



Board of County Commissioners

Agriculture and Public Safety Committee

RESOLUTION APPOINTING SPECIAL COUNSEL FOR THE SALEM COUNTY PROSECUTOR'S OFFICE IN THE CIVIL ACTION ENTITLED *ROBERT DIGREGORIO V. MANNINGTON TOWNSHIP, ET AL.*, Docket No. SLM-L-192-21

WHEREAS, there exists a need for the retention of special counsel having an expertise in local government as well as civil litigation for the purpose of providing representation to the Salem County Prosecutor's Office and Salem County Prosecutor's Office personnel in the matter captioned *Robert DiGregorio v. Mannington Township, et. al.*, in the Superior Court of New Jersey, Law Division, Salem County, Docket No. SLM-L-192-21; and

WHEREAS, Matthew Lyons, Esquire, existing litigation counsel for defendants County of Salem, Kris Alexander, Karin Wood and Stacy Pennington, agrees that a conflict exists such that the Salem County Prosecutor's Office and its personnel should have separate counsel; and

WHEREAS, funds are or will be available for this purpose; and

WHEREAS, Michael Testa, Sr., Esquire of Testa Heck Testa & White, P.A., Vineland, New Jersey, has expertise in civil litigation matters and is familiar with the independent powers and authorities of county agencies such as the Salem County Prosecutor's Office; and

WHEREAS, Michael Testa, Sr. has expertise in civil and criminal litigation, being Certified as a Civil Trial Attorney and being Certified as a Criminal Trial Attorney by the Supreme Court of New Jersey; and

WHEREAS, the Salem County Board of County Commissioners is satisfied that Michael Testa, Sr., Esquire and Testa Heck Testa & White, P.A. has the experience and expertise to represent the Salem County Prosecutor's Office; and

WHEREAS, Michael Testa, Sr., Esquire of Testa Heck Testa & White has agreed to represent the Salem County Prosecutor's Office as special counsel.

NOW, THEREFORE, BE IT RESOLVED by the Salem County Board of County Commissioners that Testa Heck Testa & White, P.A., 424 W. Landis Avenue, Vineland, NJ 08360 be and is hereby appointed as Special Counsel to provide representation to the Salem County Prosecutor's Office in the matter entitled *Robert DiGregorio v. Mannington Township, et. al.*, in the Superior Court of New Jersey, Law Division, Salem County, Docket No. SLM-L-192-21.

AND BE IT FURTHER RESOLVED that said contract is awarded as a "professional service" under the provision of the Local Public Contracts Law because of the specialized training, education, experience and specialized knowledge needed for this position.

AND BE IT FURTHER RESOLVED that said services shall be provided at an hourly rate of \$200/hr in accordance with the Professional Service Agreement, Special Counsel Services with Michael Testa, Sr. of Testa Heck Testa & White, P.A.

I hereby certify the foregoing to be a true resolution adopted by the Salem County Board of County Commissioners on March 20, 2024.


STACY L. PENNINGTON
Clerk of the Board

RECORD OF VOTE

COMMISSIONER	RESOLUTION MOVED	RESOLUTION SECOND	AYE	NAY	ABSTAIN	ABSENT
E. Ramsay	✓		✓			
C. Taylor			✓			
D. Timmerman			✓			
G. Ostrum Jr.		✓	✓			
B. Laury			✓			

✓ Indicates Vote

Department Initials KJT/sw