

CITY COUNCIL

The City of Orange Township, New Jersey

May 19, 2020

207-2020

DATE _____

NUMBER _____

TITLE:
A RESOLUTION RETAINING SCARINCI & HOLLENBECK, LLC. AS SPECIAL COUNSEL WITH REGARD TO VARIOUS LEGAL MATTERS AND LITIGATION REGARDING THE CITY OF ORANGE TOWNSHIP IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) FOR CALENDAR YEAR 2020.

WHEREAS, various items of litigation and legal issues have been brought up from time to time for the City of Orange to address including but not limited to issues of public sector labor law, personnel matters, local governance inquiries, and other municipal law matters; and

WHEREAS In Resolution No. 129-2020, adopted on March 17, 2020, Scarinci & Hollenbeck, LLC is a law firm authorized to represent the City, its officers and employees; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds which certifies that funds are available in the Department of Law - Account No. 0-01-20-155-000-519; and,

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids, and that said contract itself must be available for public inspection as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Orange Township, New Jersey, as follows:

1. The Mayor is hereby authorized and directed to execute the attached Agreement, in an amount not to exceed one hundred thousand dollars \$100,000.00, with Scarinci & Hollenbeck, LLP, 1100 Valley Brook Avenue, Lyndhurst, New Jersey 07071.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a) of the Local Public Contracts Law because the services in the field of law required are specialized, and require expertise in employment law generally.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Virginia Purchment on behalf of the City Attorney

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2020 service contract, and the resolution presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2020 Budget, there will be sufficient funds to contract with:

Vendor Name: Scarinci & Hollenbeck
Address: 1100 Valley Brook Avenue
PO Box 790
City: Lyndhurst
State: New Jersey
Zip Code: 07071

Purpose: Special Counsel for Various Legal Matters
Vendor ID: SCARO015

Temporary Budget: \$ 40,000.00
Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'20 0-01-20-155-000-519

The remainder of: \$ 60,000.00
will be provided in
Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'20 0-01-20-155-000-519

Purchase Order Number : 20-00156

Amount not to exceed: \$ 100,000.00

Division Head	Date
	5-13-2020
Chief Financial Officer	Date

The City of Orange Township

Agreement for Legal Services

This Agreement entered into as of the _____ day of _____, 2020, and is effective as of April 1, 2020, between:

City of Orange Township,
29 North Day Street, Orange New Jersey 07050 (“City”)

and

Scarinci & Hollenbeck, LLC,
One Riverfront Plaza, 4th Floor
Newark, New Jersey 07102, (“Ramon E. Rivera, Esq.”)

Under the terms and conditions as follows:

- 1) The City desires to engage the services of Ramon Rivera, Esq. and his firm Scarinci & Hollenbeck as it pertains to legal needs of the City from time to time.
 - 2) Ramon E. Rivera, Esq. and his approve designees shall perform all services as requested by the City including but not limited to labor, employment, personnel and like matters. The City Attorney retains the sole discretion as to the assignment of work to Ramon E. Rivera, Esq.
 - 3) Scarinci & Hollenbeck, LLC. shall be compensated by the City for all services rendered at a rate of \$150.00 per hour. Ramon E. Rivera, Esq. shall submit monthly invoices for services rendered. The monthly invoice shall be accompanied by a cover letter setting forth year to date billing.
 - 4) Ramon E. Rivera, Esq. shall not be entitled to any other form of remuneration or benefit other than that identified herein.
 - 5) Ramon E. Rivera, Esq. shall be required to provide monthly updates. Additional information may be requested by the City Attorney.
 - 6) The performance of work under this contract may be terminated by the City whenever the City through its administration determines that the termination is necessary in the best interests of the City. Any such termination shall be effected by delivery to Ramon E. Rivera, Esq. a Notice of Termination which specifies the date upon which the contract is terminated.
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- 7) In the event the City does terminate this Agreement, Scarinci & Hollenbeck, LLC. shall be entitled to compensation to the date of the termination.
- 8) Scarinci & Hollenbeck, LLC. shall commence work upon the execution of this Agreement.
- 9) Ramon E. Rivera, Esq. shall maintain private malpractice insurance in the amount of at least \$1,000,000 and provide a copy of same to City.
- 10) This Agreement has an expiration date of December 31, 2020. Any extension of this Agreement must be done in writing and agreed to by the City and Scarinci & Hollenbeck, LLC.

In Witness Hereof, the City and Ramon E. Rivera, Esq. have executed this agreement the day and year first written above.

Attest:

SCARINCI & HOLLENBECK, LLC

By: _____

Ramon E. Rivera, Esq.
A Member of the Firm

Attest:

THE CITY OF ORANGE TOWNSHIP

Joyce L. Lanier
Municipal Clerk

By: _____

Dwayne D. Warren, Mayor

Approved as to Form and Sufficiency

Gracia Robert Montilus, City Attorney

CITY COUNCIL**The City of Orange Township, New Jersey**DATE March 17, 2020

(Amended)

NUMBER 129-2020

TITLE: A RESOLUTION AUTHORIZING A LIST OF LAW FIRMS TO REPRESENT THE CITY OF ORANGE TOWNSHIP IN REGARDS TO LABOR MATTERS ON AN AS NEEDED BASIS FOR A PERIOD OF NINE (9) MONTHS FROM APRIL 1, 2020 THROUGH DECEMBER 31, 2020

WHEREAS, on February 6, 2020, the City of Orange Township published Requests for Qualifications to establish a pool of qualified counsels to provide legal representation to the City, in connection with labor, employment, personnel, contract matters and/or challenges to governmental action, and such other areas of municipal law as may be required; and

WHEREAS, ten (10) law firms submitted resumes in response to the Request for Qualifications; and

WHEREAS, the Qualified Purchasing Agent evaluated the background and experience of each firm submitting responses to the City's Request for Qualifications; and

WHEREAS, one (1) law firm was rejected due to a conflict of interest from current representation of redevelopers; and

WHEREAS, the law firm rejected is:

1. Post Polak, P.A.
425 Eagle Rock Avenue, Ste. 200
Roseland, New Jersey 07068

WHEREAS, the City Attorney recommends the law firms:

1. The Pennington Law Group
76 South Orange Avenue
Suite 213
South Orange, New Jersey 07079
2. Post Polak, P.A.
425 Eagle Rock Avenue
Suite 200
Roseland, New Jersey 07068
3. DeCotiis, FitzPatrick, Cole & Giblin, LLP
61 South Paramus Road
Paramus, New Jersey 07652
4. Scarinci & Hollenbeck, LLC
1100 Valley Brook Avenue
P.O. Box 790
Lyndhurst, New Jersey 07071
5. Michael Armstrong & Associates, LLC
79 Mainbridge Lane
Willingboro, New Jersey 08046

6. Kaufman, Semeraro & Leibman, LLP
Two Executive Drive
Suite 530
Fort Lee, New Jersey 07024
7. The Law Offices of Yvette Gibbons, LLC
4 South Orange Avenue, No. 139
South Orange, New Jersey 07079
8. Savo, Schalk, Gillespie, O'Grodnick & Fisher, P.A.
56 East Main Street
Suite 301
Somerville, New Jersey 08876
9. Trimboli & Prusinowski, LLC
268 South Street
Morristown, New Jersey 07960
10. Florio, Kenny & Raval, LLP
125 Chubb Avenue
Suite 310-N
Lyndhurst, New Jersey 07071


WHEREAS, said firms will only be selected to provide legal services on an as needed basis; and

WHEREAS, all recommended firms have agreed to provide legal services at an hourly rate of \$150.00 per hour; and

WHEREAS, the City Attorney has determined that the above recommended law firms are qualified to provide the legal services as set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Orange Township, that the Mayor is hereby authorized to enter into Agreements with the above recommended law firms for a nine (9) months from April 1, 2020 through December 31, 2020.

Adopted: **March 24, 2020**


Joyce L. Lahier
City Clerk


Tency A. Eason
Council President

RESOLUTION NO. 129-2020

ON CONSENT AGENDA

REGULAR MEETING— MARCH 24, 2020

MOTION TO ADOPT: Summers-Johnson

SECOND: Wooten

YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson, Williams, Wooten & Council President Eason

NAYS: None

ABSTENTIONS: None

ABSENCES: None

**BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant to Ordinance §4-70, et seq.
CITY OF ORANGE TOWNSHIP, NEW JERSEY**

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that

Scarinci Hollenbeck LLC

(Contractor)

Has not made and will not make any reportable contributions pursuant to Ordinance 4-70 et seq. that would bar the award of this contract in the one year period preceding the date of reorganization to any of the following named candidate committee, joint candidate committee; or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant N.J.S.A. 19:44A-3(p). (q) and (r).

Dwane D. Warren, Esq. Mayor	
Hon. Kerry J. Coley	
Hon. Adrienne K. Wooten	
Hon. Tency A. Eason	
Hon. Christopher Jackson	
Hon. Harold J. Johnson	
Hon. Jamie Summers-Johnson	
Hon. Donna K. Williams	

Part II – Ownership Disclosure Certification

I certify that the list below contains the names and home addresses of all owners holding 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business entity:

- Partnership Corporation Sole Proprietorship
 Limited Partnership Limited Liability Corporation Limited Liability Partnership
 Subchapter S Corporation

Name of Stock or Shareholder	Home Address
Donald Scarinci	104 Riverside Drive, LOS #1DBLCK
Kenneth J. Hollenbeck	104 Riverside Drive, LOS #1DBLCK

Part III – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification. I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: Scarinci Hollenbeck LLC

Signed: [Signature] Title: Managing Member

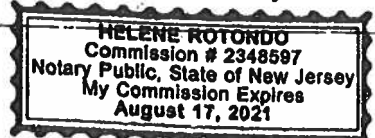
Print Name: Kenneth J. Hollenbeck Date: February 21, 2020

Subscribed and sworn to before me this 21st day of February, 2020.

[Signature]
Notary Public of New Jersey

[Signature]
(Affiant)

Kenneth J. Hollenbeck, Managing Member
(Print Name & Title of Affiant) (Corporate Seal)



Item H. Business Registration Certificate

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 252
TRENTON, N J 08646-0252

TAXPAYER NAME:

SCARINCI & HOLLENBECK LLC

TRADE NAME:

SEQUENCE NUMBER:

0075979

ISSUANCE DATE:

08/23/04

ADDRESS:

1100 VALLEY BROOK AVE PO BOX 7
LYNDHURST NJ 07091-0790

EFFECTIVE DATE:

01/01/88

FORM-BRC(08-01)

J.P. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.