



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-008

AUTHORIZING APPOINTMENT OF MUNICIPAL PUBLIC DEFENDER

WHEREAS The municipal public defender serves as defense attorney for all indigent persons accused of violations of the State, disorderly persons' act, motor vehicle statutes or any offense or charge which carries a potential penalty of a substantial fine, incarceration or a loss of driving privileges; and,

WHEREAS at the discretion of the municipal court judge, and based upon the defendant's financial situation, the Court may appoint the municipal public defender to represent the individual's interests

WHEREAS N.J.S.A. 2B:24-4 requires a municipal public defender to be an attorney-at-law of this State in good standing, and shall serve for a term of one year from the date of his appointment, and may continue to serve in office pending re-appointment or appointment of a successor.

WHEREAS Douglas J. Widman, Esq. is an attorney-at-law licensed by the State of New Jersey who is familiar and experienced with municipal defense law.

WHEREAS, pursuant to Ordinance 98-02 the Municipal Public Defender shall be paid an annual salary of not less than \$1,500.00, which shall be apportioned pro rata for the portion of the year in which the Public Defender serves and shall only be required to attend Court when his clients are listed on the calendar; and

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be printed in a newspaper of general circulation not more than ten days after passage of the resolution;

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

1. Douglas J. Widman, Esq. of the law office of Widman, Cooney, Wilson, McGann and Fitterer is hereby appointed Public Defender for the unexpired (1) one-year term to expire December 31, 2017.
2. The appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.

3. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

BE IT FURTHER RESOLVED that a copy of this resolution be published in an official newspaper of the Borough within ten days of its passage.

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|----------|------------|----------|-----|-----|---------|--------|
| BROULLON | | | X | | | |
| CARD | | | X | | | |
| D'ARRIGO | | X | X | | | |
| WELLS | | | X | | | |
| O'NEAL | X | | X | | | |

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Reorganization Meeting, held January 01, 2017. WITNESS my hand this 5th day of January 2017.

Dwayne M. Harris, RMC
Acting Municipal Clerk