

RESOLUTION

WHEREAS, on or about May 17, 2017, an employee filed a Notice of Tort Claim with the Township of West Orange; and

WHEREAS, the Notice asserts certain claims which the Township was previously unaware of; and

WHEREAS, the Law Department believes that an outside confidential personnel investigation is appropriate; and

WHEREAS, the employee's counsel has objected to the Township's regular investigator conducting the investigation based upon a separate matter which does not involve the employee but instead involves another attorney at the investigator's law firm and a different client; and

WHEREAS, the Township Attorney does not believe that the objection is appropriate but notwithstanding same believes that it is important to conduct an outside investigation as expeditiously as possible; and

WHEREAS, the Law Department has contacted Richard Bauch, Esq. of Porzio, Bromberg & Newman who has extensive experience with regard to internal investigations and other labor/employment matters; and

WHEREAS, Mr. Bauch has agreed to a reduced hourly rate of \$200 per hour for this assignment with paralegal time, if any, to be billed at \$100 per hour; and

WHEREAS, the Law Department believes that ten (10) hours is the appropriate length of time for this internal investigation based upon the facts as asserted at this time;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Law Department be and is hereby authorized to retain Richard Bauch, Esq. as the independent investigator for the purpose of conducting the confidential personnel investigation with a “cap” of \$2,500; and

BE IT FURTHER RESOLVED that Notice of this investigation and a copy of this Resolution shall be made available during normal business hours in the Clerk’s Office.

Karen J. Carnevale, R.M.C., Municipal Clerk

Joe Krakoviak, Council President

Adopted: June 27, 2017