



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 18-212

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR A LICENSED PLANNER TO PREPARE AN AFFORDABLE HOUSING VACANT LAND ASSESSMENT REPORT

WHEREAS, by way of Resolution 16-168, duly adopted on August 17, 2016 and amended by way of Resolution 18-142, duly adopted on June 20, 2018, the Borough authorized Special Counsel representing the Borough with regard to the Fair Housing Act and Council on Affordable Regulations (COAH) to proceed with the filing of a Complaint in the Superior Court of New Jersey seeking a declaration of approval of the Borough's Housing Element and Fair Share Plan; and

WHEREAS, the aforesaid Complaint was filed in the Superior Court of New Jersey and the said matter is currently pending; and

WHEREAS, in light of the above, the Borough is in need of Professional Planning Services from a licensed Professional in order to prepare an affordable housing vacant land assessment report for the Borough; and

WHEREAS, in order to achieve the Borough's objectives, Heyer, Gruel & Associates will prepare the aforesaid affordable housing vacant land assessment report; and

WHEREAS, Heyer, Gruel & Associates will prepare the affordable housing vacant land assessment report for a fee not to exceed \$7,500 billed at their hourly rates; and

WHEREAS, such professional planning services can only be provided by licensed professionals and the firm of Heyer, Gruel & Associates, 236 Broad Street, Red Bank, NJ 07701 is so recognized; and

WHEREAS, this contract is to be awarded for an amount not to exceed \$7,500 for the aforesaid Professional Planning Services; and

WHEREAS, Heyer, Gruel & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Heyer, Gruel & Associates 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 Heyer, Gruel & Associates from making any reportable contributions through the term of the contract; and

WHEREAS, Heyer, Gruel & Associates 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:

I hereby certify that funds are available as follows:



 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 Council of the Borough of Highlands as follows:

1. Heyer, Gruel & Associates are hereby retained to provide professional planning services as described above for an amount not to exceed \$7,500.00.
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 Mayor and Borough Clerk are hereby authorized to sign said contract.
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.

Motion to Approve Resolution 18-212

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON	X		X			
D'ARRIGO			X			
RYAN			X			
O'NEIL		X	X			

I, Bonnie Brookes, Municipal Clerk of the Borough of Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body, at its Council Meeting, held October 3rd 2018. WITNESS my hand this 4th day of October 2018.


 Bonnie Brookes, RMC
 Municipal Clerk