

Mayor Nolan offered the following Resolution and moved in its adoption:

**RESOLUTION APPOINTING PLANNING BOARD ENGINEER FOR THE  
CALENDAR YEAR 2013  
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

**WHEREAS**, the Borough of Highlands has a need for professional engineering services as a non-fair and open contract to be provided to the Planning Board for the calendar year 2013 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional engineering services can only be provided by licensed professionals and Robert Keady, **P.E.** of the firm of T & M Associates, 11 Tindall Road, Middletown, NJ is so recognized;

**WHEREAS**, the Board Secretary has determined and certified in writing that the value of the contract will exceed \$17,500; and

**WHEREAS**, T & M Associates has completed and submitted a Business Entity Disclosure Certification which certifies that T & M Associates has not made any reportable contributions to a political or candidate committee in the in the previous one year and that the contract will prohibit T & M Associates from making any reportable contributions through the term of the contract; and

**WHEREAS**, T & M Associates has completed and submitted a Political Contribution Disclosure Form in accordance with P.L. 2005, c271; and

**WHEREAS**, T & M Associates has submitted that attached contract for Professional Engineering services for the calendar year 2013; and

**WHEREAS**, the Planning Board has reviewed attached contract for Professional Engineering Services for 2013; and

**WHEREAS**, certification of the availability of funds is hereby provided by the Chief Financial Officer contingent upon the adoption of the 2013 Municipal Budget.

Planning Board Budget  
Account #1141-3757 - \$4,400.00  
For the Period of January 1, 2013 through December 31, 2013

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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 of Highlands Planning Board as follows:

1. Robert Keady, P.E. of T & M Associates is hereby appointed as Planning Board Engineer for the calendar 2013 and is awarded a professional service contract for an amount not to exceed \$4,400 for professional engineering services provided for the period of January 1, 201 through December 31, 2013.
2. The attached Professional Engineering Contract is hereby approved and the Board Chairman and Secretary are hereby authorized to sign the contract.
3. This contract is awarded without competitive bidding as "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.
4. A copy of the Resolution as well as the contract shall be placed on file with the Board Secretary.
5. The Board Secretary is hereby directed to publish notice of this award as required by law.

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

**ROLL CALL:**

**AYES:** Mr. Mullen, Ms. Peterson, Mayor Nolan, Mr. Gallagher, Mr. Hill,  
Mr. Redmond, Mr. Colby, Mr. Stockton  
**NAYES:** None  
**ABSTAIN:** None

**DATE:** January 10, 2013

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**CAROLYN CUMMINS, Board Secretary**

I hereby certify this to be a true copy of the Resolution adopted by the Borough of Highlands Planning Board on January 10, 2013.

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**BOARD SECRETARY**

