

RESOLUTION

WHEREAS, the Township of West Orange is a municipal corporation of the State of New Jersey, duly established and operating as a Faulkner Act Mayor-Council form of government; and

WHEREAS, on July 24, 2023, an action in lieu of prerogative writ captioned “In re Township of West Orange”, ESX-L-004687-23, was filed in the Superior Court of New Jersey, Law Division, Essex County by the Mayor of West Orange seeking relief from certain actions and inactions of the Township Council; and

WHEREAS, when the Mayor and Council are adversaries in the same litigation each requires their own counsel to avoid conflicts and as stated by the N.J. Supreme Court in the case of Municipal Council v. James, 183 N.J. 361 (2005); and

WHEREAS, the Township Council of the Township of West Orange has determined by vote taken in an open public meeting to retain the legal services of Angelo J. Genova, Esq., and his firm, Genova Burns, 494 Broad Street, Newark, NJ 07102, to represent its interests in the aforesaid law suit; and

WHEREAS, the terms of such representation are set forth in an Agreement Regarding Legal Services (“the Agreement”) dated July 28, 2023 and attached hereto together with letter of transmittal of the same date as Exhibit “A”, which provide for a cap or not to exceed amount of \$17,499.00 any expenditure beyond which amount requires Council approval; and

WHEREAS, the Township Council of the Township of West Orange wishes to authorize the Council President to execute the Agreement on behalf of the Township Council subject to confirmation of available funds by the Township’s Chief Financial Officer; and

**NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE
TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE,** that Angelo J.

Genova, Esq., and the firm of Genova Burns LLC be and hereby are retained by the Township Council to represent that governing body in the action in lieu of prerogative writ captioned “In re Township of West Orange”, ESX-L-004687-23, filed in the Superior Court of New Jersey, Law Division, Essex County on behalf of the Mayor of West Orange seeking relief from certain actions and inactions of the Township Council, the terms of retention including a cap or not to exceed amount of \$17,499.00 without further approval by the Council; and it is

FURTHER RESOLVED that the President of the Township Council be and hereby is authorized to execute the aforesaid retention agreement in the form and substance as attached in Schedule “A” on behalf of the Township Council and subject to confirmation of availability of funds by the Township’s Chief Financial Officer.

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

Tammy Williams
Council President

Adopted: August 1, 2023