

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

**BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH**

R-08-208

**RESOLUTION AMENDING RESOLUTION 08-156
PROFESSIONAL BOND COUNSEL SERVICES
GIBBONS P.C.**

WHEREAS, the Borough of Highlands adopted Resolution R-08-156 at a meeting held on August 13, 2008 awarding the above contract to Gibbons P.C., One Gateway Center, Newark, N.J. 07102-5310 for an amount not to exceed \$10,000 plus reimbursable expenses for professional bond counsel services in connection with the authorization and issuance of bonds or notes for the period July 1, 2008 through December 31, 2008; and

WHEREAS, the Borough of Highlands participated in the 2008 Monmouth County Improvement Authority Bond Sale which necessitates that this contract be amended for an additional \$5,000 for professional bond counsel services for a total contract not to exceed \$15,000 plus reimbursable expenses; and

I hereby certify funds are available as follows:

SFY 2009 Budget: Current Fund: Legal
SFY 2009 Budget: Sewer
Various Bond Ordinances

SFY 2009 Current & Sewer: contingent upon the necessary funds being appropriated by the Governing Body in the SFY 2009 municipal 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. Gibbons P.C. is hereby retained to provide professional bond counsel services as described above for an increased amount of \$15,000 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 Mr. Urbanski 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: December 17, 2008

NINA LIGHT FLANNERY, BOROUGH CLERK
CAROLYN CUMMINS, DEPUTY CLERK

I hereby certify that the above Resolution was duly adopted by the Governing Body of the Borough of Highlands at a meeting held December 17, 2008.

BOROUGH CLERK/DEPUTY CLERK