

RESOLUTION AUTHORIZING AN AGREEMENT FOR LEGAL SERVICES

WHEREAS, the Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey, as a public body duly organized under the laws of the State of New Jersey, requires the advice, consultation and other services of an attorney in the conduct of public business for which it is charged; and

WHEREAS, the Board is permitted under the law to retain the services of an Attorney; and

WHEREAS, the Treasurer of the Board has determined and certified that the value of legal services will exceed seventeen thousand five hundred dollars (\$17,500.00); and

WHEREAS, the term of the Contract is for one (1) year or less; and

WHEREAS, the Board solicited proposals for legal services through a "fair and open" process pursuant to and in accordance with N.J.S.A. 40A:11-4.5; and

WHEREAS, the Board evaluated the proposals in accordance with the methodology described in the Request for Qualifications and compiled a report relative to same; and

WHEREAS, the report was made available to the public at least forty eight (48) hours prior to the awarding of the Agreement; and

WHEREAS, the Treasurer certified the availability of funds for the aforementioned legal services.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey, that it engage and otherwise retain the services of Jay C. Sendzik, Esq., of the firm of Sendzik & Sendzik, P.C., 1808 Route 88, Brick, New Jersey, for the provision of legal services as set forth in the Request for Qualifications and proposed Agreement for Legal Services which is attached hereto and made a part hereof as Schedule "A"; and

BE IT FURTHER RESOLVED, that the Director be authorized to execute the Agreement for Legal Services attached hereto as Schedule "A" for an on behalf of the Board and that the Clerk attest to same; and

BE IT FURTHER RESOLVED, that the Determination of Value established by the Treasurer be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that the Clerk of the Board publish a notice in the Burlington County Times summarizing the award of an Agreement for Legal Services pursuant to and in accordance with N.J.S.A. 40A:11-4.5(g); and

BE IT FURTHER RESOLVED, that the Attorney shall only perform those services as directed by the Board at a public meeting or by the Director of the Board; and

BE IT FURTHER RESOLVED, that the Board shall designate a member to review the legal invoices submitted by the Attorney; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith are hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

CERTIFICATION

I, STEFANIE HAINES, Clerk of the Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey, do hereby certify that the foregoing is a true compared and conformed copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 5th day of March, 2014.

I do further certify that the said Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey, is composed of - 5 - members, and that - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

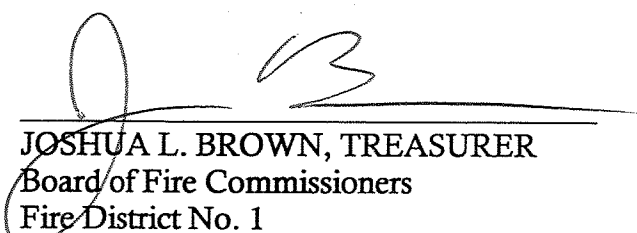
IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey, on this 5th day of March, 2014.

A handwritten signature in black ink, appearing to read 'Stefanie Haines', written over a horizontal line.

STEFANIE HAINES, CLERK
Board of Fire Commissioners
Fire District No. 1
Township of Mount Holly

I, JOSHUA L. BROWN, being of full age, hereby certify as follows:

1. I am the Treasurer for the Board of Fire Commissioners of Fire District No. 1, Township of Mount Holly, County of Ocean, State of New Jersey.
2. I make this Certification pursuant to N.J.S.A. 19:44A-20.4.
3. I have reviewed the past two (2) year's attorney services invoices along with the anticipated needs for attorney services for fiscal year 2014.
4. I have determined that the anticipated value for attorney services will be in excess of seventeen thousand five hundred dollars (\$17,500.00).
5. I have reviewed the proposal of Jay C. Sendzik, Esq., of the firm Sendzik & Sendzik, P.C., for attorney services for fiscal year 2014 and certify the availability of funds in the 2014 Budget for said services.



JOSHUA L. BROWN, TREASURER
Board of Fire Commissioners
Fire District No. 1
Township of Mount Holly

AGREEMENT FOR LEGAL SERVICES

This Agreement made on March 5, 2014, between the Commissioners of Fire District No. 1, Township of Mount Holly, County of Burlington, State of New Jersey (hereinafter referred to as the "Board"), with an address of P.O. Box 741, Mount Holly, New Jersey, and Jay C. Sendzik, Esq., of the firm of Sendzik & Sendzik, P.C. (hereinafter referred to as the "Attorney"), with an office at 1808 Route 88, Brick, New Jersey.

WHEREAS, the Board, as a public body duly organized under the laws of the State of New Jersey, requires the advice, consultation and other services of an attorney in the conduct of the public business for which it is charged; and

WHEREAS, the Board is permitted under the law to retain the services of an attorney; and

WHEREAS, the Attorney is duly licensed to practice law in the State of New Jersey and is willing to provide professional services for the Board as hereinafter provided in this Agreement.

THEREFORE, the Board shall engage the services of the Attorney, and in consideration of the mutual promises contained in this Agreement and in reliance on the above recitals, the parties agree as follows:

1. The Attorney will provide the Board, its agents, representatives or employees, advice by telephone or conference; attend all meetings as requested by the Board; prepare all legal documents, correspondence or other communication as requested by the Board; prosecution of any legal or equitable action or other claims; representation before governmental agencies or bodies; keep the Board informed of updates as to law; and perform such other legal services as requested by the Board;
2. For the services described in paragraph 1 above, the Board agrees to pay the Attorney the sum of one hundred dollars (\$100.00) per hour not to exceed the budgeted line item payable monthly upon submission by the Attorney of an itemized bill of services rendered and execution of the appropriate voucher or purchase order. In addition, the Board agrees to reimburse the Attorney for all reasonable, necessary and actual out-of-pocket expenses incurred in connection with the above services, payable upon presentation of a statement of the amount of those expenses upon the appropriate voucher or purchase order to the Board;
3. This Agreement shall be effective March 5, 2014, and shall continue in effect until the next reorganization meeting of the Board;
4. The Attorney shall only perform those services as directed by the Board at a public meeting or by the Director of the Board;

5. The Attorney shall meet with a member of the Board when requested to review legal invoices;

6. If any action at law or in equity is brought to enforce or interpret the provisions of this Agreement, the prevailing party shall be entitled to reasonable attorney fees in addition to any other relief available to the prevailing party;

7. The validity of this Agreement and of any of its terms or provisions, as well as the rights and duties of the parties to this Agreement, shall be governed by and construed in accordance with the laws of the State of New Jersey;

8. All notices and other communications shall be sent by certified mail, return receipt requested, and shall be deemed to have been given when sent to the parties at their respective addresses as set forth above, unless a different address has been selected after the execution of this Agreement and has been duly communicated to the party giving notice;

9. This Agreement is contingent upon the Board's continued authorization and availability to fund same; and

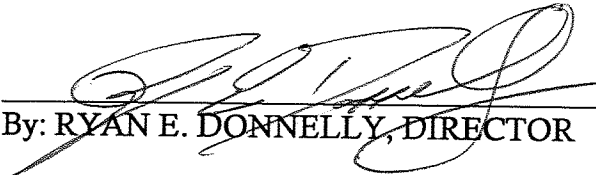
10. This Agreement constitutes the entire agreement of the parties and shall not be modified or amended except by a writing executed by both parties.

WITNESS/ATTEST:



STEPHANIE HAINES, CLERK

BOARD OF FIRE COMMISSIONERS
FIRE DISTRICT NO. 1
TOWNSHIP OF MOUNT HOLLY



By: RYAN E. DONNELLY, DIRECTOR

WITNESS/ATTEST:

SENDZIK & SENDZIK, P.C.

By: JAY C. SENDZIK, ESQ.