

**TOWNSHIP OF FRANKLIN
R-09-2021**

**RESOLUTION APPOINTING A PROSECUTOR FOR THE TOWNSHIP OF
FRANKLIN MUNICIPAL COURT FOR THE YEAR 2021, 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 a Prosecutor in the Township of Franklin for the Franklin 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. That, Joseph DiNicola is hereby retained as Prosecutor for the Township of Franklin for the year 2021 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 January 1, 2021, and to be paid in accordance with the Salary Ordinance.

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 Reorganization Meeting of the Township Committee of the Township of Franklin on January 1, 2021.

ATTEST:

TOWNSHIP OF FRANKLIN

Barbara Freijomil, Municipal Clerk

John Bruno, 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, 2021.

Barbara Freijomil, Municipal Clerk

**AGREEMENT BETWEEN THE TOWNSHIP OF FRANKLIN
AND JOSEPH DINICOLA**

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of a Prosecutor for the calendar year 2021, commencing January 1, 2021; and

WHEREAS, Joseph DiNicola, hereinafter referred to as "Township Prosecutor", 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 Prosecutor shall be appointed to a one (1) year term to represent the Township for the calendar year 2021, commencing January 1, 2021, and he shall perform all duties required of a local representative of the Township.

2. During the term of this Agreement, the Township Prosecutor 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 and in accordance with Public Law 1996, c. 93, Section 14 (N.J.S.A. 2B 12-1 et al.)

3. The Township Prosecutor shall receive a salary as set forth in the Salary Ordinance of the Township of Franklin of \$30,000.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 1st day of January, 2021.

TOWNSHIP OF FRANKLIN

Joseph DiNicola, Esquire

John Bruno, Mayor

ATTEST:

BARBARA FREIJOMIL, CLERK