



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 19-001

RESOLUTION APPOINTING MUNICIPAL ATTORNEY FOR THE CALENDAR YEAR 2019 & AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES CONTRACT

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2019 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough has, through the fair and open process, publicly advertised for a Request for Proposals and Qualifications and said requests for Professional Services – Municipal Attorney were received in the Office of the Municipal Clerk no later than 10:45 am on November 20, 2018; and

WHEREAS, the Borough has reviewed all proposals received and has determined that the Mayor and Borough Council desires to authorize the execution of a professional services contracts between the following listed persons/firms and the Borough for the provisions of said services for the year of 2019; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, certification of availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2019 budget.

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

1. Brian J. Chabarek, Esq. of the Law Firm of Davison, Eastman, Muñoz, Lederman & Paone, P.A. is hereby appointed Borough Attorney for the calendar year 2019 and is awarded a professional service contract for an amount not to exceed \$66,000 plus reimbursable expenses for professional legal services for the period of January 1, 2019 through December 31, 2019 at the rate of a monthly retainer in the amount of \$5,500 and an hourly rate of \$150 per hour for services outside of the contract.
2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The attached Professional legal services Contract is hereby approved and the Mayor and Borough Clerk are hereby authorized to sign the contract.
4. 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(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.

5. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk.
6. The Borough Clerk is hereby directed to publish notice of this award as required by law.

Motion to Approve Resolution 19-01:

	INTROUCED	SECONDED	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
BROULLON			X			
MAZZOLA			X			
RYAN		X	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 January 1, 2019. WITNESS my hand this 2nd day of January 2019.

Bonnie Brookes, RMC
Municipal Clerk