

**R-16-20**  
**RESOLUTION APPROVING PROFESSIONAL BOND COUNSEL SERVICES**  
**AND AWARDING A NON-FAIR AND OPEN CONTRACT**

**WHEREAS**, the Borough of Highlands has a need for professional bond counsel services in connection with the authorization and issuance of bonds or notes; and

**WHEREAS**, such professional legal services can only be provided by licensed professionals and the firm of Archer & Griener, PC is so recognized; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$20,000 plus reimbursable expenses for professional bond counsel services for the Borough of Highlands for the period January 1, 2016 through December 31, 2016. All rates based on the services utilized are provided for in the contract between Archer & Griener, PC and the Borough of Highlands; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

**WHEREAS**, the law office of Archer & Griener, PC has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Office of Archer & Griener has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will provide prohibit the law office from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Law Office of Archer & Greiner, PC has completed and submitted a Political Contribution Disclosure for in accordance with P.L 2005, c271; and

**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 2016 budget.

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Legal  
Sewer Utility  
Various Bond Ordinances

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Patrick DeBlasio, 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. The firm of Archer & Griener, PC is hereby retained to provide professional bond counsel services as described above for an amount not to exceed \$20,000 plus reimbursable expenses for the period of January 1, 2016 through December 31, 2016.
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 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.

|                   | INTRODUCED | SECONDED | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|------------|----------|-----|-----|---------|--------|
| BROULLON          |            |          | X   |     |         |        |
| CARD              |            | X        | X   |     |         |        |
| D'ARRIGO          |            |          | X   |     |         |        |
| WELLS             |            |          | X   |     |         |        |
| NOLAN             | X          |          | X   |     |         |        |
|                   |            |          |     |     |         |        |
|                   |            |          |     |     |         |        |
| ON CONSENT AGENDA |            |          | YES | X   | NO      |        |

**Date: January 1, 2016**

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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 January 1, 2016.

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**BOROUGH CLERK/DEPUTY CLERK**