

**BOROUGH OF FRANKLIN
SUSSEX COUNTY, NEW JERSEY**

RESOLUTION NO. 2016-45

WHEREAS, a personnel matter has arisen within the Police Department of the Borough of Franklin and a Hearing Officer will be retained for the handling of the aforesaid personnel matter; and

WHEREAS, the compensation for professional services to be rendered may exceed the maximum permissible amounts specified in the Public Contracts Law, but said services constituting "professional services" are exempt from public bidding pursuant to N.J.S.A. 40A:11-5(10)(a) of the Public Contracts Law because said services are rendered or performed by a person authorized by law to practice a recognized profession, rendered or performed by a person whose practice is regulated by law, and the performance thereof requires knowledge of an advanced type in the field of learning required by a prolonged formal course of specialized instruction and study as distinguished from general academic training, instruction or apprenticeship; and

WHEREAS, the Council of the Borough of Franklin is desirous of appointing a Hearing Officer/

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Franklin that C. William Bowkley, Esq., 711 Route 10, Suite 201, Randolph, New Jersey 07869, is hereby appointed act as a hearing officer regarding this personnel matter and make a decision in writing, with findings of fact and conclusions in the matter;

BE IT FURTHER RESOLVED, that the Hearing Officer will be compensated at the rate of \$150 per hour, together with out-of-pocket costs;

BE IT FURTHER RESOLVED, that in the event it is anticipated that the fees and out-of-pocket costs will exceed \$2,500, a written report on anticipated fees and costs shall be submitted to the Borough Attorney and the Borough Administrator together with an estimate of the remaining fees and costs to be associated with the services of the Hearing Officer; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and hereby is authorized and directed to forward certified copies of the within Resolution to the Hearing Officer appointed by the Borough Council upon final approval of such Hearing Officer; and

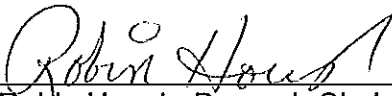
BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign an Employment Agreement for Professional Services of Hearing Officer on behalf of the Borough.

A Notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald as required by law.

A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough.

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Borough Council of the Borough of Franklin at a meeting thereof duly called and held on March 22, 2016.

Dated: March 22, 2016



Robin Hough, Borough Clerk