

Mayor Nolan offered the following Resolution and moved on its adoption;

R-12-260

Resolution Approving a Lease between the Borough and 19 Bay Avenue LLC

Whereas, Hurricane Sandy caused extensive damage to the Borough including the Borough Municipal Building, rendering it unusable; and

Whereas, as a result of Hurricane Sandy, a State of Emergency existed in the Borough; and

Whereas, it is necessary for the Borough to obtain office space to conduct municipal business; and ‘

Whereas, the Local Public Contracts Law (N.J.S.A. 40A: 11-6, “Emergency Contracts”) allows the award of contracts without public advertising for bids and bidding when an emergency affecting public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

Whereas, the provisions of Chapter 19, P.L. 2004 (as amended by P.L. 2005, c.5 1) of the Pay-to-Play Laws (N.J.S.A. 19:44A-20.4 et seq.) are waived when an emergency exists affecting the public health, safety or welfare which requires the immediate delivery of goods or performance of services; and

Whereas the Borough has identified office space in a vacant commercial building located at 19 Bay Avenue, Highlands, New Jersey; and

Whereas, the Borough has negotiated terms of a lease with the owner of 19 Bay Avenue; and

Whereas, the Chief Financial Officer has certified that funding is available for the lease.

Now therefore, be it Resolved by the governing body of the Borough of Highlands that the Borough is authorized to enter into a lease with 19 Bay Avenue, LLC for office space to conduct Borough Business for a one-year term in substantially the form attached hereto.

Seconded by Mr. Redmond and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Redmond, Mr. O’Neil, Mr. Francy, Ms. Kane, Mayor Nolan

NAYES: None

ABSENT: None

ABSTAIN: None

DATE: December 5, 2012

Carolyn Cummins, Borough Clerk