

Township of Millburn

Legal Analysis

2013-2020

Legal Categories

General Counsel

The Township utilizes general counsel services for a wide variety of tasks, including lawsuit defense, OPRA, environmental and land use

Labor Attorney

Counsels on labor related items, including collective bargaining, grievances and employment policies

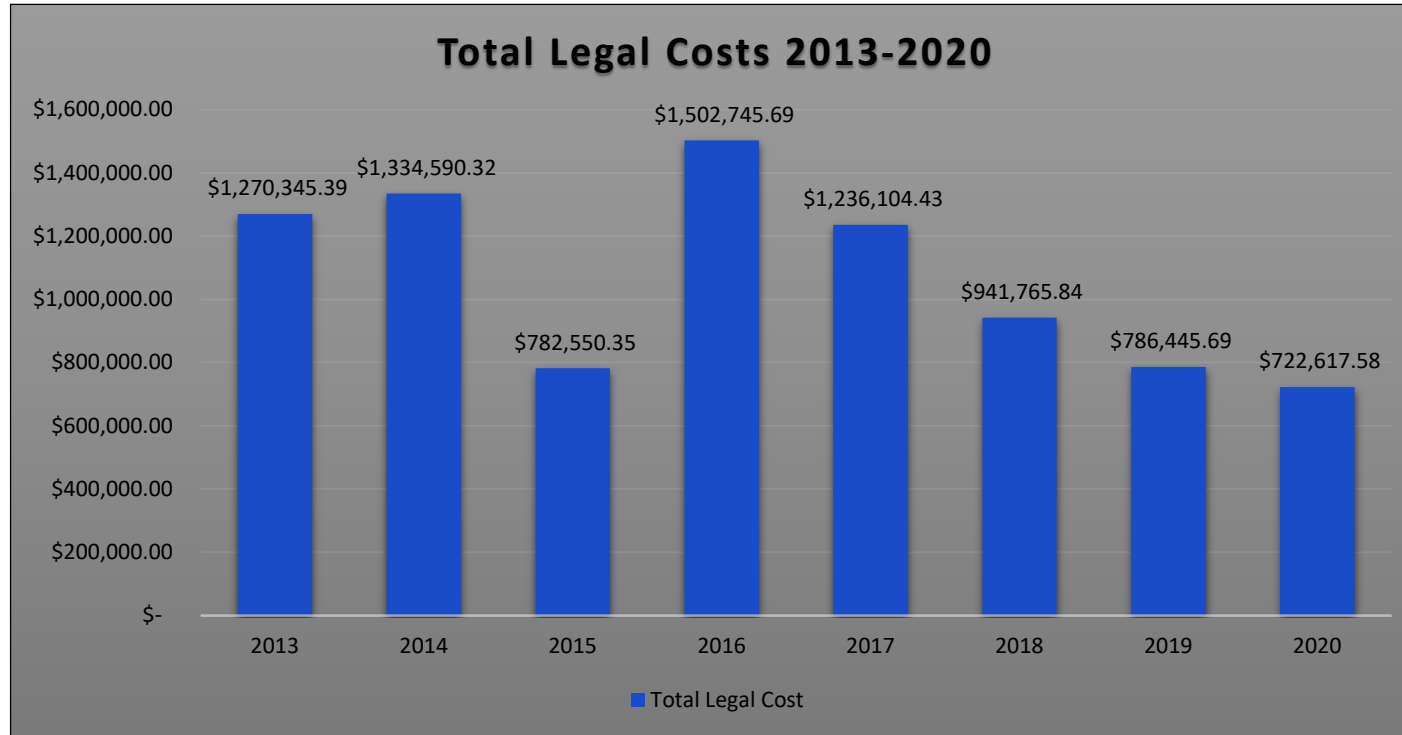
Tax Attorney

The Tax Attorney defends the Township in tax appeal negotiation and litigation

Affordable Housing

Provides legal services in response to builder's remedy suit, declaratory judgment (Housing Element and Fair Share Plan)

Overall Costs



Total Legal Costs 2013-2020

\$8,577,165

This figure includes special counsel to address insurance coverage issues.

Amount Reimbursed to the Township by Insurance Carrier

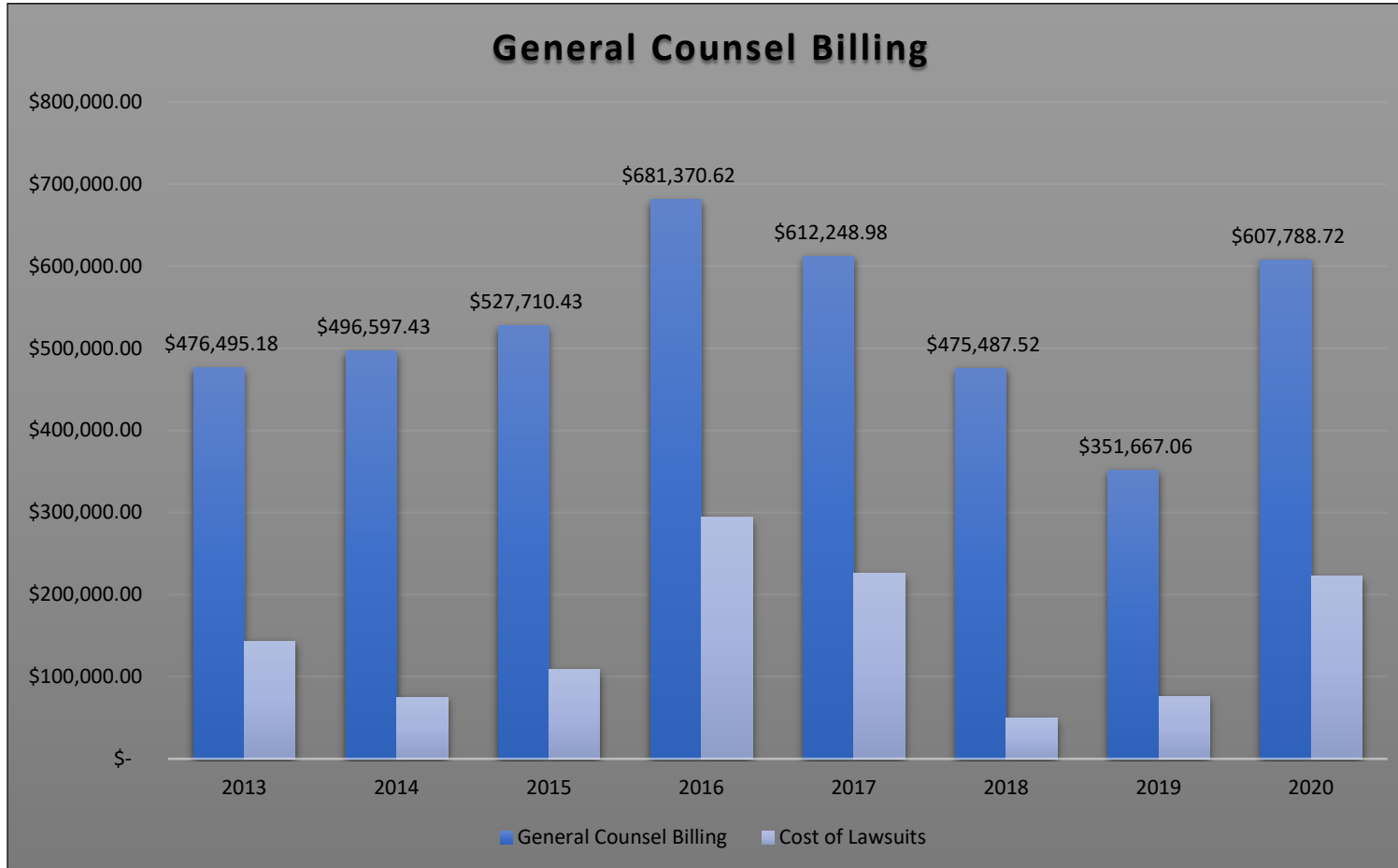
\$3,455,556

Amount includes three (3) separate arbitration or settlement awards with Morris County JIF creating net legal costs of \$5,121,609

Annualized Amount of Total Legal Expenses

\$640,201

General Counsel



4.6
Average Active Lawsuits Per Year

\$175/hour

Hourly rate for partner

\$149,269.52
Average spend on active or pending litigation matters

Other Cost Factors of General Counsel

OPRA Requests

- › OPRA Requests rose 59% between 2013-2020
- › In 2020 the Township received 404 OPRA requests
- › 2020 costs for OPRA compliance rose 158% to \$82,577

Other Cost Drivers

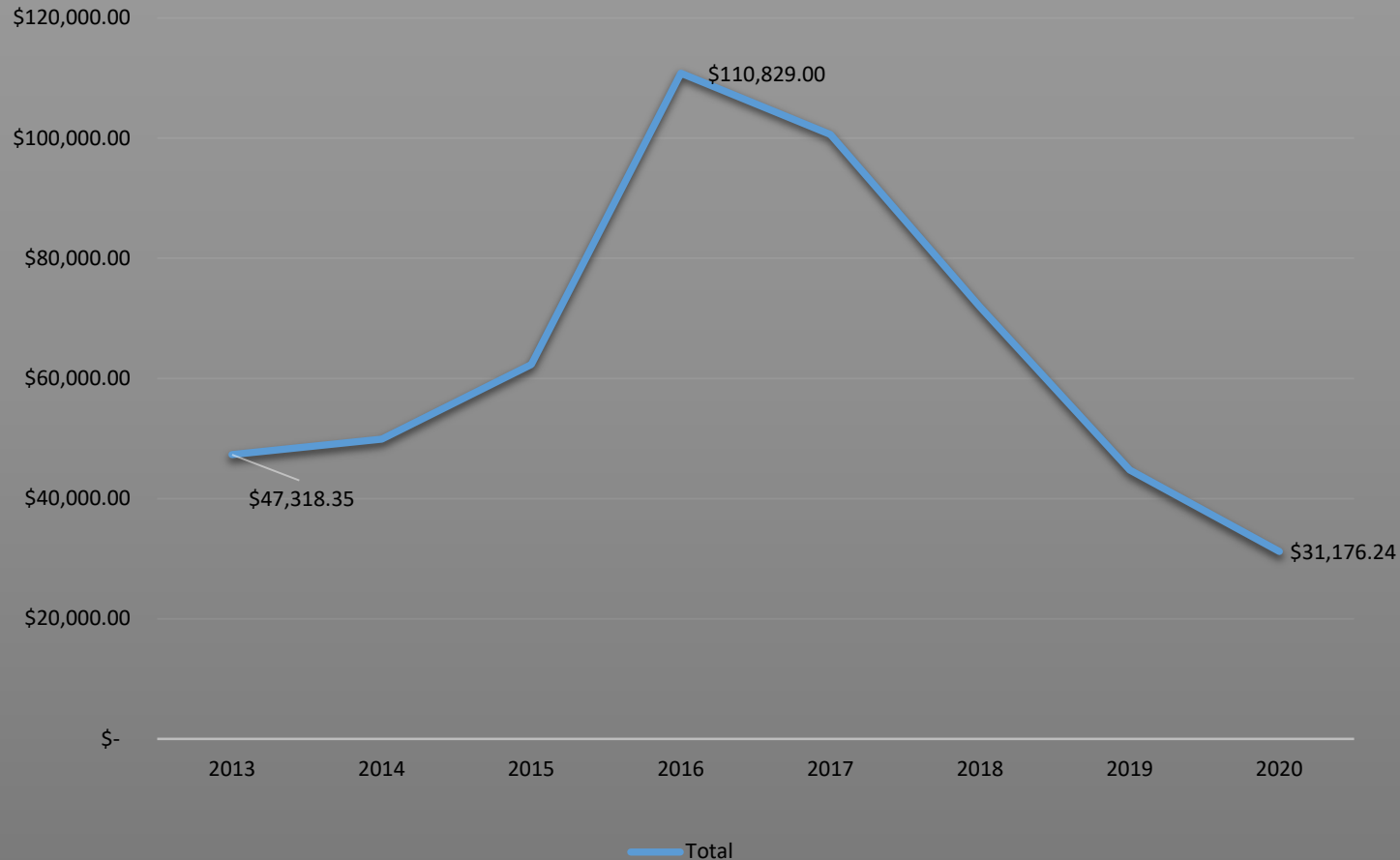
- › Ordinances
- › Legal Research
- › Municipal Projects

Other Coverage of General Counsel

- › Environmental Matters
- › Contract Review
- › Historic Preservation Commission Attorney

Labor Attorney

Labor Attorney Costs



\$165/hour

Hourly rate for partner

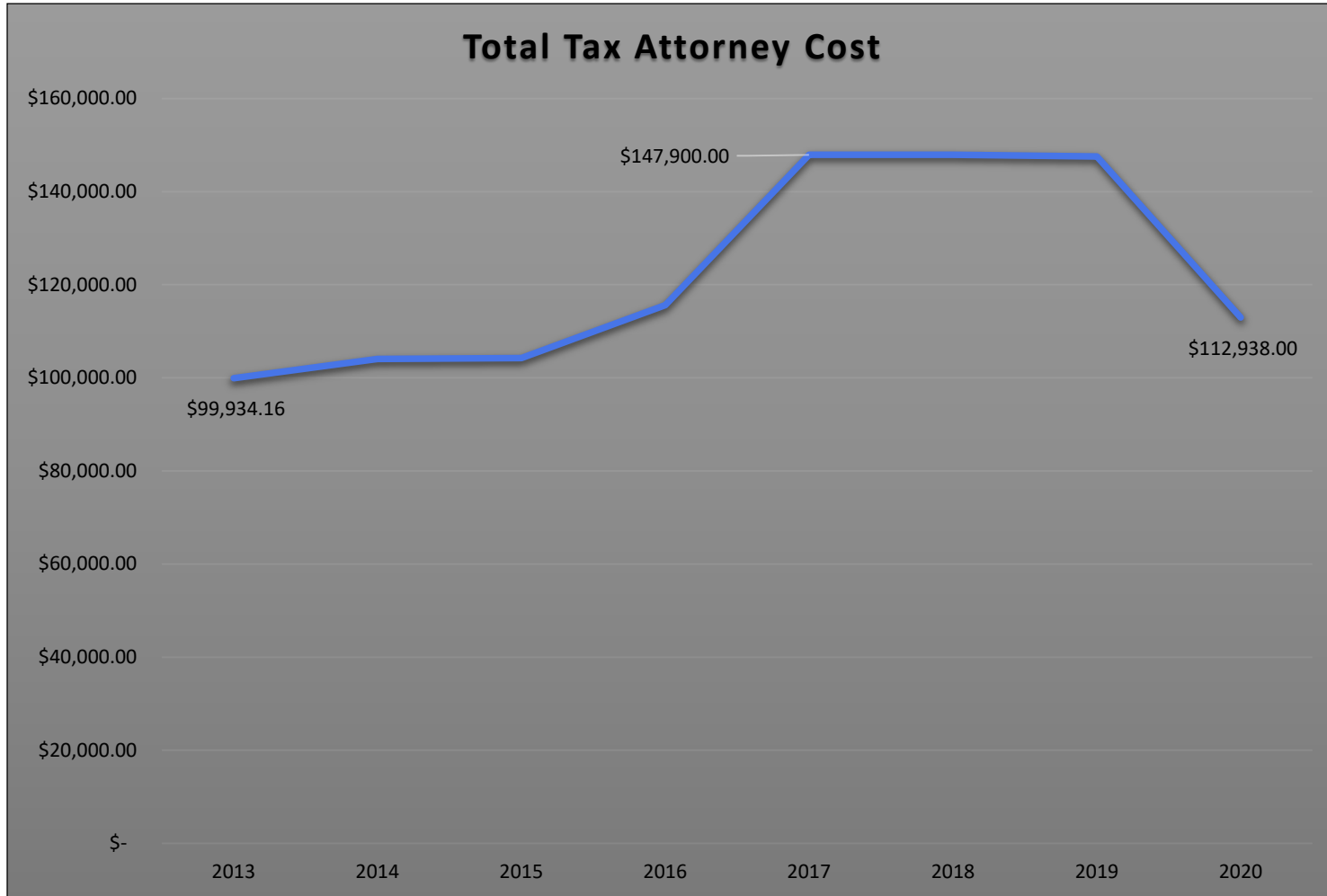
Insurance Coverage

Most active or potential labor lawsuits are sent to insurance for coverage determination

2014 Case

A employment suit started in 2014 was appealed to the 3rd District Court causing the spike in 2016 and 2017. This matter was not referred to insurance.

Tax Attorney



\$150/hour

Hourly rate for partner unchanged since 2013

2016 Revaluation

The Township conducted a town wide revaluation in 2016. This resulted in a noticeable increase in tax appeals in 2017, a trend that continued through 2018 and 2019.

2017-2019

There was an average of **713** tax appeals/year

The average cost per appeal was **\$205.86**

Affordable Housing Costs

Housing Element and Fair Share Plan \$94,062.19

- › The Township is engaged in settling its plan with the courts and Fair Share Housing.
- › 2019-Present

Mediation of 85 Woodland Builder's Remedy Lawsuit \$108,339.69

- › Township was directed by the court to mediate a builder's remedy lawsuit at 85 Woodland.
- › The case was settled.
- › 2018-2019

Concerned Residents Lawsuit \$154,639.43

- › The Township was sued as a result of its settlement with 85 Woodland.
- › This case has been dismissed
- › 2019-2020

Summary

Yearly Annualized Spend Over Last 8 Years

\$640,201.13