Clayton is not obligated to spend that amount.

4. This contract is awarded without competitive bidding as a "professional service" under the provision of the Local Public Contracts Law because the specialized training, education, experience and specialized knowledge needed for this position cannot be properly described in specifications which would have to be prepared for competitive bidding, and because the law permits agreements for professional services without public advertising and bidding therefore.

5. A notice of the award of this contract shall forthwith be printed once in The Sentinel or South Jersey Times, the official newspaper of the Borough of Clayton, authorized by law to publish the legal advertisements of the Borough of Clayton, setting forth the nature, duration, service and amount of the contract, and further stating that this resolution and the annexed contract are on file and available for public inspection in the Office of the Clerk of the Borough of Clayton.

ADOPTED, at the regular council meeting of the Mayor and Council of the Borough of Clayton on January 4, 2024.

BOROUGH OF CLAYTON



V. Charles Simon, Council President

ATTEST:



Christine Newcomb
Municipal Clerk

CERTIFICATION

I, Christine Newcomb, Municipal Clerk of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at the regular meeting of the Borough of Clayton, held on January 4, 2024.