

**RESOLUTION NO. 2022-89**

**RESOLUTION AUTHORIZING AGREEMENT WITH LOCAL 399 AFM FOR MUSICAL SERVICES FOR 2022**

**WHEREAS**, there exists a need for the employment of a band and orchestra for the Huisman Gazebo for the summer season; and

**WHEREAS**, funds are available for this purpose; and

**WHEREAS**, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the awarding of contracts for “Extraordinary Unspecifiable Services” without competitive bids must be publicly advertised.

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

1. The Mayor and Borough Council be and are hereby authorized and directed to execute an agreement with the Local 399 AFM for the furnishing of band and orchestra for the Huisman Gazebo or Taylor Pavilion for a sum not to exceed \$12,733.20. The agreement shall include the fact that \$6,366.60 will be reimbursed to the Borough upon completion of the concerts and dances.
2. This contract is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” under the provisions of the Local Public Contracts Law because the services are specialized and qualitative in nature and services rendered are original and creative in character in a recognized field of artistic endeavor and will not reasonably permit the drawing of specifications or the receipt of competitive bids.
3. The Local 399 AFM will furnish band concerts, one for each Monday beginning in July and August and will furnish music dancing performances, one for each Thursday in July and August. The musicians are paid prevailing wage scale by the Trust Fund.
4. Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

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**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

I hereby certify that, as of there are adequate funds in the free and unencumbered balance in the appropriation account entitled, Tourism OE.

Lorraine Carafa  
Chief Financial Officer

offered the above resolution and moved its adoption, seconded by and adopted by the following vote on roll call:

Council Members:	AYES	NAYS	ABSTAIN	ABSENT
Mr. Brennan				
Mr. Carvelli				
Mr. McCracken				
Ms. Kinney				
Mayor Walsifer				

Adopted: