



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

R-19-218

RESOLUTION APPOINTING SPECIAL COUNSEL WITH REGARD TO LITIGATION

WHEREAS, the Borough of Highlands requires special counsel to defend allegations contained in a litigation matter filed by John and Nichole Caruso in the Monmouth County Superior Court, Docket No. MON-L-1838-19; and

WHEREAS, this contract is awarded to Richard A. Gantner, Esq., of the law firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC; and

WHEREAS, the law firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c271; and

WHEREAS, this contract is awarded as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for an amount not to exceed \$5,000.00 per year without prior approval of the Governing Body for the aforesaid Professional Legal Services provided at an hourly rate of \$150 per hour; 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 governing body as follows:

1. Richard A. Gantner, Esq. of the law firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC is hereby retained to provide professional legal services as described above for an amount not to exceed \$5,000.00.
2. This 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)(i) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Borough Clerk.
4. The Borough Clerk is hereby directed to publish notice of this award as required by law.