

2008-8

APPROVED
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District 08

**RESOLUTION AUTHORIZING EXECUTION OF
AGREEMENT FOR FIRE PROTECTION SERVICES
BETWEEN COMMISSIONERS OF FIRE DISTRICT NO. 3
IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET
AND, RESPECTIVELY, THE COMMUNITY VOLUNTEER FIRE
COMPANY NO. 1, INC. AND
EAST FRANKLIN TOWNSHIP VOLUNTEER FIRE DEPARTMENT**

WHEREAS, N.J.S. 40A:14-68 authorizes the governing body of a municipality to contract with volunteer fire companies within the municipality for the purpose of extinguishing fires, upon such terms and conditions as shall be deemed proper; and

WHEREAS, N.J.S. 40A:14-81 provides the Commissioners of a fire district with the same powers, duties and functions within the fire district and to the same extent as municipalities relating to the prevention and extinguishment of fire and the regulation of fire hazards; and

WHEREAS, the Commissioners of Fire District No. 3 in the Township of Franklin, County of Somerset, has negotiated agreements with the fire companies within its jurisdiction upon terms that are fair and proper for the provision of fire protection services to the fire district;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF
FIRE DISTRICT NO. 3 IN THE TOWNSHIP OF FRANKLIN, COUNTY OF
SOMERSET**, as follows:

1. The Chairman and Clerk be and are hereby authorized to execute the fire protection services agreements respectively with Community Volunteer Fire

Company No. 1, Inc. and East Franklin Township Volunteer Fire Department.

2. Said agreements shall be conditioned upon execution of same by the authorized officers of said fire companies and the adoption of authorizing resolutions by said fire companies.

3. To the extent that any part of the term of said agreements are retroactive to the date of adoption of this resolution, all actions to be taken thereunder during said period of time are hereby ratified.

4. The authorization herein contained is contingent upon adequate funds being provided in the 2008 fiscal year budget for the purposes hereof.

5. The fire protection services agreements presented to said fire companies shall be executed without modification or change unless authorized by subsequent resolution.

6. A copy of this resolution shall be furnished to each of the said fire companies.