

TOWNSHIP OF FRANKLIN
R-31-2019

**RESOLUTION APPOINTING CONFLICT PUBLIC DEFENDERS FOR THE
TOWNSHIP OF FRANKLIN JOINT MUNICIPAL COURT FOR THE YEAR 2019,
PURSUANT TO LOCAL PUBLIC CONTRACTS LAW (N.J.S.A. 40A:11-1, ET
SEQ.) AND IN ACCORDANCE WITH PUBLIC LAW 1996, c. 95, SECTION 14
(N.J.S.A. 2B 12-1, ET AL.)**

WHEREAS, there exists a need for Conflict Public Defenders in the Township of Franklin for the Franklin Joint Township Municipal Court; 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. Any licensed practicing lawyer in the State of NJ who is appointed as Municipal Public Defender in any other municipality in the County of Gloucester, State of NJ is hereby retained as Conflict Public Defenders for the Township of Franklin for the year 2018 in accordance with Public Law 1996, c. 95 Section 14 (N.J.S.A. 2B 12-1, et al.)
2. The appropriate officers of the Township of Franklin are hereby authorized to enter into the contract with, for the legal services above specified, for a one (1) year term commencing February 12, 2019, and to be paid in accordance with the 2019 Budget.
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 South Jersey 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 the Regular Meeting of the Township Committee of the Township of Franklin on February 12, 2019.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Municipal Clerk

David Deegan, Mayor

CERTIFICATION

I, Barbara Freijomil, 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 February 12, 2019.

BARBARA FREIJOMIL, CLERK

AGREEMENT

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of a Conflict Public Defender for the calendar year 2019 commencing February 12, 2019; and

WHEREAS, CHARLES FIORE, ESQUIRE, hereinafter referred to as "Township Conflict Public Defender", is a licensed attorney in the State of New Jersey, 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. The Township Conflict Public Defender shall be appointed to a one (1) year term to represent the Township for the calendar year 2019, commencing February 12, 2019, and he shall perform all duties required of a local representative of the Township.
- 2. During the term of this Agreement, the Township Conflict Prosecutor shall devote his/her best efforts to advance the interest of the Township; he shall perform his/her duties to the best of his/her ability and in accordance with the Code of Professional Ethics by the New Jersey Supreme Court and in accordance with Public Law 1996, c. 93, Section 14 (N.J.S.A. 2B 12-1 et al.)
- 3. The Township Conflict Prosecutor 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 12th day of February 2019.

TOWNSHIP OF FRANKLIN

David Deegan, Mayor

ATTEST:

Barbara Freijomil, Clerk