

**RESOLUTION TO RETAIN COUNSEL FOR A POSSIBLE MUNICIPAL OFFICER
“REMOVAL FOR CAUSE”**

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, the Township Council has determined that it is in the best interests of the municipal government and its residents to consider and potentially pursue the removal of a Municipal Officer for cause pursuant to N.J.S.A. 40:69A-36(e) and § 2-7.3. Removal, of the West Orange Municipal Code; and

WHEREAS, when a Municipal Officer and Council are adversaries in the same litigation, each requires their own counsel to avoid conflicts and as stated by the New Jersey 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 Stephen E. Trimboli, Esq., and his firm, The Chilla Business Counsel, LLC, 268 South Street, Morristown, N.J., 07960, to represent its interests and provide legal advice with respect to this matter; and

WHEREAS, the terms of such representation are set forth in an Agreement Regarding Legal Services (“the Agreement”) dated 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 Stephen E. Trimboli, Esq., and the firm of The Chilla Business Counsel, LLC, be and hereby are retained by the Township Council to serve as its legal counsel represent that governing body with respect to consideration of and the potential removal of municipal officers for cause pursuant to N.J.S.A. 40:69A-36(e) and § 2-7.3. Removal, of the West Orange Municipal Code, 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

Joe Krakoviak, Council President

Adopted: January 6, 2025

I hereby certify funds available from Account No.: _____

John Ditinyak, Chief Financial Officer