

Mr. Nolan offered the following Resolution and moved its adoption:

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

**R-08-150
RESOLUTION AMENDING RESOLUTION R-07-100
PROFESSIONAL SPECIAL COUNSEL
COLLINS, VELLA & CASELLO, LLC**

WHEREAS, the Borough of Highlands adopted Resolution R-07-100 at a meeting held on June 6, 2007 awarding the above contract to Collins, Vella and Casello, L.L.C. , 1451 Route 34 South, Suite 303, Farmingdale, N.J. 07727 for an amount not to exceed \$2,500 plus reimbursable expenses for special counsel services to assist the Governing Body for various planning issues; and

WHEREAS, ongoing litigation necessitates that this contract be amended for an amount not to exceed an additional \$437.50 for special counsel services for a total contract not to exceed \$2,937.50 plus reimbursable expenses; and

WHEREAS, the term of the contract has expired and the Governing Body desires to extend the term of the contract until June 30, 2008; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands as follows :

I hereby certify funds are available as follows:

Current Fund: SFY 2008 Legal Budget

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 Borough Council of the Borough of Highlands as follows:

1. The firm of Collins, Vella & Casello LLC are hereby retained to provide professional special counsel services as described above for an additional amount not to exceed \$437.50 for a total contract not to exceed \$2,937.50 plus reimbursable expenses. The term of the contract is extended until June 30, 2008.
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.
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.

Seconded by Mrs. Burton and adopted on the following roll call vote:

ROLL CALL:

AYES: Mrs. Burton, Mr. Caizza, Mr. Urbanski, Mr. Nolan, Mayor Little

NAYES: None

ABSENT: None

ABSTAIN: None

Date: August 13, 2008

NINA LIGHT FLANNERY, 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 August 13, 2008.

BOROUGH CLERK/DEPUTY CLERK