

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-08-154**

**RESOLUTION AMENDING R-07-133  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR  
PROFESSIONAL LEGAL SERVICES  
SCHIBELL MENNIE AND KENTOS LLC**

**WHEREAS**, the Borough of Highlands adopted Resolution R-07-133 at a meeting held July 18, 2007 awarding the above non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for professional legal services to the firm of Schibell Mennie & Kentos, 1806 Highway 35 South, Oakhurst, N.J. 07755 for an amount not to exceed \$40,000 plus reimbursable expenses; and

**WHEREAS**, this contract is to be extended through July 18, 2008 for no additional funds; and

**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. Schibell Mennie & Kentos LLC are hereby retained to provide professional legal services through July 18, 2008.
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.

Seconded by Mrs. Burton and adopted on the following roll call vote:

**ROLL CALL:**

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

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**Date: August 13, 2008**

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**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 August 13, 2008.

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**BOROUGH CLERK/DEPUTY CLERK**