

TOWNSHIP OF FRANKLIN
R-05-2019

**RESOLUTION APPOINTING SPECIAL COUNSEL
FOR BOND SERVICES**

WHEREAS, there exists a need for the retention of special counsel having an expertise in the complex subject area of Bond Ordinances for the purpose of providing the Township Committee with legal services on general public finance matters for the Township of Franklin to meet its short and long term obligations for Bond and/or Note Ordinances under New Jersey law; 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, that Capehart Scatchard, be and is hereby appointed as Special “Bond Services” Counsel to provide representation, advice, reports and related legal services regarding the issuance of Bond and/or Note Ordinances to the Township Committee for the balance of the year 2019 in accordance with the attached Contract.

AND BE IT FURTHER RESOLVED that the appropriate officers of the Township of Franklin are hereby authorized to enter into the attached contract with for services specified above until December 31, 2019.

AND BE IT FURTHER RESOLVED that said 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 BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to The South Jersey Times, an official newspaper of the Township of Franklin, authorized by law to publish the legal notices of the Township Committee of the Township of Franklin, 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 Reorganization Meeting of the Township Committee of the Township of Franklin on January 1, 2019.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Municipal Clerk

David Deegan, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, in the County of Gloucester, 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, 2019.

Barbara Freijomil, Municipal Clerk

**AGREEMENT BETWEEN THE
TOWNSHIP OF FRANKLIN AND CAPEHART SCATCHARD**

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of Special Counsel for Bond Services for the calendar year 2019, commencing January 1, 2019; and

WHEREAS, Capehart Scatchard, hereinafter referred to as "Special Legal Counsel for Bond Services" is a licensed attorney in the State of New Jersey, and has 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. Capehart Scatchard shall be appointed to represent the Township for a term of one (1) year, commencing January 1, 2019, and they shall perform all duties required of a local representative of the Township.

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

3. The Special Legal Counsel for Bond Services shall receive a salary as set forth on the Cost Proposal.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 1st day of January, 2019.

TOWNSHIP OF FRANKLIN

DAVID DEEGAN, MAYOR

ATTEST:

BARBARA FREIJOMIL, CLERK