

2008-3

**RESOLUTION APPOINTING ATTORNEY
FOR 2008-2009**

APPROVED
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4 MAR 08

WHEREAS, a need exists for legal services for the Commissioners of Fire District #3 in the Township of Franklin, County of Somerset; and

WHEREAS, funds are available or will be available for the purpose of obtaining such services; and

WHEREAS, the Local Public Contracts Law (N.J.S. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bids must be publicly advertised;

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF FIRE DISTRICT #3 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, as follows:

1. Peter J. Barnes Jr., is hereby appointed as attorney for the Board to serve for a term of one year or until a successor is appointed at the reorganization meeting of the Board following the annual election.

2. Said attorney shall be paid a retainer of \$11,000.00 for all services rendered except as otherwise provided in the professional services agreement between said attorney and the Commissioners, which agreement shall be maintained on file at the Board offices.

3. This appointment is made without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because the services to be rendered or performed are by persons authorized by law to

practice a recognized profession and whose practices are regulated by law and such services are of such a qualitative nature as will not reasonably permit the drawing of specification or the receipt of competitive bids

4. Notice of award of the contract authorized hereby shall be published in an official newspaper within 10 days of its passage.