

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**R-09-223**

**RESOLUTION AUTHORIZING THE AWARD OF A  
PROFESSIONAL LEGAL SERVICE CONTRACT TO  
THOMAS WILSON, ESQ.**

**WHEREAS**, the Borough of Highlands has a need for professional legal services for the Bentham/Caizza legal matter as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and the Thomas Wilson, Esq. of the firm of Thomas Wilson, Esq., P.O. Box 63, Middletown, N.J. 07748 is so recognized; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract will not exceed \$17,500; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$2,500 plus reimbursable expenses for Professional Legal Services for the Councilman Caizza legal matter for the period of one year; 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 from:

Account # \_\_\_\_\_

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**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. Thomas Wilson, Esq. is hereby retained to provide professional legal 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. The Mayor and Borough Clerk are hereby authorized to sign the contract.
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 Ms. Kane 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: December 16, 2009**

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**CAROLYN CUMMINS, 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 December 16, 2009.

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**BOROUGH CLERK/DEPUTY CLERK**