



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 24-172

### AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES – CONFLICT ATTORNEY

**WHEREAS**, the Borough of Highlands has a need for professional services as it is in need of a conflict attorney pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, such professional services can only be provided by licensed professionals and the law firm of Peri Stewart Malia is so recognized; and

**WHEREAS**, Peri Stewart Malia has set forth its proposed services in a written proposal dated September 23, 2024 a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, Peri Stewart Malia has completed and submitted a Business Entity Disclosure Certification which certifies that Peri Stewart Malia 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 Peri Stewart Malia from making any reportable contributions through the term of the contract; and

**WHEREAS**, Peri Stewart Malia has completed and submitted a Political Contribution Disclosure form in accordance with P.L. 2005, c 271; and

**WHEREAS**, the Chief Financial Officer has determined and certified in writing that the value of the contract may exceed \$17,500.00; 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: Acct #4-01-20-155-000-251

A handwritten signature in blue ink, appearing to read "Patrick DeBlasio", written over a horizontal line.

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. That the firm of Peri Stewart Malia is hereby appointed and retained to provide professional services as conflict attorney at an hourly rate of \$175.00 per hour, in an amount not to exceed \$15,000.00, for the remainder of the calendar year 2024.
2. The Mayor and Borough Clerk are hereby authorized to sign the contract for the aforesaid professional services.
3. This contract is awarded without competitive bidding as “Professional Services” 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 law to practice a recognized profession.
4. A copy of this Resolution as well as the contract shall be placed on file with the Municipal Clerk of the Borough of Highlands.

Motion to Approve R 24-172:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

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

DATE OF VOTE: October 2, 2024

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Nancy Tran, Municipal Clerk  
Borough of Highlands