

18-05

**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 6, 2018 through March 5, 2019; or until the next Board of Fire Commissioners reorganization meeting occurring in calendar year 2019, whichever is sooner; and


**WHEREAS**, funds are available for this purpose; and

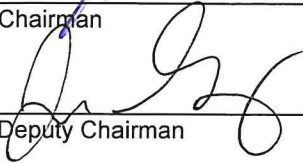
**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.


**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 6, 2018 and through March 5, 2019 or until the next Board of Fire Commissioners reorganization meeting occurring in calendar year 2019, 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

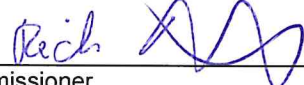
    —    —  
YES    NO    ABSTAIN


  
Deputy Chairman

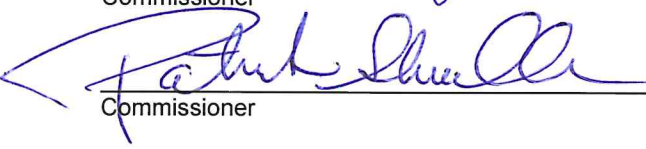
    —    —  
YES    NO    ABSTAIN


  
Clerk

    —    —  
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 6, 2018.

  
CLERK