

**RESOLUTION
TOWNSHIP OF FRANKLIN
APPOINTING A CONFLICT SOLICITOR FOR THE TOWNSHIP OF FRANKLIN
FOR THE YEAR 2011, PURSUANT TO THE LOCAL PUBLIC CONTRACTS
LAW (N.J.S.A. 40A:11-1, ET SEQ.)**

R - 17 - 2011

WHEREAS, there exists a need for a Conflict Solicitor in the Township of Franklin to serve in the event of a conflict of interest arising with the appointed Solicitor for the purposes of providing the Township Committee of said Township with legal counsel and advise; 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 MARK B. SHOEMAKER, ESQUIRE, and the law firm of WARD SHOEMAKER, LLC, 36 Euclid Street, Woodbury, NJ 08096, are hereby retained as Conflict Solicitor for the Township of Franklin, to provide counsel, advice and legal services to the officials of said Township for the year 2011.

2. The appropriate officers of the Township of Franklin are hereby authorized to enter into the contract with MARK B. SHOEMAKER and the law firm of WARD SHOEMAKER for the legal services above specified, for a term of one year as attached hereto for the year 2011.

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 Sentinel, the 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, 2011.

ATTEST:

TOWNSHIP OF FRANKLIN

CAROLYN K. TOY, CLERK

PATRICK M. DOUGHERTY, 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, 2011.

CAROLYN K. TOY, CLERK

**AGREEMENT BETWEEN THE
TOWNSHIP OF FRANKLIN AND MARK B. SHOEMAKER, ESQUIRE**

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of a Conflict Solicitor for the calendar year 2011, commencing January 1, 2011; and

WHEREAS, MARK B. SHOEMAKER, ESQUIRE and the Law Firm of Ward Shoemaker of 36 Euclid Street, P.O. Box 685, Woodbury, New Jersey 08096 hereinafter referred to as "Conflict Township Solicitor" are licensed attorneys in the State of New Jersey, and have agreed to accept the appointment of the Township for the performance of the duties of attorney subject to the following terms and conditions:

WITNESSETH:

1. The Conflict Solicitor shall be appointed to represent the Township for a term of one (1) year, commencing January 1, 2011, and he shall perform all duties required of a local representative of the Township.
2. During the term of this Agreement, the Conflict Solicitor shall devote his best efforts to advance the interest of the Township; he shall perform his duties to the best of his ability and in accordance with the Code of Professional Ethics by the New Jersey Supreme Court.
3. The Conflict Solicitor shall receive a salary as set forth in the Salary Ordinance of the Township of Franklin.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 1st day of January, 2011.

WARD SHOEMAKER, LLC

TOWNSHIP OF FRANKLIN

MARK B. SHOEMAKER, ESQUIRE

PATRICK M. DOUGHERTY, MAYOR

ATTEST:

CAROLYN K. TOY, CLERK