

January 25, 2023

**BOROUGH OF BRADLEY BEACH**

**RESOLUTION 2023-49**

**PROFESSIONAL CONTRACT APPOINTMENT FOR AN OPRA COUNSEL**

Mayor Fox offered the following resolution and moved its adoption:

**WHEREAS**, there exists a need for professional services for an **OPRA Counsel** for the calendar year 2023 pursuant to the provisions of **N.J.S.A 19:44A-20.5**; and

**WHEREAS**, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services were received in the Office of the Municipal Clerk no later than 10:00 a.m. on November 30, 2022; and

**WHEREAS**, the Borough has reviewed all proposals received and has determined that the Mayor and Council desires to authorize the execution of a professional services contract between the listed person(s)/firm(s) and the Borough for the year of 2023.

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

1. The following firms are hereby appointed **OPRA Counsel** for the calendar year 2023 and is awarded a Professional Service Contract for professional legal services provided for the period of January 1, 2023 through December 31, 2023.

- **Sobel Han & Cannon**
- **Eric M. Bernstein & Associates, LLC**

2. The contract is awarded without competitive bidding since the appointments involve members of recognized professions that are registered by law, therefore exempt under **N.J.S.A. 40A:11-5**.

3. The services rendered shall be in compliance with the Laws of New Jersey.

4. A copy of this resolution and the contract shall be placed on file with the Municipal Clerk.

5. A copy of this resolution shall be published in the newspaper as required by law within ten (10) days of its passage.

6. This award is being made subject to the above named professional/firm's execution of the Professional Services Contract Addendum setting forth the assignment and reporting requirements of all professionals working for the Borough.

Seconded by Councilperson \_\_\_\_\_ and adopted on roll call by the following vote:

**AYES            NAYS            ABSTAIN    ABSENT**

Ms. DeMarco  
Ms. DeNoble  
Mr. Gubitosi  
Mr. Weber  
Mayor Fox

**CERTIFICATION**

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the January 25, 2023 Council Business Meeting.

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Erica Kostyz, RMC, CMR  
Municipal Clerk