

Mayor O'Neil offered the following Resolution and moved on its adoption:

**R-07-164**  
**RESOLUTION**  
**PROFESSIONAL ENGINEERING SERVICES**  
**T & M ASSOCIATES**  
**FIREHOUSE CONSTRUCTION CLOSEOUT AND LITIGATION SUPPORT**

**WHEREAS**, there exists the need for Professional Engineering Services to be provided for the Firehouse Construction Closeout and Litigation Support; and

**WHEREAS**, such Professional Engineering Services can only be provided by licensed professionals and T & M Associates, 11 Tindall Road, Middletown, NJ 07748 is so recognized; and

**WHEREAS**, T & M Associates has requested \$5,000 per their letter dated August 21, 2007 for the purposes listed above; and

**WHEREAS**, T&M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T&M Associates 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 prohibit T&M Associates from making any reportable contributions through the term of the contract, and

**WHEREAS**, the determination of value has been placed on file with this resolution with the Borough Clerk; and

**WHEREAS**, T & M Associates has submitted the C.271 Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26 (P.L. 2005,c271, s2).

**WHEREAS**, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands; and

Ordinance O-98-11 = \$5,000

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Stephen Pfeffer, 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 Mayor and Council of the Borough of Highlands of the following:

1. T & M Associates is hereby retained to provide professional engineering services described above for an amount not to exceed \$5,000 plus reimbursables expenses.
2. This 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 person authorized by law to practice a recognized profession.
3. A copy of this 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.

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

**ROLL CALL:**

**AYES:** Miss Thomas, Mr. Nolan, Mr. Caizza, Mr. Urbanski, Mayor O'Neil  
**NAYES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**DATE:** September 5, 2007

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**NINA LIGHT FLANNERY, Borough Clerk**  
**CAROLYN CUMMINS, Deputy Clerk**

I hereby certify this to be a true copy of the Resolution adopted by the Mayor and Council of the Borough of Highlands on September 5, 2007.

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**BOROUGH CLERK/DEPUTY CLERK**