

RESOLUTION

WHEREAS, Diana Powell McGovern, Esq. (“McGovern”) of Gaccione Pomaco P.C., responded to the Township’s Request for Qualifications pursuant to a fair and open process for the year 2025 for the position of Planning Board Attorney; and

WHEREAS, McGovern and her law firm have agreed to provide professional services for the calendar year 2025, pursuant to the terms and conditions set forth in the agreement annexed hereto as Exhibit “A”; and

WHEREAS, the Planning Board has adopted a Resolution approving the retention of McGovern and her firm as Planning Board Attorney; and

WHEREAS, pursuant to pursuant to N.J.S.A. 40A:11-5(1)(a)(i), the proposed professional services contract is subject to an exception to the standard bidding procedures set forth in the Local Public Contracts Law; and

WHEREAS, the not to exceed amount herein does not include escrow payments which are paid by applicants pursuant to the Municipal Land Use Law and Township Ordinances; and

WHEREAS, for calendar date 2024, McGovern and her firm were paid \$18,348.50 for escrow work and \$14,303.46 for non-escrow work; and

WHEREAS, for calendar year 2025 to date, McGovern and her firm have been paid \$3,853.82 for non-escrow and \$7,234.50 for escrow matters through June 9, 2025;¹

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute an agreement, in the form

¹ These amounts are in addition to the monthly appearance payment of \$583.33 per month or \$7,000 per year which is non-escrow.

annexed hereto, to retain McGovern to provide services as Planning Board Attorney at the rates set forth in the agreement annexed hereto as Exhibit “A”; and it is further

RESOLVED that for calendar 2025 the non-escrow fees and expenses shall not exceed (“NTE”) \$50,000.00; and it is further

RESOLVED that notice of this award shall be published and available in the Clerk’s office in accordance with applicable law.

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

Joe Krakoviak
Council President

Adopted: September 8, 2025

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

John Ditinyak, Chief Financial Officer