



**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

RESOLUTION 21-007

**A RESOLUTION APPOINTING MUNICIPAL PUBLIC DEFENDER AND AUTHORIZING
THE AWARD OF A NON-FAIR AND OPEN CONTRACT**

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; and

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 (1) year from the date of his appointment, and may continue to serve in office pending re-appointment or appointment of a successor.

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

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

1. Kevin P. Wigenton, Esq. of the Wigenton Law Firm is hereby appointed Public Defender in the Borough of Highlands for the one-year term for the period of January 1, 2021 through December 31, 2021 for an amount not to exceed \$5,000.00.
2. This 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.

Motion to Approve R-21-007:

| | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-----------|------------|----------|-----|-----|---------|--------|
| Martin | | | X | | | |
| Mazzola | | X | X | | | |
| Melnyk | | | X | | | |
| Olszewski | | | X | | | |
| Broullon | X | | X | | | |

I, Michelle Hutchinson, 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 Council Meeting, held January 1, 2021.

Michelle Hutchinson
Acting Municipal Clerk