



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 16-216

RESOLUTION AUTHORIZING SPECIAL COUNSEL TO FILE A COMPLAINT WITH THE SUPERIOR COURT OF NEW JERSEY SEEKING APPROVAL OF THE BOROUGH'S HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, in accordance with R-16-168 the law firm of Gluck Walrath, LLP was awarded a professional legal services contract for the purpose of representing the Borough with regard to the Fair Housing Act and the Council of Affordable Housing (COAH) regulations; and

WHEREAS, in accordance with R-16-185 the governing body of the Borough of Highlands endorsed the Housing Element and Fair Share Plan dated June 16, 2016, adopted by the Land Use Board on August 11, 2016; and

WHEREAS, the governing body has determined that it is in the best interest of the Borough of Highlands to proceed with the filing of a Complaint, including but not limited to, a Declaratory Judgment Action, in the Superior Court of New Jersey seeking a declaration of approval of the Borough's Housing Element and Fair Share Plan; and

WHEREAS, in order to proceed with the aforesaid filing, it will be necessary to increase the amount of the contract awarded to the firm of Gluck Walrath, LLP to provide professional legal services to an amount not to exceed \$7,500 at an hourly rate of \$175 per hour; and

WHEREAS, certification of funds was made by the Chief Financial Officer that funds are available for the said purpose:

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Highlands that special counsel representing the Borough with regard to the Fair Housing Act and Council of Affordable Regulations (COAH) is hereby authorized to proceed with the filing of a Complaint, including but not limited to, a Declaratory Judgment Action, in the Superior Court of New Jersey seeking a declaration of approval of the Borough's Housing Element and Fair Share Plan; and

BE IT FURTHER RESOLVED, that the amount of the contract awarded to Gluck Walrath, LLP, to provide professional legal services, by way of Resolution R-16-168, is hereby increased to an amount not to exceed \$7,500.00 at an hourly rate of \$175.00 per hour.

	INTRODUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BROULLON		X	X			
CARD	X		X			
D'ARRIGO			X			
WELLS			X			
NOLAN						X
ON CONSENT AGENDA	No					

I, Dwayne M, Harris, Acting Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Regular Meeting, held November 02, 2016. WITNESS my hand this 3rd day of November 2016.



Dwayne M. Harris, RMC
Municipal Clerk