

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 an additional expenditure in the amount of \$24,994.50 subject to confirmation of available funds by the Township’s Chief Financial Officer; and

WHEREAS, Genova-Burns, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Genova-Burns, LLC has not made any reportable contributions to a candidate committee in the Township of West Orange in the previous one year, and that the contract will prohibit the Genova Burns, LLC from making any reportable contributions through the term of the contract, 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 appropriation allocated is increased by \$24,994.50.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and published in the West Orange Chronicle.

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

Bill Rutherford, Council President

Adopted: January 9, 2024

I certify funds are available for this work from Account No. _____

John O. Gross, Chief Financial Officer