

RESOLUTION

WHEREAS, on March 19, 2024, the Honorable Annette Scoca, Judge of the Superior Court, issued a thirty-three (33) page ruling wherein the Court preliminarily enjoined the Township Council from taking any action with regard to the legal services being performed by Richard D. Trenk, Esq., Township Attorney, and his law firm; and

WHEREAS, on March 26, 2024, the Township Council declined to adopt a Resolution to end the litigation in the matter captioned and make the preliminary injunction a permanent injunction; and

WHEREAS, the Township Council appealed the preliminary injunction; and

WHEREAS, the Appellate Division denied the Township Council's appeal of the preliminary injunction; and

WHEREAS, on May 7, 2024, in new business, the Township Council voted 3-2 to continue the litigation *In re Township of West Orange*, Docket No. ESX-L-4687-23 (the "Litigation"); and

WHEREAS, the Township Council has agreed to retain Genova Burns to continue the Litigation at the hourly rate of \$150 per attorney not to exceed \$25,000 additional subject to the Township Billing Guidelines; and

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange authorizes the continued retention of Genova Burns to continue the Litigation; and it is further

RESOLVED, that Genova Burns shall provide an accounting of how much in fees and expenses have been incurred to date and submit all open invoices through May 21, 2024 no later than June 1, 2024; and it is further

RESOLVED, that Genova Burns shall represent the Township Council subject to the Township Billing Guidelines at the rate of \$150 per hour per attorney; and be it further;

RESOLVED, the Municipal Clerk shall provide a copy of this Resolution via e-mail to the Angelo J. Genova, Esq. as soon as possible.

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

Bill Rutherford,
Council President

Adopted: May 21, 2024

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

John O. Gross, Chief Financial Officer