

**TOWNSHIP OF NORTH BRUNSWICK
RESOLUTION 108-2.26**

**AUTHORIZING AWARD OF “NON-FAIR AND OPEN PROCESS” CONTRACT
PURSUANT TO N.J.S.A. 19:44A-20.5 - 2026 NORTH BRUNSWICK TOWNSHIP
MUNICIPAL PROSECUTOR – NTE \$70,000.00**

WHEREAS, the Township of North Brunswick has a need to acquire a professional to perform the duties of Municipal Prosecutor for calendar year 2026 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township of North Brunswick has determined and certified that the value of the services to be rendered will exceed \$17,500.00

WHEREAS, the anticipated term of said contract is for a period of one year and shall run from January 1, 2026 through December 31, 2026; and

WHEREAS, Ameya S. Pendse, having an address at 33 Wood Avenue South, Suite 600, PMB #3862, Iselin, NJ 08830, has agreed to perform the duties of Municipal Prosecutor for calendar year 2026; and

WHEREAS, compensation for services shall be paid at a rate of \$350.00 per session for regularly scheduled and special sessions and reimbursable expenses in an amount not-to-exceed \$70,000. Plea by Mail caseload shall be processed and included as part of the \$350.00 per session rate.

WHEREAS Ameya S. Pendse has completed and submitted a Business Entity Disclosure Certification which certifies that Ameya S. Pendse has not made any reportable contributions to a political or candidate committee in the Township of North Brunswick in the previous one year, and that the contract will prohibit Ameya S. Pendse from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-1, et seq., requires that a resolution authorizing the award of contract for professional services and/or extraordinary unspecifiable services without competitive bids must be public advertised, the within contract being one for generally recognized professional and/or extraordinary unspecifiable services, as defined by statute.

WHEREAS, N.J.A.C. 5:30-5.4 requires certification of available funds when such information is known at time of award, but if not available no payment shall be made unless Chief Financial Officer certifies available funds at the time the obligation is to be paid but the estimated maximum value of the contract is revealed in the RFP on file with the Municipal Clerk.

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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, State of New Jersey does hereby award one (1) year contract to Ameya S. Pendse for Municipal Prosecutor for a term commencing January 1, 2026, and terminating December 31, 2026 at the rates set forth above, subject to the availability of funds; and

BE IT FURTHER, RESOLVED that this contract is being awarded without competitive bids as a professional service under the provisions of the Local Public Contracts Law, more specifically addressed in the body of this Resolution; and

BE IT FURTHER RESOLVED that notice of this Resolution shall be published as required by law.

CERTIFICATION OF FUNDS

I, Cavel Gallimore, Chief Financial Officer, certify that \$ 30,000.00 is available for this purpose in budget account 6-01-20-155-000-982 for services ending June 30, 2026 and the balance of funds authorized shall be certified upon the appropriation of funds in FY2027. Contract PRO26004

Cavel Gallimore, Chief Financial Officer

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