

R-16-84
RESOLUTION APPOINTING MUNICIPAL ATTORNEY FOR THE CALENDAR
YEAR 2016 &
AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR
PROFESSIONAL LEGAL SERVICES CONTRACT

WHEREAS, the Borough of Highlands has a need for Municipal Attorney to provide professional legal services to the Borough of Highlands for the calendar year 2016 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough advertised in an official newspaper and on the borough's website for the receipt of Request for Proposals for Legal Services; and

WHEREAS, the Borough received eight proposals from the following Law Firms:

1. Mauor, Savo, Camerino & Grant, PA
2. The Scott Arnette Law Firm, LLC
3. Eric M. Bernstien and Associates
4. Ronald P. Mondello, P.C.
5. Hoagland, Longo, Moran, Dunst & Doukas, LLP
6. Cleary, Jacobbe, Alfieri, Jacobos, LLC
7. Bachman & Newman, LLC
8. Long, Marmero & Associates, LLP

WHEREAS, such professional legal services can only be provided by licensed professionals and the Mayor has offered the name of Brian Chabarek, Esq. of the law office of Bachman & Newman, LLC and it is so recognized;

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 Bachman & Newman, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that their Law Office 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 to prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Law Office of Bachman & Newman, LLC has completed and submitted a Political Contribution Disclosure for in accordance with P.L 2005, c271; and

WHEREAS, this contract is awarded as Fair and Open contract for an amount not to exceed \$65,000 plus reimbursable expenses for Professional Legal Services provided to the Borough for the period of March 2, 2016 through December 31, 2016 at rate of a monthly retainer in the amount of \$5,416.67 and an hourly rate of \$150 per hour for services outside of contract.

WHEREAS, Bachman & Newman, LLC has submitted the attached contract for Professional legal services for the calendar year 2016; and

WHEREAS, the Governing Body has reviewed the attached contract for Professional Engineering Services for 2016; and

WHEREAS, certification of the availability of funds is hereby provided contingent upon the adoption of the 2016 Budget by the Chief Financial Officer.

Legal Other Expenses
 Sewer Utility Other expenses

 Patrick DeBlasio, CFO

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 of Highlands Governing Body as follows:

1. Brian Chabarek, Esq., of the Bachman & Newman, LLC is hereby appointed as Borough Attorney for the calendar 2016 and is awarded a professional service contract for an annual amount not to exceed \$65,000 for professional legal services provided for the period of March 2, 2016 through December 31, 2016 and the Mayor and Borough Clerk are hereby authorized to execute contract.
2. The attached Professional legal services Contract is hereby approved and 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.
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 | X | | | |
| CARD | | | X | | | |
| D'ARRIGO | | | X | | | |
| WELLS | | | X | | | |
| NOLAN | X | | X | | | |
| | | | | | | |
| | | | | | | |
| ON CONSENT AGENDA | | | YES | X | NO | |

Date: March 2, 2016

 Carolyn Cummins, Borough Clerk

I hereby certify this to be a true copy of Resolution R-16-84 adopted by the Governing Body of the Borough of Highlands on March 2, 2016.

 Carolyn Cummins, Borough Clerk