



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 17-111

**AWARDING CONTRACT - WILLIAM SILVERSTEIN
OF ROUX ASSOCIATES INC.
AS A LICENSED SITE REMEDIATION PROFESSIONAL**

WHEREAS, Resolution 14-132 authorized a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4, for Legal Services as Special Counsel with Attorney Patrick McNamara of the firm of Scarinci Hollenbeck to represent the Borough of Highlands and Atlantic Highlands ("Boroughs") on behalf of the dissolved Atlantic Highlands-Highlands Regional Sewerage Authority in the negotiation/litigation to be pursued against New Jersey Natural Gas ("matter"); and

WHEREAS, Resolution 14-139 authorized a Shared Services Agreement with the Borough of Atlantic Highlands for the procurement and payment of these legal services to pursue claims against New Jersey Natural Gas; and

WHEREAS, Attorney Patrick McNamara of the firm of Scarinci Hollenbeck has identified William Silverstein, P.E., LSRP of Roux Associates Inc., as the expert to be retained for litigation support services associated with the above-mentioned matter; and

WHEREAS, William Silverstein, and/or Roux Associates Inc. will review documents related to the matter on behalf of the Boroughs, will consider the actions of the parties, prepare an Affidavit of Merit on behalf of the Boroughs, as appropriate based upon said review of documents and perform any additional services as required; and

WHEREAS, the expert services of William Silverstein, and/or Roux Associates Inc. will be billed on a time and materials basis as provided in the schedule of fees and will be shared between the Borough of Highlands at 55.05% of the total cost and the Borough of Atlantic Highlands at 44.95% of the total cost, up to \$15,000.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the governing body in the Borough of Highlands has determined that it is in the best interests of the citizens of the Borough of Highlands to engage the services of the William Silverstein, and/or Roux Associates Inc. and authorizes the Mayor and the Borough Administrator to execute the Agreement with William Silverstein, and/or Roux Associates Inc., on behalf of the Borough of Highlands.

BE IT FURTHER RESOLVED that the expenditure/payment by the Borough of Highlands authorized by this Resolution is limited to \$15,000; any further expenditure/payment for the services of William Silverstein and/or Roux Associates Inc. more than \$15,000 will require a further authorization/Resolution.

Motion: Approve Resolution 17-111, **moved** by Councilmember Card; **Seconded** by Mayor O'Neil

Vote: Motion carried by roll call vote (summary: Yes = 5; No = 0).

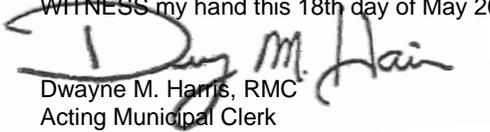
Yes: Councilmembers Broullon, Card, D'Arrigo, Wells and Mayor O'Neil

No: None

Abstain: None

I, Dwayne M. Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Meeting, held May 17, 2017.

WITNESS my hand this 18th day of May 2017.



Dwayne M. Harris, RMC
Acting Municipal Clerk

