

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK  
AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH  
MICHAEL POLICASTRO, ESQ.  
TO SERVE AS PUBLIC DEFENDER**

**WHEREAS**, the Township of North Brunswick has a need for a professional to perform the duties as Public Defender for calendar year 2023; and

**WHEREAS**, on October 11, 2022 the Township Council approved Resolution #298-10.22 authorizing the solicitation of Requests for Proposals for a professional to serve as Public Defender in the North Brunswick Municipal Court; and

**WHEREAS**, services were procured in formal manner in accordance with Local Public Contracts Law N.J.S.A. 40A:11-4.1a et seq., under both a fair and open and competitive process to assure that each person and/or firm is provided an equal opportunity to submit a proposal; and

**WHEREAS**, on Thursday, November 10, 2022, the Purchasing Agent received, and the Municipal Clerk witnessed, the receipt of one (1) proposals in response to PRO23005; and

**WHEREAS**, the proposal submitted by Michael Policastro, Esq. has been reviewed determined to be unresponsive under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and any provisions of the revised statutes of the State of New Jersey; and

**WHEREAS**, while Michael Policastro, Esq. submitted an unresponsive proposal in response to PRO23005, the Purchasing Agent has determined the anticipated aggregate value of professional services is not anticipated to exceed \$17,500.00; and

**WHEREAS**, the Purchasing Agent and Legal Counsel have reviewed the prior contract history provided by Michael Policastro, Esq. and determined him qualified for the position; and

**WHEREAS**, it is in the best interest of the Township of North Brunswick to enter into an agreement with Michael Policastro, Esq. (104 South Main Street, Milltown, New Jersey 08850) to serve in the position as Public Defender for calendar year 2023; and

**WHEREAS**, compensation for these services shall be paid at a rate of \$200.00 per session, for regular and special sessions as scheduled by the Court Administrator, \$50.00 per Court Administration approved consultation, and reimbursable expenses in an amount not-to-exceed \$17,500.00 for calendar year 2023; and

**WHEREAS**, the Chief Financial Officer has certified that \$10,000.00 is available for this purpose in trust account D-33-56-850-006-002, \$5,000.00 is available for this purpose in account 3-01-43-495-000-181 for services ending June 30, 2023 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2024.

**NOW, THEREFORE, BE IT RESOLVED** on this 3<sup>rd</sup> day of January, 2023, that the Township Council of the Township of North Brunswick does hereby authorize the Mayor to execute and the Township Clerk to witness an agreement with Michael Policastro, Esq. to perform the duties as Public Defender in the North Brunswick Municipal Court in accordance with contract PRO23005 pursuant to a non-fair and open process, with an authorization not-to-exceed \$17,500.00 for calendar year 2023.

**BE IT FURTHER RESOLVED** notice of this action shall be published in the Home News & Tribune as required by law within 10 (ten) days after its passage.

**CERTIFICATION**

I, Cavel Gallimore, Chief Financial Officer, certify that \$10,000.00 is available for this purpose in trust account D-33-56-850-006-002, \$5,000.00 is available for this purpose in account 3-01-43-495-000-181 for services ending June 30, 2023 and the balance of funds authorized shall be certified upon the appropriation of funds from said account in FY2024. Contract PRO23005

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Cavel Gallimore  
Chief Financial Officer

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Justine Progebin  
Business Administrator

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Ronald Gordon, Esq.  
Township Attorney  
Approved as to legal form

**RECORDED VOTE:**

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on January 3, 2023.

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Lisa Russo  
Township Clerk