

**RESOLUTION NO. 18-01**

**TOWNSHIP OF MIDDLETOWN  
COUNTY OF MONMOUTH**

**RESOLUTION APPOINTING TOWNSHIP ATTORNEY**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-139 and § 4-32A of the Code of the Township of Middletown there exists a need to appoint a qualified individual as Township Attorney to serve as the municipal attorney and designated legal officer for the Township of Middletown; and

**WHEREAS**, § 4-32B of the Code of the Township of Middletown provides that the Township Attorney shall be compensated pursuant to the Township’s applicable salary ordinance to provide representation in routine and reoccurring legal matters as defined pursuant to § 4-32C of the Code of the Township of Middletown; and

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with one submission having been received and considered for the position of Township Attorney; and

**WHEREAS**, Brian M. Nelson, Esq., has served as Township Attorney since 2009 and the Township Administrator has recommended reappointment for 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Brian M. Nelson, Esq., 10 Highway 35, Red Bank, New Jersey 07701 is hereby appointed Township Attorney for 2018 to perform the duties prescribed pursuant to § 4-32C of the Code of the Township of Middletown and to be compensated pursuant to the Township’s Salary Ordinance.

**BE IT FURTHER RESOLVED** that notice of this appointment shall be published by the Township Clerk in the Township’s official newspaper.

**MIDDLETOWN TOWNSHIP COMMITTEE**

Committee Member	Approved	Opposed	Abstain	Absent
A. Fiore				
S. Murray				
T. Perry				
G. Scharfenberger				
K. Settembrino				

CERTIFICATION

I, Heidi R. Brunt, Township Clerk of the Township of Middletown, hereby certify the foregoing to be a true copy of a resolution adopted by the Middletown Township Committee at their meeting held January 7, 2018.

WITNESS, my hand and the seal of the Township of Middletown this 7<sup>th</sup> day of January, 2018.

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HEIDI R. BRUNT, TOWNSHIP CLERK