

Mr. Duncan offered the following Resolution be memorialized and moved on its adoption:

**RESOLUTION
FOR PROFESSIONAL LEGAL SERVICES
FOR THE BOROUGH OF HIGHLANDS ZONING BOARD**

WHEREAS, the Borough of Highlands Zoning Board of Adjustment has a need for professional legal services to represent the Zoning Board in a litigation matter of 234 Bay Avenue, LLC vs. the Borough of Highlands Zoning Board of Adjustment; and

WHEREAS, such professional legal services can only be provided by a licensed professional; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer :

| | |
|----------------------|------------|
| Zoning Board Budget | |
| Account #1151 – 3755 | \$2,500.00 |

Stephen Pfeffer, Chief Financial Officer

WHEREAS the Local Public Contracts Law, NJSA 40A:11-1 et. seq. requires that notice with respect to contract for professional services awarded without competitive bids must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Highlands Zoning Board as follows:

1. That Gregory Baxter, Esq., from the firm of Caruso & Baxter is hereby retained to provide Professional legal services as described above for an amount not to exceed \$2,500.00.
2. This contract is awarded without competitive bidding as a “Professional Services” in accordance with the Local Public Contracts Law, NJSA 40A:11-5(1)(a)(i) 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 Zoning Board Secretary.
4. The Borough of Highlands Zoning Board Secretary 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. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Ms. Ryan,
Ms. Wicklund, Mr. Mullen

NAYES: None

ABSTAIN: None

Date: April 6, 2006

CAROLYN CUMMINS, BOARD SECRETARY

I hereby certify this to be a true copy of the Resolution adopted by the Zoning Board of Adjustment of the Borough of Highlands on April 6, 2006.

BOARD SECRETARY