

CITY COUNCIL

The City of Orange Township, New Jersey

DATE May 19, 2020

NUMBER 206-2020

TITLE:

A RESOLUTION AMENDING RESOLUTION 34-2020 A RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT BETWEEN THE CITY OF ORANGE TOWNSHIP AND DAVID C. STANZIALE, LLC, AS SPECIAL COUNSEL IN THE MATTER, STEVEN CAMPIONE AND AMY CAMPIONE V. CITY OF ORANGE TOWNSHIP, DOCKET NO. ESX-L-7349-18 IN AN AMOUNT NOT TO EXCEED \$10,000.00 FOR CALENDAR YEAR 2020 EXTENDING THE CONTRACT UNTIL DECEMBER 31, 2020 AND ADDING AN ADDITIONAL \$30,000 INCREASING THE AMOUNT NOT TO EXCEED TO \$40,000.00

WHEREAS, pursuant to Resolution No. 142-2019, adopted on April 16, 2019, David Stanziale, LLC was, and remains, a law firm authorized to represent the City, its officers and employees; and

WHEREAS, pursuant to Resolution No. 34-2020, adopted on January 21, 2020 the Contract with David Stanziale, LLC was extended until March 31, 2020 under the same terms and conditions previously awarded;

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

WHEREAS, David C. Stanziale LLC has agreed to extend the current Contract with the City of Orange Township until December 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 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, authorizes extending the contract with David C. Stanziale, LLC, 552 High Mountain Road, Suite 3, North Haledon, New Jersey 07508 until December 31, 2020 and adding an additional \$30,000 increasing amount not to exceed to \$40,000.00.

Adopted:

Joyce Lanier
City Clerk

Tency A. Eason
Council President

Vaughn Purchment on behalf of the City Attorney

[Signature]

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET

I, 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: David Stanziale LLC.
Attorney at Law
Address: 552 High Mountain Rd.
Suite 3
City: North Haledon
State: New Jersey
Zip Code: 07508

Purpose: Special Counsel in Legal Matters

Vendor ID: STANZ010

Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'20 0-01-20-155-000-519 \$ 30,000.00

Blanket PO#: 20-00157

Amount not to exceed: \$ 30,000.00

Division Head	Date
<i>Nile Clements</i>	<i>5-13-2020</i>
Chief Financial Officer	Date

CITY COUNCIL

The City of Orange Township, New Jersey

DATE January 21, 2020

NUMBER 34-2020

TITLE: RESOLUTION AUTHORIZING THE EXTENSION OF THE CONTRACT BETWEEN THE CITY OF ORANGE TOWNSHIP AND DAVID C. STANZIALE, LLC IN THE MATTER, “STEVEN CAMPIONE AND AMY CAMPIONE V. CITY OF ORANGE TOWNSHIP, ET AL.” 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 labor, employment, personnel and contract matters; and

WHEREAS, Resolution No. 142-2019, adopted on April 16, 2019, authorized David C. Stanziale, LLC, to represent the City, its officers and employees; and


WHEREAS, the contract between David C. Stanziale, 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, David C. Stanziale LLC has agreed to extend its current contract with the City of Orange Township until March 31, 2020 under the same terms and conditions previously awarded; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds certifying that funds are available under Account No. 0-01-20-155-000-519.

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 David C. Stanziale, LLC to provide legal services from January 1, 2020 to March 31, 2020 in an amount not to exceed \$10,000.00.

Vaughn Marchant on behalf of the City Attorney

CITY ATTORNEY

RESOLUTION NO. 34-2020

CONSENT AGENDA

REGULAR MEETING— JANUARY 21, 2020

MOTION TO ADOPT: Johnson, Jr.

SECOND: Williams

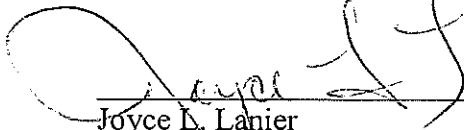
YEAS: Coley, Jackson, Johnson, Jr., Summers-Johnson ,Williams, Wooten and Council President Eason

NAYS: None

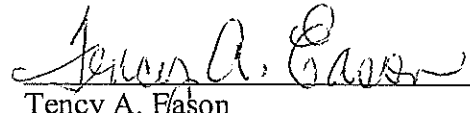
ABSTENTIONS: None

ABSENCES: None

Adopted: January 21, 2020



Joyce D. Lanier
Municipal Clerk



Tency A. Eason
Council President

CITY COUNCIL

The City of Orange Township, New Jersey

DATE April 16, 2019

NUMBER 142-2019

TITLE: A RESOLUTION AUTHORIZING THE SERVICES OF DAVID C. STANZIALE, LLC., TO REPRESENT CITY OF ORANGE TOWNSHIP IN THE MATTER, STEVEN CAMPIONE AND AMY CAMPIONE V. CITY OF ORANGE TOWNSHIP, ET AL., IN AN AMOUNT NOT TO EXCEED \$25,000.00 FOR 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, Steven Campione and Amy Campione v. City of Orange Township, et al.; and

WHEREAS, Resolution No. 367-2018, adopted on December 18, 2018, authorized the law firm of David C. Stanziale, LLC., 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. 9-01-20-155-000-519; and,

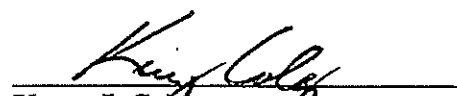
WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. authorizes the award of a contract for "Professional Services" without competitive bids, and that said contract itself must be available for public inspection as set forth herein.

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

1. The Mayor be and is hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$25,000.00, with David C. Stanziale, LLC. 552 High Mountain Road, Ste. 3, North Haledon, New Jersey.
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: April 16, 2019


 Joyce L. Lanier
 City Clerk


 Kerry J. Coley
 Council President

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET

I, 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: David Stanziale LLC.
Attorney at Law
Address: 552 High Mountain Rd.
Suite 3
City: North Haledon
State: New Jersey
Zip Code: 07508

Purpose: Legal Matters
Steven & Amy Campione v. The City of Orange
Vendor ID: STANZ010

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

Blanket PO#: 20-00157

Amount not to exceed: \$ 10,000.00

Division Head	Date
<i>Nile Clements For CFO</i>	<i>1-15-20</i>
Chief Financial Officer	Date

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 2
TRENTON, NJ 08646-0002

TAXPAYER NAME

DAVID C. STANZIALE, LLC ATTORNEY AT LAW

TRADE NAME

ADDRESS

552 HIGH MOUNTAIN ROAD
NORTH HALEDON, NJ 07508

SEQUENCE NUMBER

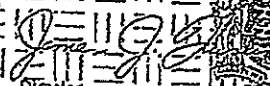
356648

EFFECTIVE DATE

07/23/07

ISSUANCE DATE

08/29/11



Director
New Jersey Division of Revenue

FORM BRC

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

**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
David C. Stanziale, 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 candidates committee, or political party committee representing the elected officials of the **CITY OF ORANGE TOWNSHIP** as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

Dwayne 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
 Subchapter S Corporation
 Limited Partnership
 Limited Liability Corporation
 Limited Liability Partnership

Name of Stock or Shareholder	Home Address
David C. Stanziale	130 Tamboer Drive, North Haledon, NJ 07508

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: David C. Stanziale, LLC

Signed: *David C. Stanziale* Title: Sole Member of LLC

Print Name: David C. Stanziale Date: 11/29/18

Subscribed and sworn before me the <u>29th</u> day of <u>November</u> , 2018.	<u><i>Carol Lynn Vaccaro</i></u> (Affiant) CAROL LYNN VACCARO NOTARY PUBLIC OF NEW JERSEY
My Commission expires:	(Print Name) My Commission Expires <u>2/15/2022</u> (Seal)

AGREEMENT TO PROVIDE LEGAL SERVICES IN THE MATTER STEVEN CAMPIONE AND AMY CAMPIONE V. THE CITY OF ORANGE, ET AL., DOCKET NO. ESX-L-7349-18

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 David C. Stanziale, LLC., 552 High Mountain Road, Ste. 3, North Haledon, New Jersey (hereinafter referred to as "Counsel");

WITNESSETH

WHEREAS, the City of Orange Township agrees to retain special counsel on behalf of City of Orange Township, is agreeable to perform all the necessary legal matters pursuant to Resolution No. 367-2018, adopted on December 18, 2018 and Counsel is agreeable to perform such legal services for the City, as to such matters.

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

1. David C. Stanziale, LLC. 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.

- (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: *Dwayne D. Warren*
Dwayne D. Warren, Esq., Mayor

ATTEST:

Joyce L. Lanier, City Clerk

DAVID C. STANZIALE, LLC.

By: *David C. Stanziale*
David C. Stanziale, LLC

ATTEST:

Approved as to form and sufficiency:

Gracia Robert Montilus
Gracia Robert Montilus
City Attorney

3. The total payments hereunder shall in no event exceed the lawful appropriations made therefore from time to time without further approval of the Insurance Fund Commission.
4. Counsel agrees to provide services to the City as an independent contractor. No services will be rendered to the City by Counsel unless authorized by the Insurance Fund Commission.
5. 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.
6. 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.
7. 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 not to exceed one (1) year from the date of this Agreement and David C. Stanziale, L.L.C., 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.
8. Counsel shall serve under the supervision and discretion and at the pleasure of the City Attorney.
9. 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.
10. 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.
11. This Agreement is made subject to and shall be construed and governed by the laws of the State of New Jersey.
12. During the performance of this Contract, Counsel agrees as follows:

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET

I, 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 LLC.

Address: 1100 Valley Brook Avenue
PO Box 790
City: Lyndhurst
State: New Jersey
Zip Code: 07071-0790

Purpose: Various Legal Matters

Vendor ID: SCARI015

Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'20 0-01-20-155-000-519 \$ 30,000.00

Blanket PO#: 20-00156

Amount not to exceed: \$ 30,000.00

Division Head	Date
<i>Nile Clements for CFO</i>	<i>1-15-20</i>
Chief Financial Officer	Date
