

**TOWNSHIP OF FRANKLIN  
R-12-2016**

**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 PARKER MCCAY, 9000 Midlantic Drive, Suite 300, Marlton, New Jersey 08053, 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 2016 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 PARKER McCAY for services specified above until December 31, 2016.

**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 Sentinel of Gloucester County, 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, 2016.

ATTEST:

TOWNSHIP OF FRANKLIN

\_\_\_\_\_  
Barbara Freijomil, Municipal Clerk

\_\_\_\_\_  
Sheryl Neely, 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, 2016.

\_\_\_\_\_  
Barbara Freijomil, Municipal Clerk

**AGREEMENT BETWEEN THE  
TOWNSHIP OF FRANKLIN AND PARKER MCCAY**

**WHEREAS**, the Township of Franklin, hereinafter referred to as "Township", requires the services of Special Counsel for Bond Services for the calendar year 2016, commencing January 1, 2016; and

**WHEREAS**, PARKER McCAY, 9000 Midlantic Drive, Suite 300, Marlton, New Jersey 08053, 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. PARKER MCCAY shall be appointed to represent the Township for a term of one (1) year, commencing January 1, 2016, 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 Attached.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 1st day of January, 2016.

**PARKER MCCAY**

**TOWNSHIP OF FRANKLIN**

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SHERYL NEELY, MAYOR

ATTEST:

\_\_\_\_\_

BARBARA FREIJOMIL, CLERK

Cost Proposal

Proposed Fee Schedule for Bond Counsel to the Township of Franklin:

<b><u>Amount of Bonds</u></b>	<b><u>Base Fee</u></b>
\$1 to \$999,999	\$5,000 to \$9,000
\$1,000,000 to \$4,999,999	\$9,001 to \$13,000
\$5,000,000 and up	\$13,001, plus \$1.10 per \$1,000 of bonds over \$5,000,000

**Refunding Bonds**

To be established by separate agreement between the Township of Franklin and Bond Counsel

**General Public Finance and Tax Advice/Official Statement Preparation/Review**

The hourly rate for professional and paraprofessional legal services for the Township of Franklin will be:

Shareholders (Partners)	\$265-\$285
Counsel, of Counsel	\$240-\$275
Senior Associates	\$240-\$275
Associates	\$185-\$235
Paralegals/Law Clerks	\$95

**Additional Fees**

In Addition to legal services, our invoices will include any out-of-pocket expenses attributable to a specific client matter. Out-of-pocket expenses generally include, but are not limited to postage, photocopying, and complex document productions, fax transmissions, courier services, online research, travel expenses, filing, recording, certification and registration fees charged by governmental bodies.

Itemized statements showing services rendered and disbursements made by the firm on behalf of the client will be submitted on a monthly basis, together with an appropriate voucher for payment.