

**TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NJ**

RESOLUTION 242-25

**APPROVING VARIOUS SETTLEMENT, EMPLOYMENT,
AND PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, on April 17, 2023, Mayor McCartney instituted litigation against the Township Council related to her executive authority versus the Council's legislative authority under the Faulkner Act, N.J.S.A. 40:69A-1, et seq. under Docket No. ESX-L-4687-23; and

WHEREAS, the Hon. Annette Scoca, J.S.C., granted Mayor McCartney's Order to Show Cause pending a final decision in the case; and

WHEREAS, the Township Council subsequently filed a Third-Party Complaint against Township Attorney Richard D. Trenk, Esq., and Trenk Isabel Siddiqi & Shahdanian P.C.; and

WHEREAS, the parties to the litigation have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, all controversies between the parties have been tentatively resolved, subject to the approval of the following settlement agreement and various employment and professional services agreements by the Township Council; and

WHEREAS, the Mayor and Township Council are of the opinion that the settlement is in the best interests of the Township.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of West Orange, for the reasons set forth above, that:

1. The Settlement Agreement enclosed as **Exhibit A** is hereby approved.
2. Mayor McCartney nominates Mark Semararo, Esq., of Semararo & Fahrney, LLC, as Township Attorney, and the Council approves that appointment. The Professional Services Agreement enclosed as **Exhibit B**, which authorizes the retention of Semararo & Fahrney, LLC, as Township Attorney, is hereby approved.
3. Mayor McCartney nominates Gregg F. Paster, Esq., of Gregg F. Paster & Associates, LLC, as Assistant Township Attorney, and the Council approves that appointment. The Professional Services Agreement enclosed as **Exhibit C**, which authorizes the retention of Gregg F. Paster & Associates, LLC, as Assistant Township Attorney, is hereby approved.
4. Mayor McCartney nominates Everett Johnson, Esq., of Wilentz, Goldman & Spitzer, P.A., as Redevelopment Counsel, and the Council approves that appointment. The Professional Services Agreement enclosed as **Exhibit D**, which authorizes the retention of Wilentz, Goldman & Spitzer, P.A., as Redevelopment Counsel, is hereby approved.

5. Mayor McCartney nominates Peter Smeraldo as Business Administrator, and the Council approves that appointment. The Employment Agreement enclosed as **Exhibit E**, which authorizes the employment of Peter Smeraldo as Business Administrator, is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Township Council is hereby authorized to implement this Resolution and the Mayor may execute the aforementioned professional services contracts.

CERTIFICATION

I, Karen J. Carnevale, RMC, Township Clerk for the Township of West Orange, do hereby certify that the foregoing resolution was duly adopted by the Township of West Orange at a meeting held on October 28, 2025, with a quorum being present and voting in the majority.

Clerk, Township of West Orange