

Mr. Mullen offered the following Resolution and moved in its adoption:

**RESOLUTION APPOINTING ZONING BOARD ENGINEER FOR THE
CALENDAR YEAR 2007
AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES**

WHEREAS, the Borough of Highlands Zoning Board has a need for professional engineering services as a non-fair and open contract to be provided to the Board for the calendar year 2007 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, such professional engineering services services can only be provided by licensed professionals and **Francis Mullan, P.E.** of the firm of **Schoor DePalma, P.O. Box 900, Manalapan, NJ 07726** 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, Schoor DePalma Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that Schoor DePlama Engineers has not made any reportable contributions to a political or candidate committee in the Borough of Highlands in the previous one year (reportable contributions made prior to January 1, 2006 are not considered for the purpose of determining whether a contractor is prohibited from being awarded a contract), and that the contract will prohibit Schoor DePalma from making any reportable contributions through the term of the contract; and

WHEREAS, Schoor DePalma has completed and submitted a Political Contribution Disclosure Form in accordance with P.L. 2005, c271; and

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. Francis Mullan, P.E. of Schoor DePalma is hereby appointed as Zoning Board Engineer for the calendar 2007 and said appointemetn is made as a non-fair and open contract.
2. 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 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. Duncan and adopted on the following roll call vote:

ROLL CALL:

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

NAYES: None

ABSTAIN: None

DATE: January 4, 2007

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 January 4, 2007.

BOARD SECRETARY