

Mr. Urbanski offered the following Resolution and moved its adoption:

R-08-82
RESOLUTION PROFESSIONAL SPECIAL COUNSEL
MCKENNA, DUPONT, HIGGINS & STONE

WHEREAS, the Borough of Highlands has a need for professional special counsel services for litigation related to a zoning ordinance; and

WHEREAS, such professional legal services can only be provided by licensed professionals and the firm of McKenna, Du Pont, Higgins & Stone, 229 Broad Street, Red Bank, N.J. 07701 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$2,500 plus reimbursable expenses for professional special counsel services provided to the Borough of Highlands for the period April 1, 2008 through April 1, 2009, and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands as follows :

I hereby certify funds are available as follows:

Current Fund: Legal

Stephen Pfeffer, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised;

NOW, THEREFORE, BE IT RESOLVED BY THE Borough Council of the Borough of Highlands as follows:

1. The firm of McKenna, Du Pont, Higgins & Stone are hereby retained to provide professional special counsel services as described above for an amount not to exceed \$2,500 plus reimbursable expenses.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.

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April 16, 2008

Seconded by Mayor Little and adopted on the following roll call vote:

ROLL CALL:

AYES: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: Mr. Nolan

ABSTAIN: None

Date: April 16, 2008

NINA LIGHT FLANNERY, BOROUGH CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held April 16, 2008.

BOROUGH CLERK/DEPUTY CLERK