

RESOLUTION

Councilmember _____ offered the following resolution and moved its adoption;
seconded by Councilmember _____

WHEREAS, the Township of Ocean is in need of general consulting services for the year 2010 to assist in the preparation of zoning ordinances, to assist in the evaluation of zone change requests, to assist in analysis of landscape plans and provide other general assistance as may be required; and

WHEREAS, the Township Council of the Township of Ocean has elected to utilize the “non-fair and open” process in making this appointment pursuant to the provisions of N.J.S.A. 19:44A-20.8 for the purpose of imposing the strictest campaign spending limitations under the New Jersey Local Unit Pay-to-Play Law; and

WHEREAS, the Township Manager has determined that the value of these services is expected to exceed \$17,500.00 in the calendar year of 2009; and

WHEREAS, James W. Higgins of James W. Higgins Associates has submitted a proposal for Planning Services at an hourly rate of \$125.00, as well as a fee of \$200 per meeting of the Township Planning Board and Zoning Board of Adjustment; and

WHEREAS, James W. Higgins of James W. Higgins Associates has completed and submitted a Business Entity Disclosure Certification which certifies that James W. Higgins Associates has not made any reportable contributions to a political or candidate committee in the Township of Ocean in the previous year, and that the contract will prohibit James W. Higgins of James W. Higgins Associates from making any reportable contributions to a political or candidate committee in the Township of Ocean during the term of this contract; and

WHEREAS, the Director of Finance shall certify that funds for the purpose of the award of this contract will be provided for in the 2010 Temporary and Adopted Budget subject to provisions provided by the Governing Body in the Township of Ocean in the following line item appropriations:

Planning Board – Planning – 0-01-21-720-263
Board of Adjustment – Planning – 0-01-21-721-263
Various Escrow Accounts

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Township Council of the Township of Ocean authorized the Mayor and Municipal Clerk to enter into a contract with James W. Higgins of James W. Higgins Associates as described herein and with a not to exceed provision of \$60,000.00; and

BE IT FURTHER RESOLVED, that this resolution shall be advertised according to law; and

BE IT FURTHER RESOLVED, that the required Business Entity Disclosure Certification shall be filed with this Resolution and Contract; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the following:

1. Director of Finance
2. James W. Higgins Associates
3. Director of Community Development

ROLL CALL: Garofalo, Hiers, Schepiga, Siciliano, Larkin

CERTIFICATION

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **December 8, 2009**.*

Vincent Buttiglieri, RMC/CMC
Township Clerk