

**TOWNSHIP OF FRANKLIN
R-207-16**

**RESOLUTION MEMORALIZING THE DETAILS OF THE APPOINTMENT OF
BRENDAN KAVANAGH AS SOLICITOR FOR
THE TOWNSHIP OF FRANKLIN**

WHEREAS, there exists a need for a Solicitor in the Township of Franklin for the purposes of providing the Township Committee of said Township with legal counsel and advice; 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, ESQUIRE, and the law firm of KAVANAGH & KAVANAGH, LLC, 219 N. HIGH STREET, SUITE A. MILLVILLE, NJ 08332, are hereby retained as Solicitor for the Township of Franklin, to provide counsel, advice and legal services to the officials of said Township for the remainder of the year 2016.

2. The appropriate officers of the Township of Franklin are hereby authorized to enter into the contract with BRENDAN KAVANAGH and the law firm of KAVANAGH & KAVANAGH, LLC for the legal services above specified, for the remainder of 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 a regular meeting of the Township Committee of the Township of Franklin on November 2, 2016.

Attest:

Township of Franklin

Barbara Freijomil, Clerk

Sheryl Neely, 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 held on November 2, 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 Township Solicitor for the remainder of calendar year 2016; and

WHEREAS, BRENDAN KAVANAGH, ESQUIRE and the Law Firm of KAVANAGH & KAVANAGH, 219 N. HIGH STREET, SUITE A. MILLVILLE, NJ 08332 hereinafter referred to as "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 Township Solicitor shall be appointed to represent the Township for remainder of the year 2016 and he shall perform all duties required of a local representative of the Township.

2. During the term of this Agreement, the Township 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 Township Solicitor shall receive fees in the amount of \$150.00 per hour to serve as Township Solicitor. The Solicitor shall be entitled to receive compensation for his attendance at meetings, both regular and special, for the preparation of Ordinances, Resolutions, Contracts, Deeds and other legal documents not specifically enumerated herein, the representation of the Township and its officers including appearances before courts, Administrative bodies, Federal, State or County agencies, and services rendered for such other legal work, including correspondence, telephone calls or research as may be required to properly represent and advise the Mayor, Township Committee and other officials of the Township of Franklin. Payment for services rendered by the Municipal Solicitor shall be on the basis of statements rendered monthly for services performed and advice rendered.

4. The Township Solicitor shall also be entitled to be reimbursed for toll telephone calls, copying expenses, travel expenses and court costs, all of which may be billed to the Township on appropriate vouchers and reimbursed, upon approval, to the Solicitor.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 2nd day of November, 2016.

KAVANAGH & KAVANAGH

TOWNSHIP OF FRANKLIN

Brendan Kavanagh, Esquire

Sheryl Neely, Mayor

ATTEST:

Barbara Freijomil, Clerk