

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

**RESOLUTION AWARDING 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 Zoning 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 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 has completed and submitted a Business Entity Disclosure Certification which certifies that Schoor DePalma Engineering 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 Engineering 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**, Schoor DePalma has submitted that attached contract for Professional Engineering services for the calendar year 2007; and

**WHEREAS**, the Zoning Board has reviewed attached contract for Professional Engineering Services for 2007; and

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

Zoning Board Budget  
Account #1151-3757 - \$2,100.00  
For the Period of January 1, 2007 through June 30, 2007

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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. Francis Mullan, P.E. of Schoor DePalma is hereby appointed as Zoning Board Engineer for the calendar 2007 and contract is awarded for Professional Engineering Services to be provided to the Zoning Board for the period of January 1, 2007 through June 30, 2007 for an amount not to exceed \$2,100.00.
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. Francy and adopted on the following roll call vote:

**ROLL CALL:**

**AYES:** Mr. Braswell, Mr. Francy, Mr. Fox, Mr. Anthony, Mr. Britton,  
Mr. Mullen

**NAYES:** None

**ABSTAIN:** None

**DATE:** February 1, 2007

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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 Zoning Board on February 1, 2007.

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**BOARD SECRETARY**

