

CITY COUNCIL

The City of Orange Township, New Jersey

DATE May 19, 2020

NUMBER 208-2020

TITLE: (AMENDED)
A RESOLUTION EXTENDING AND AMENDING THE CONTRACT WITH LAMB KRETZER, LLC., 110B MEADOWLANDS PARKWAY, SUITE 201, SECAUCUS, NEW JERSEY 07094 AS SPECIAL COUNSEL WITH REGARD TO VARIOUS LEGAL MATTERS AND LITIGATION INVOLVING JUDITH FELD, JEFFREY S. FELD, THE FOUR FELDS, ETC. UNTIL DECEMBER 31, 2020 AND AUTHORIZING ADDITIONAL FUNDS IN THE AMOUNT OF \$25,000.00 MAKING THE AMOUNT NOT TO EXCEED \$35,000.00 FOR THE CALENDAR YEAR 2020.

WHEREAS, by Resolution No. 73-2019 adopted on March 5, 2019, Lamb Kretzer, LLC, was appointed as special counsel to represent the City of Orange Township (“the City”) in connection with litigation involving Judith Feld, Jeffrey S. Feld, The Four Felds, etc. also known as the “Feld lawsuits”; and

WHEREAS, pursuant to Resolution No. 64-2020, adopted on February 18, 2020 the Contract with David Stanziale, LLC was extended until March 31, 2020 under the same terms and conditions previously awarded;

WHEREAS, additional funds are required for attorney’s fees for the continued litigation; and

WHEREAS, the agreement with Lamb Kretzer, LLC shall be extended until December 31, 2020 and amended to require an additional \$25,000.00 for the calendar year 2020; 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.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Orange Township, authorize the extension of the agreement with Lamb Kretzer, LLC, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094, until December 31, 2020 and approves additional funds in the amount of \$25,000.00 making the amount not to exceed \$35,000.00 for the calendar year 2020.

Adopted:

Joyce L. Lanier
City Clerk

Tency A. Eason
Council President

Vaughn Parchment on behalf of the City Attorney

CITY ATTORNEY

CITY COUNCIL

The City of Orange Township, New Jersey

DATE February 18, 2020

NUMBER 64-2020

TITLE: A RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT BETWEEN THE CITY OF ORANGE TOWNSHIP AND LAMB KRETZER, LLC IN MATTERS AND LITIGATION REGARDING FELD LAWSUITS FOR A PERIOD OF NINETY (90) DAYS, ENDING MARCH 31, 2020 IN AN AMOUNT NOT TO EXCEED \$10,000.00

WHEREAS, on November 15, 2018, the City of Orange Township publicly advertised for bids to provide legal representation to the City in connection with various legal matters; and

WHEREAS, Resolution No. 73-2019, adopted on March 5, 2019, authorized Lamb Kretzer, LLC, to represent the City, its officers and employees; and

WHEREAS, the contract between Lamb Kretzer, LLC and the City of Orange Township expired on December 31, 2019; and

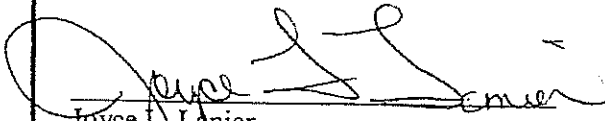
WHEREAS, the City continues to need the services of a qualified law firm while the City prepares and receives responses for the Request for Qualification; and

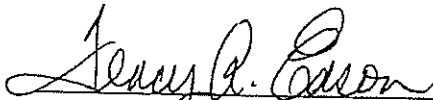
WHEREAS, Lamb Kretzer, LLC has agreed to extend its current contract with the City of Orange Township until March 31, 2020 under the same terms and conditions; as previously awarded; and

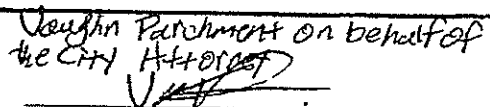
WHEREAS, a certification of funds is not required because the payer of this agreement is the City's insurance carrier, PEJIF.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the City of Orange Township does hereby authorize the Mayor to enter into an extension of the initial contract with Lamb Kretzer, LLC to provide legal services from January 1, 2020 to March 31, 2020 in an amount not to exceed \$10,000.00.

Adopted: February 18, 2020


Joyce L. Lanier
City Clerk


Tency A. Eason
Council President


Vaughn Parchment on behalf of
the City Attorney
CITY ATTORNEY

RESOLUTION NO. 64-2020

CONSENT AGENDA

REGULAR MEETING— FEBRUARY 18, 2020

MOTION TO ADOPT: Williams

SECOND: Summers-Johnson

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

NAYS: None

ABSTENTIONS: None

ABSENCES: None

CITY COUNCIL**The City of Orange Township, New Jersey**DATE March 5, 2019NUMBER 73-2019

TITLE: A RESOLUTION RETAINING LAMB KRETZER, LLC. AS SPECIAL COUNSEL WITH REGARD TO VARIOUS LEGAL MATTERS AND LITIGATION REGARDING THE CITY OF ORANGE TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$25,000.00 CALENDAR YEAR 2019.

WHEREAS, there exists a need for the City of Orange Township to retain legal representation on behalf of City of Orange Township in connection with litigation involving Judith Feld, Jeffrey S. Feld, The Four Felds, etc. also known as the "Feld lawsuits"; and

WHEREAS, the Feld lawsuits are a specific universe of litigation initiated over a span of approximately ten years wherein Jeffrey S. Feld, Judith Feld, The Four Felds, Reasonable Lock and Safe Co, Inc. and/or other related parties are plaintiffs and the City of Orange Township and/or related parties are defendants; and

WHEREAS, in Resolution No. 367-2018, adopted on December 18, 2018, Lamb Kretzer, LLC, is a law firm authorized to represent the City, its officers and employees; and

WHEREAS, attached to this resolution is an exhaustive list of the Feld lawsuits where the City of Orange Township has already retained Lamb Kretzer, LLC as its counsel pursuant to prior resolutions and will continue to represent the City of Orange Township by way of the instant resolution; and

WHEREAS, due to the serial manner in which the "Feld lawsuits" are filed this agreement will allow Lamb Kretzer, LLC to represent the City of Orange Township as to additional "Feld lawsuits", as they arise, subject to the amount not to exceed provision in this resolution; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. authorizes 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.

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. 9-01-20-155-000-519; and,

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

1. The Mayor and the City Clerk are hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$25,000.00, with Lamb Kretzer, LLC 110B Meadowlands Parkway, Suite. 201, Secaucus, New Jersey 07094.
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.

RESOLUTION NO. 73-2019

REGULAR MEETING— MARCH 5, 2019

ON CONSENT AGENDA

MOTION TO ADOPT: Eason

SECOND: Johnson, Jr.

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

NAYS: None

ABSTENTIONS: None

ABSENCES: Jackson

**AGREEMENT TO PROVIDE LEGAL SERVICES IN
MATTERS INVOLVING THE FOUR FELDS, INC., ET
AL. v. CITY OF ORANGE TOWNSHIP, ET AL. THE
("FELD MATTERS")**

THIS AGREEMENT, made this _____ day of _____, 2019,
by and between the **CITY OF ORANGE TOWNSHIP**, a municipal corporation of the
State of New Jersey, having its principal office at 29 North Day Street, Orange, New Jersey
07050 (hereinafter referred to as "City") and Aldo J. Russo, Esq., **LAMB KRETZER,
LLC**, 110B Meadowlands Parkway, Suite 201, Secaucus, New Jersey 07094 (hereinafter
referred to as "Counsel");

WITNESSETH

WHEREAS, the City of Orange Township agrees to retain special counsel on
behalf of the City of Orange Township to perform all the necessary legal services
authorized pursuant to Resolution No. 367-2018 and adopted on December 18, 2018 and
Counsel is agreeable to perform such legal services for the City, as to such matters,
specifically the existing Feld Matters and any new Feld Matters that may arise during the
term of this Agreement.

NOW, THEREFORE, in consideration of the terms and conditions set forth
herein, it is agreed as follows:

1. Aldo J. Russo, Esq. is hereby retained as Special Counsel for City of Orange
Township for the following matters: Municipal and conflict litigation
matters and City legal matters. Counsel shall carry out all responsibilities
in regard to such matters. All services shall be performed under the
supervision and discretion of the City Attorney.
2. The City of Orange Township agrees to compensate Counsel for such legal
services at the hourly rate of \$150.00, not to exceed Twenty-Five Thousand
(\$25,000.00) Dollars, as follows:
Payment for services rendered by Counsel shall be due upon presentation
of an official voucher with attached, detailed itemization which shall

include a description of services rendered, hours expended, as well as disbursements claimed. It is agreed that all vouchers must be accepted by the City as to form and documentation before payment will be made. All statements for services rendered will be presented to the City on a monthly basis and should be received by the City no later than the last working day of the month following the month for which the services are rendered.

3. Counsel agrees to provide services to the City as an independent contractor.
4. Counsel shall provide proof of professional liability insurance and shall maintain such insurance in effect during the term of this Agreement. Counsel shall indemnify and hold the City harmless against any liability, claims or costs arising out of any claim for negligence arising out of the performance of their duties hereunder.
5. The failure of the City at any time to insist upon a strict performance of any terms, conditions and covenants herein shall not be deemed a waiver of any subsequent breach or default in the terms, conditions and covenants herein contained.
6. This Agreement shall be binding on the heirs, successors, and assigns of each party hereto. The term of this Agreement shall be for a period from the date of this Agreement to December 31, 2019 and Aldo J. Russo, Esq., shall continue to serve in all matters assigned to him/her as to this issue prior to the end of the term to their completion.
7. Counsel shall serve under the supervision and discretion and at the pleasure of the City Attorney.
8. This Agreement contains all the terms and conditions agreed upon by the parties hereto, and there are no other agreements, oral or otherwise, between the parties regarding the subject matter of this Agreement.
9. No alterations, changes, modifications or variations of this Agreement or the terms thereof shall be valid unless in writing and signed by both of the parties hereto or their duly authorized representative.
10. This Agreement is made subject to and shall be construed and governed by the laws of the State of New Jersey.

11. During the performance of this Contract, Counsel agrees as follows:
- (a) Counsel will not discriminate against any employee or applicant for employment because of age, race, creed, national origin, ancestry, marital status or sex. Counsel will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and, selection for training, including apprenticeship.
 - (b) Counsel agrees to comply with any regulations promulgated by the Treasurer of the State of New Jersey, pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time.

IN WITNESS WHEREOF, and intending to be legally bound hereby, the parties have hereunto affixed their hands and seals the day and year first written above.

CITY OF ORANGE TOWNSHIP

By: DW 1/31/20
Dwayne D. Warren, Esq., Mayor

ATTEST:

Joyce Lanier 2/10/2020
Joyce Lanier, Municipal Clerk

LAMB KRETZER, LLC

By: Aldo J. Russo, Esq.

ATTEST:

Approved as to form and sufficiency:

Gracia Robert Montilus
Gracia Robert Montilus
City Attorney

**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:

Lamb Kretzer, 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 to N.J.S.A. 19:41A-3(e), (q) and (r).

Dwayne D. Warran, 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 Subchapter S Corporation
 Limited Partnership Limited Liability Corporation Limited Liability Partnership

Name of Stock or Shareholder	Home Address
ALDO J. RUSSO	5 CRENSHAW RD, PORTON PARK NJ
GEORGE ROSELL	1039 JOHNSTON DR, HILLSIDE, NJ
JOHN FEARS	961 HIGHTOWNE RD FIVE N. Haledon NJ

Part 3 - 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: Lamb Kretzer, LLC

Signature: [Signature] Title: Partner

Print Name: ALDO J. RUSSO Date: 12/3/18

Subscribed and sworn before me the 3rd day of Dec, 2018
Donna McMahon
 DONNA MCMONAHAN
 A Notary Public of New Jersey
 My Commission Expires May 24, 2021
 (Print name & title of affiant) (Corporate Seal)

Taxpayer Identification: 463-395-034/000

11/15/13

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to employment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently, under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Help Line at (609) 292-9292.

Wishing you continued success in your business endeavors.

Sincerely,

James J. Prusichone

James J. Prusichone
Director
New Jersey, Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 287
TRENTON, NJ 08646

REGISTERED BUSINESS NAME: AMB KRETZER LIMITED LIABILITY COMPANY

TRADE NAME:

SEQUENCE NUMBER: 1295102

ISSUANCE DATE: 11/15/13

ADDRESS: 108 MEADOWLANDS PARKWAY STE 2
ECAUCUS NJ 07094

EFFECTIVE DATE: 1/15/13

James J. Prusichone
Director
New Jersey, Division of Revenue

REGISTRATION NUMBER: 463-395-034/000

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: Lamb Kretzer
Address: 110B Meadowlands Parkway

City: Secaucus
State: New Jersey
Zip Code: 07094

Purpose: Special Counsel for Various Legal Matters
Vendor ID: LAMB0010

Temporary Budget: \$ 10,000.00
Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'20 0-01-20-155-000-519

The remainder of: \$ 15,000.00
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 : 20-00896

Amount not to exceed: \$ 25,000.00

Division Head

Date



5-13-2020

Chief Financial Officer

Date

