

**Mayor Nolan offered the following Resolution and moved on its adoption:**

**R-13-190**

**BOROUGH OF HIGHLANDS**

**RESOLUTION AWARDING EMERGENCY DEMOLITION CONTRACT TO BRANIN CONSTRUCTION COMPANY FOR THE DEMOLITION OF THREE HOMES IN THE BOROUGH OF HIGHLANDS WHOSE STRUCTURAL INTEGRITY HAS BEEN COMPROMISED AS A RESULT OF THE COLLAPSE OF A ONE OF THE ADJACENT HOMES ON AUGUST 23, 2013**

**WHEREAS**, the Borough of Highlands may award emergency contracts pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-6 without public advertising for bids when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

**WHEREAS**, on August 23, 2013, a home located at 1 Locust Street, Highlands, NJ 07732, damaged as a result of Superstorm Sandy, collapsed while being raised; and

**WHEREAS**, the Borough Construction Official has determined that house being raised and as a result of the collapse, the safety of two adjacent homes has been compromised such that there is an emergency which threatens the public health and safety; and

**WHEREAS**, the Construction Official determined that the two adjacent homes must be demolished in order to alleviate the threat to the public health and safety; and

**WHEREAS**, the Borough Construction Official, Borough Engineer, Chief Financial Officer, Mayor and Council President were present and/or made aware of the emergency on August 23, 2013 and the need for invoking N.J.S.A. 40A:11-6; and

**WHEREAS**, all required Borough officials were present and determined that an emergency does exist and authorized the award of a contract for the demolition of the two homes; and

**WHEREAS**, the Borough wishes to award a contract for the demolition of the home being raised and two homes to Branin Construction Company, P.O. Box 415, Highlands, NJ 07732.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Highlands as follows:

1. As a result of the home collapse on August 23, 2013, an emergency exists, which threatens the public health and safety of the Borough residents and requires the demolition of the house being raised and the two adjacent homes.

2. The Borough approves an emergency contract with Branin Construction Company to demolish the two homes in an amount not to exceed \$40,786.77.
3. Upon Branin Construction Company's completion of the emergency contract, it shall be entitled to payment and the governing body of the Borough shall take such action as shall be required to provide for the payment of the contract price.
4. The Borough shall seek reimbursement from the contractor lifting the home at the time of its collapse and/or its insurance company.
5. The mayor, or his designee, is hereby authorized to execute a contract and any other necessary documents with Branin Construction Company to effectuate the purposes of this resolution.

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

**ROLL CALL:**

**AYES:** Ms. Ryan, Mr. Redmond, Mr. Francy, Ms. Kane, Mayor Nolan

**NAYES:** None

**ABSENT:** None

**ABSTAIN:** None

**DATE:** September 4, 2013

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**Carolyn Cummins, Borough Clerk**

I hereby certify this to be a true copy of Resolution R-13-190 adopted by the Governing Body of the Borough of Highlands on September 4, 2013.

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Borough Clerk/Deputy Clerk