

**TOWNSHIP OF FRANKLIN
R-23-2016**

**RESOLUTION APPOINTING A CONFLICT SOLICITOR
FOR THE TOWNSHIP OF FRANKLIN
FOR THE YEAR 2016, PURSUANT TO THE LOCAL PUBLIC CONTRACTS
LAW (N.J.S.A. 40A:11-1, ET SEQ.)**

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 BRENDAN KAVANAGH, ESQ. and the Law Firm KAVANAGH & KAVANAGH, LLC, 219 N. HIGH STREET, SUITE A, MILLVILLE, NJ 08332 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 2016.

2. The appropriate officers of the Township of Franklin are hereby authorized to enter into the contract with BRENDAN KAVANAGH, ESQ. and the Law Firm KAVANAGH & KAVANAGH, LLC, 219 N. HIGH STREET, SUITE A, MILLVILLE, NJ 08332 for the legal services above specified, for a term of one year as attached hereto for the year 2016.

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 of Gloucester County, 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, 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 BRENDAN KAVANAGH, ESQUIRE**

WHEREAS, the Township of Franklin, hereinafter referred to as "Township", requires the services of a Conflict Solicitor for the calendar year 2016, commencing January 1, 2016; and

WHEREAS, BRENDAN KAVANAGH, ESQ. and the Law Firm KAVANAGH & KAVANAGH, LLC, 219 N. HIGH STREET, SUITE A, MILLVILLE, NJ 08332, 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, 2016, 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 payment of \$150.00 per hour plus reimbursement of out of pocket costs, if any, which will be invoiced and itemized on a monthly basis.

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

KAVANAGH & KAVANAGH

TOWNSHIP OF FRANKLIN

BRENDAN KAVANAGH, ESQUIRE

SHERYL NEELY, MAYOR

ATTEST:

BARBARA FREIJOMIL, CLERK