

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF NORTH BRUNSWICK  
AUTHORIZING AN AMENDMENT TO THE 2023 AGREEMENT WITH  
DAVID P. LONSKI OF THE FIRM SHAMY, SHIPERS AND LONSKI, PC  
TO SERVE AS MUNICIPAL PROSECUTOR**

**WHEREAS**, Resolution 7-1.23 approved by the Township Council authorized David P. Lonski (or his designee) of the firm Shamy, Shippers & Lonski, PC (334 Milltown Road, East Brunswick, NJ 08816) to serve in the position of Municipal Prosecutor for calendar year 2023, and was awarded under a fair and open contract process, pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

**WHEREAS**, compensation for said services was set at a rate of \$275.00 per session for regularly scheduled and special sessions, and reimbursable expenses in an amount not-to-exceed \$56,000.00 for calendar year 2023; and

**WHEREAS**, the purpose of a “plea by mail” in New Jersey is to allow individuals to contest certain offenses including traffic tickets without having to appear in person (or a scheduled virtual session) with the municipal court; and

**WHEREAS**, under the plea by mail process, eligible traffic tickets are processed by the municipal prosecutor that reviews the case and provides a recommendation; and

**WHEREAS**, under the current agreement for the Municipal Prosecutor, compensation for said services is set at a rate of \$275.00 per session (virtual or in person) for regularly scheduled and special sessions, not accounting for the plea by mail case load; and

**WHEREAS**, with an increase in plea by mail requests, it has become necessary to increase the authorized amount per session from \$275.00 to \$350.00 to account for processing time with the added volume of plea by mail cases.

**NOW, THEREFORE, BE IT RESOLVED** on this 5<sup>th</sup> day of September 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 amendment to the agreement with David P. Lonski (or his designee) of the firm Shamy, Shippers & Lonski, PC, serving as Municipal Prosecutor for calendar year 2023, amending the amount per session from \$275.00 to \$350.00 and increase the authorized amount from \$56,000.00 to \$70,000.00; and

**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 of the Township of North Brunswick, certify that funds totaling \$14,000.00 shall be made available contingent upon the adoption of the FY2024 under Legal OE budget account 4-01-20-155-000-982. Contract PRO23004

\_\_\_\_\_  
 Cavel Gallimore  
 Chief Financial Officer

\_\_\_\_\_  
 Justine Progebin  
 Business Administrator

\_\_\_\_\_  
 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 September 5, 2023.

\_\_\_\_\_  
 Lisa Russo  
 Township Clerk

## Plea by Mail - Sample

<b>Court I.D.</b> <input style="width: 90%;" type="text"/>	<b>Prefix</b> <input style="width: 90%;" type="text"/>	<b>Ticket / Complaint Number</b> <input style="width: 95%;" type="text"/>	<b>Plea by Mail</b> (R. 7:12-3 and R. 7:6-3)	
_____ Municipal Court				

Charge: \_\_\_\_\_

**Note:** This form can only be used to enter a plea for one charge, i.e., one charge per form. Please complete all sections of this form and return it to the Municipal Court. If you want to plead by mail using this form you must complete and return the form by the date listed on your Municipal Court notice or complaint/ticket or you may be required to appear at your scheduled hearing.

**State of New Jersey vs.**

Defendant's Name: First		M.I.	Last	
Defendant's Address: Street			Defendant's Telephone Number	
City	State	Zip Code	Defendant's Email	

### Section 1. Instructions and Information

**This form can only be used to plead not guilty or guilty in certain traffic (including parking) cases or to plead guilty in certain non-traffic cases. See court rules 7:12-3 and 7:6-3. For example, you cannot use this form to plead in cases involving domestic violence, where the defendant's identity is at issue, in a traffic accident with personal injury, or where the penalty involves a mandatory license suspension. Please contact the Municipal Court for any questions on whether your charge is eligible.**

- You have the right to a reasonable postponement. You have the right to be informed of your charges and the penalties you face for those charges. You have the right to retain an attorney or apply for a public defender if you cannot afford an attorney. You have the right to remain silent. You have the right to contest your case at trial, including the right to be present at the trial, to cross-examine any witnesses, and to call witnesses to testify for your defense.
- If you are not a United States (U.S.) citizen and if you plead guilty to or are convicted of certain offenses heard in the Municipal Court, including some motor vehicle offenses, it may result in your being deported from the U.S., may prevent you from being re-admitted to the U.S. if you leave voluntarily, or it may prevent you from ever becoming a naturalized U.S. citizen. You have the right to seek advice from an attorney about the effect a guilty plea will have on your immigration status.
- If you plead guilty or the judge finds you guilty of an offense other than parking, a record of the conviction may be sent to the NJ Motor Vehicle Commission and, if your license was not issued by NJ, to the motor vehicle agency of the state that issued your driver's license.

**Plea by Mail Form**

- The judgment of the court will be sent to you electronically or by ordinary mail at the above address and if you plead guilty or are found guilty you must pay all fines, penalties, and costs imposed by the court. You have the right to appeal within 20 days of the date of the decision or sentence. Information on how to appeal the Municipal Court’s decision may be obtained from the Municipal Court or the Judiciary’s website at [www.njcourts.gov](http://www.njcourts.gov).

**If you plead “Not Guilty,”** the Municipal Court judge will hear the testimony of the complaining witness or other witnesses, review any facts you choose to present in Section 3 in your defense, and decide the case based on the testimony and facts presented.

**If you plead “Guilty,”** the Municipal Court judge will consider any facts you choose to present in Section 3 to explain what happened before imposing any penalty against you.

Before determining the penalty, the Municipal Court judge may consider comments from the complaining witness, other witnesses, or the prosecutor.

**Section 2. Plea – Waivers and Acknowledgments**

**For Traffic (Including Parking) Cases ONLY:**

**Plea of NOT GUILTY**

- I plead “**Not Guilty**” to the above charge. I present the following facts in Section 3 (below) in my defense.

**Plea of GUILTY**

- I voluntarily plead “**Guilty**” to the above charge. By doing so:
  - I understand the nature of the charges against me and the consequences of my guilty plea.
  - I waive my rights as described in Section 1, including the right to counsel, (if I am not represented by counsel), my right to remain silent, and my right to contest my case at trial.
  - I present the following facts in Section 3 below for the Municipal Court judge’s consideration in determining the appropriate sentence.

**Plea of Guilty for Non-Traffic Cases ONLY:**

(Pleas of guilty **only** permitted in these cases via this form).

- I voluntarily plead “**Guilty**” to the above charge. By doing so:
  - I understand the nature of the charges against me and the consequences of my guilty plea.
  - I waive my right to counsel, (if I am not represented by counsel), my right to remain silent, and my right to contest my case at trial, as described in Section 1.
  - I present the following facts in Section 3 below for the Municipal Court judge’s consideration in determining the appropriate sentence.

**Section 3. Presentation of Facts in Defense or for Consideration in Sentencing**

**Pleas of NOT GUILTY**

I present the following facts in **defense** for the Municipal Court judge’s consideration in making a decision about my guilt. The State (prosecutor) may also provide information to the court.

(Use additional sheets, if necessary. You must date and sign each additional sheet.)

**Pleas of GUILTY**

- I admit to engaging in the conduct identified on the complaint against me on the above charge.

I present the following information for the Municipal Court judge’s consideration in determining the appropriate sentence.

(Use additional sheets, if necessary. You must date and sign each additional sheet.)

**Section 4. Certification**

I have read and acknowledge the above. I agree and certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

\_\_\_\_\_  
Date

s/ \_\_\_\_\_  
Defendant’s Signature