

**RESOLUTION NO. PBZB 2020-01**  
**AWARD OF A FAIR AND OPEN CONTRACT**  
**PLANNING/ZONING BOARD ATTORNEY, KERRY E. HIGGINS, ESQ.,**  
**MCKENNA, DUPONT, HIGGINS & STONE, ATTORNEYS AT LAW**

**WHEREAS**, the Borough of Sea Bright has a need to acquire professional services of a Planning/Zoning Board Attorney as a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5 as appropriate*; and,

**WHEREAS**, a request for proposals for Planning/Zoning Board Attorney was advertised in the Asbury Park Press to be received on December 4, 2019; and,

**WHEREAS**, *Kerry E. Higgins, Esq.* has submitted a proposal dated November 5, 2019, which is on file in the Planning/Zoning Board Office; and,

**WHEREAS**, the proposal submitted by *Kerry E. Higgins, Esq.* of Red Bank, New Jersey is being considered for the term of one year (January 1, 2020 - December 31, 2020); and

**WHEREAS**, *Kerry E. Higgins, Esq.* has completed and submitted a Business Entity Disclosure Certification which certifies that *Kerry E. Higgins, Esq.* has not made any reportable contributions that would bar award of this contract pursuant to N.J.S.A. 19:44A-1 and PL 2004, c.19 to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit *Kerry E. Higgins, Esq.* from making any reportable contributions through the term of the contract; and

**WHEREAS**, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright has certified that funds will be available in other Professional Services/Planning Board and other expense appropriations for the purpose stated herein.

**NOW THEREFORE, BE IT RESOLVED** that the Planning/Zoning Board of the Borough of Sea Bright authorizes the Mayor to enter into a contract with *Kerry E. Higgins, Esq.* as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

**BE IT FURTHER RESOLVED** that a notice of this action shall be printed one time in the "Asbury Park Press" newspaper.

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

1. CHRISTINE PFEIFFER, BOROUGH CLERK
2. KERRY E. HIGGINS, ESQ., MCKENNA, DUPONT, HIGGINS & STONE,  
ATTORNEYS AT LAW

Councilman Leckstein introduced and offered the following Resolution for adoption:

Seconded by Boardmember Smith and adopted on the following roll call vote:

**ROLL CALL:**

Cashmore Absent Cunningham Absent DiGiulio Abstain DeSio Yes  
Kelly Absent Leckstein Yes McGinley Yes Nott Absent Smith Yes  
Bills (Alt. #1) Abstain Wray (Alt. #2) Yes Gorman (Alt. #3) Yes

**CERTIFICATION**

I certify the foregoing to be a true copy of a Resolution by the Sea Bright Planning/Zoning Board memorialized on February 11, 2020.

Candace B. Mitchell  
Candace B. Mitchell,  
Planning Board Secretary

David DeSio  
David DeSio,  
Planning Board Vice Chairman

