

Ms. Kane offered the following Resolution and moved on its adoption:

R-09-149
RESOLUTION AMENDING R-09-123
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL AUDITING SERVICES
FALLON & LARSEN, LLP

WHEREAS, the Borough of Highlands adopted Resolution R-09-123 at a meeting held on July 15, 2009 awarding the above contract to Fallon & Larsen, LLP, 1390 Route 36, Suite 102, Hazlet, NJ 07730-1716 for an amount not to exceed \$50,100 plus reimbursable expenses; and

WHEREAS, the correct contract amount is \$51,900 and Resolution R-09-123 contained the wrong contract amount of \$50,100.

WHEREAS, an error necessitates that this resolution be amended for an amount not to exceed an additional \$1,800 for professional auditing services for a total contract amount not to exceed \$51,900 plus reimbursable expenses.

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands contingent upon the adoption of the SFY 2010 Municipal Budget:

Account #1030A-3551	\$33,900
#3008-4000	\$18,000

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 Governing Body of the Borough of Highlands as follows:

1. The firm of Fallon & Larsen, LLP is hereby retained to provide professional auditing services described above for an amended amount not to exceed \$51,900 plus reimbursable expenses.
2. This contract is awarded without competitive biddings 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 this Resolution as well as the contracts 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 Mr. Francy and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Francy, Ms. Kane, Mr. Caizza, Mr. Urbanski, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

DATE: August 19, 2009

NINA LIGHT FLANNERY, Borough Clerk

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on August 19, 2009.

BOROUGH CLERK/DEPUTY CLERK