

CITY COUNCIL**The City of Orange Township, New Jersey**DATE March 16, 2021NUMBER 154-2021

TITLE: A RESOLUTION AUTHORIZING THE SERVICES OF THE LAW OFFICES OF CHRISTOPHER N. MARUCCI, LLC, AS AN ALTERNATE MUNICIPAL COURT PROSECUTOR ON AN AS NEEDED BASIS FOR THE CALENDAR YEAR 2021 IN AN AMOUNT NOT TO EXCEED \$2,500.00

WHEREAS, N.J.S.A. 2b:25-4 requires that every Municipal Court shall have at least one (1) Municipal Prosecutor appointed by the governing body of the municipality; and

WHEREAS, in the event that the Municipal Prosecutor is unable to attend a Municipal Court Session, it is the intention of the City Council to appoint an Alternate Municipal Prosecutor to perform the required prosecutorial responsibilities; and

WHEREAS, Resolution No. 54- 2021, adopted on February 2, 2021, the Law Offices of Christopher N. Marucci, LLC was appointed to serve as the City of Orange Township's Alternate Municipal Prosecutor for the calendar year 2021.

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. 1-01-20-155-000-519.

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

1. That the Law Offices of Christopher N. Marucci, LLC, 21 Iroquois Avenue, Rockaway, New Jersey 07866 is hereby appointed to serve as the City of Orange Township's Alternate Municipal Court Prosecutor for the calendar 2021.
2. The Mayor and the City Clerk are hereby authorized and directed to execute the attached Agreement, in an amount not to exceed \$2,500.00, with the Law Offices of Christopher N. Marucci, LLC.
3. That the Agreement herein and this resolution is contingent upon certification of funds and appropriate funding to render payment for the services provided herein.

Adopted: March 16, 2021

Joyce L. Lanier
City Clerk

Kerry J. Coley
Council President

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 2021 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2021 Budget, there will be sufficient funds to contract with:

Vendor Name: Christopher Marucci

Address: 21 Iroquis Ave.

City: Rockaway
State: New Jersey
Zip Code: 07866

Purpose: Alternative Court Prosecutor

Vendor ID: MARUC015

Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'21 1-01-20-155-000-519 \$ 2,500.00

Blanket PO#: 21-00657

Amount not to exceed: \$ 2,500.00

Division Head	Date
<i>Nile Clements</i>	3/11/2021
Chief Financial Officer	Date

AGREEMENT

THIS AGREEMENT, made this day of , 2021, 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 The Law Offices Christopher N. Marucci, LLC, 21 Iroquois Avenue, Rockaway, New Jersey 07866, (hereinafter referred to as “Counsel”);

WITNESSETH

WHEREAS, the City of Orange Township agrees to retain special counsel on behalf of the City and **the Law Offices of Christopher N. Marucci, LLC**, is agreeable to perform all the necessary legal matters pursuant to Resolution No. 54-2021, adopted on February 2, 2021, 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. The Law Offices of Christopher N. Marucci, LLC, is hereby retained as Special Counsel for City of Orange Township for the following matters: Alternate Municipal Prosecutor. Counsel shall carry out all responsibilities in regard to such matters.
2. The City of Orange Township agrees to compensate Counsel for such legal services at \$250.00 per session. Payment for services rendered by Counsel shall be due upon presentation of an official voucher.
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 resulting from the performance of its 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 not to exceed one (1) year from the date of this Agreement and The Law Offices of Christopher N. Marucci 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. 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.
8. 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.
9. This Agreement is made subject to and shall be construed and governed by the laws of the State of New Jersey.
10. 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: _____
Dwayne D. Warren, Esq., Mayor

ATTEST:

Joyce Lanier, Municipal Clerk

The Law Offices of Christopher N. Marucci, LLC

By: _____

ATTEST:

Approved as to form and sufficiency:

Gracia Robert Montilus
City Attorney

09/10/20

Taxpayer Identification# 143-682-993/000

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 unemployment 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 Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

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

TAXPAYER NAME:

MARUCCI,CHRISTOPHER N

TRADE NAME:

ADDRESS:

21 IROQUOIS AVENUE
ROCKAWAY NJ 07866

SEQUENCE NUMBER:

2489212

EFFECTIVE DATE:

09/10/20

ISSUANCE DATE:

09/10/20



Director
New Jersey Division of Revenue

FORM BRC

11/11/01 11/11/01 11/11/01

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

Christopher Marucci

(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).

Dwight D. Warren, Esq., Mayor	
Hon. Kerry J. Cahy	
Hon. Adrienne K. Wooten	
Hon. Tency A. Eason	
Hon. Clifford R. Ross	
Hon. Harold J. Johnson	
Hon. Jamie Summers-Johnson	
Hon. Weldon M. Montague	

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
Christopher Marucci	21 Iroquois Ave Rockaway NJ 07866

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: Marucci Law Group

Signed: [Signature] Title: _____

Print Name: C. Marucci Date: 11/17/20

Subscribed and sworn before me the _____ day of _____, 20____.

(Affiant)

My Commission expires: _____ (Print name & title of affiant) (Corporate Seal)

CITY COUNCIL**The City of Orange Township, New Jersey**DATE February 2, 2021NUMBER 54-2021**TITLE: A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO USE ALTERNATE MUNICIPAL COURT PROSECUTOR ON AN ON-CALL BASIS FOR THE CALENDAR YEAR 2021 THROUGH A FAIR AND OPEN PROCESS**

WHEREAS, on October 29, 2020, the City of Orange Township through fair and open process, publicly advertised Requests for Qualifications, and said requests for Professional Services – Alternate Municipal Court Prosecutor were received; and

WHEREAS, two (2) 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, the City Attorney recommends the law firms:

1. Gina DeVito, Esq.
The Law Office of Gina DeVito, LLC
28 Valley Rd. #1
Montclair, NJ 07042
2. Christopher N. Marucci, Esq.
21 Iroquois Avenue
Rockaway, NJ 07866

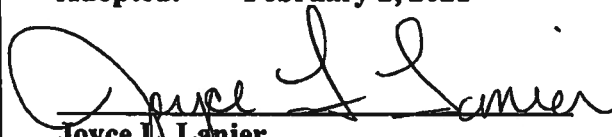
WHEREAS, said firms will only be selected to provide legal services on an as needed basis; and

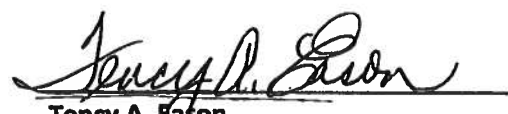
WHEREAS, all recommended firms have agreed to provide legal services at a rate of \$250.00 per session; and

WHEREAS, the City Attorney has determined that the above referenced 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 said law firms for a one (1) year from January 1, 2021 through December 31, 2021.

Adopted: February 2, 2021


Joyce L. Lanier
City Clerk


Tency A. Eason
Council Vice President

RESOLUTION NO. 54-2021

ON CONSENT AGENDA

REGULAR MEETING – February 2, 2021

MOTION TO ADOPT: Montague, III

SECOND: Ross

YEAS: Eason, Johnson, Jr., Montague, III, Ross, Summers-Johnson and Wooten

NAYS: None

ABSTENTIONS: None

ABSENCES: Council President Coley

REQUIRED ADMINISTRATIVE FORMS

Please place the checklist and the required forms which follow at the front of your packet to facilitate the review of your submission.

CITY OF ORANGE TOWNSHIP

PROJECT: ALTERNATE MUNICIPAL PROSECUTOR

RESPONENT: Gina DeVito, The Law Office of Gina DeVito, LLC

RESPONDENT'S CHECKLIST

Item	Respondent Initials	AA/EEO Review
A. Non-Collusion Affidavit properly notarized		
B. Public Disclosure Statement		
C. Mandatory Affirmative Action Language		
D. Affirmative Action Compliance Notice		
E. Employee Information Report		
F. Americans with Disabilities Act		
G. MWBE Questionnaire (2 Copies)		
H. Business Registration Certificate		
I. Letter of Qualification		
J. Letter of Intent		
K. Hold Harmless Agreement		
L. Price Proposal		
M. Certification of Compliance (Ord. §4-70 et seq).		
N. Original signature(s) on all required forms.		

City of Orange Township

PROFESSIONAL INFORMATION AND QUALIFICATIONS

Prepared for: Gracia Robert Montilus
City Attorney
29 North Day St.
Orange, NJ 07050

Prepared by: Gina DeVito, Esq.
The Law Office of Gina DeVito, LLC
28 Valley Rd. #1
Montclair, NJ 07042

1. Name of Firm:

The Law Office of Gina DeVito, LLC is a private practice primarily focused on municipal law and criminal defense outside of Essex and Union Counties. As an attorney with a demonstrated commitment to public service, I am uniquely qualified to perform the services required under this RFO. My years of experience working within the criminal justice system as well as my steady work as a municipal prosecutor over the last several years have given me the skills and experience necessary to successfully serve as a municipal prosecutor for the City of Orange Township. As such, I enthusiastically submit this document as indication of my interest to provide Municipal Prosecutor Services for the City of Orange.

2. Address of principal place of business, contact information, and the attorney to serve in position:

Gina DeVito, Esq. (sole member and key contact person)
The Law Office of Gina DeVito, LLC
28 Valley Rd. Suite 1
Montclair, NJ 07042
973-641-0104 (cell)
800-998-3082 (office)
gdevitoesq@comcast.net

3. **Areas of Practice:** (see above)
4. **Description of attorney's education, etc:** (see below and attached resume)
5. **Years in business under present name:** The Law Office of Gina DeVito was incorporated in February, 2015 and has since been in business under such name.
6. **References:** (see below)
7. **Ability of provide services in a timely fashion:** As the sole member of my firm, I have the ability to create and manage my own schedule and provide professional services in a timely manner.
8. **Professional Liability Insurance:** I have professional liability insurance from First Indemnity Insurance Agency and will provide proof of same
9. There have been no professional liability claims against The Law Office of Gina DeVito.
10. \$250.00 per session.
11. **Business Registration Certificate:** (see attached)
12. There are no pending ethics complaints against Gina DeVito or the Law Office of Gina DeVito.

13. The Law Office of Gina DeVito is not involved in any lawsuit, nor has it ever been sued.

Professional Information Requirements

1. **Overall experience:** In addition to the following, please see also attached resume for dates and fuller description of legal experience.

(a) **Description and scope of my work:**

- **Law Office of Gina DeVito, LLC:** In February of 2015, I established a private practice focusing on municipal law and criminal defense. In March of 2015, I entered into a contract with the State of New Jersey to provide criminal defense services to the indigent as a pool attorney in Passaic County. In November 2016, I was appointed in Irvington, New Jersey as a part-time Municipal Prosecutor after having been retained by the township of Irvington as a Substitute Municipal Prosecutor since 2015. Similarly, in 2018 I was appointed as one of two permanent prosecutors in Bloomfield, New Jersey, and in 2020, as a per diem in the Borough of Roselle. In addition, I have served as a substitute prosecutor for municipal courts in Montclair, South Orange, Orange, East Orange, Livingston, and Rahway New Jersey. Finally, I have served as a per diem Municipal Prosecutor in the City of Newark since January 2016.
- **Newark Reentry Legal Services (ReLeSe):** As the managing attorney for ReLeSe, I developed legal service delivery programs for individuals returning to their communities after serving their criminal sentences. Such programs, specifically designed to help clients resolve outstanding municipal issues (both criminal and traffic) and achieve license restoration, were created in partnership with the Newark Municipal Court (specifically former Chief Judge Richard Nunes), the Newark Municipal Prosecutor's Office (specifically former Chief Municipal Prosecutor Marvin Adames) and with the Essex County Superior Court (specifically the Honorable Anthony Frasca and the former Assignment Judge, the Honorable Patricia Costello). In addition, I provided direct representation to ReLeSe clients in municipal courts throughout New Jersey and trained and mentored pro-bono attorneys who assisted ReLeSe clients through direct and limited-scope representation. Through this work, I have a deep understanding of the criminal code, Title 39, Motor Vehicle Commission surcharges, collateral consequences, municipal ordinances, and prosecutorial and defense strategies.
- **Fugitive Safe Surrender:** In 2009, as the managing attorney of ReLeSe, I was a member of the steering committee that brought Fugitive Safe Surrender to Essex County. I participated as a defense attorney handling municipal matters (both traffic and criminal) and coordinated the pro-bono defense attorney effort. Since 2009, I have participated in a similar capacity in three other Fugitive Safe Surrender events in New Jersey.
- **Maricopa County Attorney's Office -- Deputy County Attorney:** Serving for five years as a prosecutor in Arizona, I prosecuted hundreds of cases ranging from simple assault to homicide as well as various cases including DUIs, family violence and drug offenses. I worked

**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

Christopher Marucci

(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).

Hon. Dwight D. Warren, Esq., Mayor	
Hon. Kerry J. Colby	
Hon. Adrienne K. Wooten	
Hon. Terry A. Enson	
Hon. Clifford R. Ross	
Hon. Harold J. Johnson	
Hon. Jamie Summers-Johnson	
Hon. Weldon M. Montague	

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
Christopher Marucci	21 Irongate Ave Rockaway NJ 07866

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: Marucci Law Group

Signed: [Signature] Title: _____

Print Name: C. Marucci Date: 11/1/20

Subscribed and sworn before me the _____ day of _____, 20____ (Affiant)

My Commission expires: _____ (Print name & title of affiant) (Corporate Seal)

09/10/20

Taxpayer Identification# 143-682-993/000

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 unemployment 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 Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

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

TAXPAYER NAME:
MARUCCI, CHRISTOPHER N

TRADE NAME:

ADDRESS:
21 IROQUOIS AVENUE
ROCKAWAY NJ 07866

SEQUENCE NUMBER:

2489212

EFFECTIVE DATE:

ISSUANCE DATE:

09/10/20

09/10/20



Director
New Jersey Division of Revenue

FORM BRC

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at all times.

AND THE MUNICIPAL TAX ASSESSOR, INCLUDING, BUT NOT LIMITED TO, THE DEFENSE OF TAX APPEALS.

MUNICIPAL TAX APPEAL APPRAISAL SERVICES: THE CITY IS SEEKING TO APPOINT A REAL ESTATE APPRAISAL/CONSULTING COMPANY TO SERVE AS APPRAISER/CONSULTANT TO THE CITY AND THE MUNICIPAL TAX ASSESSOR, INCLUDING, DEFENSE OF TAX APPEALS.

REDEVELOPMENT COUNSEL LEGAL SERVICES: THE CITY OF ORANGE IS SEEKING TO APPOINT A LAW FIRM OR ATTORNEY TO ACT AS GENERAL REDEVELOPMENT COUNSEL FOR REDEVELOPMENT MATTERS.

WORKERS' COMPENSATION COUNSEL SERVICES: THE CITY OF ORANGE, IS SOLICITING THROUGH THE FAIR AND OPEN PROCESS IN ACCORDANCE WITH THE NEW JERSEY "LOCAL UNIT PAY TO PLAY" LAW N.J.S.A. 19:44A-20.4 ET SEQ., "REQUEST FOR QUALIFICATIONS" (RFQ) FOR WORKERS' COMPENSATION COUNSEL SERVICES.

ALTERNATE MUNICIPAL COURT PROSECUTOR: THE CITY OF ORANGE, IS SOLICITING A REQUEST FOR PROPOSALS FROM LAW FIRMS INTERESTED IN SERVING AS "ALTERNATE MUNICIPAL COURT PROSECUTOR" TO THE CITY OF ORANGE TOWNSHIP FOR A PERIOD BEGINNING ON JANUARY 1, 2021 AND ENDING DECEMBER 2021.

THIRD-PARTY ADMINISTRATOR: THE CITY OF ORANGE IS SEEKING A REQUEST FOR QUALIFICATIONS FOR A THIRD-PARTY ADMINISTRATOR FOR ITS LIABILITY AND WORKER'S COMPENSATION FOR ITS SELF-INSURED PROGRAM THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 et seq.

COPIES OF THE CITY'S REQUEST FOR QUALIFICATIONS CAN BE OBTAINED BY EMAILING: BEATRICE HACKETT
EMAIL ADDRESS: BHACKETT@ORANGENJ.GOV.

QUALIFICATION STATEMENTS ARE BEING SOLICITED THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH THE PAY-TO-PLAY LAW, N.J.S.A. 19:44A-20.5 ET SEQ. AND