

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 9.4 GENERAL ORDINANCES
OF THE TOWNSHIP OF WEST ORANGE
(SPECIAL COUNSEL)**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF WEST ORANGE, NEW JERSEY that Chapter 2, Sections 9.4 of the Revised General Ordinances of the Township of West Orange be and are hereby amended as follows:

I. PURPOSE

The purpose of this ordinance is to modify the provisions of the Township of West Orange Municipal Code governing the Township's retention of Special Counsel. This ordinance: (i) requires appointment of Special Counsel by advice and consent of the Township Council; and (ii) require that the bills for Special Counsel shall be subject to approval from the Township Council.

II. CHAPTER 2 SECTIONS 9.4 SHALL BE AND HEREBY IS AMENDED AND SUPPLEMENTED TO INCORPORATE THE FOLLOWING:

2-9.4 Special Counsel.

Subject to the advise and consent of the Township Council, the Township Attorney may appoint such Special Counsel as may be required or advisable to handle matters in which a conflict of interest precludes representation by the Township Attorney or Assistant Township Attorney, or which due to its complexity, special nature, time demands or constraints, or for any good reason would benefit from the special experience and/or training of the Special Counsel to be hired. Such Special Counsel need not serve full time and would be expected to serve for the duration of the matter for which he or she was appointed, subject to annual reappointment with the manner and amount of compensation to be approved by the Township Council. Special Counsel would be subject to the supervision of the Township Attorney except for matters involving a conflict of interest precluding representation by the Township Attorney wherein Special Counsel would be subject to the supervision of the Assistant Township Attorney or designated conflict counsel. The bills of all Special Counsel shall be subject to approval by the Township Council. The Township Council must receive written notification from the Administration detailing the reasons for engaging Special Counsel, including the name of the law firm to be engaged, the rate, and a "not to exceed" clause.

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township which are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

This Ordinance shall take effect upon final passage and publication in accordance with the law.

SUSAN MCCARTNEY, MAYOR

**JOSEPH KRAKOVIAK,
COUNCIL PRESIDENT**

**KAREN J. CARNEVALE, R.M.C.
MUNICIPAL CLERK**

INTRODUCED: March 25, 2025

ADOPTED: April 8, 2025

Legislative History

The purpose of this ordinance is to modify the provisions of the Township of West Orange Municipal Code governing the Township's retention of Special Counsel. This ordinance: (i) requires appointment of Special Counsel by advice and consent of the Township Council; and (ii) require that the bills for Special Counsel shall be subject to approval from the Township Council.