

RESOLUTION NO. 2016-114

**RESOLUTION OF THE TOWNSHIP OF LITTLE
EGG HARBOR, COUNTY OF OCEAN, STATE OF
NEW JERSEY, APPOINTING ERIC M. BERNSTEIN
& ASSOCIATES, LLC AND GLUCK & ALLEN, LLC
AS ALTERNATE HEARING OFFICERS FOR
PERSONNEL DISCIPLINARY MATTERS FOR THE
TOWNSHIP OF LITTLE EGG HARBOR**

WHEREAS, the Township Committee appointed Bonnie R. Peterson, Esq. as Hearing Officer for the Township of Little Egg Harbor by Resolution 2016-10 on January 1, 2016; and

WHEREAS, it has been determined that the Township may have a need for an Alternate Hearing Officer in the event the Hearing Officer is unavailable for or has a conflict with regards to any Personnel Disciplinary Hearings; and

WHEREAS, the Township advertised for a Request for Proposals for an Alternate Hearing Officer and received responses from Eric. M. Bernstein & Associates, LLC and Gluck & Allen, LLC; and

WHEREAS, the Township Committee has determined that both firms are duly qualified to serve as Alternate Hearing Officer for Personnel Disciplinary Matters and that the need may exist for more than one Alternate Hearing Officer, in the event of the Hearing Officer's unavailability or conflict; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, authorizes the award of contracts for "Professional Services" and requires that the resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the law firms of Eric M. Bernstein & Associates, LLC and Gluck & Allen, LLC are hereby appointed as Alternate Hearing Officers for Personnel Disciplinary Matters for the Township of Little Egg Harbor for the term beginning January 1, 2016 and ending December 31, 2016.

2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Gluck & Allen, LLC consistent with the firm's proposal, attached hereto as Schedule A, and subject to the approval of the Township Attorney.

3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Eric M. Bernstein & Associates, LLC consistent with the firm's proposal, attached hereto as Schedule A, and subject to the approval of the Township Attorney.

4. That these contracts are awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because they are for services to be performed by a person(s) authorized by law to practice a recognized profession.

5. That a notice of this action shall be printed once in the official newspaper of the Township of Little Egg Harbor.

6. That this resolution shall take effect immediately.

7. That no services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.

8. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Chief Financial Officer and to Eric M. Bernstein & Associates, LLC and Gluck & Allen, LLC.

Motion to Approve: Stevens Second: Kehm Roll Call: Gormley yes
Carry: Kehm yes
Kobryn No
Schlick No
Stevens yes

CERTIFICATION

I, DIANA K. MCCRACKEN, RMC, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 12th day of **May, 2016**.

Diana K. McCracken, RMC
DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township