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2011 PUBLIC DEFENDER CONTRACT

THIS AGREEMENT, entered into this 7th day of January, 2011, by and between the **BOROUGH OF EATONTOWN** and **PAUL E. ZAGER, ESQ.**, an attorney licensed to practice in the State of New Jersey, which said contract is exempt from the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) by reason of the nature of the service to be performed subject to the "Fair and Open Process":

WITNESSETH:

WHEREAS, the Borough of Eatontown desires to engage this attorney to provide legal services and assistance to indigent defendants in the Municipal Court; and

WHEREAS, the attorney desires to undertake to render such services;

NOW, THEREFORE, in consideration of the premises and mutual covenants hereinafter contained, the parties agree as follows:

1. The Borough of Eatontown engages this attorney, and the attorney hereby agrees to perform the following services:

a. Make himself available in order to render all necessary services to perform the job of Public Defender for the Municipal Court;

b. Make himself available for all court sessions wherein the services of the Public Defender are required;

c. Meet with, review and prepare all defenses necessary for those indigent defendants awarded the services of the Public Defender by the Municipal Judge.

2. This Agreement shall remain in full force and effect for the calendar year 2011.

3. The fee for the services to be rendered shall be at the rate of \$500.00 per appearance as a salaried position.

rendered by Paul E. Zager, Esq., or in the event he is unable, by an attorney competent in the field and duly licensed to practice in the State of New Jersey.

5. It is hereby agreed that the attorney shall furnish legal services as set forth above and the Borough shall make payments in accordance with the terms of Paragraph 3 above.

6. "Fair and Open Process" - This Contract is being awarded subject to a "Fair and Open Process" adopted by the municipality of Eatontown. The Contractor shall comply with all requirements of the state statute in cases of a "Fair and Open Process" selection.

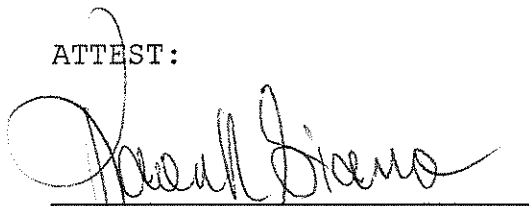
7. The attached Affirmative Action Statement (Exhibit A) is incorporated herein by reference and attorney agrees to comply with same.

8. The attached Certificate of Employee Information Report is incorporated herein as Exhibit B.

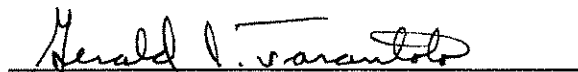
IT WITNESS WHEREOF, the parties have hereunder set their hands as of the day and year first written above.

ATTEST:

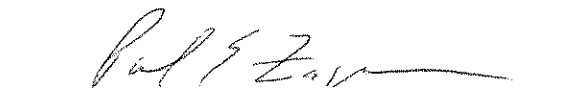
BOROUGH OF EATONTOWN



KAREN R. SIANO
Borough Clerk



GERALD J. TARANTOLO
Mayor



PAUL E. ZAGER, ESQUIRE