

17-11

A RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS, FRANKLIN TOWNSHIP FIRE DISTRICT NO. 1, COUNTY OF SOMERSET, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO DOMINIC P. DIYANNI, ESQ. OF ERIC M. BERNSTEIN & ASSOCIATES, LLC FOR THE POSITION OF BOARD ATTORNEY

WHEREAS, the Township of Franklin, Somerset County, Board of Fire Commissioners, District No. 1, ("Board") has a need to appoint an Attorney for the District; and

WHEREAS, Dominic P. DiYanni, Esq. of Eric M. Bernstein & Associates, LLC, has submitted a proposal indicating that he and his firm will provide the legal services as sought by the Board at a rate of \$120.00 per hour; and

WHEREAS, the Board wishes to retain Dominic P. DiYanni, Esq. of Eric M. Bernstein & Associates, LLC for the purpose of providing the legal services sought by the Board; and

WHEREAS, the term for a contract for this professional service shall be from March 7, 2017 through March 6, 2018; or until the next Board of Fire Commissioners reorganization meeting occurring in calendar year 2018, whichever is sooner; and

WHEREAS, funds are available for this purpose; and


WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.


NOW, THEREFORE, BE IT RESOLVED by the Board of Fire Commissioners, District No.1, Township of Franklin, County of Somerset, State of New Jersey as follows:

1. The Board hereby awards and authorizes the necessary individuals to execute an agreement with Dominic P. DiYanni, Esq. of Eric M. Bernstein & Associates, LLC, with offices located at 34 Mountain Boulevard, Bldg. A, P.O. Box 4922, Warren, New Jersey, 07059, as Attorney for the Board commencing March 7, 2017 and through March 6, 2018 or until the next Board of Fire Commissioners reorganization meeting occurring in calendar year 2018, whichever is sooner at an hourly rate of \$120.00 per hour.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession.
3. Notice of this action shall be published once in the Board's official newspaper as required by law.




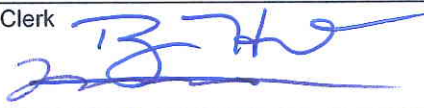
Chairman


YES NO ABSTAIN





Clerk


YES NO ABSTAIN




Commissioner


YES NO ABSTAIN



Commissioner


YES NO ABSTAIN



Commissioner


YES NO ABSTAIN

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION APPROVED BY THE COMMISSIONERS OF FIRE DISTRICT NO. 1, FRANKLIN TOWNSHIP, SOMERSET COUNTY, NEW JERSEY AT THEIR REORGANIZATION MEETING HELD ON MARCH 7, 2017.



CLERK



ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

34 MOUNTAIN BLVD., BUILDING A
P.O. BOX 4922
WARREN, NEW JERSEY 07059

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March 3, 2017

VIA EMAIL & FEDERAL EXPRESS

Board of Commissioners
Franklin Township Fire District No. 1
370 Campus Drive
Suite 102
Somerset, NJ 08876

Re: **Proposal for Professional Services**
2017-2018

Dear Board of Commissioners:

First I want to thank the Board for giving me an opportunity to represent it for over the past year. With that, I am submitting this herein proposal to continue to provide legal professional services to the Commissioners of Fire District No. 1, Franklin Township, Somerset County, NJ for this new Fire District year commencing March 7, 2017.

I propose to provide the same legal professional services to the District Board as I have been providing for approximately the past year at the same hourly rate of \$120.00. I am also attaching the firm's background and bio for your review. If the Board is interested in retaining me and continuing the professional services relationship, I have attached a Resolution for your consideration at the Reorganization Meeting. If my services are retained for this upcoming year, and the Resolution is successfully passed, I will provide the Board with a professional services contract for execution.

I thank you for your time and consideration in this matter.

Very truly yours,
ERIC M. BERNSTEIN & ASSOCIATES, LLC



Dominic P. DiYanni, Esq.

DPD
Encl.