

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

**BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN  
CONTRACT FOR PROFESSIONAL LEGAL SERVICES  
FOR MASTER PLAN REEXAMINATION  
JACK SERPICO**

**WHEREAS**, the Borough of Highlands Planning Board has a need for Professional legal services for the Reexamination of the Master Plan as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional legal services can only be provided by licensed professionals and the firm of Jack Serpico, Esq., is so recognized; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$4,500 plus reimbursable expenses per for Professional Legal Services for the Reexamination of the Master Plan provided to the Borough of Highlands for the period of one year; and

**WHEREAS**, the law office of Jack Serpico, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Jack Serpico, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year, and that the contract will prohibit Jack Serpico, Esq. from making any reportable contributions through the term of the contract, and

**WHEREAS**, Jack Serpico, Esq. has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; 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 from Bond Ordinance O-14-11.

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**Patrick DeBlasio, 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. Jack Serpico, Esq. is hereby retained to provide professional legal services as described above for an amount not to exceed \$4,500 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. The Board Chairman and Borough Clerk are hereby authorized to execute the contract documents.
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. Francy and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Hill, Mr. Redmond, Mr. Britton, Mr. Korn, Mr. Francy,  
Mr. Wells, Mr. Stockton

**NAYES:** None

**ABSTAIN:** None

**DATE:** December 11, 2014

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Carolyn Cummins, Borough Clerk

**I hereby certify this to be a true copy of a Resolution adopted by the Borough of Highlands Planning Board at a meeting held on December 11, 2014.**

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**BOROUGH CLERK/DEPUTY CLERK**