

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

**RESOLUTION
FOR PROFESSIONAL LEGAL SERVICES
FOR THE BOROUGH OF HIGHLANDS ZONING BOARD
FOR THE PERIOD OF JULY 1, 2006 THROUGH DECEMBER 31, 2006**

WHEREAS, the Borough of Highlands Zoning Board of Adjustment has a need for professional legal services for the Zoning Board; and

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

WHEREAS, the Borough of Highlands Zoning Board memorialized a Resolution on January 5, 2006 appointing Gregory Baxter, ESQ., from the firm of Caruso & Baxter as Zoning Board Attorney for a term of one (1) year expiring December 31, 2006; and

WHEREAS, in addition to Professional Services Contract a contract is hereby awarded for an additional amount not to exceed \$600.00 for legal services provided for the period of July 1, 2006 through December 31, 2006, for the legal services provided to the Zoning Board which are not covered in his annual salary; and

WHEREAS, certification of availability of funds is hereby provided by the Chief Financial Officer contingent upon adequate funding being provided by the Borough of Highlands Governing Body in the State Fiscal Year 2007 Budget:

Zoning Board Budget
Account #1151 – 3755 \$600.00
July 1, 2006 – December 31, 2006

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 \$600.00 for the period of July 1, 2006 through December 31, 2006.
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 Ms. Tierney and adopted on the following Roll Call Vote:

ROLL CALL:

AYES: Mr. Duncan, Mr. Braswell, Mr. Mintzer, Mr. Francy, Miss Tierney,
Ms. Ryan, Mr. Mullen

NAYES: None

ABSTAIN: None

Date: July 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 July 6, 2006.

BOARD SECRETARY