

1122019-01

Resolution No.

RESOLUTION TO ENTER INTO AN AGREEMENT WITH A NATIONALLY RECOGNIZED COOPERATIVE ENTITY FOR THE PURPOSE OF PURCHASING FIRE APPARATUS AND OTHER EQUIPMENT PURSUANT TO N.J.S.A. 52:34-6.2(b)(3)

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is established and operating pursuant to N.J.S.A. 40A:14-70 to -105.1; and

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is authorized pursuant to N.J.S.A. 52:34-6.2(b)(3) to use alternative procurement methods by entering into nationally recognized cooperative agreements; and

WHEREAS, Sourcewell was created by Minnesota Statute § 123A.21 as a service cooperative (with membership further defined in M.S. § 471.59) to serve cities, counties, towns, public or private schools, political subdivision of Minnesota or another state, any agency of the State of Minnesota or the United States including instrumentalities of a government unit and all non-profits; and

WHEREAS, Sourcewell is authorized to contract with eligible entities for the purchase of goods and services; and

WHEREAS, Sourcewell has instituted a cooperative purchasing program under which it contracts with eligible entities through competitive bids and requests for proposals; and

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, desires to become a member and contract with Sourcewell.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, that the Board Chairman, Gregory E. Scarlato, is hereby authorized to execute and complete any necessary documentation required to enter into an agreement with Sourcewell for the above stated purposes; and

BE IT FURTHER RESOLVED, that all activities under the agreement will be in accordance with all applicable rules, regulations, ordinances and laws in effect or promulgated during the term of the agreement; and

BE IT FURTHER RESOLVED, that the initial period of the agreement shall be for the balance of the calendar year 2019; and

BE IT FURTHER RESOLVED, that the agreement shall thereafter automatically be renewed annually without further approval by the Board for each succeeding fiscal year, provided that such renewal shall not have the effect of extending the period in which any payments are due under any contract entered into for the purchase of fire apparatus or equipment pursuant to the agreement; and

BE IT FURTHER RESOLVED, that the purchase of any product will be in accordance with procedures established by Sourcewell and in accordance with the Laws of the State of New Jersey; and

BE IT FURTHER RESOLVED, that any payments made pursuant to the agreement will be in accordance with procedures established by Sourcewell; and

BE IT FURTHER RESOLVED, that the agreement may be amended only by a written amendment executed in accordance with procedures established by Sourcewell; and

BE IT FURTHER RESOLVED, that the agreement may be terminated by either party at any time upon thirty (30) days written notice by certified mail to the other party to the agreement; 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 is 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, MICHAEL L. ACAMPORA, Clerk of the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared 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 8th day of October, 2019.

I do further certify that the said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is composed of - 5 - members, and that - 4 - members were present and - 4 - 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. 4, Township of Howell, County of Monmouth, State of New Jersey, on this 8th day of October, 2019.


MICHAEL L. ACAMPORA, CLERK
Board of Fire Commissioners
Fire District No. 4
Township of Howell