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

## BOROUGH OF HIGHLANDS COUNTY OF MONMOUTH

## R-08-151 RESOLUTION PROFESSIONNAL SPECIAL COUNSEL COLLINS, VELLA & CASELLO, LLC

WHEREAS, the Borough of Highlands has a need for professional special counsel services for ongoing litigation related to various zoning issues; and

**WHEREAS,** such professional legal services can only be provided by licensed professionals and the firm of Collins, Vella & Casello, LLC, 1451 Route 34 South, Suite 303, Farmingdale, N.J. 07727 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$2,500 plus reimbursable expenses for professional special counsel services provided to the Borough of Highlands for the period July 1, 2008 through June 30, 2009, 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: Legal

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 amount not to exceed \$2,500 plus reimbursable expenses.
- 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