

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 19-205**

**A RESOLUTION AUTHORIZING THE BOROUGH PLANNER TO PERFORM ADDITIONAL
AFFORDABLE HOUSING PLANNING SERVICES TO ASSIST THE BOROUGH IN THE COURT-
MANDATED COMPLIANCE PROCESS**

WHEREAS, the Borough of Red Bank, County of Monmouth, State of New Jersey (the "Borough") has filed a declaratory judgment action in accordance with the compliance process mandated by the New Jersey Supreme Court; and

WHEREAS, the Borough requires additional professional planning services in connection with the court-mandated compliance process; and

WHEREAS, to date, the Borough has adopted all required documentation in accordance with the Settlement Agreement with Fair Share Housing Center, and the Special Master has issued a report recommending the Court grant the Borough a Final Judgment of Compliance and Repose, with immunity through 2025; and

WHEREAS, the affordable housing project budget has been exhausted and in order to review and respond to additional questions from Fair Share Housing Center, CME has compiled, reviewed, and updated several documents and items which were not anticipated as part of the previous proposal; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a resolution authorizing the award of the contract for professional services without competitive bids and that the contract itself must be available for inspection; and

WHEREAS, the Borough Engineer, CME Associates, is experienced in such professional planning services and has provided the Borough with Proposal No. 2019-153 in the total amount of \$9,507.50, which is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that the Mayor and the Clerk of the Borough of Red Bank are hereby authorized to execute and attest to an agreement with CME Associates for affordable housing planning services to assist the borough in the court-mandated compliance process to be completed on or before October 1, 2019, at a fee not to exceed \$9,507.50, pursuant to Proposal No. 2019-153 dated July 12, 2019. This contract is awarded without competitive bids as a "professional services contract" in accordance with N.J.S.A. 40A:11-5 (1)(a)(l) of the Local Public Contract Law.

BE IT FURHTER RESOLVED, that the account to be charged is 9-01-20-715-210 in a total amount not to exceed \$9,507.50 and that the Chief Financial Officer has issued a Certificate of Available Funds which is incorporated herein by reference.

| | Motion | Yes | No | Abstain | Absent |
|------------------------|--------|-----|----|---------|--------|
| Councilman Yassin | | X | | | |
| Councilwoman Triggiano | | X | | | |
| Councilman Ballard | | X | | | |
| Councilman Yngstrom | Motion | X | | | |
| Councilman Zipprich | Second | X | | | |
| Councilwoman Horgan | | X | | | |

Dated: August 21, 2019

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on August 21. 2019.

Pamela Borghi

Pamela Borghi, Municipal Clerk