

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

**R-10-03  
RESOLUTION  
APPOINTING BOROUGH PROSECUTOR**

**WHEREAS**, there exists the need for professional legal services for the Borough of Highlands; and

**WHEREAS**, Local Public Contracts Law, NJSA 40A:11-1 et seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be printed in a newspaper of general circulation not more than ten days after passage of the resolution;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands as follows:

1. James Butler, Esq. is hereby appointed Prosecutor of the Borough of Highlands for the one (1) year term to expire December 31, 2010.

2. The appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, NJSA 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 this Resolution shall be placed on file with the Clerk of the Borough of Highlands.

4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

**BE IT FURTHER RESOLVED** that a copy of this resolution be published in an official newspaper of the Borough within ten days of its passage.

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

**ROLL CALL:**

**AYES:** Mr. Nolan, Mr. O'Neil, Mr. Francy, Ms. Kane

**NAYES:** Mayor Little

**ABSENT:** None

**ABSTAIN:** None

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**Date: February 3, 2010**

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**CAROLYN CUMMINS, BOROUGH CLERK**

I hereby certify this to be a true copy of the Resolution adopted by the Governing Body of the Borough of Highlands on February 3, 2010.

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**BOROUGH CLERK/DEPUTY CLERK**