

**RESOLUTION
TOWNSHIP OF FRANKLIN
APPOINTING SPECIAL COUNSEL FOR THE TOWNSHIP OF FRANKLIN
FOR THE YEAR 2012, PURSUANT TO THE LOCAL PUBLIC CONTRACTS
LAW (N.J.S.A. 40A:11-1, ET SEQ.)**

R-16-2012

WHEREAS, there exists a need for SPECIAL COUNSEL FOR FORECLOSURE MATTERS IN BANKRUPTCY in the Township of Franklin for the purposes of providing the Township Committee of said Township with legal counsel and advise in certain specialized matters; and

WHEREAS, pursuant to the provisions of N.J.S.A. 19:44A-20.5, the Township Committee has determined to award said contract as a fair and open contract; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires the governing body of a contracting unit to publish a notice in a newspaper authorized by law to publish its legal advertisements, setting forth the nature, duration, service and amount of the contract where such contract is awarded for "professional services".

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey, as follows:

1. That ANNE MARIE KELLY, ESQ., and the Law Firm of DILWORTH PAXSON, are hereby retained as SPECIAL COUNSEL for the Township of Franklin, to provide counsel, advice and legal services to the officials of said Township for the year 2012.

2. The appropriate officers of the Township of Franklin are hereby authorized to enter into the contract with ANNE MARIE KELLY, ESQ., and the Law Firm of DILWORTH PAXSON for the legal services above specified, for a term of one year as attached hereto for the year 2012.

3. The contract is awarded as a "professional service" under the provision of the Local Public Contracts Law because of the specialized training, education, experience and specialized knowledge needed for this position and pursuant to a "fair and open" process as provided in N.J.S.A. 19:44A-20.4 et seq.

4. A notice of the award of this contract shall forthwith be printed once in The Gloucester County Times, an official newspaper of the Township of Franklin, authorized by law to publish the legal advertisements of the Township Committee of the Township of Franklin, setting forth the nature, duration, service and amount of the contract, and further stating that this resolution and the annexed contract are on file and available for public inspection in the Office of the Clerk of the Township of Franklin.

ADOPTED, at a regular meeting of the Township Committee of the Township of Franklin on January 1, 2012.

ATTEST:

TOWNSHIP OF FRANKLIN

CAROLYN K. TOY, CLERK

JOSEPH C. PETSCH, MAYOR

CERTIFICATION

I, Carolyn K. Toy, Clerk of the Township of Franklin, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Franklin Township Committee held on January 1, 2012.

CAROLYN K. TOY, CLERK

**AGREEMENT BETWEEN THE
TOWNSHIP OF FRANKLIN AND ANNE MARIE KELLEY, ESQUIRE**

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of a special counsel for Bankruptcy and certain *in rem* foreclosure matters, for the calendar year 2012 commencing January 1, 2012; and

WHEREAS, ANNE MARIE KELLEY, ESQUIRE, and the Law Firm of Dilworth Paxson, LLP of 457 Haddonfield Road, Suite 700, Cherry Hill, New Jersey 08002 hereinafter referred to as "Special Counsel" is a licensed attorney in the State of New Jersey and Commonwealth of Pennsylvania, has agreed to accept the appointment of the Township for the performance of the duties of special counsel for Bankruptcy and certain *in rem* foreclosure matters subject to the following terms and conditions:

WITNESSETH:

1. The Special Counsel shall be appointed to represent the Township for a term of one (1) year, commencing January 1, 2012, and she shall perform all duties required of a special bankruptcy/ *in rem* foreclosure representative of the Township.

2. During the term of this Agreement, the Special Counsel shall devote her best efforts to advance the interest of the Township; she shall perform her duties to the best of her ability and in accordance with the Code of Professional Ethics by the New Jersey Supreme Court.

3. Payment for services rendered by the Special Counsel shall be on the basis of statements rendered from time to time for services performed and advice rendered in the amount of \$175.00 per hour for special counsel and for any other attorney of the firm and \$120.00 per hour for any paralegal of the firm.

4. The Special Counsel shall also be entitled to be reimbursed for toll, telephone calls, photostatic copying expenses, travel expenses, docket retrieval costs and court costs, all of which may be billed to the Township on appropriate vouchers and reimbursed upon approval to the Special Counsel.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 1st day of January, 2012.

DILWORTH PAXSON, LLP

TOWNSHIP OF FRANKLIN

ANNE MARIE KELLEY, ESQUIRE

BY: _____
JOSEPH C. PETSCH, MAYOR

ATTEST:

CAROLYN K. TOY, CLERK