



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

**Resolution 20-033**

**A Resolution Appointing a Redevelopment/COAH Attorney for the Calendar Year 2020 and Authorizing the Award of a Fair and Open Contract for Professional Legal Services**

**WHEREAS**, since the original Mt. Laurel decision by the New Jersey Supreme Court denominated an obligation on municipalities under the New Jersey Constitution to foster and take affirmative steps to assist and supply affordable housing for low and moderate income households, there has been extensive litigation as to the scope and methodology of that fair share obligation; and

**WHEREAS**, eventually the Legislature adopted the Fair Share Housing Act which established the Council on Affordable Housing (COAH) as the regulatory agency to determine and enforce affordable housing obligations on municipalities; and

**WHEREAS**, COAH failed to comply with certain Supreme Court directives as to establishing Round 3 Regulations, and on March 15, 2015 the Supreme Court in Litigation initiated by the Fair Share Housing Center (FSHC) made certain rulings turning the jurisdiction and authority to establish each municipality's fair share of affordable housing obligations to designated Superior Court Judges; and

**WHEREAS**, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2020 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 Redevelopment/COAH Attorney were received in the Office of the Municipal Clerk no later than 10:45 am on November 26, 2019; 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

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

1. The Law Firm of Pashman Stein Walder Hayden P.C. is hereby appointed Borough Redevelopment/COAH Attorney for the calendar 2020 and is awarded a professional service contract for an amount not to exceed \$15,000 for professional legal services provided for the period of January 1, 2020 through December 31, 2020.


2. That the services to be rendered shall be in compliance with the Laws of New Jersey.
3. The Mayor and Borough Clerk are hereby authorized to sign a contract for Professional Legal Services in accordance with this Resolution.
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.

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
BRASWELL			X			
MAZZOLA			X			
RYAN		X	X			
VALKOS			X			
BROULLON	X		X			

R-20-033

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: 01/01/2020

  
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 Matthew Conlon, RMC, Municipal Clerk

