

RESOLUTION

WHEREAS, a personnel matter has arisen within the Police Department; and

WHEREAS, the personnel matter emanated, in part, from documentary evidence obtained during certain civil legal proceedings which have been pending for some time; and

WHEREAS, it was appropriate to issue a Notice of Disciplinary Action; and

WHEREAS, Ken Rosenberg, Esq. of Fox Rothschild has handled various disciplinary matters for the Township; and

WHEREAS, the charges are based upon the record in the civil proceeding; and

WHEREAS, the former employee attempted to retain a temporary restraining order concerning the prosecution of the charges; and

WHEREAS, the Honorable Michael Casale, Judge of the Superior Court, denied the temporary restraining order and set the matter down for a further hearing in October 2011; and

WHEREAS, the employee requested a departmental hearing; and

WHEREAS, the Township has previously utilized the services of hearing officer Ellen O'Connell, Esq. with regard to various previous matters; and

WHEREAS, the Departmental hearings were conducted on August 17, 2011 and August 24, 2011 and post hearing submissions were submitted on September 7, 2011; and

WHEREAS, the Township's Law Department recommends the allocation of funds in order to finalize the hearing and represent the Township's interests; and

NOW, BE IT HEREBY RESOLVED by the Township Council of the Township of West Orange that Ellen O'Connell, Esq. be and is retained as the hearing officer at a rate of \$150 per hour up to a maximum of \$7,500; and be it further

RESOLVED, that Ken Rosenberg, Esq. of Fox Rothschild be and is hereby

retained as the Township's special counsel at a rate of \$150 per hour not to exceed \$15,000; and be it further

RESOLVED, that a copy of this Resolution shall be made available to the public and published in accordance with applicable law.

Karen J. Carnevale, Municipal Clerk

Patricia Spango, Council President

Adopted: September 13, 2011

**I hereby certify funds are available from:
Account No.**

Chief Financial Officer