

March 8, 2023

BOROUGH OF BRADLEY BEACH

RESOLUTION 2023-93

RESOLUTION APPOINTING GREGORY C. FEHRENBACH, PRINCIPAL OF GOVERNMENT MANAGEMENT ADVISORS, LLC, AS ACTING BOROUGH ADMINISTRATOR AND AWARDED A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT TO GOVERNMENT MANAGEMENT ADVISORS, LLC TO PERFORM ACTING BOROUGH ADMINISTRATOR SERVICES

Mayor Fox offered the following Resolution and moved its adoption:

WHEREAS, Kimberly Humphrey has resigned as the Borough Administrator of the Borough of Bradley Beach (hereinafter, the “Borough”); and

WHEREAS, the Borough requires the services of an Acting Borough Administrator to perform the functions of the position according to the Borough Code; and

WHEREAS, the Borough’s Governing Body desires to award a non-fair and open professional services contract to Government Management Advisors, LLC, and appoint Gregory C. Fehrenbach, the Principal thereof, to serve as Acting Business Administrator; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds; and

WHEREAS, to the extent required by the provisions of N.J.S.A. 19:44A-20.4 et seq., Government Management Advisors, LLC shall complete and submit a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee within the Borough in the previous one year, and that the contract will prohibit Government Management Advisors, LLC from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.5 et seq.;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, that:

- (1) The Borough hereby awards a professional services contract to Government Management Advisers, LLC to provide Acting Business Administrator services, at a rate of \$100 per hour for up to 30 hours per week, with a maximum not to exceed amount of \$12,000 per month; and

- (2) The Borough shall indemnify and hold harmless Government Management Advisors, LLC, its principal and/or associates for any and all types of claims made against them arising out of this agreement in the same fashion the Borough would indemnify an employee providing similar services, including payment of all legal and other expenses arising out of any action brought against Government Management Advisors, LLC, its principal and/or associates in providing such services; and
- (3) The Borough hereby designates Mr. Gregory C. Fehrenbach of Government Management Advisors, LLC as Acting Borough Administrator, to exercise all the powers of the position according to law, which designation shall be effective until such time as a Business Administrator is appointed in accordance with law, or the terms of this Resolution are amended by further resolution of the Governing Body, whichever occurs first; and
- (4) The Borough shall execute a Professional Service Contract with Government Management Advisors, LLC to perform Acting Borough Administrator Services incorporating the foregoing terms and conditions; and
- (5) The Borough shall provide notice that the retention of Government Management Advisors, LLC is being awarded under a non-fair and open process in accordance with New Jersey's Pay-to-Play law; and
- (6) The Borough shall publish notice of this contract award in the designated official newspapers as required by law within ten (10) days of this Resolution; and
- (7) The Borough shall require that Government Management Advisors, LLC shall submit a Business Entity Disclosure Certification which certifies compliance with New Jersey's Pay-to-Play law; and
- (8) A certified copy of this resolution shall be forwarded to the Chief Financial Officer, Borough Clerk, and Government Management Advisors, LLC.

Seconded by Councilperson Gubitosi and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeMarco	X			
Ms. DeNoble	X			
Mr. Gubitosi	X			
Mr. Weber	X			
Mayor Fox	X			

CERTIFICATION

I, Erica Kostyz, Borough Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the March 8, 2023 Council Business Meeting.


Erica Kostyz, RMC, CMR
Municipal Clerk