

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

**R-13-289**

**Resolution Approving a Lease between the Borough and MOD Space  
For the Period of December 11, 2013 through December 11, 2014**

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

Whereas, it was 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 space with MOD Space Trailers; and

Whereas, the Borough has negotiated terms of a lease with the MOS Space; 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 MOD Space for office space to conduct Borough Business for a one-year term (December 11, 2013 through December 11, 2014) in substantially the form attached hereto.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute lease agreements with MOD Space.

Seconded by Ms. Kane and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**DATE:** December 18, 2013

---

**Carolyn Cummins, Borough Clerk**

**I hereby certify this to be a true copy of Resolution R-13-289 adopted by the Governing Body of the Borough of Highlands.**

---

**Borough Clerk/Deputy Clerk**