



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 23-004

APPOINTING MUNICIPAL ATTORNEY FOR THE CALENDAR YEAR 2023 & AUTHORIZING THE AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL LEGAL SERVICES

WHEREAS, the Borough of Highlands has a need for professional legal services to be provided to the Borough of Highlands for the calendar year 2023 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, The Borough of Highlands, through a fair and open process in accordance with N.J.S.A. 19:44A-20.5 solicited proposals from qualified attorneys for the appointment and position of Borough Attorney for the calendar year 2023 and said requests for Professional Services – Municipal Attorney were received in the Office of the Municipal Clerk no later than 11:00 am on December 13, 2022 ; 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 contract between the following listed persons/firms and the Borough for the provisions of said services for the year of 2023; and

WHEREAS, certification of the availability of funds has been provided by the Chief Financial Officer contingent upon the adoption of the 2023 Budget; and

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

1. Brian J. Chabarek of the Law Firm of Davison, Eastman, Munoz, Paone, P.A. is hereby appointed Borough Attorney for the calendar year 2023 and is awarded a professional services contract at the rate of a monthly retainer in the amount of \$5,500.00 and an hourly rate of \$150 per hour plus reimbursable expenses for professional legal services outside of the retainer services as outlined in the contract, for the period of January 1, 2023 through December 31, 2023, for an amount not to exceed \$180,000.00.
2. The Mayor and Borough Clerk are hereby authorized to sign the Professional Services Contract for the aforesaid services.
3. 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(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
4. A copy of the Resolution as well as the contract shall be placed on file with the Borough Clerk
5. The Borough Clerk is hereby directed to publish notice of this award as required by law

Motion to Approve R 23-004:

	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: January 1, 2023

Nancy Tran, Municipal Clerk
Borough of Highlands